City of Greenbelt
Department of Planning and Community Development
15 Crescent Road, Suite 200, Greenbelt, Maryland 20770
(301) 345-5417 Fax (301) 345-5418

Memorandum

TO: City Council

FROM: Terri Hruby, Assistant Planning Director

DATE: December 10, 2015

SUBJECT: Departure Request (15-002 DPLS) – APB Resolution

In mid-September, Mr. Anwar Saleh, the owner of the property located at 151 Centerway, submitted an application for a Departure from Parking and Loading Standards (DPLS) for 151 A Centerway. This is the space located below the barber shop and DMV Pizza. Mr. Saleh is requesting a Departure from Parking and Loading Standards to waive the 13 required parking spaces for a retail use to occupy the 1,937 SF lower level.

The Advisory Planning Board held a public hearing on the application on December 9, 2015. At the hearing City planning staff recommended approval of the application. In addition, persons were present that spoke in favor of granting the departure. The Advisory Planning Board found sufficient justification to recommend unanimous approval of the requested waiver of 13 parking spaces to accommodate a retail use in the subject property. The Board's recommendation is attached.

If any City Council member has an objection to the findings of the Advisory Planning Board a request for oral argument must be submitted to the City Clerk by Monday, December 28, 2015. A request for oral argument form is attached. If no one appeals the decision of the Advisory Planning Board, the resolution will be placed on City Council's consent agenda at its regular meeting on January 11, 2015.

Council Request for Oral Argument
on a
Recommendation of the Greenbelt Advisory Planning Board

Application Number: 15-002 DPLS

Date of Notice: December 11, 2015

Basis of Request:

☐ Action of the Advisory Planning Board is not unanimous, or

☐ Recommendation fails to comply with the criteria of the City of Greenbelt contained in Ordinance 1170, Chapter 20 of the Zoning Code of the City of Greenbelt.

Other Information Provided:_____

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Submitted by:_____ on _____
Council Member Date

Note: This form must be submitted to the City Clerk no later than 4:30 pm Monday, December 28, 2015.

City Clerk's Office

Received By:_____

Date Received:_____

RESOLUTION OF THE GREENBELT ADVISORY PLANNING BOARD

FOR DEPARTURE DPLS 15-002

WHEREAS, the City of Greenbelt (hereinafter the "City"), pursuant to Ordinance 1173 (hereafter the "Ordinance"), is authorized to hear requests for Departures from Parking and Loading Standards from the terms of the Prince George's County Zoning Ordinance (hereafter the "Zoning Ordinance"), and to make recommendations to the Greenbelt City Council in connection therewith, and

WHEREAS, the City is authorized by the Ordinance to grant an application for a Departure from Parking and Loading Standards if the Greenbelt Advisory Planning Board (hereinafter the "APB") makes the following findings pursuant to Chapter 20, Article III, Section 20-10 of the Greenbelt City Code:

(1) The purposes of the County's zoning ordinance will be equally well or better served by the applicant's proposal;

(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 unique to the site; or prevalent in areas of the County developed prior to November 29, 1949;

(4) The Departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood;

(5) The purposes of section 27-550 of the Prince George's County Zoning Ordinance will be served by the applicant's request;

(6) All methods for calculating the number of spaces required (division 2, subdivision 3, and division 3, subdivision 3, of the Prince George's County Code) have either been used or found to be impractical; and

(7) Parking and loading needs of adjacent residential areas will not be infringed upon if the Departure is granted.

WHEREAS, on or about September 18, 2015, Mr. Anwar Saleh submitted an application for a Departure from Parking and Loading Standards of Section 27-568(a) of the Zoning Ordinance for Parcel 3, 151 A Centerway, Greenbelt, Maryland. The applicant requests a Departure from Parking and Loading Standards to waive the 13 required parking spaces for a retail use to occupy the 1,937 SF lower level.

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Ordinance; and,

WHEREAS, the technical staff report recommended **APPROVAL**; and,

WHEREAS, on December 9, 2015, the APB conducted a public hearing on the merits of the Departure application. The APB heard testimony and accepted evidence with respect to whether it can make the necessary findings set forth in the Ordinance to grant a Departure from Parking and Loading Standards; and,

WHEREAS, the APB's recommendation is based upon analysis of the record by the Board and on the findings and conclusions presented in the technical staff report; and,

WHEREAS, the APB hereby makes the following findings of fact:

1. The subject property is part of the Roosevelt Center, an integrated shopping center constructed in 1937 that is the subject of previous Departures from Parking and Loading Standards (DPLS-108, DPLS-125 and DPLS-121).

2. The purposes of the County's parking and loading standards will be served by the requested DPLS. Visual surveys conducted by the applicant and City staff supports that there is sufficient and convenient parking available within the Roosevelt Center to accommodate 1,937 square foot of retail use.

3. On three different occasions, the Prince George's County planning board found that there is sufficient parking to accommodate the commercial uses within Roosevelt Center. In addition, the City through parking lot improvements has increased the number of available parking spaces from 358 to 381 further supporting that there is sufficient parking available to accommodate the proposed retail use.

4. Given that the parking is required by the proposed retail use and that none can be provided on-site, this departure of all 13 spaces is the minimum necessary.

5. The departure is necessary to alleviate practical difficulties associated with providing on-site parking. Roosevelt Center opened in 1937 and was not designed to meet the modern parking regulations set forth in the Prince George's County Zoning Ordinance.

6. With adequate parking facilities provided at Roosevelt Center, the parking and loading needs of adjacent residential areas will not be infringed upon.

7. The departure will not impair the visual, functional or environmental quality, or integrity of the site or the surrounding neighborhood. The proposed retail use is a permitted use within the C-S-C Zone, and there is sufficient off street parking within the Roosevelt Center Parking lot to accommodate the proposed retail use.

8. The subject property is located in the area of the County covered by the *1989 Approved Master Plan for Langley Park, College Park, Greenbelt and Vicinity and Sectional Map Amendment*. The Master Plan recommends retail commercial land uses for the subject property. Therefore, the proposed retail use is consistent with the Master Plan

NOW, THEREFORE, BE IT RESOLVED by the Greenbelt Advisory Planning Board that DPLS 15-002, a request to waive the required13 parking spaces that are required for a retail use, to occupy the 1,937 square foot lower level locate at 151-A Centerway, Greenbelt, MD 20770, is recommended for **Approval**.

Name of APB Member	In Favor	Opposed	Absent
Brian Gibbons, Chair	X		
Matt Johnson, Vice Chair	X		
Isabelle Gournay	X		
Jeff Lemieux	X		
Maria Silvia Miller	X		
Nicole Williams	X		
Keith Chernikoff	X		

So recommended this 9th day of December 2015.

GREENBELT ADVISORY PLANNING BOARD

Brian Gibbons
Chair

BE IT FURTHER RESOLVED that this resolution of the Greenbelt Advisory Planning Board shall take effect immediately upon adoption by the Greenbelt City Council.

APPROVED by the Council of the City of Greenbelt, Maryland at its regular meeting of, _____ 2015.

Emmett V. Jordan, Mayor

ATTEST:

Cindy Murray, City Clerk