



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 14-130

File No. DPLS-372

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed DPLS-372, 4760 Stamp Road, requesting a departure of four parking spaces and one loading space to reflect the actual use of the property as a wholesale warehouse and incidental sales establishment 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 November 20, 2014, the Prince George's County Planning Board finds:

A. **Location and Field Inspection:** The subject property, 4760 Stamp Road, is located on the north side of Stamp Road, approximately 665 feet south of the intersection of Stamp Road and Beech Road. The rectangular-shaped property comprises 0.09 acre of land in the Light Industrial (I-1) Zone and is located in Planning Area 76A/The Heights. The parcel is improved with a two-story block frame building. Access to the property is provided via a gated ingress/egress to Stamp Road. There is a triangular-shaped paved area.

B. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	I-1	I-1
Use(s)	Warehouse	Warehouse
Acreage	0.0914	0.0914
Lots	1	1
Square Footage/GFA	4,386	4,386

C. **History:** The subject property has a history of use as the sale and repair of marine propellers and allied marine parts. In the 1980s, Parcel A was subdivided and the building became part of Lot 4. The last approved permit for the property was 7240-85-CGU/01 as a machine shop as part of the Pohanka property. The applicant submitted applications for a departure of four parking spaces and one loading space from the requirements and a separate application for a departure of 4.6 feet from design standards (DDS-612) from the 18-foot requirement for the entry access to the parking and loading area. However, during the review process, it was determined that the departure from design standards was unnecessary because the applicant was requesting a waiver from all of the parking and loading requirements. Therefore, it was recommended that the applicant withdraw DDS-612. This request was withdrawn by letter dated October 7, 2014.

D. **Master Plan Recommendation:** The property is within the Interim Land Use Control (ILUC) vicinity which governs development in areas impacted by height limitations, high noise levels, and high accident potential resulting from flight patterns at Joint Base Andrews. The application is consistent with the *Plan Prince George's 2035 Approved General Plan*, the 2000 *Approved*

Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A), and the 2013 Central Branch Avenue Revitalization Sector Plan. The sector plan recommends retaining the industrial use on the property. The subject property is within the plan identified Beech Road Focus Area. The sector plan examines the Beech Road focus area to address conflicts between residential, commercial, and industrial land uses. The sector plan envisions this area as a community-scaled commercial area that supports the residential neighborhoods by providing locally serving retail, offices, and public uses closely integrated with residential development.

- E. **Request:** The applicant's request is for a departure of four parking spaces and one loading space from the requirement in the Zoning Ordinance, to reflect the actual use of the property as a wholesale warehouse and incidental sales establishment. Neither parking nor loading spaces are shown on the site plan.

F. **Surrounding Uses** (*Note—refer to the zoning map*):

North— Other developed industrial and commercial use properties zoned I-1.

South and East— Developed property with auto retail and equipment sales uses zoned I-1.

West— Across Stamp Road are developed I-1-zoned properties fronting Clifton Road.

G. **Design Requirements:**

1. **Number of Required Parking and Loading Spaces:** Section 27-568(a)(7) of the Zoning Ordinance requires three parking spaces for the first 1,500 square feet of gross floor area (GFA) and one additional parking space for every 1,500 square feet of GFA for warehouse wholesale uses. The loading space requirement is one loading space for warehouse uses between 1,500 to 10,000 square feet of GFA. The subject site has a GFA of 4,386 square feet, which requires four parking spaces and one loading space. The site plan does not show parking spaces or loading spaces. However, the general notes incorrectly indicate that five parking spaces and one loading space are required. The plan is actually deficient by four parking spaces and one loading space from the requirement. Therefore, a departure from the parking and loading spaces requirements is needed.
2. **Prince George's County Landscape Manual:** The site is exempt from the 2010 *Prince George's County Landscape Manual* since no new building or outdoor parking areas are to be constructed.
3. **Signs:** No freestanding signs are proposed for the subject use. Any sign that will be placed on the property must meet all of the area, height, and setback requirements.

H. **Required Findings:**

Section 27-588(b)(7)(A) provides that:

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

(i) The purposes of Section 27-550 will be served by the applicant's request;

The purposes as to the proposed parking regulations stated in Section 27-550 are as follows:

(a) The purposes of this Part are:

- (1) To require (in connection with each building constructed and each new use established) 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;**
- (2) 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;**
- (3) To protect the residential character of residential areas; and**
- (4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The proposed use of the building is as an overflow wholesale warehouse. The applicant already leases warehouse space on Stamp Road that serves as a retail space. Retail sales will not occur at this location, only storage that will not generate a lot of vehicular traffic or parking, which is why the building should qualify for a full waiver of all parking and loading space requirements. The purposes of the parking regulations will be served by the applicant's request. The purposes seek to ensure sufficient parking and loading areas to serve the needs of the building and use established and to aid in relieving traffic congestion on the streets by reducing the use of public streets for parking and loading. There is only one entry point to the property via a gated fence on Stamp Road. The subject site does not have adequate parking and driveway aisle width to meet the parking requirements. The request for a departure of four parking spaces and one loading space will alleviate the burden of providing off-street parking. The paved triangular-shaped area is not large enough to provide relief for both parking and loading for the warehouse use and will not negatively impact traffic.

There are no residential areas proximal to the subject site. The site is adjacent to commercial properties, which have sufficient and well-utilized parking. Thus, nearby properties are not likely to be affected by the proposed departure.

- (ii) **The departure is the minimum necessary, given the specific circumstances of the request;**

The departure is the minimum necessary. The subject property is located in a built-out industrial area. There is no adjacent land available for expansion. The triangular-shaped paved area is inadequate to meet the design requirements for either parking or loading spaces. The applicant has requested a waiver of all parking and loading spaces, which alleviates the need to seek a separate departure from design standards for the parking and loading entry access to the property.

- (iii) **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;**

The departure is necessary in order to alleviate circumstances which are special to the subject use as a wholesale warehouse and its location in a fully developed industrial area. Previous permits included uses that were complimentary or extensions of uses on adjacent properties. The proposed use is a "new" use for this property, which is dissimilar to the adjacent uses, but not to the area. Given the physical limitations of this site and the fact that the subject property is surrounded by existing commercial development, staff believes that the departure for this use best serves the applicant and the surrounding community.

- (iv) **All methods for calculating the number of spaces required have either been used or found to be impractical; and**

All methods of calculation have been used. The requirement is for four parking spaces and one loading space, none of which can be adequately provided on-site.

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

There are no adjacent residential areas to the subject property. The parking and loading needs of the residential areas will not be infringed upon if this request is granted.

Section 27-588(b)(7)(B) provides that:

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

- (i) **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 commercial uses. There is limited on-street parking along Stamp Road. There is off-street parking available on both sides of Stamp Road. The adjoining and nearby uses have their own off-street parking and loading facilities. There is no indication of a shortage in parking and loading spaces within the general vicinity of this facility.

(ii) The recommendations of an area master plan, or County or local revitalization plan, regarding the subject property and its general vicinity;

The Central Branch Avenue Corridor Revitalization Sector Plan recommends retaining the industrial use on the property. The proposed uses are consistent with the plan's recommendations and will not impair the integrity of the master plan.

(iii) The recommendations of a municipality (within which the property lies) regarding the departure; and

The subject property is not within a municipality. There are no comments or recommendations submitted by a municipality.

(iv) 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.

Section 27-588(b)(7)(C) provides that:

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

(i) Public transportation available in the area;

A bus stop is located at the corner of Beech Road and Saint Barnabas Road (MD 414), approximately 500 feet from the subject property. The area is served by the Metrobus, Route H12, and the Prince George's County's "The Bus," Route 33, both of which serve the Naylor Road Metrorail station.

(ii) Any alternative design solutions to off-street facilities which might yield additional spaces;

The site is exempt from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance; however, the applicant should apply for a natural resources inventory equivalency letter. There are many physical challenges to this rectangular-shaped property. Due to physical limitations, the subject property (4760 Stamp Road) is a rectangular-shaped property that is 100 percent covered with a building that prevents an alternative design solution. The subject site does not have the capacity to meet

the strict parking and loading requirements for a wholesale warehouse use. The subject property is accessed via a gated entry along Stamp Road, which opens to a narrow triangular-shaped paved area. There is no on-site parking. There are no alternative design solutions that will yield additional spaces.

- (iii) **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 proposed use is a warehouse that will be used to store estate sale items. The hours of operation for this applicant will be infrequent. On-premise sales will be by invitation or appointment only. The parking demands will be unchanged regardless of the hours of operation. The infrequent hours of operation will contribute to the availability of parking nearby. There will be no disruption to traffic flow or parking conditions on the surrounding streets resulting from the proposed use. The surrounding uses are automotive and service establishments consistent with an industrial/warehouse environment. These uses do not generate or need substantial loading facilities. The proposal will not negatively affect the nature and hours of operation of other commercial/retail uses within 500 feet of the subject property if the departure is granted.

- (iv) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10 and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

The subject property is in the I-1 Zone; therefore, the above section is not applicable.

CONCLUSION

Due to physical limitations, the subject property, 4760 Stamp Road, does not have the capacity to meet the strict parking and loading requirements for a wholesale warehouse use. The subject property is accessed via a gated entry along Stamp Road. Section 27-4744(b) of the Zoning Ordinance states that fences over six feet high must meet main building setbacks; it is unclear as to whether this gated entry is in conformance with the requirement.

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 conditions:

1. Prior to certification, the applicant shall:

- a. Obtain a natural resources inventory (NRI) equivalency letter;
- b. Revise the site plan to include the application number and title, DPLS-372, Stamp Road.
- c. Note the width of the driveway on the site plan.
- d. Correct the number of required parking spaces to four.
- e. Demonstrate on the site plan whether the gated entry is in conformance to Section 27-4744(b) of the Zoning Ordinance or a variance is required.

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 Geraldo, seconded by Commissioner Washington, with Commissioners Geraldo, Washington, Bailey and Hewlett voting in favor of the motion, and with Commissioner Shoaff absent at its regular meeting held on Thursday, November 20, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of December 2014.

APPROVED AS TO LEGAL SUFFICIENCY

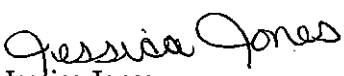

M-NCPPC Legal Department

Date

11/25/14

Patricia Colihan Barney
Executive Director

By


Jessica Jones
Planning Board Administrator

PCB:JJ:IT:arj