

Prince George's County Departure from Parking and Loading Spaces Application No. 260

Applicant: B. Frank Joy Company, Owner

Location: The subject property is located north of the intersection of Kenilworth Avenue and the Baltimore-Washington Parkway, known as 5355 Kilmer Place

Request: Departure from 28 off-street parking spaces

R E S O L U T I O N

WHEREAS, the applicant is requesting a waiver of 28 of the required 53 parking spaces; and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released March 22, 2000, recommends APPROVAL, with conditions; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on March 30, 2000, the Prince George's County Planning Board agreed with the staff recommendation; and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the Technical Staff Report and the following DETERMINATIONS:

- A. Location and Field Inspection: The property is located at the eastern terminus of Kilmer Place (where it ends in a cul de sac), approximately 525 feet east of its intersection with 52nd Avenue. The site, which is currently a part of Lot 6, is the subject of a minor lot adjustment application for Lots 6 and 10 in the Parkway Overlook Industrial Subdivision. With the approval of the proposed minor adjustment, the subject site will become a single lot of record identified as Lot 11. Proposed Lot 11 comprises approximately 1.13 acres of land and is improved with a one-story, 23,870-square-foot warehouse building with a parking garage. The building is currently vacant.
- B. History: The 1994 Bladensburg-New Carrollton and Vicinity Sectional Map Amendment retained the I-1 zoning of the property. The subject site is an old industrial property, similar to other properties in the area and it has been used as a warehouse for several years until the last occupant moved out in 1998.
- C. Master Plan Recommendation: The Bladensburg-New Carrollton and Vicinity Master Plan recommends light-industrial and employment uses for the area.
- D. Request: The applicant requests a parking departure to convert an existing, vacant 24,250-square-foot warehouse building to warehousing and office space and improve the facade of the existing building. Of the 24,250-square-foot building, 7,250 square feet will be utilized as warehouse space and 17,000 square feet as office space for 46 employees. The applicant (The Joy

Company) proposes to move its 38± employees from the building on proposed Lot 12 to the larger building on proposed Lot 11. The applicant's site plan provides for 25 parking spaces on the property (22 inside the existing garage and 3 outside). A departure of 28 spaces is requested.

- E. Surrounding Uses: The immediate area surrounding the site is characterized by light-industrial uses in the I-1 and I-2 Zones. The nearest residential uses are located approximately 1,500 feet northwest of the site on the west side of 52nd Avenue. To the west, the subject property abuts a building that houses a roofing company, a computer business and two moving companies. To the north, across Kilmer Place, are a warehouse, parking and storage lots. Proposed Lot 12, where the Joy Company is currently located, abuts the subject property to the east. Other industrial uses in the I-1 Zone abut the site to the south.

F. Design Requirements:

1. Number of Required Parking and Loading Spaces: **Section 27-568 of the Prince George's County Zoning Ordinance requires one (1) parking space per 250 square feet for the first 2,000 square feet of office space, and one (1) space per each additional 400 square feet.**

Section 27-568 requires three (3) parking spaces for the first 1,500 square feet of warehouse space and one (1) parking space per each additional 1,500 square feet.

The applicant is required to provide a total of 53 parking spaces for the proposed 17,000 square feet of office space and 7,250 square feet of warehouse space.

Section 27-582 requires 1 loading space per 10,000 to 100,000 square feet of GFA for an office building and 1 loading space per 1,500 to 10,000 square feet of GFA.

A total of two loading spaces are required and provided.

2. Landscape Manual: The site is exempt from the *Landscape Manual* since no new building or outdoor parking areas are to be constructed.
- G. Other Issues: The applicant, in a separate application, is requesting a minor lot line adjustment. The purpose of the adjustment is to provide individual lots (Lots 11 and 12), for each existing building currently located on Lot 6.

H. Required Findings:

- (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 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 site is very small and the existing building limits flexibility within the property. The proposal provides 25 off-street parking spaces, 28 less than the required 53 spaces for the use. A parking study submitted by the applicant indicates that there is adequate on-street parking along Kilmer Place to accommodate the property's need for additional parking spaces. A site inspection by staff confirms this finding.

Note: Kilmer Place at this location is approximately 855 feet long and ends in a cul-de-sac at the eastern end of the subject property. The subject property has approximately 365 feet of frontage on Kilmer Place.

The applicant has also indicated that out of the current 38 employees of the Joy Company who will be working at the subject site, 10 to 12 employees are using various means of transportation to get to and from work. The transportation methods being used include: car-pool, drop-off and pick-up by families, van-pool and Metro buses. A Metrobus line is located along Kenilworth Avenue about 1,500 feet from the property.

There are no residential properties surrounding the site; therefore, none will be affected by the proposal. The applicant has indicated that the proposed conversion of the existing warehouse to an office/warehouse use will include building facade improvements that will enhance the appearance of the property and the immediate area. The purposes of this Subsection will be served by the requested departure.

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

While 53 spaces are technically required by code, practically only 46 persons will occupy this site resulting in a practical departure of 21 spaces (46 employees minus 25 provided spaces). Given the availability and use of public

transportation and the on-street parking available on Kilmer Place, all parking needs of the office use will be met. As such, the departure is the minimum necessary given the specific circumstances of the request.

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 earliest records that are found on the existing building indicate that it has been in existence since or before 1971. Its past use 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. Many of these buildings do not conform to current zoning regulations in terms of required parking spaces and design standards. The need for the departure was triggered as a result of the proposed lot line adjustment, upgrading and modernizing of the existing structure and use. The proposed use will not intensify or exasperate existing traffic and parking conditions in the area. The departure is necessary in order to alleviate circumstances which 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.

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.**

A parking study submitted by the applicant identifies approximately 51 on-street parking spaces along Kilmer Place, within 500 feet of the subject site. The study indicates that in a given day, at least 23 of these spaces are available to accommodate the parking deficit on the subject site. The study also notes that the other business establishments located along Kilmer Place generate minimal

traffic. Some have their own parking accommodation on site or on adjoining or nearby parcels that are used as parking lots and storage areas. The proposal provides for two loading spaces as required by the Zoning Ordinance.

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 recommends light-industrial and employment uses for this area. As such, the proposed departure will ensure the subject property remains consistent with the Master Plan. In addition, the property meets the purposes of the Plan which suggest that service, loading, and parking areas in employment areas be visually buffered from streets by buildings, walls and/or fences.

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

The subject property is not located within a municipality.

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

The Prince George's County FY 2000-2005 Approved Capital Improvement Program does not indicate any public parking facilities proposed within the general vicinity of the property.

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

1. Public transportation available in the area.

The property is located within walking distance to bus stops that are located along Kenilworth Avenue. As noted, some employees use public transportation.

2. Any alternative design solutions to off-street facilities which might yield additional spaces.

The applicant has indicated that alternative design solutions were studied, including removing the garage and converting the area to an open air parking lot. With the *Landscape Manual* regulations for newly-created parking areas, however, even less spaces were achieved than the 25 that could be accommodated within a covered garage.

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.

There will be no change in the nature of the use or/and its hours of operation.

Moreover, no new parking requirements are being generated in this neighborhood as a result of this request. Employees are simply being relocated from an overcrowded facility to a new administrative building. 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 Departure from Parking and Loading Spaces Application No. 260 is hereby APPROVED, subject to approval of the proposed lot line adjustment, and the site plan shall be revised to reflect the new boundary lines for Lots 11 and 12.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the adoption of this Resolution.

* * * * *

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 McNeill, seconded by Commissioner Brown, with Commissioners McNeill, Brown and Hewlett voting in favor of the motion, and with Commissioner Boone absent, at its regular meeting held on Thursday, March 30, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of April 2000.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:ET:aj