

Prince George's County Departure from Parking and Loading Standards Application No. 256

Applicant: Molly T. Smith, Owner

Location: The subject property is located on the west side of Harwood Road, between Harwood Court and Roslyn Avenue

Request: Reduction in the required number of parking spaces

### R E S O L U T I O N

WHEREAS, the applicant is requesting a departure to allow two fewer parking spaces than required; and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released January 19, 2000, recommends Approval, with conditions; and

WHEREAS, upon receipt of additional information the Technical Staff revised the conditions of approval of the Technical Staff Report by amending Condition Nos. 1, 3 and 4 and by adding a new condition; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on February 10, 2000, the Prince George's County Planning Board agreed with the staff recommendation as verbally amended at the hearing; and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the Technical Staff Report and the following DETERMINATIONS:

**Section 27-568 of the Zoning Ordinance requires one parking space for every four residents of a congregate living facility.** The subject congregate living facility will have 12 residents. A total of three spaces are required ( $12/4=3$  spaces); only one van-accessible handicap-space is provided. The applicant is requesting a departure to reduce the required number of parking spaces from three to one.

A. **Section 27-588(b)(8) 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 this Part are:**

(i) **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.**

- (ii) 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.**
  - (iii) To protect the residential character of residential areas.**
  - (iv) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**
- 2. The departure is the minimum necessary, given the specific circumstances of the request.**
  - 3. 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.**
  - 4. All methods for calculating the number of spaces required have either been used or found to be impractical.**
  - 5. Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

In response to referral of this application, Mr. Tom Masog of the Transportation Planning Section, has offered the following comments:

From solely a transportation standpoint , the transportation staff does not find that granting this departure is necessarily at odds with the purposes of the Zoning Ordinance. Staff must also find that the departure is the minimum necessary. The site is very small, and the existing building limits flexibility within the property. It is possible that the requirements could be met if two cars were stacked in the driveway and the front yard were to be paved to add a third parking space. Given the residential character of the neighborhood and the street, paving the front yard is not desirable; also, the driveway between the building and north property is needed to provide a necessary landscape buffering through Alternative Compliance. Therefore , the departure is the minimum necessary. Furthermore, the method used to compute the parking needs on the plan is used correctly.

There is on-street parking in the area of the subject property, and there is parking availability. The applicant does justify the departure on the grounds that Metrobus serves the area. Metrobus does serve the Harwood Road/Kipling

Parkway intersection on weekdays, but not on weekends. There is weekend service about one-half mile away.

The Planning Board concurs with the conclusions of the Transportation Section. The requested waiver of two spaces is minor and is not likely to adversely impact the residential neighborhood or the area's transportation system. The proposed single off-street parking space and available on-street parking spaces along Harwood Road adequately satisfy the parking needs associated with the subject use. Therefore, the purposes of this subsection will be served by the requested departure.

The requested waiver is necessary to alleviate circumstances unique to the subject use given its nature at this location. The subject property was originally developed as a single-family detached dwelling several years ago and was used as such until it was converted to a congregate living facility in 1993. The proposed departure will maintain and preserve the established pattern and character of the residential neighborhood and street.

**(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.**
- 2. The recommendations of an area master plan, or County or local revitalization plan, regarding the subject property and its general vicinity.**
- 3. The recommendations of a municipality (within which the property lies) regarding the departure.**
- 4. Public parking facilities which are 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.**
- 2. Any alternative design solutions to off-street facilities which might yield additional spaces.**
- 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.**

Both on-street and off-street parking methods are used by adjoining and nearby residential properties. There is no indication of a shortage in public parking

accommodations in the area. In addition, Metrobus stops are located within a block and half from the subject facility. There are no public parking facilities proposed for this area.

The 1985 Approved Master Plan for Suitland-District Heights and Vicinity recommends the subject property for medium-suburban density development at 3.6 to 5.7 dwelling units per acre. The subsequent Sectional Map Amendment retained the property=s R-55 zoning. A congregate living facility for more than eight elderly and physically handicapped residents is permitted as a special exception in the R-55 Zone. The subject use is consistent with the Plan=s recommendations and will not impair the integrity of the Master Plan.

The subject property is within the boundaries of the City of District Heights. The applicant has submitted a letter from the City (Applicant=s Exhibit C) that supports the proposal.

NOW, THEREFORE, BE IT RESOLVED, that Departure from Parking and Loading Standards Application No. 256 is hereby APPROVED, subject to the following conditions:

1. The special exception site/landscape plan shall be revised in accordance with the landscape plan for Alternative Compliance No. 99039. The plan shall also include notations to reflect approvals of DPLS-256 and AC-99039.
2. The special exception site plan shall show the total square footage of the existing facility. In addition, the name of the street shall be corrected on the site plan to read A HARWOOD ROAD.@ The parking scheduled shall be revised to indicate 12 residents, and the rear yard setback shall be dimensioned in accordance with Section 27-107.01(a)(140) of the Zoning Ordinance
3. Prior to the issuance of use and occupancy permit, the applicant shall submit documentary evidence of compliance with the licensing and other applicable requirements of Subtitle 12.
4. The site/landscape plan shall be revised to show a driveway width of a minimum 11 feet.

5. The site/landscape plan in the record of DPLS-256 shall be consistent with the approved special exception site/landscape plan.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the adoption of this Resolution.

\* \* \* \* \*

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 Brown, seconded by Commissioner Boone, with Commissioners Brown, Boone and Hewlett voting in favor of the motion, and with Commissioner McNeill absent, at its regular meeting held on Thursday, February 10, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of March 2000.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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