



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Departure from Parking & Loading Standards **DPLS-340**

Application	General Data	
<p><b>Project Name:</b> Spanish Church of God, Inc.</p> <p><b>Location:</b> Located along the north side of Prince George's Avenue at its intersection with Rhode Island Avenue.</p> <p><b>Applicant/Address:</b> Spanish Church of God, Inc. 4808 Prince George's Avenue Beltsville, Maryland 20705</p> <p><b>Property Owner:</b> Spanish Church of God, Inc. 4808 Prince George's Avenue Beltsville, MD 20705</p>	Planning Board Hearing Date:	12/03/09
	Staff Report Date:	11/17/09
	Date Accepted:	09/15/09
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.1438
	Zone:	C-A
	Existing Gross Floor Area:	5,000 sq. ft.
	Lots:	p/o 2 lots
	Parcels:	0
	Planning Area:	61
	Tier:	Developing
	Council District:	01
	Election District	01
Municipality:	None	
200-Scale Base Map:	214NE05	

Purpose of Application	Notice Dates	
Request a departure for 35 of the required 40 parking spaces for a church with 158 seats.	Informational Mailing	03/10/09
	Acceptance Mailing:	09/10/09
	Sign Posting Deadline:	11/03/09

Staff Recommendation		Staff Reviewer: John Ferrante	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

November 17, 2009

**TECHNICAL STAFF REPORT:**

TO: The Prince George's County Planning Board

VIA: Jimi Jones, Zoning Supervisor

FROM: John Ferrante, Senior Planner, Zoning Section

SUBJECT: **Departure from Parking and Loading Standards DPLS-340**

REQUEST: **Waiver of 35 of the required 40 parking spaces for a church with 158 seats**

RECOMMENDATION: **Disapproval**

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NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date indicated above. The Planning Board also encourages all interested persons to request to become a person of record in this application. Requests to become a person of record should be made in writing and addressed to the Development Review Division at the address indicated above. Please call 301-952-3530 for additional information.

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**FINDINGS:**

A. **Location and Field Inspection:** The property is known as 4808 Prince George’s Avenue and is located in the Beltsville Community within Planning Area 61. The site is located within the C-A (Ancillary Commercial) Zone and has a net lot area consisting of 6,266 square feet, or 0.1438 acre. The property abuts three public streets, Wicomico Avenue to the north, Prince George’s Avenue to the south, and Rhode Island Avenue to the east. The property is currently improved with a 5,000-square-foot, one-story, brick building that was constructed in the early 1950’s.

B. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	C-A	C-A
Use(s)	Retail Grocery Store	Church w/158 Seats
Acreage	0.1438	0.1438
Lots	p/o 2 lots	p/o 2 lots
Parcels	None	None
Square Footage/GFA	5,000	5,000

C. **History:** The property was initially subdivided in 1930 and was recorded in Land Records as A @ 63 (Beltsville, Section 2). The site was first placed within a commercial zone on August 20, 1947 through the approval of Zoning Map Amendment 967 (Residential A Zone to the Commercial C-1 Zone). On November 21, 1951, the Prince George’s County Commissioners approved Special Exception SE-73 for the subject property. The special exception application proposed the use of an auto filling station in the C-1 Zone. The Commissioners’ formal decision for SE-73 is contained within Resolution No. 182-1951.

Information derived from Maryland State Tax Assessments records indicates that the existing building was constructed in approximately 1955. However, the site plan submitted for this property in 1951 for Special Exception SE-73 demonstrated an existing building that had identical building dimensions and building setbacks as the current plan submitted for this application. Therefore, it appears that the existing building on the property was constructed sometime after 1947 when commercial zoning was first implemented on the site, but prior to 1951 when SE-73 was submitted and approved for the property.

The property was rezoned from Commercial C-1 to its current zoning, C-A, on October 2, 1990 through the District Council’s adoption of the *Approved Master Plan and Sectional Map Amendment for Subregion I Planning Areas 60, 61 and 62* via Council Resolution CR-72-1990. The Subregion I sectional map amendment referred to the property as being a small, isolated commercial node existing at the Rhode Island Avenue and Prince George’s Avenue intersection that is a holdover from the days when a trolley stop was located there.

Within the last five years, numerous use an occupancy permits have been placed on hold for the subject property because the site plans that were submitted for these permits were unable to demonstrate compliance with the parking requirements within Part 11 of the Zoning Ordinance. Between 1949 and 1958, office and retail uses that were located in one-story buildings required one parking space for every 300 square feet of gross floor area. While it may be possible to grandfather the parking ratios for certain new uses that are the same or similar to those that had previously and legally occupied the site, and who met the zoning requirements in affect at the

time of their permits, no prior use and occupancy permits have ever been approved for a church use on the subject property. Therefore, the current parking ratios within Part 11 of the Zoning Ordinance must be utilized in order to determine the site's overall parking requirements.

- D. **Master Plan Recommendation:** The property is located in Planning Area 61 in the Beltsville Community, and is located within the limits of the 1990 *Approved Master Plan and Sectional Map Amendment for Subregion I Planning Areas 60, 61 and 62*. Within their memorandum dated October 16, 2009, the Community Planning North Division determined that this application conforms to the retail commercial land use recommendations within the 1990 *Approved Master Plan and Sectional Map Amendment for Subregion I*. Staff notes that a church is shown in the Zoning Ordinance as an institutional use. A church or similar place of worship is permitted by right in the C-A Zone, subject to applicable Zoning Ordinance requirements.

The 2002 *Prince George's County Approved General Plan* locates the subject property within the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. Within their memorandum dated October 16, 2009, The Community Planning North Division found this application to be consistent with the 2002 General Plan Development Pattern policies for the Developing Tier.

- E. **Request:** The applicant, Spanish Church of God, Inc., is requesting a waiver for 35 of the required 40 parking spaces in order to obtain approval of a use and occupancy permit for a church or similar place of worship with a maximum of 158 seats. The net lot area of the site consists of only 6,266 square feet, or 0.1438 acre, and the property is currently improved with a 5,000-square-foot, one-story, brick building. With the existing building occupying a majority of the property, only a small amount of land area remains in order to contain the required parking spaces.

The property currently has ten parking spaces, two of which are designated for the physically handicapped. Public streets abut the property along three of the site's four property lines. Five of the ten existing parking spaces are situated north of the existing building and are accessed from Wicomico Avenue. The remaining five spaces are situated to the south of the existing building and are accessed from Prince George's Avenue. Of the ten spaces that currently exist on the site, only five are wholly situated within the boundaries of the property and can be counted as provided parking. All five parking spaces that are located on the north side of the building are partially extending into the limits of the Wicomico Avenue right-of-way. In this area, the existing building is only set back six feet from the Wicomico Avenue right-of-way at its closest point. Sufficient land area does not remain in order to allow parking spaces to be fully provided within the boundaries of the property.

Although the five parking spaces along the north side of the building will be available on the site for church members to utilize, they cannot be counted as provided spaces because they are not wholly situated within the boundaries of the subject property. As a result, the five parking spaces partially extending into the Wicomico Avenue right-of-way have been included within the applicant's departure request.

- F. **Surrounding Uses:** The property abuts public streets along three of the site's four property lines. The only land adjoining the subject property is along the western property line where the site abuts a detached single-family dwelling located in the R-R (Rural Residential) Zone.

The character of the surrounding neighborhood primarily consists of detached single-family residences within the R-R Zone. Isolated commercial uses within the C-O (Commercial Office) and C-A Zones are situated along the north, south, east, and western corners of Rhode Island Avenue where the roadway intersects with the surrounding residential streets. Detached single-family dwellings primarily occupy the street frontage of Rhode Island Avenue within the immediate area of the site with spot commercial uses existing along the corners of each intersection.

- G. **Parking and Loading Regulations:** Section 27-568(a)(3) of the Zoning Ordinance requires one parking space for every four seats in the main auditorium of a church or similar place of worship, plus one parking space for every four seats in other rooms occupied at the same time as the main auditorium. The applicant is seeking approval of a departure application for a church with a maximum of 158 seats. The site plan submitted for this application indicates that 151 seats are proposed within the main sanctuary, with an additional seven seats being proposed within the chancel. The applicant's request for 158 seats is based on the total occupancy load that has been established for the building based on fire code requirements (158 persons per the submitted site plan). The total parking requirement for a church with 158 seats is 40 parking spaces. The site plan provides ten parking spaces, with five of those spaces being located within the public right-of-way of Wicomico Avenue.

Section 27-582(a) of the Zoning Ordinance requires one loading space for institutional uses having a gross floor area between 10,000 and 100,000 square feet. The existing structure on the property has a total gross floor area of 5,000 square feet. Therefore, no loading spaces are required for the proposed use.

- H. **Landscape Manual:** The existing structure on the property was constructed in the early 1950's, which predates the District Council's approval of Council Bill CB-1-1989 on October 3, 1989, adopting the *Prince George's County Landscape Manual* by reference as part of the Zoning Ordinance. Because the application proposes no increase in the gross floor area of the existing building, or a change to a more intense use than the medium-impact retail sales and consumer service uses which have previously occupied the site, the site is exempt from the requirements of the *Prince George's County Landscape Manual*.

- I. **Referral Comments:**

**Permit Review Section**—In a memorandum dated September 28, 2009, the Permit Review Section requested that a general note be added to the plan which states that no religious education classes will be held concurrently with church services, as this would increase the site's overall parking requirements. Clarification has also been requested on the type of fence that is located along the northwest property line, its location with respect to the eight-inch wall that is proposed for the handicapped accessible ramp, and whether the fence will be completely removed and replaced by the proposed wall in this area.

The Permit Review Section also noted that a small portion of the 13-foot-wide parking space provided for the physically handicapped is encroaching into the limits of the public right-of-way. They requested that the site plan to be revised to relocate the parking space fully within the property boundaries or revise the length of the handicapped space to 20 feet, which is a permitted dimension in accordance with Section 27-584 of the Zoning Ordinance.

**Urban Design Section**—In a memorandum dated October 27, 2009, the Urban Design Section requested one minor revision to the submitted site plan in order to demonstrate that each parking

space will have a wheel stop that is securely fastened to the asphalt in order to prevent vehicles from encroaching pass the limits of their designated spaces. Because the application proposes no increase in the gross floor area of the existing building or a change to a more intense use than the medium-impact retail sales and consumer service uses which have previously occupied the site, the Urban Design Section has determined that the site is exempt from the requirements of the *Prince George's County Landscape Manual*.

**Transportation Planning Section**—In a memorandum dated October 30, 2009, the Transportation Planning Section offered the following comments concerning the departure application.

The Zoning Ordinance provides minimum standards for on-site parking and loading for two primary reasons. The standards protect the patrons of the subject property from problems caused by not having adequate and available parking on hand. The parking standards also protect neighboring property owners from problems caused by persons residing on or visiting the subject property and using parking spaces on adjacent land or streets during that time. The applicant proposes a church or similar place of worship with a maximum of 158 seats. The site is not within or adjacent to any master plan transportation facilities.

In review of the statement of justification that was submitted by the applicant, the Transportation Planning Section offers the following comments:

- It was stated that there is parking availability on a nearby retail site within walking distance. At this time, the applicant has not entered into any legal arrangements with the nearby commercially-zoned property owners that would allow off-site parking to be considered or utilized in order to offset the parking deficiencies on the property. Any off-site parking must meet the requirements of Section 27-573 of the Zoning Ordinance.
- It was stated that there is a general public parking facility proposed within the vicinity of the site. The Transportation Planning Section has no knowledge of this facility; the applicant must specifically indicate the location of this facility so that its applicability to the situation can be analyzed.
- It was stated that there are bus stops along Powder Mill Road. These stops are a walking distance of 800 to 1,000 feet from the site. Powder Mill Road is served by a single bus stop with hourly service on Sundays, which is very limited service.

Little information is given that provides strong support for approval of the departure. While it is stated that the potential widening of Rhode Island Avenue is an issue, the adjacent section of Rhode Island Avenue is not identified for widening in the current (or any future) master plan. It is not clear if the right-of-way width or function of Wicomico Avenue has changed since the street was originally platted and recorded. The Transportation Planning Section believes that it may be necessary to decrease the seating capacity of the proposed church in lieu of granting the entire requested departure.

**J. Section 27-588. Departures from the number of parking and loading spaces required.**

**(b)(7) Required Findings**

- (A) In order for the Planning Board to grant the departure, it shall make the following findings:**

- (i) **The purposes of this Part (Section 27-550) will be served by the applicant's request;**

**Section 27-550. Purposes**

- (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.**

**Comment:** The purposes of the Parking Regulations seek, among other things, to provide sufficient parking and loading areas to serve the needs of the use and to aid in relieving traffic congestion on the streets by reducing the use of public streets for parking and loading purposes. The applicant is proposing to retrofit the existing building on the property for the use of a church with a maximum seat count of 158. A church or similar place of worship with 158 seats would have a total parking requirement of 40 parking spaces. The applicant has requested a waiver for 35 of the required 40 parking spaces that are necessary to serve the proposed use.

The site has a total of ten parking spaces. However, five of these spaces extend into the public right-of-way of Wicomico Avenue and cannot be counted as provided parking because they are not wholly situated on the property. Therefore, the applicant has included the five parking spaces extending into the public right-of-way within their departure request.

Staff believes that the purposes of the Parking Regulations will not be served by the applicant's request. In this case, the applicant is requesting that 87.5 percent of their total parking requirements be waived. While the church intends to utilize shuttle buses and public transportation for their Sunday services, the property contains only five parking spaces that meet Zoning Ordinance requirements, with two of the spaces being designated for the physically handicapped. This limited amount of provided parking would not appear to support a church with 158 seats without negatively impacting the character of the adjacent residential community and creating additional congestion along the surrounding public streets.

- (ii) The departure is the minimum necessary, given the specific circumstances of the request;**

**Comment:** The 158 seats being proposed by the applicant is based on the total occupancy load that has been established for the building in accordance with county fire code requirements (158 persons). The Zoning Ordinance requires one parking space for every four seats for a church or similar place of worship. A total of 40 parking spaces is therefore required. With only five parking spaces being fully provided on the site, the applicant has correctly requested a departure of 35 parking spaces. In this case, the departure of 35 parking spaces is the minimum necessary, given the specific circumstances of the request.

- (iii) 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;**

**Comment:** Historical zoning records indicate that the subject property was developed in the early 1950's for retail commercial use. The 1990 Approved Master Plan and Sectional Map Amendment for Subregion I identified the prior use on the property as being a retail grocery store. The existing building and parking compound may have been in compliance with the zoning requirements in affect at the time of its construction; however, no prior use and occupancy permits have ever been issued for this property for the use of a church or similar place of worship. Therefore, the current parking ratios contained in Part 11 of the Zoning Ordinance must now be used in order to determine the site's overall parking requirements.

The existing building has side yard setbacks that range between 6.5 feet along the eastern side of the building, to 8.7 feet along the western side of the building. The nonconforming building setbacks would not allow parking spaces to be provided along the eastern and western sides of the building because adequate land area does not remain in those areas in order to contain legal-sized parking spaces.

With the existing building occupying a majority of the site, the applicant has no ability to expand the existing parking compound in order to allow additional parking spaces to be provided on the property. While the above circumstances are special to the subject use, given its nature at this location, no feasible alternatives have been identified to offset the parking deficiencies on the property in order to ensure that the surrounding residential community would not be negatively impacted.

- (iv) 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; and**

**Comment:** The property has only five parking spaces that comply with the requirements of the Zoning Ordinance. The applicant has requested a waiver for 35 of the required 40 parking spaces that are necessary to serve the proposed use. The Zoning Ordinance contains only one method for determining the overall

parking requirements for a church or similar place of worship. However, under certain circumstances, the Zoning Ordinance does allow the total number of required parking spaces for a church to be reduced by 30 percent.

Section 27-586(a) of the Zoning Ordinance states that the total number of parking spaces required for a church may be reduced by not more than thirty percent, provided:

- (1) **The lot upon which the church is located is within five hundred (500) feet of any existing parking lot, including a public, private, or commercial lot;**
- (2) **The church has written permission to use the existing parking lot; and**
- (3) **The existing parking lot has sufficient spaces available during the time of regular church services to provide the total number of spaces required.**

In this case, a 30 percent reduction in the overall parking requirements cannot be applied and would not prevent the need for a departure to be granted. The applicant's total parking requirement for the requested 158 seats is 40 parking spaces. In order to utilize the 30 percent reduction, the applicant would need a minimum of 28 parking spaces, or 70 percent of their total parking requirements to be provided on-site at all times. The site has only five parking spaces that meet zoning standards. Further, the church has not obtained written permission to use any off-site parking facilities. Therefore, all methods for calculating the number of spaces required have either been used or found to be impractical.

- (v) **Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

**Comment:** In order to offset the parking deficiencies on the property, the applicant is proposing to implement two 15-seat shuttle buses for weekend services, and encourage members of the church to utilize the public transportation system. No reasonable alternatives exist to allow additional parking to be provided on the site, and no other methods have been identified by the applicant to offset the parking shortage.

The property is located in an area that primarily consists of residential uses, and vehicular access to the site is provided from two residential streets. With the applicant requesting that 87.5 percent of their total parking requirements be waived, staff can only conclude that the subject property is unable to properly accommodate a church of this size without negatively impacting the surrounding streets and residential areas.

In order to obtain approval of a use and occupancy permit, the applicant will be required to bring the older building into compliance with current ADA (Americans with Disabilities Act) standards for the physically handicapped. In accordance with Section 27-566(b) of the Zoning Ordinance, one parking space is required on the property for the physically handicapped, which must be

designated as a van-accessible space. The site plan submitted by the applicant demonstrates that one standard handicapped space and one van-accessible handicapped space is being proposed on the property.

A concrete ramp for the physically handicapped is proposed along the western and southwestern portion of the site. The amount of land area that is needed on this site for the construction of the handicap ramp appears to be somewhat extensive; however, the structure would need to comply with the slope and rise requirements for handicapped ramps provided within Section 4.82 of the ADA Accessibility Guidelines For Buildings and Facilities. The handicap ramp will occupy a majority of the land along the western side of the property and extend into the parking compound along the south side of the building. The need for the ramp to extend well into the parking compound has directly affected the applicant's ability to provide an additional parking space in this area.

With no feasible alternatives identified to offset the parking deficiencies, coupled with the applicant's inability to provide additional parking on the site, staff is of the opinion that the parking and loading needs of adjacent residential areas will be infringed upon if the departure is granted in accordance with the applicant's request. For these reasons, staff is recommending that the requested departure be denied.

**(B) In making its findings, the Planning Board shall give consideration to the following:**

- (i) 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 five hundred (500) feet of the subject property;**

**Comment:** The character of the surrounding neighborhood primarily consists of detached single-family residences within the R-R Zone. There are four isolated commercial uses that are located within the C-A and C-O Zones which appear to be situated within 500 feet of the subject property. However, the applicant has not entered into any legal arrangements with the nearby commercially-zoned property owners that would assure the permanent availability of their parking facilities for the church's use as required by Section 27-573(a) of the Zoning Ordinance.

Ten on-street parking spaces were identified along Rhode Island Avenue that are situated approximately 80 feet northwest of the subject property. The spaces appear to be wholly situated within the limits of the Rhode Island Avenue right-of-way, and appear to have been installed by the adjoining commercially-zoned property owner for the purposes of employee parking. The adjacent C-A-zoned property is located in the northwest quadrant of the Wicomico Avenue and Rhode Island Avenue intersection, and is situated directly across Wicomico Avenue from the subject property. The property is used as a contractor's office and has few on-site parking spaces available for visitors or employees. Aerial photos demonstrate several outbuildings existing on the property and the storage of commercial trucks, trailers, and heavy equipment associated with a tree removal service.

While the applicant has received verbal permission from the adjacent property owner to use the parking spaces during Sunday services, they cannot be counted as provided parking spaces because they are situated within the limits of the Rhode Island Avenue right-of-way. At this time, the applicant has not entered into any legal arrangements with the nearby commercially-zoned property owners that would allow off-site parking to be considered.

**(ii) The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;**

**Comment:** The property is located in an area identified in the 2002 General Plan as the Developing Tier and is in conformance with that vision. The 1990 Approved Master Plan and Sectional Map Amendment for Subregion I recommends a retail commercial land use on the subject property and placed this property within the C-A Zone. The applicant's intended use on the property is a church or similar place of worship which is a use that is permitted by right in the C-A Zone, subject to applicable Zoning Ordinance requirements. Staff points out that granting of a departure does not require a finding be made that the use is in conformance with a master plan recommendation.

**(iii) The recommendations of a municipality (within which the property lies) regarding the departure; and**

**Comment:** The subject property is not located within a municipality.

**(iv) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.**

**Comment:** There are no public parking facilities 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:**

**(i) Public transportation available in the area;**

**Comment:** The subject property is located within a developed area of the county where public transportation is available. Both the Department of Public Works and Transportation (DPW&T) and the Washington Metropolitan Area Transit Authority (WMATA) provide public transportation services within the area of the site.

The applicant's statement of justification states that there is a bus stop along Powder Mill Road. The Transportation Planning Section indicated that the bus stop along Powder Mill Road has a walking distance of 800 to 1,000 feet from the subject property. Powder Mill Road is served by a single bus stop that has hourly service on Sundays.

- (ii) Any alternative design solutions to off-street facilities which might yield additional spaces;**

**Comment:** The property is completely paved and any available land on the site that could contain parking spaces has already been designated for parking purposes. With the property being surrounded on three sides by public rights-of-way, and the use being located on a tract of land consisting only of 6,266 square feet that has been fully developed since the early 1950's, no alternative design solutions would allow for additional parking spaces to be provided on the property.

- (iii) 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 five hundred (500) feet of the subject property;**

**Comment:** Section 27-573(a) of the Zoning Ordinance sets forth the requirements for off-site parking lots. Except in the M-X-T (Mixed Use Transportation Oriented) Zone, a parking lot may be provided on a lot other than that lot on which the principal use is located, provided:

- (1) The entire parking lot is within five hundred (500) feet of the nearest boundary of the record lot on which the use is located; and**
- (2) A legal arrangement assures the permanent availability of the parking lot.**

The church will primarily conduct their services on weekends, when other nearby businesses would be typically closed. However, there are very few commercially-zoned properties that are located within five hundred (500) feet of the subject property. There is a commercially-zoned property that is located directly across Rhode Island Avenue from the subject site which appears to have the largest parking compound within the immediate area of the site. However, tax assessments records indicate that the property is owned by the Temple of Praise International Church, a use that would have the same or similar need for on-site parking facilities during weekend hours.

The commercially-zoned properties that are within 500 feet of the property are primarily developed with older buildings that have limited parking facilities available due to the small tracts of land they are situated on. Therefore, the applicant's ability to obtain off-site parking is extremely limited in nature.

At this time, the applicant has not entered into any legal arrangements with the nearby commercially-zoned property owners that would allow off-site parking to be considered or utilized in order to offset the parking deficiencies on the subject property.

- (iv) 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.**

**Comment:** The subject property is located within the C-A Zone; therefore, the above finding is not applicable to this application.

**CONCLUSION:**

Based on the preceding analysis and findings, it is recommended that Departure from Parking and Loading Standards Application DPLS-340 for a waiver of 35 of the required 40 parking spaces be **DISAPPROVED**.