

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed DPLS-315 requesting a departure of 9 parking spaces from the required 52 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 October 26, 2006, the Prince George's County Planning Board finds:

Departure from Parking and Loading Standards—The applicant is requesting, in addition to approval of a detailed site plan, a departure from parking and loading standards. Specifically, the applicant seeks to provide nine fewer spaces than are required by the Zoning Ordinance. Staff has listed each required finding of Section 588(b)(8) in boldface type below, followed by applicant's response in italicized type, followed in turn by staff comment in standard type.

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

Applicant's Response: This departure, if granted, would continue to serve the purpose of Section 27-550.

Staff Comment: Staff is in agreement that if the departure is granted, the purposes of Section 27-550 would be served by the applicant's request. Specifically, parking is sufficient and convenient, traffic congestion relieved and residential character preserved.

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

Applicant's Response: The departure of 9 parking spaces is the minimum necessary to minimize environmental impact restrictions.

Staff Comment: Staff is in agreement with the applicant that the departure requested is the minimum necessary. Environmental Planning staff has predetermined the extent of departure necessary by correctly establishing buffers to protect the environmental features on site. The applicant has worked within these parameters and the economic necessity of making the building a minimum of 78 units to make it a feasible project.

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.

Applicant's Response: This departure is necessary to alleviate and minimize any parking from within environmentally sensitive areas. In addition to this departure request, the applicant has made numerous revisions and reductions to the building layout, and has incorporated a costly amount of retaining wall to further reduce environmental impacts.

Staff Comment: Staff is in agreement with that applicant's response.

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;

Applicant's Response: All the required methods for calculating parking spaces have been applied and exhausted in this case. Compact spaces were considered, however we found that there would be an insignificant increase of parking spaces, and a significant loss of accommodating standard size vehicles. This made compact spaces impractical.

Staff Comment: Staff is of the opinion that applicant has not used all methods for calculating the numbers of spaces required or found that other methods are impractical. Use of compact spaces as allowed by Section 27-599 will increase the number of parking spaces from 43 to 45. As the number of compact parking spaces is limited to one-third of the total number of spaces, therefore two-thirds of the parking would remain as standard-size and handicapped spaces. The plans should be revised prior to signature approval to include compact spaces in accordance with Section 27-599.

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

Applicant's Response: Parking needs of adjacent residential areas will not be impacted.

Staff Comment: The area surrounding the subject site has unfettered on-street parking that should easily be able to accommodate any overflow from the subject project.

Further, staff has listed each item the Planning Board is obligated to consider in making its findings pursuant to Section 588(b)(8), followed by staff's comments:

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;

Applicant's Response: The only other off-street parking extant in the area is devoted to residential properties. On-street parking is available in the area.

Staff Comment; Staff has reviewed additional material submittal by the applicant and has determined that, provided condition 1 below is complied with, on-street spaces located within 500 feet of the project are sufficient to accommodate overflow.

Transportation—In an e-mail dated October 18, 2006, the Transportation Planning Division stated that, with respect to the departure from parking and loading standards, that based on additional information submitted by the applicant, that granting the departure would be in concert with the purposes of the Zoning Ordinance.

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, subject to the following condition:

Prior to signature approval, the plans shall be revised to incorporate compact parking spaces per Section 27-599 for a total of 45 spaces provided for the site.

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 Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns, Eley, Clark and Parker voting in favor of the motion at its regular meeting held on Thursday, October 26, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of October 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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