

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed DPLS-327 requesting a Departure from Parking and Loading Standards for 69 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 December 20, 2007, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property, known as Colmar Manor Town Hall, contains 0.7 acre located in the R-55, O-S and R-O-S Zones in the southeast, southwest and northeast quadrants of the Lawrence Street and 37th Street intersection, also known as 3701 Lawrence Street, in Colmar Manor. The applicant is proposing to expand the existing 8,436-square-foot town hall originally constructed in 1959. The town hall, which is two stories with a mezzanine level, currently includes a two-story gymnasium on the ground level. On the main level there is a small kitchen and a conference room which also serves as the administrative offices for the town's elected officials, police and public works departments, and a separate administrative office for the office support staff. The mezzanine level includes two offices, bathrooms and storage but is no longer in use due to a ground water problem. The site currently has 15 parking spaces. Access to the property is via driveways from both Lawrence Street and 37th Street, as well an access easement on the adjoining church property.
- B. **History:** There are no previous applications or approvals associated with the subject property.
- C. **Master Plan Recommendation:** The property is located in an area identified in the 2002 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. The application is in conformance with land use recommendations for public/quasi-public uses in the approved 1994 master plan and sectional map amendment for Planning Area 68. The sectional map amendment retained the property in the R-55, O-S and R-O-S Zones.
- D. **Request:** The applicant requires a departure of 69 parking spaces from the 92 parking spaces required for the construction of a new, 10,286-square-foot town hall. The applicant is proposing a total of 24 parking spaces, including one handicap space. The site plan incorrectly shows the required parking as 93 spaces. The site plan should be revised to show the correct figure. The requested departure is required for the construction of a new two-story building that includes 1,387 square feet of office space, a 2,465-square-foot multipurpose room, and a 6,434-square-foot gymnasium. Ancillary uses will include storage areas, a cable television control room, and employee locker area. The total proposed gross square footage is 20,607 square feet. The site plan should be revised to show the total square footage of the proposal and lot coverage calculations.

E. Neighborhood and surrounding uses:

The neighborhood is bounded on the north by Bladensburg Road, to the south and east by the Anacostia River, and to the west by the District of Columbia boundary. The neighborhood is characterized by modest single-family detached homes.

The property is surrounded by the following uses:

- | | | |
|-------|---|--|
| North | — | Across Lawrence Street, a single-family detached home in the R-55 Zone |
| South | — | Cemetery and parkland in the O-S and R-O-S Zones, respectively |
| East | — | Church in the R-55 Zone |
| West | — | Cemetery in the O-S Zone |

It is noted that the applicant's statement of justification erroneously identifies the subject property as within the master plan neighborhood described as "S-3" for the "Heights."

F. Parking and Loading Regulations: Section 27-568(a)(5)(C) (Schedule of Parking Spaces) of the Zoning Ordinance requires a total of 92 parking spaces for the uses included in the proposed town hall. The applicant is providing 24 parking spaces, including one handicap space. The site plan is currently deficient by 68 parking spaces. The applicant is also required to provide three additional handicap parking spaces. In order to provide a total of four handicap spaces, the parking area must be redesigned. The revision will result in the net loss of one parking space, bringing the total requested departure to 69 spaces.

The site is exempt from loading requirements.

G. Referral Comments:

None of the referrals received by staff had any objection to the proposal. The Transportation Section, in a memo dated November 1, 2007, noted that the adjacent streets are under the operation and maintenance of the Town of Colmar Manor. The Community Planning North Division, in a memorandum dated November 28, 2007, offered the following comments:

- This area is an older established community. Many of the buildings and properties were developed prior to the Zoning Ordinance and, thus, do not meet the development standards of the Ordinance.
- The master plan (page 21) acknowledges that certain development standards, particularly parking standards, are inappropriate for these older inside the Beltway communities. Specifically, the plan states that the "parking requirements rely on suburban standards, which are based upon automobile usage as the predominant form of transportation. They do not account for patrons using alternative modes of transportation, including walking, and they do not promote shared parking, which is essential in highly developed communities such as PA 68."

- The proposed new town hall requires 92 parking spaces based on the various uses as follows: 1 space for each 250 square feet of office space or 6 spaces for 1,387 square feet, 1 space for every 4 seats normally used for town activities, or 20 seats normally set out with an attendance of less than 10 individuals or 5 spaces, and 1 space for every 80 square feet of a 6,434 square foot gymnasium space.

It is our understanding that the Town of Colmar Manor has entered into an agreement to share parking with the New Covenant Church located next door (3805 Lawrence Street) to the town hall. The church is an adaptive reuse of a former elementary school that includes a parking lot of 92 spaces. The agreement allows the town to use 64 parking spaces in the church parking lot. This shared parking arrangement taken together with 30 on-street parking spaces and 24 parking spaces in the town's municipal lot result in 118 parking spaces in which case the departure from parking standards is not really necessary as the parking to be provided exceeds the parking requirements.

It is my understanding that the Town of Colmar Manor intends to provide the details of the shared parking arrangement with the New Covenant Church under separate cover.

- The site plan does not indicate that the existing parking lots are in the O-S and R-O-S Zones. The site plan needs to be corrected. Nevertheless, the established policy supported by the Prince George's County Planning Board and the District Council states that all public land should be placed in the most restrictive and/or dominant adjacent zone, whichever bears the closest relationship to the intended character of the area. In the subject case the existing R-55, O-S and R-O-S Zones reflect dominant adjacent zones and do not affect the proposed and existing public uses.
- The site plan does not indicate appropriate lighting in the parking lots to assure safety.
- There may be a need to obtain departures from the *Landscape Manual*.

The Board further notes that it appears the applicant will require variances from the required building setbacks.

H. **Required Findings—Departure from Parking and Loading Standards**

(A) **Section 27-588(b)(8)(A) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:**

1. **The purposes of Section 27-550 will be served by the applicant's request.**

The purposes of the Parking Regulations are as follows:

- 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 buildings 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; and**
- d. **To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The purposes of the Parking Regulations will be served by the applicant's request. The purposes seek, among other things, to provide parking and loading areas sufficient to serve the needs of the use and to aid in relieving traffic congestion on the streets by reducing the use of public streets for parking and loading. The applicant has indicated that in addition to the 23 parking spaces provided on-site, they have an agreement with the adjacent church that makes 64 parking spaces available to the town hall. A copy of the agreement has been presented to the Board.

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

The departure is the minimum necessary. Due to the limited area of the property there is no space available to provide additional on-site parking. The proposal yields eight new spaces over those currently existing.

3. **The departure is necessary in order to alleviate circumstances that are special to the subject use, given its nature at this location, or to alleviate circumstances that are prevalent in older areas of the county that were predominantly developed prior to November 29, 1949.**

The community of Colmar Manor is an older, Inner Beltway community developed well before 1949. The existing municipal building, which is a community focal point, is outdated and in a state of disrepair, with a portion of the building totally unusable. There is a clear need for an updated, modern municipal facility to serve the needs of the community. Unfortunately, limited space is available to accommodate the parking requirements for the proposed uses and there is no practical or feasible way to expand the boundaries of the site. For these reasons the Board finds the departure is necessary to alleviate circumstances which are special to the subject use given its nature at this location as well as to alleviate circumstances prevalent in older communities.

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

The applicant has applied the correct method for calculating the number of spaces required, as set forth in Part 11, Division 2, Subdivision 3 of the County Zoning Ordinance. No other parking standard can be applied in this case.

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

The location of the town hall is tucked into a corner of the community that is surrounded by a cemetery and a park. Only a portion of one parking area is adjacent to residential uses. With the availability of additional parking spaces provided by the adjacent church, adjacent residential areas will not be infringed upon.

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

1. 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 500 feet of the subject property.

As previously noted, the Town of Colmar Manor has entered into an agreement with the adjacent New Covenant Church by which the church will make available 64 parking spaces. In addition, there are 30 on-street parking spaces available in the immediate vicinity. This, when added to the 23 parking spaces available on-site, results in a total of 117 parking spaces, which exceeds the total number required by the Zoning Ordinance for the town hall. It is also noted that the Town of Colmar Manor is very small, with only 28 businesses and 425 homes, and therefore the town hall is accessible by foot as well. The applicant has provided signed statements by 46 residents and business owners of the town indicating that they do not foresee that parking will be a problem should the departure be approved.

2. The recommendations of an area master plan, or county or local revitalization plan, regarding the subject property and its general vicinity.

The property is located in an area identified in the 2002 General Plan as the Developed Tier and is in conformance with that vision. The application is also in conformance with the land use recommendations of the approved master plan and sectional map amendment for Planning Area 68, which recommends a public/quasi-public use on the site.

3. The recommendations of a municipality (within which the property lies) regarding the departure.

The municipality is requesting the departure.

4. 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 in the county's Capital Improvement Program within the general vicinity of the property.

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

1. Public transportation available in the area;

The subject property is within a developed area in the county and public transportation is available and convenient. There is a bus stop at Bladensburg Road and 38th Street. The Town of Colmar Manor also provides its own Call-A-Bus service in conjunction with the other Port Towns.

2. Any alternative design solutions to off-street facilities which might yield additional spaces;

The applicant appears to have exhausted any alternative design solutions that could yield additional parking spaces. In addition to standard-sized spaces, the applicant is providing seven compact car spaces, which is the maximum allowed for this site.

3. 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 500 feet of the subject property.

The Colmar Manor Town Hall is an existing facility which currently provides a variety of services to the local community as well as providing a community focal point and activity center. The uses, while being improved and expanded, will not change, nor will hours of operation change.

4. 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, O-S and R-O-S Zones; therefore, the above section is not applicable.

CONCLUSION:

Based on the preceding analysis and findings, it is recommended that this Departure from Parking and Loading Standards application DPLS-327 for a waiver of 69 parking spaces from the required 92 parking spaces be APPROVED with the conditions noted below.

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 recommends APPROVAL the above-noted application, subject to the following conditions:

1. The applicant shall add a note stating that a waiver of 69 parking spaces from the required 92 parking spaces for Colmar Manor Town Hall is granted by DPLS-327.
2. The site plan shall be revised to show the following:
 - a. the correct zoning for the parcels and zoning lines
 - b. the correct number of required parking spaces and the correct number of the requested departure
 - c. the total square footage of the building
 - d. lot coverage calculations
 - e. existing and proposed lighting and lighting details for the parking areas
 - f. four handicap parking spaces, one of which is van accessible
 - g. seven compact parking spaces
 - h. an accessible route from the handicap parking space(s) to the building
 - i. building setbacks to determine if a variance(s) is required
3. The applicant shall either provide a landscape plan in compliance with *Landscape Manual* requirements, or apply for Alternative Compliance.
4. The applicant shall remove the barbed wire from the top of the existing six-foot high fence or obtain a variance.
5. The applicant shall obtain a letter of exemption for woodland conservation requirements.

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 Vaughns, seconded by Commissioner Cavitt, with Commissioners Vaughns, Cavitt, Squire, Clark and Parker voting in favor of the motion, at its regular meeting held on Thursday, December 20, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of December, 2007.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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