

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board has reviewed Special Exception Application No. 4565 requesting a car wash in the C-S-C Zone 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 January 31, 2008, the Prince George’s County Planning Board finds:

A. Location and Field Inspection: The subject property, also known as 3329 Superior Lane, is a rectangular-shaped parcel located on the east side of Superior Lane approximately 79 feet south of its intersection with Annapolis Road (MD 450) in the City of Bowie. The site is improved with a free-standing 1,865 square foot structure that operated as a two-bay, coin-operated carwash more than 15 years ago. Other commercial uses currently on the site which front on Superior Lane include a Rita’s Italian Ice, a Chinese restaurant, and a lawn mower repair/ rental center. There is one vacant storefront and an auto transmission shop at the rear of the building that is also vacant. Access to the property is provided via a driveway from Superior Lane. Rear access is available from Annapolis Road across the adjacent property to the north, though there is no ingress/egress easement at that location.

B. Development Data Summary:

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Car Wash (vacant)	Car Wash
Acreage	.9817	.9817
Lots		
Parcels	1	1
Square Footage/GFA	1,865	1,865

C. History: The existing car wash was constructed in 1968 in accordance with the zoning regulations in effect at that time. In 1970, the Zoning Ordinance was amended to require a Special Exception for a car wash in what was then the C-G Zone. As a result of the zoning change, the car wash use became nonconforming. The use was subsequently certified as a nonconforming use per Permit No. 8923-89-U. Because the subject property has been vacant for over 15 years the nonconforming use certification expired. A car wash is permitted in the current C-S-C Zone with an approved special exception.

D. Master Plan Recommendation: The 2006 Approved Bowie and Vicinity Master Plan places the subject property within the Bowie Main Street mixed-use activity center. The 2006 Bowie and Vicinity Sectional Map Amendment retained the property in the C-S-C Zone.

The General Plan places this property in the Developing Tier. The vision of the Developing Tier is to maintain a pattern of low- to –moderate density suburban residential communities, district commercial centers, and employment areas that are increasingly transit serviceable.

E. Request: The applicant proposes to reactivate a vacated car wash in the C-S-C Zone for the purpose of providing a full-service detail shop. A car wash is a permitted use in the C-S-C Zone with a special exception. No expansion of the original building or site plan is proposed.

F. Neighborhood and Surrounding Uses: The applicant, in the Statement of Justification, defines the neighborhood boundaries by the following:

North: Annapolis Road (MD 450)
South: Safety Turn and Scarlet Lane
East: Bowie Forest Townhomes
West: Plaza Drive

The Board finds the neighborhood boundaries as defined by the applicant to be slightly restrictive in that it does not extend as far west as to include Hilltop Plaza or as far east as to include Jemal's Marketplace shopping center. The Board suggests the neighborhood boundaries should be extended to include the following:

North: Annapolis Road (MD 450)
South: Safety Turn and Whitemarsh Park
East: Whitemarsh Park
West: Stonybrook Drive

The Board further notes that the neighborhood, while defined by Annapolis Road to the north, includes those uses on the north side of the roadway.

The property is surrounded by the following uses:

North: Taco Bell, in the C-S-C Zone.
South: Bowie Professional Office Building in the C-S-C Zone
East: Bowie Forest townhomes in the R-T Zone, AutoTech car repair in the C-S-C Zone
West: Across Superior Lane, gas station, Jemal's Marketplace in the C-S-C Zone

The site plan incorrectly shows the car repair business in the C-S-C Zone. The site was rezoned from C-S-C to C-O in the 2006 Sectional Map Amendment; therefore, the applicant must revise the site plan to indicate the correct zoning. The neighborhood is within the Bowie Main Street corridor which is designated as a mixed-use activity area. The surrounding neighborhood can be generally characterized as commercial, with retail and office uses oriented toward Annapolis Road and Superior Lane.

G. Requirements for a Car Wash: A car wash is permitted in the C-S-C Zone by special exception, per **Section 27-461(b)(1)(B)(iii)** of the Zoning Ordinance. There are no specific special exception requirements for a car wash. According to the applicant's amended Statement of Justification, the detailing shop will operate by appointment only eliminating the potential for queuing into Superior Lane.

- H. Parking Regulations:** The site plan shows that a total of 40 parking spaces are provided for the entire site. The building was constructed prior to October 1970; therefore, all the parking spaces are grandfathered. The applicant is still required to provide handicap parking. The site plan must be revised to show two handicap parking spaces in accordance with **Section 27-566** of the Zoning Ordinance.
- I. Landscape Manual Requirements:** The proposed site plan is exempt from Landscape Manual requirements per Section 27-328.02 of the Zoning Ordinance. The exemption notwithstanding, the applicant has submitted a Landscape Plan that provides for a six foot wide planted landscape strip along Superior Lane adjacent to the parking area. In addition to a number of shrubs, the applicant proposes to plant four shade trees within 136 feet linear feet along Superior Lane.
- J. Zone Standards:** The proposed use meets all bulk, height and setback standards for the C-S-C Zone. No departures or variances are required.
- K. Sign Regulations:** The applicant submitted a revised illustrative sign design identifying the car wash structure as “Auto Detailing.” Details were not provided though the applicant indicated the sign will consist of 18 inch plastic formed channel letters illuminated on a 12 foot long panel. It appears that the sign is able to meet area requirements; however, all proposed signage should be provided prior to ZHE review to make a final determination. The 2006 Approved Master Plan for Bowie and Vicinity recommends that in the Bowie Main Street area, within which the subject property is included, signage placement, size and design be consistent within projects and compatible with adjacent development. The Board suggests the sign be scaled appropriately to the scale and mass of the building and be compatible with signage in the immediate vicinity. In addition, the existing “Auto Service Center” sign on the south side of the Precision Tune building must be removed, as it is considered a billboard sign for the detail business.
- L. City of Bowie:** The City of Bowie held a public hearing on Monday, November 19, 2007. The City, in a letter date November 26, 2007, recommends approval of the special exception with the following conditions:
1. The facility shall be operated by appointment only.
 2. A buffer/planting strip shall be installed between the sidewalk on Superior Lane and the property as shown on the site plan.
 3. One handicapped parking space at the front of the building and one at the rear of the building, painted blue in their entirety, shall be located on the site plan.
 4. The area of the sign for the car wash shall not exceed two square feet for every one lineal foot of the car wash building width facing Annapolis Road to a maximum of 100 square feet. In addition, no sign shall extend above the roof line or parapet wall of the building.
 5. Any new outdoor lighting shall be fully shielded, full cut-off with timing devices.
 6. The signage shall reflect the fact that the business is for a detail shop, not an automatic car wash, and the name shall be changed to ‘Bowie Detail Shop’.

7. No flags, banners or large, inflatable forms of advertising shall be mounted, suspended or otherwise displayed from the building or be permitted on the site, except one (1) standard size American flag. A note shall be provided on the site plan reflecting this recommendation.

M. Required Findings:

Section 27-317(a) of the Zoning Ordinance provides that a special exception may be approved if:

- (1) The proposed use and site plan are in harmony with the purposes of this Subtitle.**

The proposed use and site plan are in harmony with the purposes of the Zoning Ordinance. The 15 purposes of the Zoning Ordinance, as provided in Section 27-102(a), seek generally to protect and promote the health, safety and welfare of the present and future inhabitants of the county. The subject site previously operated as car wash before it was vacated over 15 years ago. The applicant is proposing to upgrade the existing facility by installing modern, high efficiency and environmentally friendly fixtures and equipment. Water will be reclaimed rather than discharged into the watershed. No expansions to the site are proposed. The site plan should be revised to show the square footage of the vacant storefront between the restaurant and ice cream shop, and the location of the two existing dumpsters.

- (2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.**

As stated earlier in this report, no variances or departures are required in conjunction with the request. With the recommended conditions, the use will be in conformance with all applicable requirements and regulations of the Subtitle.

- (3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.**

The proposed use will reactivate a previously approved use that has been non-operational for over 15 years. Although it is inconsistent with the vision for a mixed use center, the use is consistent with Master Plan policies to locate commercial uses in designated commercial centers. The Community Planning Division, in a memorandum dated January 29, 2007, had the following comments with regard to the special exception request:

This application is for a special exception to permit a car wash in the C-S-C Zone. The existing car wash was previously certified as a nonconforming use but has not been in operation for over 15 years. This property is located within the Bowie Main Street mixed-use activity center designated in the 2006 Approved Bowie & Vicinity Master Plan. The Master Plan recommends mixed-use development for Bowie Main Street. The vision for Bowie Main Street is to be an active, lively place with pedestrian-friendly streetscapes

designed for residents, workers and shoppers, set amid high-quality, attractive commercial, residential, civic, institutional, and recreational uses. The following policies and strategies apply to this request (see pp. 22 to 28 of the preliminary plan):

“Policy

Encourage pedestrian-oriented, mixed-use development to foster the creation of a true main street" environment

Strategies:

1. Recommend and support future rezoning to an L-A-C (Local Activity Center) Community or Village Comprehensive Design Zone or a suitable Mixed-Use Zone at the time of development and/or redevelopment to allow for an appropriate mix of uses and intensity to achieve the desired character for Bowie Main Street.

Strategies:

1. Provide street crossings marked by special materials, count-down crossing lights, curb bump-outs, or other "safe crossing" measures at intersections.
2. Reduce the number of curb cuts onto MD 450 and ensure that parking areas are located to the rear of buildings.

“Policy

Ensure that design proposals are high quality and conform to form-based design guidelines to create a sense of place and a unique character for Bowie Main Street.

Strategies:

1. Encourage the highest quality of urban design through the application of design recommendations that:
 - a. Create a consistent build-to line that frames the streets and provides a comfortable sense of enclosure for pedestrians.
 - b. Provide streetscape amenities such as street trees, wide sidewalks accented with special paving materials, landscape buffer/planting strips between streets and sidewalks, pedestrian-scaled lighting fixtures, and street furnishings such as benches, trash receptacles, and bike racks.
 - c. Ensure buildings are appropriately sized for the site, conform to the proposed land use density, and support the character envisioned for the area.”

While the proposed car wash use is inconsistent with the master plan’s vision for a pedestrian-friendly character for Bowie Main Street, it is permitted with a special exception in the current C-S-C Zone. Nevertheless, the applicant is encouraged to provide amenities to ensure high-quality design for this development. Further review through a detailed site plan (DSP) is recommended to ensure that issues of ingress/egress

not to interrupt pedestrian circulation and signage are carefully addressed. The existing sign has faded.

Comment: The Board finds that the issue of ingress and egress has been adequately addressed in the site plan, particularly in light of the revised proposal to limit usage of the car wash to employees of the detailing business only. In addition, the applicant will be required to submit sign details prior to the ZHE review. Because the use is not proposed to be a public car wash, the usual proliferation of signs associated with a car wash should not be an issue. For these reasons, the Board does not find a condition requiring detailed site plan review to be necessary.

(4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.

The Board's primary safety concern regards the potential for customer queuing into Superior Lane. However, the applicant has amended their proposal so that the car wash is operated by appointment only. The amended Statement of Justification states: "This operation will be by appointment only and patrons will only be able to use the car wash facilities in conjunction with the car detailing." This statement could be construed as allowing the public to use the car wash facility as long as they have an appointment. The Board recommends a condition that the car wash shall only be utilized by the employees of the car detailing business for customers that have made an appointment. Additionally, the Board recommends that the car wash operate only during regular business hours to discourage any potential for the use to become an attractive nuisance.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood. The applicant is updating a previous use and there are other auto related uses in the immediate vicinity. The applicant is not proposing to replace any of the existing lighting on the property. The Board recommends, however, that the existing floodlights on the building be replaced with full cut off fixtures to reduce light spillage and glare.

(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.

The site is exempt from woodland conservation requirements.

CONCLUSION:

The applicant proposes to reestablish a car wash as part of a proposed auto detailing business. The proposed development will contribute to the revitalization underway in the Bowie Mainstreet area. With the conditions of approval set forth below, the Board finds this development will serve the needs of this area without adverse impact to the adjoining properties or neighborhood.

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 recommends to the District Council for Prince George's County, Maryland that the above-noted application be APPROVED, subject to the following conditions:

1. The site plan shall be revised to show the following:
 - a. The correct zoning for the adjacent AutoTech property.
 - b. Two handicap parking spaces located in the front of the site adjacent to Superior Lane, painted blue in their entirety.
 - c. The square footage of the vacant storefront between the restaurant and the ice cream shop.
 - d. The location of the two existing dumpsters.
2. All new lighting for the building shall be shielded, full cut-off fixtures. The two existing floodlights on the car wash shall be replaced with shielded, full cut-off fixtures to reduce light spillage and glare.
3. Signage shall consist of 18 inch plastic formed channel letters designed in accordance with Section 27-613 of the Zoning Ordinance. Sign details shall be provided to staff prior to ZHE review to determine appropriateness and compatibility with the surrounding commercial area. Signage shall reflect the fact that the business is for a detail shop and that service is by appointment only.
4. No flags, banners or large, inflatable forms of advertising shall be mounted, suspended or otherwise displayed from the building or be permitted on the site, except one (1) standard size American flag. A note shall be provided on the site plan reflecting this recommendation.
5. A six-foot-wide planted landscape strip shall be installed between the sidewalk and Superior Lane along the property frontage as shown on the Landscape Plan.
6. The car wash shall only be utilized by the employees of the car detailing business for customers that have made an appointment, and shall operate only during regular business hours.
7. The existing "Auto Service Center" sign on the Precision Tune building shall be removed.

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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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, January 31, 2008, in Upper Marlboro, Maryland.

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Adopted by the Prince George's County Planning Board this 28th day of February 2008.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

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