

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed DPLS-379, Woodstream Church, requesting a departure from parking and loading standards to reduce the required number of parking spaces by 95 spaces in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on July 31, 2014, the Prince George's County Planning Board finds:

1. **Request:** The application requests a DPLS to reduce the required number of parking spaces by 95 spaces. The DPLS is companion to a detailed site plan for a 69,060-square-foot family life center and building additions to an existing church in order to add a private school with 445 students and a 250-child day care center. For additional information regarding that approval see PGCPB Resolution No. 14-76.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	I-3	I-3
Use(s)	Church Private School Day Care	Church Private School Day Care
Acreage	15.28	15.28
Square Footage/GFA	81,719	169,326

Parking Requirements*

	REQUIRED	APPROVED
Total Parking Spaces	446	351
Church (1 space per 4 seats @ 1200 seats)	300	
Nursery (1 space per 4 seats @ 100 seats)	25	
Private School (1 space per 6 students below 10th grade @ 360 students)	60	
Private School (1 space per 3 students above 10th grade @ 85 students)	29	
Day Care (1 space per 8 children @ 250 children)	32	
Of which	8	17
Handicap Spaces		(3 Van-Accessible)
Total Loading space	2	2

3. **Location:** The 15.28-acre property is located in the southwestern quadrant of the intersection of Lottsford Road and Ruby Lockhart Boulevard. The site is also located in Planning Area 73A, Council District 5.
4. **Surrounding Uses:** The neighboring properties to the north, west, and south of the site are zoned Mixed Use-Transportation Oriented (M-X-T) and are currently undeveloped. This adjacent land area was the subject of Conceptual Site Plan CSP-10004, King Property, for 525,000 square feet of residential development and 404,000 square feet of retail and office space. To the north across Ruby Lockhart Boulevard, is The Villas at Regent Park condominium development located in the Commercial Office (C-O) Zone. The neighboring properties to the southeast across Lottsford Road are zoned Residential Medium Development (R-M) and are developed with townhouses.
5. **Previous Approvals:** The site was rezoned from the Rural Residential (R-R) Zone to the I-3 Zone through Zoning Map Amendment A-9604-C, which was approved by the Prince George's County District Council on April 11, 1988. The District Council approved Conceptual Site Plan CSP-96046 for Addison King Property for approximately 109.46 acres on December 3, 1997. The Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-97013 and Type I Tree Conservation Plan TCPI/05/97-01 for Addison King Property which covered approximately 110± acres on April 3, 1997. This preliminary plan created Lot 1, which contains the church, and Outlot A. Preliminary Plan of Subdivision 4-97013 was later superseded with the approval of Preliminary Plan of Subdivision 4-10005 by the Planning Board on July 14, 2011. The subject DSP is a revision to Detailed Site Plan SP-98001, which was approved by the Planning Board on April 2, 1998 for construction of the existing church. An -01 revision of DSP-98001 was approved by the Planning Director for the construction of a pavilion on the site.

Subsequent to DSP approval and construction of the proposed church, a private school use was added on the subject site. The Woodstream Christian Academy currently operates on the site. The subject CSP and DSP revisions are required to validate this existing use, and provide adequate play area that meets the requirements of the Zoning Ordinance.

6. **Design Features:** The subject application proposes two building additions to the existing sanctuary building for a day care center and administrative offices and a new three-story, 69,060-square-foot multipurpose building. The applicant is proposing a private school for 445 students (kindergarten through 12th grade) and a day care for 250 children as an addition to the existing church.

The building expansions are proposed in an area that currently serves as parking. A departure of 95 parking spaces is required.

7. **Prince George's County Zoning Ordinance:** The subject application complies with the requirements of the Planned Industrial/Employment Park (I-3) Zone, the site plan design guidelines, and additional requirements of the Zoning Ordinance. Approval of a CSP and DSP is required for all uses and improvements in the I-3 Zone, in accordance with Part 3, Division 9, of the Zoning Ordinance. A DPLS and DSDS is associated with the detailed site plan approval.

8. **Departure from Parking and Loading Standards DPLS-396:** Section 27-568 of the Zoning Ordinance stipulates the minimum number of required off-street parking spaces for each type of use. The application indicates a deficit of 95 parking spaces.

The provisions of Section 27-588(b)(7) require that the Planning Board make the following findings in order to approve the DPLS application:

(7) Required findings.

- (A) In order for the Planning Board to grant the departure, it shall make the following findings:**

- (i) The purposes of this Part (Section 27-550) will be served by the applicant's request;**

The purposes of Section 27-550 are as follows:

- (1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;**
- (2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**
- (3) To protect the residential character of residential areas; and**
- (4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

Applicant's Justification: The purposes seek among other things to provide parking and loading areas sufficient to serve the needs of the use and to protect the residential character of the area. As required by the Zoning Ordinance, the proposed increases in student enrollment for the day care center and private school would require an additional 121 parking space to service both uses. On-site, a total of 351 parking spaces are currently available, of which 325 spaces are for the use of the church/nursery. As there is no additional room on the property to accommodate any additional parking spaces, the applicant is seeking a waiver of the parking space requirement to accommodate its proposed private school/day care center since they will not operate at the same time as the existing church. As noted above, the applicant's site plan shows a

total of 351 parking spaces on-site. Of those available spaces, 325 spaces are required for the church/nursery. The hours of operation for the church services are Sundays at 8:00 a.m. and 10:45 a.m.; Sunday School is Sundays at 9:30 a.m.; and Prayer Meeting and Bible Study is Wednesdays at 7:00 p.m. (featuring small groups). During the week, the Academy is in session between the hours of 6:00 a.m. and 6:00 p.m. As the church and academy do not operate at the same time, the 325 parking spaces for the church are not being utilized. Therefore, the applicant maintains that there is more than sufficient parking available on-site. In support of its assertion that adequate parking is available on-site, the applicant conducted a parking study for one week on the property, October 22, 2012 through October 26, 2012. Specifically, the applicant observed the number of parking spaces being used during the peak traffic hours, 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m. The data from the parking study demonstrates that, on average, no more than 119 vehicles are parked on-site at any one of the peak hours. To that end, the applicant is requesting a waiver for 95 parking spaces.

The Planning Board finds that the purposes of Section 27-550 of the Zoning Ordinance will be served by the applicant's request. As the church and private school with day care center will not operate at the same time, off-street parking sufficient to serve all of the uses will be provided.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

The Planning Board finds that the departure is the minimum necessary. The parking regulations require 121 parking spaces for the day care (250 students) and private school (445 students, 85 students above the 10th grade and 360 students below the 10th grade). The site plan indicates 351 existing spaces and, as there is no additional room on the property to accommodate additional spaces, the departure is the minimum necessary.

(iii) 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;

Applicant's Justification: The departure is necessary in order to alleviate circumstances, which are special to the subject use, given its nature at this location. The subject site was carved out of a larger piece of property consisting of 109.46 acres and established as a church and nursery. In an effort to respond to the growing shortage of quality child care in the area,

the church, as part of its ministry, has responded to that need. Strict compliance with the parking requirements would require that the church utilize its landscaping and environmentally-sensitive areas to accommodate additional spaces. Such a solution would impair the overall residential character of the neighborhood.

The Planning Board adopts the above justification as a finding and adds that the departure is also necessary to alleviate circumstances that are intrinsic to the existing and proposed uses, which will not operate at the same time. The church aims to meet a need in the area by providing the proposed mix of uses.

- (iv) **All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and**

The applicant has applied the correct method for calculating the number of spaces required. No other parking standard can be applied in this case.

- (v) **Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

Applicant's Justification: The parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted. As noted above, the applicant's site plan shows 351 parking spaces on-site. Of those available spaces, 325 spaces are required for the church/nursery. However, since the church does not operate during the week when the Academy is in session (6:00 a.m. to 6:00 p.m.), the available 351 spaces for the church use are not being utilized. In support of its assertion that adequate parking is available on-site, the applicant conducted a parking study for one week on the property, October 22, 2012 through October 26, 2012. Specifically, the applicant observed the number of parking spaces being used during the peak traffic hours, 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m. The data from the parking study demonstrates that, on average, no more than 119 vehicles are parked on-site at any one of the peak hours. To that end, the applicant is requesting a waiver for 95 parking spaces.

The Planning Board adopts the above justification as a finding and adds that since the subject site does not directly abut any existing residential uses, the parking and loading needs of residential areas will not be infringed upon.

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

- (i) **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 five hundred (500) feet of the subject property;**

The Planning Board finds that no off-street parking spaces within 500 feet of the subject property are considered for the church's use.

- (ii) **The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;**

Applicant's Justification: The 2002 General Plan previously designated the subject property within the Developing Tier. The vision for the Developing Tier was to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment centers that are increasingly transit serviceable. The previously approved development plans for this site were consistent with the 2002 General Plan Development Pattern policies for the Developing Tier as the existing and proposed development of the site maintains a pattern of moderate-density development through the proposed use of a church, private school, and day care. The 1990 *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* (Largo-Lottsford Master Plan and SMA) classified the property in the I-3 Zone. The proposed developmental proposal for the property conforms to the land use recommendations of the approved master plan for alternative residential development by developing a nonresidential use, a church with a school and day care. Moreover, since the I-3 Zone allows a day care center and private school by detailed site plan approval, these uses are presumed to be compatible with the recommendations of the approved plans for the area.

The Planning Board adopts the above information as a finding and adds that the application conforms to the land use recommendations of the Largo-Lottsford Master Plan and SMA for a mix of residential, commercial (office and retail), park and open space, and institutional uses. Approval of the departure is not adverse to the land use recommendations in the area master plan.

- (iii) **The recommendations of a municipality (within which the property lies) regarding the departure; and**

The application does not lie within a municipality.

(iv) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.

The Planning Board is not aware of any public parking facilities proposed in the Prince George's County Capital Improvement Program (CIP) within the general vicinity of the property.

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

(i) Public transportation available in the area;

The Bus, #28 Inglewood, operated by Prince George's County is available in the general area.

(ii) Any alternative design solutions to off-street facilities which might yield additional spaces;

Applicant's Justification: No desirable alternative design solution was found that would not require that more of the church's remaining landscaped areas be paved to accommodate additional spaces. Such a design solution would further detract from the residential character of the neighborhood.

One potential design solution would be to construct a parking garage to satisfy the parking requirement on-site; however, parking garages are costly and the provision of a garage is outside of the scope of improvements proposed by this applicant at this time. The Planning Board does not believe a parking garage is necessary because adequate parking will exist to serve the proposed uses.

(iii) 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 five hundred (500) feet of the subject property;

The applicant testifies that the hours of operation for the church services are Sundays at 8:00 a.m. and 10:45 a.m.; Sunday School is Sundays at 9:30 a.m.; and Prayer Meeting and Bible Study is Wednesdays at 7:00 p.m. (featuring small groups). As the church use is not being operated simultaneously with the Academy, the 325 existing spaces reserved for the church go unused during the weekday. To that end, more than ample spaces are available on-site given the nature and hours of operation of the uses on the property.

No other businesses are within 500 feet of the subject property.

- (iv) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

This finding is not applicable to this site because the site is in the I-3 Zone and multifamily development is not proposed.

The Planning Board finds that the five criteria for approving a DPLS have been met. Granting this departure is not in any way at odds with the purposes of the Zoning Ordinance. The property is heavily utilized, and no additional parking on the site appears possible.

The site does not directly abut any residential areas, and so there appears to be little potential for the departure to have an impact upon residents of the area. The uses on the site represent a somewhat special circumstance. The applicant has submitted a study to indicate that peak usage of the church facility does not correspond to peak usage of the private school and day care uses, and that typical weekday parking utilization falls far short of the parking requirement. This study is credible, and has been confirmed with staff observations. The presence of a single bus route in the area would have no material impact on parking demand. Nonetheless, the applicant's justification provides sufficient evidence in support of the departure.

9. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
- a. **Community Planning**—The application conforms to the land use recommendations of the 1990 *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* for a mix of residential, commercial (office and retail), park and open space, and institutional uses.
 - b. **Transportation Planning**—From the standpoint of transportation, it is determined that this plan is acceptable.
 - c. **Permit Review**—In a memorandum dated February 25, 2013, the Permit Review Section provided comments on the plan submission, which have been addressed through revisions.
 - d. **Prince George's County Department of Public Works and Transportation (DPW&T)**—In a memorandum dated March 13, 2013, DPW&T provided comments on sidewalks, street trees and street lighting, utilities, and stormwater management concept approval. DPW&T has no objection to the approval of the departure from the number of parking and loading spaces required.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the above-noted application.

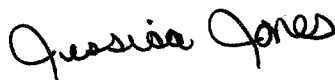
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

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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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, July 31, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of July 2014.

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department
Date 8/4/14