

Case No.: SE 4675

Applicant: Africa Women's Health &
Social Empowerment Assoc., LLC
t/a Tires R Us

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 8 – 2012

AN ORDINANCE to approve a Special Exception with conditions.

WHEREAS, Application No. SE 4675 was filed for property described as approximately 0.4662 acre (20,306 square feet) of land, in the C-S-C (Commercial Shopping Center) Zone, located on the west side of Kenilworth Avenue approximately 1,670 feet north of East-West Highway, also identified as 6323 Kenilworth Avenue, Maryland, for a Vehicle Repair and Vehicle Part or Tire Store with installation facilities; and

WHEREAS, the application was advertised and the property posted prior to public hearing, in accordance with all requirements of law; and

WHEREAS, the application was reviewed by the Technical Staff and Planning Board, which filed recommendations with the District Council; and

WHEREAS, a public hearing on the application was held before the Zoning Hearing Examiner; and

WHEREAS, the Zoning Hearing Examiner's recommendations were filed with and considered by the District Council; and

WHEREAS, having reviewed the record, the District Council has determined that the application should be approved; and

WHEREAS, as the basis for this action, the District Council adopts the decision and recommendations of the Zoning Hearing Examiner, as its findings of fact and conclusions of law in this case.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

Section 1. The Special Exception 4675 is approved, subject to the following modified conditions, which must be satisfied prior to the issuance of permits:

1. The Applicant shall revise Note 22 to state that the site is generally exempt from the provisions of the Prince George's County Landscape Manual, except for the requirement in Section 4.4 that all loading spaces be screened from the street.
2. The Applicant shall add a Note that indicates it will limit its repair to vehicles with a maximum gross weight of 10,000 pounds.
3. The revised Site Plan shall be submitted to the Office of the Zoning Hearing Examiner for approval and inclusion in the record.

Affirmance is also subject to the following additional conditions by the District Council.

As the basis for this action, the District Council adopts the decision and recommendations of the Zoning Hearing Examiner, as its findings of fact and conclusions of law in this case. Conditions 4, 5, 6 and 7 must be satisfied by the Applicant prior to the issuance of permits.

4. Landscaping and sidewalk as shown on the amended site plan (Exhibit R-11(c)) shall be provided.
5. All three vehicle repair bays shall have operating doors and be free of storage in order to handle vehicle repairs and installation.
6. All sales and installation operations shall be conducted within a wholly enclosed building, with no outdoor storage of vehicles, parts or tires. Installation activity on any motor vehicle shall be completed within forty-eight (48) hours or less. No vehicle shall

be stored on the property for longer than this period; and the demolition or junking of motor vehicles shall be prohibited.

7. Freestanding sign along Kenilworth Avenue, as indicated in (Exhibit R-11(b)), shall be provided.
8. The Applicant shall use all reasonable means necessary to prevent all on-site vehicular or other discharge of oil, antifreeze, and other discharged chemicals associated with a Vehicle Repair and Vehicle Part or Tire Store with installation facilities, from run-off into surrounding stream or streams and surrounding waterways of the property.

Section 2. This Ordinance shall take effect on the date of its enactment.

Enacted this 18th day of June 2012, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Olson, Patterson, and Turner

Opposed:

Abstained:

Absent: Council Members Lehman and Toles

Vote: 7-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF THE
MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council