

Prince George's County Departure From Parking and Loading Standards Application No.267

Applicant: God=s Church International

Location: Southwest side of Beech Road approximately 390 feet southeast of Beech Place, known as 4925-4949 Beech Road

Request: Departure of 20 off-street parking spaces from required 72 in accordance with Section 27-568(a).

### A M E N D E D   R E S O L U T I O N

WHEREAS, the applicant is requesting a departure of 20 off-street parking spaces from required 72 in accordance with Section 27-568(a); and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released January 17, 2001, recommended Approval, subject to conditions; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on January 25, 2001, the Prince George's County Planning Board agreed with the staff recommendation; and

WHEREAS, the Planning Board approved this departure for a period of six months and directed the staff to make monthly visits to see if there were seasonal or other variations in the parking needs of the center. This was felt necessary given the nature of the uses and the fact that there was unleased space in the center; and

WHEREAS, the Staff made five additional trips to the site and found no substantial change in the parking generation; and

WHEREAS, the revised Technical Staff Report released June 20, 2001, recommended APPROVAL, subject to conditions; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on June 28, 2001, the Prince George=s County Planning Board agreed with the staff recommendation, as revised, and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the revised Technical Staff Report and the following DETERMINATIONS:

- A.     Location and Field Inspection: The subject property is made up of two parcels (AO@ and AP@) and is located on the southwest side of Beech Road, 390" feet southeast of Beech Place. It is

roughly rectangular in shape, and is developed with a two-story industrial center which is used for a variety of contractor, warehouse and auto-related uses. The center is also home to the God=s Church International, a 50-seat church which has gained approval for an associated day care and private school (approved under SP-99022). The center is located along the western edge of Parcel O, while Parcel P remains undeveloped with the exception of a 6,132 Sq. Ft. play area for the day care center and private school.

- B. History: The subject property was retained in the I-1 Zone by the *Heights and Vicinity Sectional Map Amendment* (SMA), which was adopted in November, 2000.
- C. Master Plan Recommendation: The 2000 *Master Plan for The Heights and Vicinity* recommends employment use for the subject property.
- D. Request: The applicant requests a departure of 20 out of 72 required off-street parking spaces.
- E. Surrounding Uses: The subject property is located in and surrounded by the Silver Hill Industrial Center, which is made up of warehousing, distribution and auto-related businesses in the I-1 Zone.
- F. Parking Requirements: The applicant claims the center is required to provide 68 off-street parking spaces. However, this is predicated on the fact that a 20 percent reduction pursuant to Section 27-572 of the Zoning Ordinance can be applied to the total number of spaces for all uses in the center. In fact, the 20 percent reduction cannot be taken for the general office space use (Section 27-572[c]). Parking for the site breaks down as follows:

<u>USE</u>	<u>SCHEDULE</u>	<u>SPACES REQUIRED</u>
Vehicle Repair #1 (2 bays)	3/bay	6
Vehicle Repair #2 (1 bay)	3/bay	3
Vehicle Repair #3 (1 bay)	3/bay	3
Vehicle Repair #4 (1 bay)	3/bay	3
Contractor #1 (4,700 s.f.)	1/500 s.f.	9.4
Contractor #2 (2,350 s.f.)	1/500 s.f.	4.7
Contractor #3 (1,175 s.f.)	1/500 s.f.	2.35
Contractor #4 (1,175 s.f.)	1/500 s.f.	2.35
Contractor #5 (1,175 s.f.)	1/500 s.f.	2.35
Warehouse #1 (1,175 s.f.)	3/up to 1,500 s.f.	3
Warehouse #2 (1,190 s.f.)	3/up to 1,500 s.f.	3
Kickboxing School (6 students max.)	1/3 students	2
Church (50 seats)	1/4 seats	12.5
Private School (40 students)	1/6 students	7
Day Care Center (20 children)	1/8 children	3
<b>SUBTOTAL</b>		66.65
<b>MINUS 20% REDUCTION</b>		-13.33
<b>REDUCED SUBTOTAL</b>		53.32
General Office (6,125 s.f.)	6/first 2,000 s.f. + 1/400 s.f. add=1	+18.31 71.63
<b>TOTAL REQUIRED</b>		72
<b>TOTAL PROVIDED</b>		52

The applicant thus needs a departure of 20 off-street parking spaces. If this application were to be approved, the parking schedule contained on the site plan would need to be revised to reflect these numbers.

A. Other Issues: There are several site plan deficiencies and irregularities that need to be addressed:

1. SP-99022 was approved for a day care of 20 children and a private school of 40 students on the subject property. The applicant now shows an enrollment of 24 for the day care and 42 for the private school. This would require a revision to SP-99022. The applicant has advised they wish to remain at the approved numbers. The site plan must reflect these numbers.
2. The site plan incorrectly references the requirements of Section 27-348.01 of the Zoning Ordinance (special exception requirements). This site plan is subject to Section 27-475.02 and 27-475.06.01. The site plan notes should be revised accordingly.
3. The general notes on the site plan must be revised to include:
  - a. The number of shade trees required and provided for the parking lot on Parcel O.
  - b. The numbers and types of parking spaces (standard, compact and handicapped) provided.
4. In order to be exempt from Sections 4.2 and 4.3 of the *Landscape Manual*, the site plan must show the landscaping required and approved by building permit 5690-87-CGU.
5. The height of the existing building must be added to the site plan.

H. Required Findings:

(A) **Section 27-588(b)(8) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:**

1. **The purposes of Section 27-550 will be served by the applicant=s request.**

Finding: The purposes of Section 27-550 will be generally served by the applicant's request to waive a total of 20 of the 72 required parking spaces for their existing business. The maximum number of parking spaces being used during the three staff field visits to the site was 33 of 52 (63.5 percent). If the remaining vacant units were to generate a similar parking demand, it would result in a total demand for 46 spaces, still below the 52 spaces provided.

In addition, the Planning Board has often granted departures when they involve churches with day care centers and private schools in the past. The hours of peak parking demand for a church occur on Sundays, when the demand for the day care and school is low. The other uses in the industrial center do not appear to have Sunday hours.

2. **The departure is the minimum necessary, given the specific circumstances of the request.**

Finding: A departure of 20 spaces is the minimum necessary. There is no other area on Parcel O to provide additional parking, although there is ample area on Parcel P.

3. **The departure is necessary in order to**

alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949.

Finding: The subject property has an unusual mix of uses. The Zoning Ordinance, while allowing a church, day care center and private school in the I-1 Zone, did not particularly anticipate these three uses to locate in an industrial center along with general contractors and car repair businesses. However, that is the reality presented in this application.

4. All methods for calculating the number of spaces required have either been used or found to be impractical.

Finding: All methods have been used. There is no methodology which would result in a smaller departure or negate the need for one.

5. Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.

Finding: There are no adjacent residential areas. The site is surrounded by other industrially-zoned properties.

- (B) In making its findings, the Planning Board shall give consideration to the following:

1. The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within 500 feet of

**the subject property.**

Finding: Parking for the businesses within the Silver Hill Industrial Center is provided on-site, for the most part. There is no on-street parking along Beech Road, the major arterial through the area. Some parking (2-3 cars), which staff assumes is associated with the uses at the center, occurs on the adjoining undeveloped Parcel O. There are parking spaces on adjacent properties, they are to serve the uses contained thereon.

- 2. The recommendations of an area master plan, or County or local revitalization plan, regarding the subject property and its general vicinity.**

Finding: The 2000 Master Plan for the Heights recommends employment use for the property. The master plan will not be impaired by the subject request if it were to be approved.

- 3. The recommendations of a municipality (within which the property lies) regarding the departure.**

Finding: The site is not within a municipality.

- 4. Public parking facilities which are proposed in the County=s Capital Improvement Program within the general vicinity of the property.**

Finding: There are no public parking facilities proposed within the general vicinity.

- (C) In making its findings, the Planning Board may give consideration to the following:**

**1. Public transportation available in the area.**

Finding: There is no public transportation along Beech Road. The nearest Metrobus service is along St. Barnabas Road, one-half mile to the west.

**2. Any alternative design solutions to off-street facilities which might yield additional spaces.**

Finding: There is no space on Parcel O to provide additional parking. There is, however, ample space available on Parcel P to place the additional necessary parking.

**3. The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within 500 feet of the subject property.**

Finding: The church/school/day care center operate at various times. The church holds services on Sunday morning and early afternoon, when other uses in the center are closed. The day care center and private school are to be open from 6:00 am to 7:00 p.m. Monday-Friday. Most of the other uses in the center have regular weekday business hours, with the exception of the Capitol Kickboxing School and Hayes Motorcycle Parts/Accessories, both of which have Saturday hours as well.

**4. -Not applicable-**

NOW, THEREFORE, BE IT RESOLVED, that Departure from Parking and Loading Standards Application No. DPLS-267 is hereby APPROVED, subject to the following conditions:

1. The departure shall only apply to the uses listed on the site plan. Any



change of use to another use not listed on the site plan shall require an additional departure.

1. The site plan shall be revised to show the following:
  - a. A revised parking schedule in accordance with the Technical Staff Report for this application dated January 17, 2001.
  - a. The day care shall be for 20 children and the private school for 40 students.
  - b. Site plan references to the requirements of Section 27-348.01 of the Zoning Ordinance (special exception requirements) shall be replaced with the appropriate references (Section 27-475.02 and 27-475.06.01).
  - c. The general note on the plan must be revised to include:
    - 1) The number of shade trees required and provided for the parking lot on Parcel O.
    - 2) The number and types of parking spaces (standard, compact and handicap) provided.
  - a. In order to be exempt from Sections 4.2 and 4.3 of the Landscape Manual, the site plan must show the landscaping required and approved by building permit 5690-87-CGU.
  - b. The height of the existing building must

be added to the site plan.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Brown and Hewlett voting in favor of the motion, and with Commissioner Scott absent at its regular meeting held on Thursday, June 28, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6<sup>th</sup> day of September, 2001.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:TL:wrc