

July 30, 2009

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor
Arie Stouten, Zoning Section Supervisor

FROM: James Jordan, Senior Planner

SUBJECT: Detailed Site Plan, SP-98057
Departure from Parking and Loading Standards, DPLS-248
New Home Baptist Church Day Care Center

The Urban Design staff has reviewed the Detailed Site Plan and Departure from Parking and Loading Standards for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions for the Detailed Site Plan and APPROVAL for the Departure. This report separately addresses the required findings and recommendations for both applications.

EVALUATION

This Detailed Site Plan was reviewed and evaluated for compliance with the following criteria:

- a. Conformance to the requirements of the Zoning Ordinance in the R-55 Zone and the requirements of Section 27-445.03 for a Day Care Center in the R-55 Zone.
- b. Conformance to the requirements of the *Landscape Manual*.
- c. Conformance to the requirements of the Woodland Conservation Ordinance.
- d. Site Design Guidelines.
- e. Referrals.

FINDINGS for SP-98057

Based upon the foregoing evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. Location: The property is located on the north side of Landover Road (MD 202), east of George Palmer Highway (MD 704) and west of I-95. The subject property is bounded to the north, east, and west by a continuous vacant piece of property owned by Harvest Church International zoned R-55, and to the south by MD 202.
2. The Proposed Development: The purpose of the subject application is for approval of a Day Care Center facility for 113 children to be located in an existing two-story building, 16,360 square feet in size, on a property in the R-55 Zone with a dual usage as church and day care. The proposed Day Care Center will be located on the first floor adjacent to the multi-purpose room below the main church sanctuary, and will occupy 4,057 square feet of the overall building square footage.
3. Conformance to the Requirements of the Zoning Ordinance and *Landscape Manual*: Section 27-445.03 of the Zoning Ordinance sets forth the requirements for Day Care Centers in residential zones. The subject Detailed Site Plan is in general conformance with the requirements of the Zoning Ordinance for development in the R-55 Zone, with the following qualifications.
 - a. The applicant proposes two separate outdoor play areas. Play area No. 1 is to be located south of the building, with an existing parking lot between the play area and the building; and the second play area No. 2 will be located at the north side of, and directly adjacent to, the building. Wood chips/mulch are proposed to be used as ground cover in both play areas. Play area No. 2 is directly adjacent to the existing building, which will not necessitate any pedestrian traffic crossing vehicular travel lanes to access the recreation space. Conversely, play area No. 1 is separated from the building by an existing parking lot and drive aisle. The applicant has noted on the plans that neither the drive aisle nor adjacent parking lot will be used during the hours of day care operation. Furthermore, ingress/egress to and from the property will not be hindered by this arrangement. The play areas are proposed to be enclosed by either 42-inch-high chain-link or wood board-on-board fence. Section 27-445.03 (a)(1)(A)(ii) of the Zoning ordinance requires that all outdoor play areas be enclosed by a wall or fence of at least four (4) feet in height. It is recommended that the proposed fence enclosure height be increased to four feet (48 inches). Play area No. 1 is approximately 4,290 square feet, and No. 2 is approximately 1,058 square feet, for a total of 5,348 square feet.

The subject plan is exempt from the requirements of the *Landscape Manual*. The proposed addition of the day care center use to the existing church use does not involve an increase in gross floor area. The day care center use is categorized as a low impact, while the church is considered a medium impact use.

4. The site development data are as follows:

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|--|---------------------------------|
| Zone | R-55 |
| Site Area | 3.09 acres |
| Building Area | 16,360 square feet |
| Building Area Provided for Day Care Use | 4,057 square feet |
| Enrollment | Day Care Center 113 children |
| Playground Area Required | 4,238 square feet |
| Playground Area Provided | 5,348 square feet |
| Parking Required for Day Care only(1 space per 8 children) | 15 spaces |
| Parking Provided | *3 spaces |

*See Attached Departure from Parking and Loading Standards for deficiency in Parking

5. Urban Design: The Urban Design Section has reviewed the subject application and offers the following comments.
- a. The subject property is already developed, and is occupied by the existing church/sanctuary structure and perimeter parking lots that provide a total of 143 spaces. The day care center has a proposed enrollment of 113 children, which requires 15 parking spaces. The church has an existing multi-purpose wing on the first floor, of which approximately 50 percent, or 2,346 square feet, will be devoted to the proposed day care center. The applicant has stated that the remaining portion of the multi-purpose wing will not be in use during the hours of operation for the day care center, 6:30 a.m. - 6:30 p.m.. Furthermore, the sanctuary would only be subject to occasional use during these hours for funerals. In the event of a funeral during the week, the church capacity is 560 seats which requires 140 parking spaces. Since the existing parking capacity for the subject property is 143 spaces, this would not accommodate the occasional simultaneous use of the church, and day care center during the week. Although this situation of both uses being conducted simultaneously will likely be rare, a Departure from Parking and Loading Standards is necessary for the approval of this site plan application.
 - b. The applicant is proposing to use existing landscaping along the north side perimeter of play area No. 1, south of the parking lot, to satisfy the landscape requirements for that play area. No landscaping is proposed at, or around, play area No. 2. Staff is concerned that none of the existing planting at play area No. 1 is mature, and the majority of the landscaping is located along its north perimeter. Even when the landscaping at play area No. 1 reaches maturity it will not provide shade from the intense summer sun, which will come from the south. Although play area No. 2 is located at the north side of the existing building and will almost certainly always be shaded from the summer sun, staff is concerned that no landscaping, either shrubs, or ornamental/evergreen trees, is proposed in proximity to the outdoor play area. It appears that some room for planting is available along

the east and west boundaries of play area No. 2. Staff believes that random placement of shade trees along the south boundary of play area No. 1 will help break up this expanse of open area, provide variety, and much needed venues of cool shaded areas in the summer months. Furthermore, placement of a combination of shrubs and ornamental/evergreen trees in the available space along the east and west boundaries of play area No. 2 will provide variety to and help soften the area. It is recommended that additional landscaping, shade trees (minimum 3-3 " caliper), be randomly located along the south boundary of play area No. 1, and a combination of shrubs and ornamental/evergreen trees be located in the available space along the east and west boundaries of play area No. 2.

6. Subdivision: The subject plan was referred to the Subdivision Section and in a memorandum (Chellis to Jordan) dated September 14, 2000 the following comments were provided:

■The Prince George's County Planning Board approved preliminary plat 4-00035 on September 7, 2000, for Parcel ■B.● That preliminary plat was filed for the purposes of removing an adequate public facilities cap on the hours of operation for the church. The applicant intends to expand the hours of operation of the church to accommodate a day care center use on site, as the site plan submitted with this application indicates. Approval of preliminary plat 4-00035 removed the cap on the hours of operation and allows for a 113 child day care center.

■The applicant has not yet filed the corresponding final plat of subdivision. The subject property is therefore still Parcel ■A.● and subject to all the restrictions on development set forth in the original subdivision plat recorded at VJ 175@39. This would include a restriction on the hours of operation and the total vehicle trips allowed. Until the final plat is approved, the Prince George's County Planning Board action on September 7, 2000, approving 4-00035 is still ■preliminary● and can expire.●

Therefore, it is recommended that prior to the issuance of permits a Final Plat for the subject property, that supersedes VJ 175@39, shall be submitted to the Subdivision Section and approved by the Prince George's County Planning Board.

7. Transportation: The subject plan was referred to the Transportation Planning Section and in a memorandum (Masog to Jordan) dated August 30, 2000 the following comments were provided:

■The Transportation Planning Section specifically addressed questions of trip generation and access to and from the site in a memorandum dated April 30, 1999. The most critical issue during the review of that site plan was that the current plat, which was subdivided as Preliminary Plat of Subdivision 4-92134, included the following as Condition 4:

■No church functions (excluding normal business or counseling) shall be allowed during non-holiday weekday morning (7:00 to 9:00 a.m.) and evening (4:00 to 6:00 p.m.) Peak hours.

■The current record plat for this site makes reference to the same condition.

■Since that time, the applicant has filed a new Preliminary Plat of Subdivision 4-00035 which seeks to remove that condition. In support of that application, the applicant also provided a traffic analysis. As was determined in our previous memorandum, there are no adequacy issues which exist at the adjacent intersections of MD 202/Kenmoor Avenue and MD 202/Barlowe Road. Similar to our previous memorandum, the traffic study determined that modifications were needed to support access to the site. The study reviewed two options:

- 1. The provision of a median break at the site entrance which would allow eastbound MD 202 traffic to make a left-turn directly into the site (but would not allow traffic leaving the site to make a left-turn directly onto eastbound MD 202).
- 2. The provision of a new eastbound left-turn lane to accommodate U-turns at MD 202/Barlowe Road, along with any required signal modifications.

■The traffic study was referred to the County Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA). The construction of an additional median break was not favored by the SHA. The SHA recommended that the applicant provide the new left-turn lane at MD 202/Barlowe Road. In the end, the transportation staff endorsed the SHA's recommendation, and found that with the modification the addition of the day care facility would have a minimal impact on service levels at the adjacent intersections.

■Provided that Preliminary Plat of Subdivision 4-00035 is approved with full consideration of the proposed day care facility, along with a condition to provide the necessary modifications to improve access to the site, the transportation staff would have no objection to the approval of the subject detailed site plan. We believe that the analysis done as a part of 4-00035 fully resolves any trip generation and site access concerns that previously existed.●

8. State Highway Administration: The subject application was referred to the State Highway Administration (SHA) for review. The SHA recommends approval of the proposed plan. See Finding No. 7 for further discussion.
9. The Office of Child Care Licensing had not responded to the referral request at the time the staff report was written.

10. The subject application was referred to all applicable agencies and divisions. The Transportation Section and the SHA both raised significant issues pertaining to traffic safety and operations. Subsequent to the receipt of the memoranda specifying concerns with respect to traffic safety and operations, the applicant has taken the necessary steps to resolve the said issues and receive favorable recommendations from both the Transportation and SHA staff (See Findings 7 & 8). The Permit Review Division provided several comments pertaining to additional information being provided on the plans, and condition 1.d. reflects the Permit Review concerns.
11. The Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

RECOMMENDATION

Based upon the foregoing evaluation, analysis and findings of this report, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan, SP-98057, New Home Baptist Church Day Care Center, subject to the following conditions:

1. Prior to certificate approval, the following modifications or revisions shall be made to the Detailed Site Plan:
 - a. Provide a four (4) foot-high fence enclosure around all outdoor play areas.
 - b. Provide four (4) shade trees (minimum 3-3 1/2" caliper) randomly located along the south boundary of outdoor play area No. 1.
 - c. Provide a combination of shrubs and/or ornamental/evergreen trees to be located in the available space along the east and west boundaries of outdoor play area No. 2.
 - d. Provide dimensions for all buildings on the site.
1. Prior to the issuance of any permits, a Final Plat, which supersedes VJ 175@39, shall be submitted to the Subdivision Section and approved by the Prince George's County Planning Board.

FINDINGS

The Urban Design Review Section recommends the Planning Board adopt the following findings for approval of DPLS-248 :

1. The subject application, DPLS-248, is for a Departure of Parking and Loading Standards for 12 parking spaces.

The Zoning Ordinance, Section 27-568, requires the church and day care facilities combined to have a total of 155 parking spaces. The applicant is proposing to provide 143 spaces on the site.

Required findings of Section 27-588(b)(8) of the Zoning Ordinance

2. **The following purposes of the parking and loading requirements of the Zoning Ordinance will be served by the applicant's request:**
 - a. **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 building and uses.**
 - b. **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.**
 - c. **To protect the residential character of residential areas.**
 - d. **To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

Comment: The purposes of the parking and loading requirements will be served by the applicant's Departure request. The proposal provides sufficient off-street parking and loading space which is conveniently located to serve the needs of the church and day care center. In addition the plan provides well-defined internal circulation and ease of access which are not impacted by this departure request.

A minimum of 155 parking spaces are required for the combined facilities of church and day care. The subject application will provide 143 parking spaces. The church and day care center will share the parking lot, and although the uses co-exist on the same site, the weekday nature of a day care program as opposed to the weekend church program would dictate that there will always be adequate parking for both. Therefore, a reduction in the number of total parking spaces will not endanger the health, safety, convenience and welfare of the facilities users.

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

Comment: The requested departure is the minimum necessary. Although there are two uses proposed for this site, the two uses essentially operate independently of each other. The day care center generally operates at times when the church building is not being used. Required parking spaces for both uses would result in additional paving of the site and duplication of parking spaces that would likely go unused.

4. **The departure is necessary to alleviate circumstances which are special to the subject use, given its nature and its location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949.**

Comment: Section 27-445.03(1)(C) of the Zoning Ordinance requires an outdoor playground or activity area be provided. The southwest section of the site has a large open green landscaped area. A portion of this area will be designated outdoor play area for the day care. This is the only area on the entire site that can accommodate the requirement of additional parking.

This requirement would result in the loss of the proposed outdoor play and the existing landscaped areas, which would be used for additional new parking. The departure is necessary in order to alleviate the possible loss of the only open green area of the site.

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

Comment: All methods for calculating the parking and loading requirements have been used and found impractical to further reduce the number of required spaces.

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

Comment: Parking needs of adjacent residential areas will not be affected by granting this departure. Since the two facilities function independently and at opposite peak times, there is rarely a situation where simultaneous activities are being held at both, thus the parking needs of adjacent residential areas will not be infringed upon.

7. **In making its findings the Planning Board shall give consideration to the following:**

- a. **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.**

Comment: The parking and loading conditions within the general vicinity of the subject property and available on- and off-street spaces within five hundred feet of the subject property are adequate. The subject property is bound by a vacant property owned by another church to the north, east, and west. Immediately north of the adjacent property is a multi-family development, Village in the Woods, that is only accessible from Brightseat Road. There is spot residential, single family residential lots, on the north side of MD 202 which have adequate off-street parking spaces. Directly across from the subject property, on the south side of MD 202, is park property owned by M-NCPPC. Parking is not allowed on MD 202, and the commercial properties on the south side of MD 202 have adequate off-street parking spaces.

- b. **The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity.**

Comment: The Landover and Vicinity Master Plan does not specifically address parking and loading issues related to institutional uses. The plan proposed urban use of the property. The sectional map amendment retained the R-55 zone.

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

Comment: The subject property does not lie within a municipality.

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

Comment: There are no public parking facilities that serve this area.

RECOMMENDATION

Based upon the proceeding evaluation and findings, staff recommends that the Planning Board adopt the findings of this report and APPROVE DPLS-248 for New Home Baptist Church Day Care Center.