



CITY OF COLLEGE PARK ADVISORY PLANNING COMMISSION
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Draft Minutes of Meeting

ADVISORY PLANNING COMMISSION
Approved Minutes of Meeting
July 2, 2015 – 7:30 P.M.
City Hall – Council Chambers

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Mary Cook, Chair	_____x_____	_____
Lawrence Bleau	_____x_____	_____
James McFadden	_____x_____	_____
Rose Greene Colby	_____x_____	_____
Christopher Gill, Vice Chair	_____	_____x_____

Also Present: Planning Staff - Miriam Bader and Theresheia Williams; Attorney: Suellen Ferguson

I. Call to Order: Mary Cook called the meeting to order at 7:40 p.m.

II. Approval of Minutes:

Lawrence Bleau moved to accept the minutes of June 4, 2015. James McFadden seconded. The motion carried 4-0-0.

III. Amendments to Agenda: Item VIII, Update on Development Activity, was moved up on the agenda to allow members to arrive for a quorum.

IV. Public Remarks on Non-Agenda Items: There were no Public Remarks on Non-Agenda Items.

V. Public Hearing:

CPV-2015-03: Variance to Construct a Driveway in the Front Yard
Appellant: **Leonardo Gonzalez**
Location: **9735 Narragansett Parkway**

Mary Cook explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is proposing to construct a driveway for two vehicles. The property is located at the end of a small one-way cul-de-sac that serves 8 properties. The property is improved with a 1,127 square foot, one-story, brick, single-family house, which was constructed in 1950. The property has a curb-cut but no driveway. According to the Zoning Ordinance, no parking space, parking area, or parking structure may be built in the front yard of the dwelling. The applicant is requesting one of two driveway design options, which would permit two cars to park off-street. Driveway Option A is proposed to be 15.5-foot wide by 32.5-foot long for a total of 504 square feet. This would allow one car to park behind another car. Driveway Option B would be 22.5-foot wide by 27.5 feet long for a total of 619 square feet, which would allow two cars to park side by side.

Parking on the cul-de-sac is by permit only. The neighbors park on one side of the street. There is an extraordinary situation in that perpendicular parking, which is permitted in the cul-de-sac, can impede emergency vehicles and city vehicles to service the cul-de-sac properties due to limited turning radius.

Staff is recommending that the applicant construct a driveway that would result in the minimum necessary variance and would better reflect the character of the surrounding neighborhood. Therefore, Staff is recommending a single-wide driveway design that meets the minimum required standards of 10-feet wide by 19-feet long and would park one car.

Miriam Bader submitted the staff report, Exhibits 1-7D and the PowerPoint presentation into the record. Commissioners accepted unanimously.

James McFadden asked if the fire department submitted anything indicating that they have had problems on that street?

Miriam Bader stated no she did not talk to the fire department or any EMT's. She did talk with Steve Halpern, City Engineer, to see if the problem can be fixed.

Juan Arrucha, translating for Mr. Gonzalez, testified that Mr. Gonzalez has safety concerns about his vehicle because he has to park it at the end of Narragansett Parkway, which is out-of-sight from his residence. He stated that a lot of neighbors call code enforcement because a lot of the vehicles in the neighborhood do not have parking permits. He also stated that there was one incident where the ambulance could not get up to the house in the cul-de-sac and had to park at the end of the street. The applicant submitted pictures of other driveways and the parking situation in the neighborhood, which were entered into the record as Exhibit 8A – 8H.

Rose Green Colby asked what are the rules for permit parking in the neighborhood?

Suellen Ferguson stated that each zone has their own rules.

Mary Cook asked the applicant how many cars does he have at his house?

Juan Arrucha stated two cars and one for work.

Mary Cook asked if the tree will have to be removed?

Juan Arrucha stated that if they use Option B, they won't have to remove the tree.

Mary Cook asked if this option would interfere with the water line?

Juan Arrucha stated that it should be okay, because it would be two-feet away.

James McFadden asked if a retaining wall is needed?

Miriam Bader stated only if they go a foot above ground level.

Lawrence Bleau asked how does the fact that he has to park further down the street justify unusual and practical difficulty?

Juan Arrucha stated that the applicant also has two small children and for safety, he would like to be closer to the house.

Lawrence Bleau asked how many parking spaces are available on-street for parking?

Miriam Bader stated ten or eleven spaces.

Lawrence Bleau asked how often does he park on Narragansett Parkway?

Juan Arrucha stated pretty much every day.

Lawrence Bleau asked where is the sidewalk? Would there be parking on the sidewalk under option A or B?

Miriam Bader stated that the sidewalk is in the right-of-way, so it won't affect the driveway.

Mary Cook asked if driveway Option A will be deep enough to park two cars?

Miriam Bader stated yes it would be enough room for two cars, but that is not staff's recommendation.

Commissioners reviewed the evidence and testimony submitted and determined that:

1. The property has an exceptional shape. The frontage is at the end of a cul-de-sac resulting in a curved front property line that is only 28.88-feet wide. Given the location and configuration of the house on the lot, there is insufficient room to construct a driveway alongside the house.
2. Despite permit parking, the number of parking spaces on the street is insufficient to accommodate residents. The strict application of the County Zoning Ordinance will result in an unusual practical difficulty by making it more difficult for the Applicant to park his vehicles within sight of his home.
3. Granting a single-wide driveway variance will not impair the intent and purpose of the applicable County General Plan or County Master Plan, because similarly configured driveways exist in this cul-de-sac. Moreover, the driveway will help to reduce the perpendicular parking in the cul-de-sac, thereby helping city and emergency vehicles to service the street.

Lawrence Bleau moved to approve the variance to allow Option A, which will allow a driveway not to exceed a width of 15.5-feet wide and a length of 32.5-feet for a total encroachment of 504 square feet. James McFadden seconded. Motion carried 4-0-0.

VI. Discussion of Possible Changes to City Fence Ordinance

Mary Cook informed the commissioners that the issue of front yard fences has been brought to her attention to be discussed at the APC meeting to recommend possible changes to the City Council. The City of College Park Fence Ordinance §87-23(2)(b) Front Yard Fences states that, “Except as hereinafter provided, fences shall not be constructed or reconstructed in a front yard.” College Park Woods residents have gardens in their front yards and they have put up fences to keep out the animals. The residents are recommending that the City of College Park fence ordinance be changed to include front yard fences.

Commissioners briefly discussed the fence ordinance and possible changes. The City Attorney, Suellen Ferguson, stated that there are certain guidelines that you would have to consider before the ordinance could be amended, such as timeframe, height, color and materials. She suggests that the commissioners submit to the City Council their concerns and recommendations and they will inform her on how to proceed.

Commissioners voted unanimously to table for discussion at a future meeting.

VII. Review of Code Enforcement Forms Revised by Neighborhood Quality of Life Committee

Lisa Miller, President of The Quality of Life Work Group, would like the APC’s input on the redesign of the Notice of Code Violation issued by Department of Public Services Code Enforcement. She submitted a draft form to be reviewed and discussed for comments.

Commissioners and the attorney decided that Public Services staff and the Noise Control Board should be present during the discussion and voted to include on a future agenda where Public Services staff and the Noise Board will be in attendance.

VIII. Update on Development Activity: Miriam Bader reported on the following:

CPD-2014-01 – Steven Behr – This Departure was called up by Councilman Robert Day. Oral argument is scheduled for August 11, 2015 at 7:00 p.m.

Pregnancy Aid Center – The Preliminary Plan of Subdivision will be reviewed at the Planning Board on July 16th and will be on the City Council worksession agenda on July 7th. The Detailed Site Plan application has been filed. State Highway Administration has agreed to put in a retaining wall and build a sidewalk as part of the US 1 Improvement.

New Business Openings – Target Express located at 4500 College Avenue will be opening at the end of July and Nando’s Peri-Peri located at 7402 Baltimore Avenue is schedule to open the beginning of August.

IX. Other Business:

Commissioners voted unanimously to have Mary Cook, in coordination with staff, draft and send a letter to the City Council to address the parking issue on Narragansett Parkway, which should include:

- Removing the median.
- Provide other means for residents to park to ease emergency access.
- Have the City Engineer do a survey and submit a recommendation that will ensure that emergency access is available for all the residents on that street.

X. Adjourn: There being no further business, the meeting was adjourned at 9:06 p.m.

Minutes prepared by Theresheia Williams