THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

PGCPB No. 15-76

File No. DPLS-422

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Parking and Loading Spaces DPLS-422, Day Care at Ascension requesting departure for 31 parking spaces from the required 105 parking 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 16, 2015, the Prince George's County Planning Board finds:

1. **Request**: The subject application is a request for a departure of 31 parking spaces from the required 105 spaces for a proposed day care center located within the first floor of the vacant private school portion of the site that was approved pursuant to Detailed Site Plan DSP-15007. The proposal does not involve any increase in gross floor area.

2. **Location:** The subject site is located in the northeast quadrant of Ardwick-Ardmore Road and Buchanan Street, within Council District 3.

3. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s):	R-55	R-55
Use(s):	Church, Office, and Vacant Private School	Church, Office, 80-student Day Care Center and Private School
Acreage:	4.37	4.37
Lots:	1	1

4. **Surrounding Uses:** The subject site is bounded to the north by multifamily dwellings in the One-Family Detached Residential (R-80) Zone. Immediately to the east and south across Ardwick-Ardmore Road are single-family detached developments in the One-Family Detached Residential (R-55) Zone. The land use across Buchanan Street is being used by the U. S. Postal Service, east of which is a church facility and behind that is a shopping center located in the Mixed Use–Infill (M-U-I) Zone.

5. **Previous Approvals:** Based on the records of Preliminary Plan of Subdivision 4-81006, approved on May 28, 1981, the existing church was built in 1956 and the existing school was built in 1963. On January 15, 1965, the Prince George's County District Council granted Special Exception SE-1126 to authorize use of 2.25 acres of the site for a "Private Educational Institution." On April 25, 1983, the District Council approved SE-3390, which expanded the use of the subject site to 4.37 acres and added a nursery and day care center which was later revoked by action of the District Council. On March 1994, the District Council approved Special Exception SE-4135 allowing placement of two temporary classroom trailers on the property, with

a condition permitting the trailers to remain for seven years, which ended in March 2001. On June 16, 2000, Special Exception SE-4363 was granted by the District Council to replace the two existing classroom trailers pursuant to SE-4135. As a condition of that approval, Alternative Compliance AC-20003 was approved on February 14, 2000 per Section 4.2 (Commercial and Industrial Landscaped Strip Requirements) of the *Prince George's County Landscape Manual* (Landscape Manual) along Buchanan Street and Ardwick-Ardmore Road, and Section 4.7 along the northern property line. On July 16, 2015, the Planning Board approved Detailed Site Plan DSP-15007, subject to conditions and companion to this case.

6. **Design Features:** The property is irregularly shaped and is currently developed with an one-story brick church with a basement and a two-story vacant private school. The proposed 6,500-square-foot day care center will be located within the first floor of the vacant private school. Entrance to the day care is located at the rear of the existing two-story building. The site has an existing multipurpose ball field and a shaded outdoor play area with play equipment on the site and a 74 space parking lot. The property is screened and buffered from the adjacent residential community by an existing wooded area to the north and east. Many mature trees are also located in the play area to provide shade. The play area also has a six-foot-tall chain-link fence surrounding the major part of the site to the east and a portion of the parking lot to the north of the building with 22-foot gates. A four-foot chain-link fence is also provided around the mulched play area, which separates the existing parking area from the play area. Access to the site is via a 30-foot-wide driveway entrance on Ardwick-Ardmore Road and a 22-foot-wide driveway entrance from Buchanan Street.

   During the field inspection, it was noted that, while the parking lot and the building is well maintained, and the existing play area is poorly maintained. Some of the existing wooden steps throughout the entire play area have deteriorated. Some of the play equipment is rusted. The mulched play area barely has any mulch. For the safety of the children's health and to prevent any physical injury, all damaged woods and rusted play equipment should be replaced and the entire play area should be mulched.

   The site visit further revealed that the existing site has four illegal freestanding signs. These signs were erected without a proper permit. The Applicant proposed to keep one existing freestanding sign located at the corner of Ardwick Ardmore Road and Buchanan Street. The sign detail for this sign is provided and discussed in Part (9) below. Prior to issuance of any permit, all of the existing freestanding signs except the one displayed on the site plan should be removed.

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the R-55 Zone and the site plan design guidelines of the Zoning Ordinance.

8. **Parking and Loading Requirements:** The subject site is not in conformance with the parking requirements set forth in Part 11 of the Zoning Ordinance.

   Section 27-568(a)(3), Schedule of Parking spaces, of the Zoning Ordinance requires a parking calculation as follows:

Use	Schedule	Spaces
Church with 280 seats	1 space per 4 seats	70
Day care for 80 children	1 space per 8 children	10
Future Private school for 150 students	1 space per 6 students	25
Total		**105**

The site plan note 1(e) on the plan indicates that the applicant is applying for a 20 percent parking reduction per Section 27-572 of the Zoning Ordinance for Joint use of parking lot. The normal required parking for the Day Care for 80 children is ten parking spaces. Section 27-572 of the Ordinance is not applicable to the subject use because in order to apply for a 20 percent reduction, the normal requirements for each of the uses cannot be more than 20 spaces. In this case, two of the three uses (church and private school) require more than 20 spaces. Therefore, 20 percent joint use of parking reduction cannot be applied and a total of 105 parking spaces are required for the various uses in the subject building.

The applicant proposes to provide 74 parking spaces, with two being reserved for the physically handicapped. Therefore, the applicant is requesting a waiver of 31 parking spaces.

Section 27-582(a), Schedule of Loading Spaces, of the Zoning Ordinance requires only one loading space for institutional uses comprised of 10,000 to 100,000 square feet of gross floor area. The existing church with a future 13,300-square-foot private school and proposed day care center requires one loading space. The site is providing one loading space.

9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The project is not subject to the requirements of the Woodland and Wildlife Habitat Conservation Ordinance because the proposed request is for a change in use, and no grading is proposed.

10. **Prince George's County Tree Canopy Coverage Ordinance:** The subject project is exempt from the requirements of the Tree Canopy Coverage Ordinance as it does not involve a land disturbance.

11. **Departure from Parking and Loading Standards:** The application requests a reduction in the required number of parking spaces by 31 parking spaces. Based on the requirements of Section 27-568(a) of the Zoning Ordinance, this proposed development would normally require a minimum of 105 parking spaces. The site can only provide 74 spaces, hence the need for the proposed departure application. The site has been reviewed for compliance with the parking and loading requirements and required findings for approval of a departure contained in the Zoning Ordinance.

Section 27-588(b)(7) of the Zoning Ordinance contains the following required findings for departure applications. Each standard is listed in **boldface type** below.

(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;

Section 27-550. Purposes

(a) The purposes of this Part are:

(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 Summarized Justification: The applicant provided the following summarized justification for how the purposes of Section 27-550 of the Zoning Ordinance will be met:

The purposes of Section 27-550 will be served by the requested departure. As mentioned before, the proposed use is multi-use facility that includes 280-seat church, proposed day care center and possible used of a 150 student's private school. The day care use will be within an existing building. No new construction or expansion is proposed. The 74 parking spaces existed on site for last 60+ years with private school without any problem. The day care center and church will not conduct business concurrently given the general nature of their businesses. The day care will operate Monday through Friday from 6:30 am to 7:00 p.m. and the church will operate on the weekend. Should the possible private school operation start up again, it would also operate at the same hours as the day care center; as such, the existing 74 parking spaces are sufficient to serve the parking needs of all uses associated with the building."

The Planning Board concurs with the applicant's justification that the purposes of the off-street parking will be met by the existing 74 parking spaces. Due to the nature of the uses of the building, different operating times, and days of the operation, the Planning Boar believes that there is sufficient parking on-site to handle the parking needs of the facility. The Transportation Planning Section, in a memorandum dated June 22, 2015,

further confirmed that since the church will continue to be a weekend-only operation, the need for weekday parking associated with the church goes away and consequently, there will be ample parking to serve the remaining two uses. However, should there be a mid-week church function (funerals for example), then there could potentially be parking overflow problems. Should that scenario be realized, there are sufficient adjacent facilities with under-utilized parking, including a nearby church, which could absorb some of the overflow parking demands.

An evaluation of the adjacent neighborhood through aerial photography indicates that many homes in the area do have driveways, which would diminish their dependency on on-street parking. This could, in turn, free up some on-street spaces should the situation warrant it. Consequently, the potential impact of this parking deficit is not likely to negatively impact the adjacent residential neighborhood.

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

The departure is the minimum necessary due to the physical limitations of the site. The irregular shape of the lot and its existing grading condition are some of the circumstances that make the site nearly impossible to provide more parking on-site. In addition, low parking demand for the use itself makes the departure necessary. The applicant is using the existing parking lot on the property to provide the required parking spaces. There are plenty of unused available spaces which will prevent any traffic congestion at the given time. Therefore, the departure is the minimum necessary, given the specific circumstances of the request.

(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;

The departure is necessary in order to alleviate circumstances which are special to the subject use. The church has been in existence for over 60 years. The private school had existed for over 40 years and functioned with the same amount of parking without any problems. The proposed day care center is even less intense then the private school, with far less children. The nature of the proposed use will not intensify the parking demand in the area more than prior use. Furthermore, most of the development sits on the higher elevation (including the main building, play area, and the existing ball field) than the existing parking lot. More paving to the site would cause a significant increase in stormwater runoff and, as a result, be subject to current stormwater management requirements. In that case, there are no nearby stormdrains into which this new runoff could be routed. Additionally, part of the existing athletic and recreational field would have to be removed in order to build the additional parking which is impractical and may make the site look more commercial. Therefore, the Planning Board believes that, given the nature of the site and its use, additional paving on the site would negatively impact

the site and give the site a more commercial appearance rather than the "pastoral" setting that exists now.

(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 methods provided in Part 11 for calculating the number of spaces required by the Zoning Ordinance have been used, leaving no alternative but to pursue the departure request.

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

Nearby residential areas are not likely to be infringed upon. The residential uses have their own private parking spaces, and the church has no need to use them for its parking needs. Should a temporary need for additional parking spaces arise (i.e. in the case of a very large funeral or similar event), the church property has considerable frontage along public streets with improved parking lanes and paved shoulders that could be used for temporary overflow parking.

(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 subject site is relatively isolated from other development. The site is surrounded by rights-of-way from the north and west side and a naturally wooded area to the east. However, should there be a mid-week church function, such as funerals there potentially could be a parking overflow problem. In that case, a nearby church facility to Ebenezer Church of God located across Buchanan Street appears to have a sufficient parking to absorb some of the overflow parking demands. In addition, the aerial photo indicates that many residential homes in the area have their own driveway, which in turn, would diminish their dependency for on-street parking. This could provide some on-street spaces should the situation warrant it. Consequently, the potential impact of this parking deficit is not likely to negatively impact the adjacent residential neighborhood.

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

The May 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* retained this property in the R-55 Zone. The subject property is also located in a Neighborhood center (Annapolis Road/Glenridge) of the Prince Georges County Growth Policy Map in the *Plan Prince*

Georges 2035 Approved General Plan (Plan Prince George's 2035). The vision of for the Neighborhood Centers in Prince Georges County is to be moderate density employment centers, often anchored by institutional uses. The Community Planning Division, in a memorandum dated June 5, 2015, concludes that findings of conformance to the master plan or general plan are not required with this application. Therefore, there are no planning issues with this application.

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

The subject property is not located within a municipality.

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

There are no public parking facilities proposed for this area.

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

(i) Public transportation available in the area;

The subject property is approximately 1,000 feet from a bus stop located along Annapolis Road (MD 450). The day care patrons are not expected to use the public transportation to drop their children in the day care.

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

There do not appear to be any alternative design solutions to yield additional parking spaces. The parking demand that will be generated by the proposed use will be adequately satisfied with the existing parking spaces.

(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;

Although the property is within walking distance of bus stops that are located along Annapolis Road (MD 450), the applicant does not anticipate any use of public transportation by its day care patrons. It is also important to note that the highest number of parking is expected to be used during the weekend when church uses it for its services at 9:00am. As indicated, parking demands that will be generated by the proposed church use will be adequately satisfied with the existing parking spaces. In addition, there are two other uses within 500 feet of the subject property. The U.S. Post office is directly across Buchanan Street from the subject property and has adequate parking facilities. The occasional seasonal overflow of parking is adequately handled by the existing on-street

parking. The other existing use is a church that has adequate parking facilities which conform to the County Parking Regulations. The Planning Board therefore believes that there will be no disruption to traffic flow or parking conditions on the surrounding streets resulting from the proposed use. The proposal will not affect the nature and hours of operation of other uses 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.

The subject property is in the R-55 Zone; therefore, the above section is not applicable.

The Planning Board approves the departure request. The applicant has demonstrated that, while 105 parking spaces are required pursuant to Part 11 of the Zoning Ordinance, the uses only generate a practical need for 74 parking spaces. The most required spaces for the church use is 70. Therefore, the Planning Board believes that granting the departure will not infringe upon the adjacent residential area.

12. **Further Planning Board Findings and Comments from Other Entities**:

a. **Subdivision Review**—The Subdivision Review Section stated that the site plan is in substantial conformance with approved Preliminary Plan 4-81006 and that the lot size, bearings, and distances match the plat. At the time of permits, failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until corrected.

b. **Permit Review**—The Permit Review Section offered information regarding correcting information on the site plan and providing sign details. Some of the comments are addressed on the revised site plan, while others are included as conditions of approval of this technical staff report.

c. **Prince George's County Police Department**—In a memorandum dated May 27, 2015, the Police Department, after reviewing the site plan and visiting the site, offered the following comments with regard to the maintenance/repairs of the playground area:

The playground area is in need maintenance/repairs:

- Exposed rebar used to anchor landscape timbers;
- Deteriorating timbers need to be repaired, capped, or replaced;
- Six-foot fence needs repair;
- An exposed metal pole needs to be capped;
- A section of chain linking two border metal poles needs to be replaced;
- There are a few dead limbs above the play area which need to be trimmed.

These observations and recommendations are addressed as proposed conditions.

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.

* * * * * * * * * * * * *

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 Shoaff, with Commissioners Washington, Shoaff, Geraldo, Bailey and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 16, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of July 2015.

Patricia Colihan Barney
Executive Director

Jessica Jones

By Jessica Jones
Planning Board Administrator

PCB:JJ:TA:ydw

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department

Date 7/21/15