

R E S O L U T I O N

WHEREAS, the Prince George=s County Planning Board has reviewed a Departure from Design Standards requesting a departure from the requirements of Section 4.7 of the *Landscape Manual* 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 September 23, 2004, the Prince George's County Planning Board finds:

FINDINGS:

A. **Location and Field Inspection:** The subject property is located on the east side of Edmonston Road approximately 120 feet south of Tilden Road, known as 4213 Edmonston Road .The property consists of 2.2 acres and is improved with an existing fire station, accessory structures, and parking. The property has 156 feet of frontage on Edmonston Road. Vehicular access to the property is from Edmonston Road.

B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-55	R-55
Use(s)	Fire Station	Fire Station
Acreage	2.2	2.2
Lots	NA	NA
Parcels	1	1
Square Footage/GFA	8,463	12,531

C. **History:** The building and the paving on the subject property have existed since the 1950s. A variance application, V-24-95, was granted by the Board of Zoning Appeals on March 22, 1995, for an additional 29 percent net lot coverage and the location of two accessory buildings within the required setbacks. There is an existing monopole on the rear of the property. A building permit was obtained for the monopole in 1999.

D. **Master Plan Recommendation:** The 1993 Master Plan for Bladensburg, New Carrollton and Vicinity recommends “public/quasi-public” uses for the subject property.

E. **Request:** The applicant is adding an apparatus bay and living quarters to the existing fire station on the subject property. Since the gross floor area for the addition is greater than ten percent of

the existing fire station, the proposal was subject to the following requirements of the *Landscape Manual*:

Section 4.7 (Buffering Incompatible Uses) along the eastern and southern property lines
Section 4.2 (Commercial and Industrial Landscape Strip) along Edmonston Road

On June 14, 2004, the Planning Director of The Maryland-National Capital Park and Planning Commission (M-NCPPC) denied Alternative Compliance Application AC-04013 in conjunction with Permit No. 2830-2004-CGU. The applicant is requesting a departure from the requirements of Section 4.7 of the *Landscape Manual*.

The applicant had also filed a departure from parking and loading standards application, DPLS-297, because they were of the opinion that compliance with pre-1970 standards were necessary. However, the applicant has provided 19 additional spaces according to the current parking requirements of the Zoning Ordinance. Therefore, the DPLS application is no longer required. The applicant had also requesting a departure from the requirements of Section 27-558, Parking Space Sizes, of the Zoning Ordinance to allow 47 of the 119 parking spaces (note: 100 spaces are required) to be smaller than required. This Departure is no longer necessary because the applicant is providing parking spaces that meet the requirements of the Zoning Ordinance.

F. **Surrounding Uses:** The property is surrounded with the following uses:

North— Post Office in the C-S-C Zone

East— Apartments in the R-10 Zone and single-family residential in the R-55 Zone

South— Single-family residential in the R-55 Zone

West— Edmonston Road

G. **Design Requirements:**

1. **Number of Required Parking and Loading Spaces:**

Section 27-568 of the Zoning Ordinance requires the following:

**one parking space for a dispatcher
two parking spaces for emergency vehicles
one parking space for four persons in hall or auditorium
one parking space for 500 square feet of gross floor area for the trailer
one parking space for each fireman in the living quarters**

Section 27-582 of the Zoning Ordinance requires one loading space for 10,000 to 100,000 square feet of gross floor area for an institutional use.

The site requires 78 parking spaces for 311 persons in the auditorium, one parking space for a dispatcher, two parking spaces for emergency vehicles, one parking space for the trailer, and 18 parking spaces for 18 firemen in the living quarters. Therefore, the site

requires a total of 100 parking spaces. The applicant has provided 100 parking spaces. A loading space has also been provided.

2. ***Landscape Manual Requirements:*** The property is subject to the requirements of Section 4.7 of the *Landscape Manual*. The proposed landscape plan falls short of the required minimum building setback and minimum landscape yard. The Planning Director recommended denial of the applicant's proposal for alternative compliance (see attached review comments for AC-04013) and, consequently, the applicant is requesting a departure from these requirements.
3. **Signs:** No freestanding signs are proposed with this application.
4. **Other Issues:**
 - (1) The Permit Review Section (memorandum dated September 8, 2004) has requested the addition of notes regarding access to the loading area, required parking for the trailer, the height of the trailer, and the specific use of the adjacent northern property. Conditions of approval have been added to require the same.
 - (2) The Historic Preservation Section (memorandum dated August 23, 2004) has stated that the proposal will have no impact on historic properties.
 - (3) The applicant (letter dated August 31, 2004) has stated that since no landscaping was provided during the review of the alternative compliance, some landscaping will be proposed to compensate for the landscaping required by the *Landscape Manual*. Specifically, the applicant is proposing a six-foot-high board-on-board fence along the eastern and southern property lines to provide screening between the subject property and adjacent properties. Eight Leyland Cypress trees will be provided at the southeastern corner of the property (behind the cell tower enclosure) and five evergreen trees will be planted in the grass strip along the front of the property.

H. **Required Findings:**

- (A) **Section 27-239.01(b)(9) 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 this Subtitle will be equally well or better served by the applicant's proposal.**

The purposes of the Zoning Ordinance are set forth in Section 27-102. They are varied in nature, but in general are to protect the health, safety and welfare of the residents and workers in Prince George's County. In this instance, the facts establish that granting the requested departures will in no way jeopardize these purposes.

The existing building has been on the property since the early 1950s. There is no existing landscaping on the site. The use of the property as a fire station requires clear driveways for speedy entrance and exit of emergency vehicles and fire engines. Landscaping that restricts the speedy entrance and exit of vehicles cannot be provided. Therefore, only

minimum landscaping can be provided in areas where the use of the property as a fire station is not restricted. The applicant is proposing some landscaping and screening to enhance the overall appearance of the property. Although the proposed landscaping and fence are not as extensive as landscaping and screening for a commercial or office use, they are adequate to screen the adjacent residential properties and improve the overall appearance of the property along Edmonston Road. Speedy and unrestricted entrance and exit of vehicles in a fire station is essential for the overall public safety of the community. The proposed landscaping and screening ensure these requirements and enhances the visual quality of the site and projects an aesthetically pleasing appearance. An attempt to achieve full compliance with the *Landscape Manual* would be virtually impossible.

Given all of the above, the purposes of this Subtitle will be equally or better served by the applicant's proposal.

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

The requested departures are the minimum necessary. Strict compliance with the *Landscape Manual* would require the creation of additional landscape bufferyards that would restrict the speedy and unobstructed entrance and exit of emergency vehicles and the use of the property as a fire station.

3. The departure is necessary in order to alleviate circumstances that are unique to the site or prevalent in areas of the County developed prior to November 29, 1949.

The departure is necessary to alleviate circumstances that are commonly found in older areas initially developed with residential dwellings and later converted to commercial or institutional uses. A fire station is a permitted use in the R-55 Zone. The existing size of the property is not adequate to accommodate the current landscaping requirements and the parking size requirements. Compliance with the current standards will require encroachment into areas that accommodate structures essential to the functioning of the firestation. Therefore, the departure is necessary to alleviate circumstances that are unique to the site and unique to the use of the property as a fire station.

4. The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.

The departure will not impair the visual, functional or environmental quality or integrity of the site or the surrounding area. The departure, with the proposed minimum planting and the proposed six-foot-high board-on-board fences, will, in fact, add to the visual, functional and environmental quality or integrity of the site and the surrounding neighborhood. Granting the departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood. Granting of the departure will ensure the use of the property as a fire station for protecting the public safety of the surrounding neighborhood.

(B) For a departure from a standard contained in the *Landscape Manual*, the Planning

Board shall find, in addition to the requirements in paragraph (A) above, that there is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, which would exhibit equal or better design characteristics.

Installation of landscaping according to the requirements of the *Landscape Manual* is not practical. These requirements cannot be provided without causing substantial damage to the existing building and a loss of needed parking spaces. There is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, that would exhibit equal or better design characteristics.

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 Departure from Design Standards application DDS 550, subject to the following conditions:

1. Prior to certification of the departure from design standards application, the site plan shall be revised as follows:
 - a. Parking schedule showing 100 proposed parking spaces.
 - b. A note stating that the access to the loading area will only take place through the northern driveway aisle.
 - c. Parking schedule to include required parking spaces for the existing trailer at one space for every 500 square feet of gross floor area.
 - d. Height of the existing trailer.
 - e. Specific uses of all the adjacent properties along the northern property line.
 - f. A note stating that the parking area shall be restriped to meet the parking size requirements of the Zoning Ordinance.

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 Eley, with Commissioners Vaughns, Eley, Squire, Harley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 23, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of October 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:LS:rmk
(Revised 8/9/01)