

R E S O L U T I O N

WHEREAS, the Prince George=s County Planning Board has reviewed Departure from Parking Spaces Application No. 277 requesting a departure for two of the five spaces required for a landscaping contractor=s business 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 May 9, 2002, the Prince George's County Planning Board finds:

- A. Location and Field Inspection: The subject site is located in the northeast quadrant of the intersection of Arbor Street and 59th Avenue in the Tuxedo area just south of the Town of Cheverly. The property consists of two lots totaling .14 acre in size, and is developed with a single-story contractor=s office and warehouse.
- B. Request: The proposed site plan shows a total of three parking spaces; five are required. Two of the parking spaces are shown inside the building, the third space is to the rear of the building. Access to each space is indicated to be from 59th Avenue. The site plan does not make clear the existence of doorways to the building or the height of the doorways. A departure of two parking spaces is requested.

A variance from Section 27-462(b) was initially requested for the location of the chain link fence, which is located three feet from the rear property line. A 25-foot setback is required for all buildings and structures, including fences over six feet in height. The fence is six feet in height, plus an additional two feet of barbed wire. The applicant has decided to remove the barbed wire, thereby reducing the height to six feet. A letter withdrawing the request for a variance was received on April 24, 2002.

- C. Surrounding Uses: The property is surrounded by the following uses:

North - Single-family detached residences in the R-55 Zone

East, South, and West - Service-commercial and light-industrial uses in the C-S-C and C-M Zones

The Criteria for approving the proposed departure are set forth in Section 27-588(b)(8) of the Prince George=s County Zoning Ordinance.

- 1. **The purposes of Section 27-550 will be served by the applicant=s request.**
 - (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 above purposes will be met. This business is operated in such a way that most employees arrive in company vehicles and the three parking spaces and one loading space are used to load supplies onto the vehicles and go to the job site. Clients do not visit the site. The three parking spaces and one loading space are, therefore, sufficient to serve the needs of the site without relying on public streets for parking, and without affecting nearby residential streets. Since there will be some carpooling and use of company vehicles, and because of the availability of mass transit, the actual impact of the two-space departure on the public streets is negligible.

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

The applicant has provided the maximum number of spaces possible on the site; therefore, the requested departure is the minimum necessary.

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.

This area of the county was originally subdivided and designed prior to 1949.

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

There are no other methods of calculation which would reduce the required number of parking spaces.

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

Because of the nature of the business, the number of parking spaces will be sufficient to handle the parking needs on site, and the needs of adjacent residential areas will not be affected.

(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 noted by the applicant, the immediately surrounding uses include single-family dwellings, a public park and recreation center, a variety of service-commercial and light-industrial uses, and an early childhood development center. With the exception of several residences, most of these uses have off-street parking facilities.

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

As noted in the January 10, 2002, memorandum from Teri Bond, Community Planning Division:

A This service-commercial area along Arbor Street is an older commercial area that has been identified as in need of enhancement and is currently the subject of special study by the Planning Department. Many of the properties such as this one are very small and constrained, and are adjacent to single-family homes. @

The requested departure does not raise any Master Plan issues. Although the applicant is encouraged to provide whatever landscaping is feasible on the site, this application is for a departure from the required number of parking spaces and the application has addressed the required findings. The master plan guidelines discuss the need for off-street loading, which the applicant provides.

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

The subject property is not located in a municipality.

- 4. Public parking facilities which are proposed in the County=s Capital Improvement Program within the general vicinity of the property.**

The Prince George=s County FY 2000-2005 Approved Capital Budget indicates that there are no public parking facilities proposed in the area

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

1. Public transportation available in the area.

The applicant notes that the subject property is located on Metrobus Routes F-1 and F-2 and within two blocks of the Metrobus F-8 Route as well as the F-12 Ardwick Industrial Shuttle Line. The Cheverly Metro Station is located approximately one-quarter mile from the subject property. This information indicates that the area is reasonably well served for public transportation.

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

There are no feasible design alternatives that would yield additional parking 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.

The applicant's statement of justification lists the businesses within 500 feet of the subject property and their hours of operation, where posted. The information given and the nature of the businesses listed, indicate that they operate at typical times; and one should not assume an increase in parking capacity based on atypical hours of operation.

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.

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 Departure from Parking Spaces Application No. DPLS-277, subject to the following conditions:

The site plan shall be revised to show the following:

1. The height of the chain link fence shall be dimensioned as six feet.
2. The location and dimensions of the doors providing access to the interior parking spaces shall be indicated on the site plan.

The gate providing access to the loading space shall be dimensioned as a minimum of 15 feet in width.

4. A depressed curb shall be shown providing access to the loading space.
5. Site plan notes shall indicate that the concrete pad in front of the interior parking spaces is at grade with the public street.

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 Scott, seconded by Commissioner Lowe, with Commissioners Scott, Lowe, Brown and Hewlett voting in favor of the motion and with Commissioner Eley absent at its regular meeting held on Thursday, May 9, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of May, 2002.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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