

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board has reviewed DPLS-392, Friendship Apostolic Church of God, Inc. requesting a departure from parking and loading standards to waive the required one loading space 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 October 24, 2013, the Prince George’s County Planning Board finds:

A. **Location and Field Inspection:** The property is located on the northwest side of 55th Avenue, between its intersection with Emerson Street to the north and Chesapeake Road to the south. The property, known as Parcel A, Friendship Apostolic Church, which seats 300 parishioners, is located at 5423 Decatur Street in Hyattsville, east of Kenilworth Avenue (MD 201), west of 55th Avenue and Decatur Street, approximately 600 feet south of Emerson Street and north of John Hanson Highway (US 50). The site comprises 3.53 acres of land in the One-Family Detached Residential (R-80) Zone in Planning Area 69 Bladensburg/New Carrollton and vicinity. The property is currently improved with an 8,475-square-foot building which is used as a church; there are future plans to expand the fellowship hall an additional 3,413 square feet. Access to the property is from Decatur Street, an existing 60-foot-wide right-of-way that stubs into the property from 55th Avenue. There is no access to the property from 55th Avenue. The property is surrounded by R-80-zoned land, and is adjacent to the Rogers Heights and Whitley subdivisions that are developed with single-family residential dwellings.

B. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-80	R-80
Use(s)	Church	Church
Acreage	3.53	3.53
Parcel(s)	A	A
Square Footage/GFA	8,475	11,888

C. **History:** The 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment* (Port Towns Sector Plan and SMA) retained the existing R-80 Zone for the subject property. Prince George’s County Planning Board Resolution No. 97-278 for Preliminary Plan of Subdivision 4-97059 was adopted on October 23, 1997. Per the State Assessment Database, the last renovation occurred in 2000 and the building has been used as a church since 2007.

D. **Master Plan Recommendation:** The property is located in an area identified in the 2002 *Prince George’s County Approved General Plan* (General Plan) as the Developed Tier. The vision for the

Developed Tier is a network of sustainable transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. This application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier and is in conformance with the land use recommendations of the Port Towns Sector Plan and SMA. The sector plan's land use recommendation is for infill mixed-use development to create green, healthy, and pedestrian-friendly communities.

E. **Request:** The applicant is requesting a departure from loading standards. The applicant is requesting a departure of one loading space from the required one loading space in the Zoning Ordinance.

F. **Surrounding Uses:** The property is located on the northwest side of 55th Avenue, between its intersection with Emerson Street to the north and Chesapeake Road to the south. The property is surrounded by R-80-zoned land, and is adjacent to the Rogers Heights and Whitley subdivisions that are developed with single-family residential dwellings.

North and South — R-80-zoned land (the Rogers Heights subdivision) developed with single-family residential dwellings.

East— R-80-zoned land (the Stewarts Addition to Whitley subdivision) developed with single-family residential dwellings.

West— R-80-zoned land (the Youngs Addition to Whitley subdivision) developed with single-family residential dwellings.

G. **Design Requirements:**

1. **Number of Required Parking and Loading Spaces:** Section 27-582(a)(6) of the Zoning Ordinance requires one loading space for every 10,000 to 100,000 square feet of gross floor area (GFA). Currently, the church has a GFA of 8,475 square feet, which will be increased in phases to 11,888 square feet. A minimum of one loading space is therefore required. The site plan is deficient one loading space. Therefore, a departure from the parking and loading space requirement is needed.

2. **Prince George's County Landscape Manual:** The site has an approved Type 2 Tree Conservation Plan (TCP2-056-97-01) approved on June 18, 2013. No natural resources inventory plan is required for this project and there are no regulated environmental features located on-site. The proposed development and limit of disturbance are consistent with approved TCP2-056-97-01. No further revisions to the TCP2 are required at this time.

3. **Signs:** No freestanding signs are proposed for the subject use. Any sign that will be placed on the property must meet all area, height, and setback requirements.

H. **Required Findings:** Section 27-588(b)(8) of the Zoning Ordinance provides that:

(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.**

The purposes of the parking and loading regulations will be served by the applicant's request. The purposes seek to ensure sufficient parking and loading areas to serve the needs of the established use and to aid in relieving traffic congestion on the streets by reducing the use of public streets for parking and loading. The applicant proposes the departure as a means of serving the current and future needs of the church (religious) uses of the property.

There are residential areas adjacent to the subject site, however, the site has sufficient and well-utilized parking. Thus, nearby properties are not likely to be affected by the proposed departure.

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

The departure is the minimum necessary, since only one space is required. As stated previously, a minimum of one single loading space is required. Approval of this departure request allows the parking lot to be utilized to its maximum potential and to effectively serve the needs of the congregation.

- (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, given its nature at this location. The Zoning Ordinance treats the building as a commercial facility due to its size. However, the nature of the use as a church is institutional and not commercial; as such, the departure is necessary to alleviate the special circumstances related to building use.

- (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**

All methods of calculation have been fully applied to this application.

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

The applicant submits that the parking and loading needs of the residential areas will not be infringed upon if this request is granted. Residential streets will not be impacted because there are sufficient parking spaces to accommodate the congregation and there will be no spillover into residential streets.

(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 area within 500 feet of the subject property is characterized by residential uses. The adjoining and nearby residential uses have their own off-street parking and loading facilities. There is no indication of a shortage in parking and loading spaces within the general vicinity of this facility. The applicant is not proposing the use of on-street parking to support the church.

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

The land use associated with this application is consistent with the land use recommendations of the Port Towns Sector Plan and SMA. The proposed uses are consistent with the plan recommendations and will not impair the integrity of the master plan.

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

There were no comments or recommendations submitted by a municipality (within which the property lies) regarding the departure.

(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;

While public transportation is available a quarter mile away from the subject property, it has no impact on the requested departure from the required loading space.

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

There are no viable design solutions to off-street facilities for the required loading space that would not negatively impact parking, which would have a greater impact on the surrounding residential area.

(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 proposal would have no effect on the nature and hours of operation of other commercial/retail uses within 500 feet of the subject property if the departure is granted because the subject property is surrounded by residential uses only.

(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-80 Zone; therefore, the above section is not applicable.

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 Shoaff, with Commissioners Washington, Shoaff, Bailey, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, October 24, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of November 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:IT:arj