

November 17, 2020

Bishop McNamara High School
6800 Marlboro Pike
District Heights, MD 20747



Re: Notification of Planning Board Action on
Departure From Parking And Loading Spaces
DPLS-482
Bishop McNamara High School

Dear Applicant:

This is to advise you that, on **November 12, 2020**, the above-referenced application was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-228.01 of the Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Acting Clerk of the County Council, at 301-952-3600.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Sincerely,
James R. Hunt, Chief
Development Review Division

By: *Sherril Comer*
Reviewer

Attachment: PGCPB Resolution No. **2020-150**

cc: Donna J. Brown, Clerk of the County Council
Persons of Record

RESOLUTION

WHEREAS, the Prince George’s County Planning Board has reviewed Departure from Parking and Loading Spaces Application No. DPLS-482, Bishop McNamara High School, requesting approval 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 22, 2020, the Prince George’s County Planning Board finds:

1. **Request:** The site is occupied by an existing school. The departure request is based on conditions provided in PGCPB Resolution No. 19-133 of Detailed Site Plan DSP-00013-06, which was approved by the Prince George’s County Planning Board on December 5, 2020, for construction of an addition to the existing private school. The departure request seeks to modify the minimum parking requirements provided in Section 27-568(a) of the Zoning Ordinance, to address the conditions of DSP-00013-06. The subject departure request satisfies the criteria for approval, as set forth in Section 27-239.01(b)(7) of the Zoning Ordinance. The departure request is supported by a statement of justification (SOJ), dated July 15, 2020, submitted by the applicant, and incorporated by reference herein. The departure request is as follows:
 - a. The applicant requested a Departure from Parking and Loading Spaces (DPLS-482), to reduce the minimum number of required off-street parking spaces by 70 spaces. Bishop McNamara High School, a private school with 234 students below 10th grade and 600 students 10th grade and above, requires a minimum of 239 off-street parking spaces per Section 27-568(a). The school currently provides 169 parking spaces on-site and 70 parking spaces on the adjacent property of Mount Calvary Catholic Church.

It is noted that the applicant also requested a Departure from Sign Design Standards (DSDS-709), in order to allow a sign area that is 3 square feet larger than the allowable sign area, for a total of 51 square feet, and to allow a second rooftop sign along the site frontage. Per Section 27-617, the site is permitted to have one sign per street frontage and a maximum sign area of 48 square feet. This request was also approved by the Planning Board on October 22, 2020 and is memorialized in PGCPB Resolution No. 2020-151.

2. **Development Data Summary:** The following chart summarizes the approved development for the subject property.

	EXISTING
Zone	C-S-C/R-55/M-I-O
Use(s)	Private School
Total Acreage	14.53
Number of Parcels	2
Gross Floor Area	126,775 sq. ft.

3. **Location:** The subject property is comprised of two parcels. The first parcel, Parcel 150, is a legal acreage parcel, is 13,540 square feet, zoned Commercial Shopping Center (C-S-C), and is recorded in the Prince George's County Land Records in Liber 37421 folio 564. The second parcel is 14.22 acres, in the One-Family Detached Residential Zone (R-55), and is the subject of Preliminary Plan of Subdivision 12-1905, approved on May 15, 1963 and recorded in Plat Book WWW 47-66. The record plat does not contain any notes, and no parcel designation was assigned to this property. The subject site is located in Tax Map 81, Grid D3, is addressed as 6800 Marlboro Pike in Forestville, and is within the Military Installation Overlay Zone.

4. **Surrounding Uses:** The subject site is bounded to the north by detached single-family dwellings in the R-55 Zone, to the west by a church and private school in the R-55 Zone, to the east by detached single-family dwellings in the R-55 and C-S-C zones, and to the south by the Marlboro Pike right-of-way. Beyond Marlboro Pike are condominiums in the Multifamily Medium Density Residential – Condominium Zone.

5. **Previous Approvals:** DSP-00013, for the property, was approved by the Planning Board on March 1, 2001, and formalized by the adoption of PGCPB Resolution No. 01-44 on March 8, 2001. The most recent revision to the DSP occurred on January 9, 2020, when the Planning Board approved DSP-00013-06 to add the 20,655-square-foot La Reine Science & Innovation Center to the Bishop McNamara campus. The approval included a courtyard area, fencing, stormwater management, and other necessary infrastructure for the La Reine Science & Innovation Center, as well as an increase in student enrollment from 796 students to 834 students (PGCPB Resolution No. 19-133). The full list of prior approvals is as follows:

March 1, 2001 – DSP-00013, Alternative Compliance Application, AC-00047 and Type II Tree Conservation Plan, TCPII-94-00, were approved by the Planning Board and formalized via the adoption of PGCPB Resolution No. 01-44 on March 8, 2001 for the addition of a fine arts and athletic center.

April 13, 2001 – Departure from Design Standards, DDS-519, for the 50-foot setback of the loading space from residentially zoned land, (Section 27-579(B) of the Zoning Ordinance), was approved by the Planning Board (PBCPB Resolution No. 01-44).

March 19, 2008 – DSP-00013-01 and TCPII-94-00-01 were approved by the Planning Director for the addition of a chapel, an entrance awning along the front of the building, a guidance counseling center, book store, library expansion, and upgrades to the east cafeteria elevation along the east side of the existing building.

October 10, 2012 – Natural Resources Inventory, NRI-134-12 was approved by the Environmental Planning Section to place a temporary classroom trailer in the parking lot.

August 23, 2013 – AC-13011 was approved by the Planning Director for Section 4.7 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), (Buffering incompatible uses).

August 30, 2013 – DSP-00013-02 was approved by the Planning Director for the addition of a temporary classroom building and for modifying or adding various signs and scoreboard.

February 14, 2017 – DSP-00013-04 was withdrawn due to the Planning Department determining that a revision to the DSP was not required because the improvements proposed, renovation of the softball field, was not located on Bishop McNamara property.

March 2, 2017 – DSP-00013-03, AC-13011-01, and TCPII-94-00-02, were approved by the Planning Director to add a 3,740-square-foot cafeteria, increasing student enrollment to 796 students, and add 0.32 acre to the DSP area.

October 20, 2017 – DSP-00013-05 was approved by the Planning Director, for the addition of an exterior stairwell on the southeast corner of the existing school building, to provide emergency egress from the basement boiler space.

February 26, 2018 – NRI-134-12-01 was approved by the Environmental Planning Section for the construction of a science building.

March 6, 2019 – Site Development Concept Plan No. 37844-2018 was approved by the Prince George's County Department of Permitting, Inspections and Enforcement.

November 18, 2019 – Revised NRI-134-12-02 was approved by the Environmental Planning Section, for the construction of a science building, in accordance with Condition 2(d) of PGCPB Resolution No. 19-133.

- 6. Zoning Ordinance Parking and Loading Standards:** The addition of the science and innovation center to this site through the approval of DSP-00013-06, requires the applicant to meet the parking standards provided in Section 27-568. The school currently provides 169 parking spaces on-site and leases 70 parking spaces off-site on the adjacent Mount Calvary Catholic Church property. The submitted site plans also include crosswalks connecting the parking lot on the Mount Calvary Catholic Church property with the subject property. Condition 1(g) of the DSP requires that the applicant provide a parking agreement, in accordance with Section 27-573(a)(2), or obtain approval of a departure from parking and loading standards. The applicant has a lease to use the required 70 off-site spaces on this adjacent property; however, a legal agreement to assure the permanent availability of the parking lot was unattainable.

The applicant provided a letter from the President/CEO of Bishop McNamara High School, dated September 20, 2020, incorporated by reference herein, stating that if the lease agreement with the adjacent property were to terminate, however unlikely, the school would pursue alternatives to mitigate the parking challenges that result, which includes:

Option 1: Bishop McNamara High School has made use of excess parking spaces at Amalgamated Transit Union, Local 689 (2701 Whitney Place). In the event of a parking space shortage or loss of spaces, the applicant would look to source additional spaces at this location.

Option 2: Other independent schools in the region source buses to support commuting students when parking spaces are not available. In the event of a loss of parking spaces, Bishop McNamara High School may also implement a bus transportation option for students to use instead of parking on campus.

In addition, most parking spaces utilized in the leased space are occupied by students and the loss of these spaces would have no effect on the operational capabilities of the school. Parking is not a right, but a privilege for some upperclassmen students who have earned the opportunity to park on campus.

Departure from Parking and Loading Spaces: When the requested departure is from the number of parking or loading spaces required, the required findings for approval are set forth in Section 27-588(b)(7)(A). The required findings are shown in **BOLD** below, with staff responses in plain text following:

Section 27-588. Departures from the number of parking and loading spaces required.

Section 27-588(b)(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;

[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.]

The applicant's SOJ indicates that the proposal is consistent with the purposes of the Off-Street Parking and Loading requirements of the ordinance. Staff concurs that under the current parking arrangement, sufficient parking is provided to serve the use. In addition, all parking is accessible from Marlboro Pike, which relieves traffic from neighboring streets and protects the character of the nearby residential streets. Lastly, the parking is conveniently located either on-site or immediately adjacent, providing access to this development.

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

The applicant's SOJ indicates that the existing on-site parking has been designed in the most efficient way possible and that no other parking can be placed on-site, without conflicting with the requirements of the Landscape Manual. No additional exhibits depicting alternative on-site parking locations or alternative striping were provided. However, based on a review of satellite imagery and previously approved site plans, it does not appear that there is sufficient space on the subject property to provide additional on-site parking spaces or that restriping the spaces to a narrower width would accommodate additional spaces. In addition, the application has not proposed to remove existing on-site parking spaces for off-site parking spaces. This departure is the minimum number of spaces 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;

Staff concurs with the applicant's assertion that the subject site's peculiar shape limits usable land for additional parking spaces. While the submitted SOJ did not provide details regarding the unusable square footage or other constraints the property shape may have on additional parking, staff notes that the subject site is already developed, and it is infeasible to rearrange existing buildings to potentially increase available parking.

(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 followed the method for calculating parking spaces as provided in Section 27-568. This method requires one parking space per six students below 10th grade and one parking space per three students in 10th grade or above.

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

The applicant's SOJ indicates that this request will meet the needs of the subject site. Since the current parking arrangement meets the minimum requirements, it is expected that there would be no additional parking infringing upon the surrounding residential neighborhoods. During the Planning Board hearing for DSP-00013-06 (December 5, 2019), a member of the public had raised concerns, not about daily student parking, but about visitors to the school parking on neighborhood streets during special school events. While neither the current parking arrangement nor departure application addresses school events, the applicant noted at the time of the hearing that the school would more diligently notify school event attendees and make additional parking arrangements.

As part of the review for this application, transportation planning staff coordinated with the Prince George's County Department of Revenue regarding this neighborhood participating in a Residential Parking Permit Program. The Department of Revenue staff indicated that this neighborhood may be a viable candidate for the Residential Parking Permit Program and will reach out to the school and neighborhood to gauge interest in initiating the process.

(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 applicant's SOJ indicates a surplus of parking that is immediately west of the subject site. This is the Mount Calvary Church property, specifically a parking lot designed for the Mount Calvary private school, which is no longer in operation. The applicant currently leases 70 parking spaces of this lot. The submitted SOJ does not include the total number of parking spaces for this lot or for the parking lot of the Amalgamated Transit Union property, which is directly to the east of the subject site.

There appears to be many parking spaces on this lot, as well. Moreover, there are a few commercial properties that are across from the subject site that may have available parking. There appears to be available on-street parking spots as well; however, the use of these spaces is not recommended, as they are located on residential streets.

In a letter dated September 21, 2020 (Barnhardt to Prince George's County Planning Board), the school indicates that they have used the Amalgamated Transit Union property parking lot for excess parking in the past and would look to source additional parking from that property, should a parking shortage occur.

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

The subject site is located within the boundaries of the 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* (Marlboro Pike Sector Plan and SMA), but just outside of the priority areas identified in the plan. The submitted SOJ indicates that the subject property anticipates an institutional use and the existing use is consistent with the plan. The submitted SOJ does not discuss the plan's parking policy, and there is only one parking-related policy in the plan (page 61):

Policy 1: Limit the need for large expansive parking lots throughout the corridor.

The submitted departure proposal and existing parking arrangement advances this policy. While the subject site is not within one of the recommended activity nodes of the plan, the streetscape recommendations for these nodes include on-street parking along Marlboro Pike, which will increase the overall parking supply in the area, reducing potential parking shortages.

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

The property is not located within the limits of a municipality. As a result, the above finding is not applicable to the review of the application.

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

The applicant is not aware of any public parking facilities proposed within the County's Capital Improvement Program.

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

(i) Public transportation available in the area;

The applicant's SOJ indicates that bus service is available to and from the subject property, further noting that it is utilized by students and staff. While the SOJ does not demonstrate the number or percentage of students and staff using transit nor details of the transit service, there are two different bus routes that stop in front of the subject site. During the AM peak-hour period, there is a Washington Metropolitan Area Transit Authority Metrobus that arrives with 20-25 minute headways and a Prince George's County TheBus that arrives with 30-minute headways. This provides reasonable transit access to the subject site, should students or staff opt for transit.

In addition, in the September 21, 2020 letter, the school indicated that a private bus service could be used to support student transportation should a parking shortage occur. The letter further noted that this is similar to other efforts by different private schools in the region. Staff concurs that private bus service could help offset parking needs should a shortage occur.

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

There are no alternative design solutions to existing off-site facilities that would reasonably deliver more 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;

The subject site is adjacent to a parking lot that was built for a school that is no longer in operation. As noted previously, Bishop McNamara High School currently leases parking spaces from this property. In addition, the applicant has noted that student parking is a privilege for students that have earned the opportunity to park at school. Should their current parking arrangement no longer be viable or other parking shortages occur, eliminating the student parking privilege would address the issue.

(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 property is located in the R-55 and C-S-C Zones and does not include the development of multifamily dwelling units. As a result, the above finding is not applicable to the review of the subject application.

Based on the preceding analysis, the required findings for approval set forth in Section 27-588(b)(7)(A) are met for DPLS-482.

7. **Further Planning Board Findings and Comments from Other Entities:** The relevant comments submitted from referred agencies for this application were included in the above analysis. The following referral memorandums were received, and are incorporated by reference herein:

- Urban Design Section, dated September 28, 2020 (Burke to Sievers)
- Historic Preservation Section, dated September 11, 2020 (Stabler to Sievers)
- Community Planning Section, dated September 25, 2020 (Byrd to Sievers)
- Transportation Planning Section, dated September 25, 2020 (Hancock to Sievers)
- Environmental Planning Section, dated September 21, 2020 (Nickle to Sievers)

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 to reduce the minimum number of required off-street parking spaces by 70 spaces

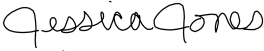
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

* * * * *

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 Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, October 22, 2020, in Upper Marlboro, Maryland.

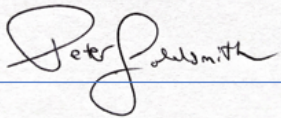
Adopted by the Prince George's County Planning Board this 12th day of November, 2020.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:TS:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: October 27, 2020