

RESOLUTION

WHEREAS, the Prince George’s County Planning Board has reviewed a departure from the number of parking and loading spaces requesting a departure from the required 19 parking spaces 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 April 21, 2005, the Prince George’s County Planning Board finds:

FINDINGS:

A. **Location and Field Inspection:** The subject property is located in the northeast corner of the intersection of Jackson Street and 52nd Avenue, in an industrial subdivision entitled “Foudray’s Land” within an unincorporated area of Prince George’s County. The entire subject property consists of 34,037 square feet (0.7814 acre) and is improved with a building, constructed in the late 1950s or early 1960s, consisting of 24,968 square feet.

B. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	I-1	I-1
Use(s)	Warehouse storage/distribution	Warehouse storage/distribution
Acreage	.7814	.7814
GLA	34,037	34,037
Parking Spaces	0	0 (departure)
Loading Spaces	2	2

C. **History:** The character of this neighborhood consists mainly of single-family detached units. Multifamily, duplex and townhouse units make up the remaining neighborhood. Some parcels contain commercial development. The predominant zone is I-1. However, the zoning pattern is not uniform. Scattered among the I-1 Zone are parcels zoned I-2, C-S-C, C-M, and R-55.

D. **Master Plan Recommendation:** The master plan for Bladensburg, New Carrollton and Vicinity indicates the predominant character of Subarea 3 is light industrial (I-1). The master plan recommends the residential properties at the 52nd and Kenilworth Avenue intersection and at the end of Inwood Street are incompatible in the midst of an industrial area and should be rezoned from R-55 to I-1. Further, any development on properties on 52nd Avenue or the side streets between 52nd and Kenilworth Avenues should include sufficient loading areas in order that trucks will no longer block the travel lanes.

E. **Request:** The applicant is requesting a departure from the required 19 parking spaces to allow occupancy of an existing warehouse facility for the purpose of storage and distribution of auto parts. The proposed site plan provides for two loading spaces within the interior of the facility.

F. **Surrounding Uses:** Subarea 3 consists of the industrial area on both sides of 52nd Avenue between Kenilworth Avenue and the Baltimore-Washington Parkway. With minor exceptions, the area is completely developed. However, there are three residentially developed parcels, which could be redeveloped into industrial uses.

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 for each additional 1,500 square feet.

The existing warehouse has 24,968 square feet of gross floor area. Based on the above-referenced standard, 19 parking spaces would be required. There is no area on this property that can accommodate any of the required parking spaces. A departure of the required 19 spaces is requested.

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 existing warehouse has 24,968 square feet of gross floor area. Based on these requirements, two loading spaces are required. The site plan indicates that two interior loading spaces are provided.

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)(7) 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 purpose of the parking and loading regulations are as follows:

- a. To require 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.
- 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 that are convenient and increase the amenities in the Regional District.

The applicant's statement of justification indicates that the existing 24,968-square-foot structure was constructed in the late 1950s or early 1960s. The entire subject property consists of 34,037 square feet. The building is proposed for a warehouse/distribution use.

Section 27-568 of the Zoning Ordinance requires 19 parking spaces and two loading spaces for the proposed use.

The existing building upon this property occupies the great majority of the subject property itself, and there are effectively no opportunities to provide on-site parking spaces in conjunction with this property. The proposed use for this property is one that will require very few employees and no walk-in traffic, thus minimizing the actual need for on-site parking.

A Metro bus stop is located along Kenilworth Avenue within walking distance of the site. On-street parking is permitted and prevalent throughout the site. 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 parking can be provided with out 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 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 intended purpose as a 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 parking requirement. There is no other possible way to meet the requirement for parking spaces.

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 immediate 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 light industrial 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 master plan for Bladensburg, New Carrollton and Vicinity indicates the predominant character of Subarea 3 is light industrial (I-1). The master plan recommends the residential properties at the 52nd and Kenilworth Avenue intersection and at the end of Inwood Street are incompatible in the midst of an industrial area and should be rezoned from R-55 to I-1. Further, any development on properties on 52nd Avenue or the side streets between 52nd and Kenilworth Avenues should include sufficient loading areas in order that trucks will no

longer block the travel lanes. Despite these recommendations, the granting of the requested departure would not impair the integrity of the master plan and SMA.

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

The use does not lie within a municipality.

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.

Metrobus service near the site is available every 30 minutes during the weekday peak hours and hourly mid-weekdays and Saturdays. There is no service on Sunday.

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 use of the subject property cannot be adequately met due to space limitations on the site. The proposed elimination of the 19 parking spaces on the subject property would not result in disruption of 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 the above-noted application, subject to the following condition:

1. The date of construction be added to the site plan.

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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Squire, and Hewlett voting in favor of the motion, and with Commissioner Vaughns opposing the motion at its regular meeting held on Thursday, April 21, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of May 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:EK:rmk

(Revised 8/9/01)