

RESOLUTION

WHEREAS, the Prince George’s County Planning Board has reviewed Departure from Parking and Loading Standards Application No. 289 requesting a waiver of the required one (1) loading space 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 February 26, 2004 the Prince George's County Planning Board finds:

A. Location and Field Inspection: The property is located on the east side of US 1 (Rhode Island Avenue) approximately 800 feet south of its intersection with Charles L. Armentrout Boulevard. The site comprises approximately 1.21 acres of land and is improved with a multiuse warehouse building and associated parking lot. The 17,280-square-foot building was constructed in 1987. The site is accessed from Rhode Island Avenue via two access driveways located on the southeastern and northeastern corners of the property.

B. Development Data Summary:

	EXISTING	PROPOSED
	U-L-I/I-D-O	U-L-I/I-D-O
Zone(s)		
Use(s)	Warehouses/Animal Hospital	Warehouses/Animal Hospital
Acreage	1.21	1.21
GLA	17,280	17,280
Parking Spaces	48	48
Loading Spaces	0	0 (departure)

C. History: The property was originally adopted into the Maryland-Washington Regional District on November 29, 1949. The property was rezoned from the I-1 Zone to the U-L-I Zone upon the approval of the 1994 Planning Area 68 master plan and sectional map amendment .

D. Master Plan Recommendation: The 1994 approved master plan for Planning Area 68 recommends the property for light industrial land use. The property is also located within the Chesapeake Bay critical area Overly Zone (I-D-O — Intense Development Overlay). The 2002 General Plan places the subject site within the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, and medium to high-density neighborhoods.

E. Request: The applicant is requesting a departure from the required one loading space to allow occupancy of various warehouse uses and an animal hospital currently operating in an existing multiuse warehouse building. The proposed site plan provides for 48 on-site parking spaces.

- F. Surrounding Uses:** The property is surrounded by the following uses:
- North: Undeveloped parcel owned by M-NCPPC in the U-L-I/I-D-O Zone.
- West: Across Rhode Island Avenue, warehouse/industrial uses in the U-L-I/I-D-O Zone.
- South: Warehouse/industrial uses in the U-L-I/I-D-O Zone.
- East: Baltimore and Ohio Railroad tracks in the O-S Zone.

G. Design Requirements:

- 1. Number of Required Parking and Loading Spaces: Section 27-568 of the Zoning Ordinance requires three parking spaces for the first 1,500 square feet of warehouse space and one parking space per each additional 1,500 square feet. The Ordinance also requires 1 parking space for every 200 square feet for the Animal hospital.**

The subject building is currently housing nine warehouse units and an animal hospital. A total of 36 parking spaces (computed with a 20 percent reduction for joint use, as permitted by the Ordinance) is required and the site plan provides for 48 parking spaces, including 2 parking spaces for the physically handicapped. The Permit Section had raised some issues (memorandum dated January 28, 2004) regarding the parking schedule. Consequently, the applicant revised the site plan and addressed the issues.

Section 27-582 of the Zoning Ordinance requires one loading space for industrial, wholesale or warehouse unit comprising 1,500 to 10,000 square feet of gross floor area (GFA). The section also requires one loading space for hospital or other institution comprising 10,000 to 100,000 square feet of GFA.

One loading space is required for the printing company that has a gross floor area of 2,880 Square feet. A departure of the required one loading space is requested.

- 2. *Landscape Manual:*** The site is exempt from the *Landscape Manual* since no new building or outdoor parking areas are to be constructed. However, to preserve a harmonious and aesthetically appealing appearance for the entire site, landscaping on the property shall be maintained in accordance with the planting plan that was approved by Permit No. 4510-87-CGU.

- H. Sign Regulations:** No freestanding sign is proposed for the subject property. Any sign that will be placed on the property must meet all area, height and setback requirements.

I. Required Findings—Departure from Parking and Loading Standards

(A) Section 27-588(b)(8) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:

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

The purposes of the Parking and Loading Regulations are as follows:

- a. The off-street and on-street parking areas are sufficient to serve the parking and loading needs of all persons associated with the building and use.**
- b. 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.**
- c. To protect the residential character of residential areas.**
- d. To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The applicant's statement of justification indicates that the existing 17,280-square-foot building was constructed in 1987 and was intended to be occupied by 10 warehouse units at 1,440 square feet each and an animal hospital of 2,880 square feet. No loading space was required. Currently, two of the warehouses are combined to accommodate a tenant's need for a larger space for a printing company. A loading space for a printing company is required when the square footage of the unit is 2,000 square feet or larger. The applicant indicated that all of the warehouse units are accessible for loading from a wide driveway that runs behind the building. However, a provision of a loading space as required by the Zoning Ordinance would trigger a need for a departure from the design standards. This is because access to the loading space would be located within 50 feet from the adjoining residentially zoned land.

The existing uses, as well as the new printing company use, by their nature generate a very low number of customers and employees, and as such, existing conditions on the property provide for ample and convenient parking and loading accommodations to satisfy parking and loading needs.

There will be no disruption to traffic flow or parking conditions on the surrounding streets resulting from the proposed use. There are no residential properties surrounding the site; therefore, none will be affected by the proposal.

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

The requested departure is the minimum necessary given the specific circumstances of the request. There is no other open area on the site where loading space can be provided without triggering a need for a relief from current zoning standards.

- 3. The departure is necessary in order to alleviate circumstances, which are special to the subject use, given its nature at this location, or to alleviate circumstances, which are prevalent in older areas of the County, which were predominantly developed prior to November 29, 1949.**

Although this property was not developed prior to 1949, it is located in an older, industrially developed portion of the county. The building's originally intended purpose as a multiuse warehouse and its placement on the subject property is typical of many large buildings placed on small parcels of land that are found in several areas inside the Capital Beltway. The proposed use will not intensify or exacerbate existing traffic, parking and loading conditions in the area. The departure is necessary in order to alleviate circumstances that are special to the subject use, given its nature at this location.

- 4. All methods for calculating the number of spaces required have either been used or found to be impractical.**

All methods for calculation have been used and found impractical to further reduce the loading requirement. There is no other possible way to meet the requirement for a loading space.

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

There are no residential areas in the vicinity of the subject property.

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

- 1. 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.**

The area within 500 feet of the subject property is characterized by industrial, automotive, warehouse and storage uses. Adjoining and nearby uses have their own off-street parking and loading facilities. There is no indication of a shortage in parking and loading facilities.

- 2. The recommendations of an area master plan, or County or local revitalization plan, regarding the subject property and its general vicinity.**

The 1994 approved master plan for Planning Area 68 recommends the property for light industrial land use. The Community Planning Division indicated, “In as much as the 1994 approved master plan and sectional map amendment for Planning Area 68 does not address parking and loading issues for the subject property, this application conforms to the land use recommendations of the approved plan.”

3. The recommendations of a municipality (within which the property lies) regarding the departure.

This subject property is within the municipality of North Brentwood. The applicant’s proposal was referred to the Town of North Brentwood. At the writing of this report, no comment or objection was received from the Town.

4. Public parking facilities which are proposed in the County’s Capital Improvement Program within the general vicinity of the property.

There are no public parking facilities proposed for this area.

(C) In making its findings, the Planning Board may give consideration to the following:

- 1. Public transportation available in the area.**
- 2. Any alternative design solutions to off-street facilities, which might yield additional spaces.**
- 3. 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 500 feet of the subject property.**

The subject property is located in an industrial area and, as indicated, parking demand generated by the uses on the subject property will be adequately satisfied with the existing 48 parking spaces, which incidentally, exceeds the requirement by 12 parking spaces. The proposed elimination of the single required loading space on the subject property would not result in disruption to traffic flow or parking conditions on the surrounding streets. The proposal will not affect the nature and hours of operation of other uses within 500 feet of the subject property.

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 **DPLS-289**.

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.

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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 Vaughns, seconded by Commissioner Eley, with Commissioners Vaughns, Eley, Squire and Hewlett voting in favor of the motion, and with Commissioner Harley absent at its regular meeting held on Thursday, February 26, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of March 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator