

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed Special Exception Application No. 4500 requesting a vehicle sales and service lot 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 May 26, 2005 and June 9, 2005, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property is a four-acre parcel of land located on the east side of Auth Place about 684 feet north of Auth Road. The property is currently used for overflow parking for the applicant's automobile dealership, Passport BMW.

- B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Parking lot	Vehicle sales and service
Acreage	3.94	3.94
Parcels	1	1

- C. **History:** The subject site was rezoned from the C-O to the C-S-C Zone with the approval of the Heights and Vicinity Sectional Map Amendment in November 2000. There has been no other zoning activity at this site.

- D. **Master Plan Recommendation:** The 2002 General Plan places the property in a designated Metropolitan Center (Branch Avenue Metro) in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use pedestrian-oriented, medium- to high-density neighborhoods. The vision for the Centers is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development.

The approved Heights and Vicinity Master Plan (2000) recommends retail commercial land use for the subject property, with the further recommendation that the site be developed as part of a restaurant park.

- E. **Request:** The applicant proposes to construct and operate an automobile dealership showroom and service department. The proposed building will have a footprint of 31,900 square feet and will include rooftop parking. A 101,154-square-foot paved lot will provide display areas and additional parking for the proposed use.

- F. **Neighborhood and Surrounding Uses:** The surrounding neighborhood is defined by the following boundaries:

North and northwest—Henson Creek Stream Valley Park
East—an unnamed tributary to Henson Creek
South—the Capital Beltway
West—Branch Avenue

Most of the neighborhood is also known as the Branch Avenue Metro Station Focus Area. (See the Heights and Vicinity Master Plan, page 19.) The western half of the neighborhood is characterized by commercial development in the form of automobile dealerships, a retail toy store, and a restaurant. The central portion of the neighborhood contains several scattered multistory office buildings, commercial parking lots, and vacant land. The Branch Avenue Metro Station dominates the eastern part of the neighborhood. There are condominium apartment buildings under construction near the Metro station, part of the Capital Gateway or Town Center at Camp Springs developments. However, large portions of this part of the neighborhood remain undeveloped. Much of this vacant land is in the M-X-T Zone.

The properties surrounding the subject site are:

North—Multistory office building in the C-O Zone.

East—Parking lot and undeveloped land in the C-S-C Zone.

South—Automobile storage lot for automobile dealer in the C-S-C Zone and a multistory office building in the C-O Zone.

West—Retail toy store and undeveloped land in the C-S-C Zone and an automobile dealer and a restaurant in the C-M Zone.

G. Specific Special Exception Requirements:

Sec. 27-461(b)(B) permits a special exception for a vehicle sales lot, which includes dealer servicing and outdoor storage of vehicles awaiting sale, but excludes the storage or sale of wrecked or inoperable vehicles, except as accessory to the dealership for vehicles awaiting repair, in the C-S-C Zone. The sale of other than new vehicles may only occur on a tract of land containing a minimum of 25,000 square feet. The subject site contains 171,759 square feet.

Sec. 27-417.02. Vehicle, boat, mobile home, trailer, and camping trailer sales room or lot.

(a) A motor vehicle, boat, mobile home, trailer, and camping trailer sales room or sales lot for operable vehicles may be permitted, subject to the following:

- (1) The number and type of vehicles which are permitted on the lot shall be determined on a case-by-case basis, taking into account factors such as gross vehicle weight, vehicle size, the nature of vehicles (commercial, industrial, earth-moving equipment, passenger, or other vehicle type).**

The site plan shows an indoor showroom with a display area of about 9,900 square feet and an outdoor display area about 12,600 square feet in size. The application does not indicate the number of cars proposed to be displayed in these areas.

Given the dimensions of the outdoor display area, (240 by 30 feet), it appears that about 50 standard-sized passenger vehicles can be displayed in the outdoor display area without encroaching upon the 22-foot-wide drive aisle along the northwest side of the building. The site plan should reflect that the display area will be used to display approximately 50 standard-sized vehicles.

- H. **Parking Regulations:** The parking requirements for a full-service automobile dealership is based upon the display area, gross floor area, and service bays as shown below:

15,100 GFA of office, showroom, parts and service	1 space/500 GFA	31 spaces
14,000 SF of outdoor display area	1 space/1,000 SF	14 spaces
22 service bays	3 spaces/bay	66 spaces
Total spaces required		111 spaces
Total proposed		241 spaces

The proposed site plan meets the design standards for parking and loading facilities. The site plan was revised to address the comments of the Permit Review Section regarding parking requirements. However, the location of the entrances to the building, both showroom and service bays, have not yet been identified on the site plan. These entrance locations must be shown to address the accessible route to the building from the spaces for the handicapped, as well as any potential for conflict between service bay entrances and parking areas.

The proposed site plan shows more than double the required parking spaces for this use. It also provides for 58 parking spaces on the roof of the proposed building. The applicant has indicated that the additional parking spaces are needed based upon current business practices in the industry. An artist's rendering of the proposed building has been submitted; however, it is not clear to what extent vehicles parked on the roof would be visible from adjoining properties. Additional comments regarding this part of the proposed use are found under the Design Issues and Landscape Manual Section below.

- I. **Planning Issues:** As noted above, the 2002 General Plan places the property in a designated Metropolitan Center (Branch Avenue Metro) in the Developed Tier. The intent of the General Plan in identifying these centers is to support the development of mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development.

The 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* recommends retail commercial land uses for this property with the further recommendation that the site be developed as part of a restaurant park. The October 13, 2004, referral reply from the Community Planning Division notes that:

“This parcel is part of the Branch Avenue Metro Station Focus Area (Area C), recommended for a restaurant park (commercial retail use) in the C-S-C. It is recommended

that this area be developed comprehensively with four to five sit-down restaurants (not fast-food restaurants) according to a well-designed conceptual site plan approved by the Planning Board. Pages 22-23 of the master plan states: 'There are two parcels on this site that are utilized by two nearby automobile dealerships for employee and overflow parking. The uses of the two parcels which front Auth Place are recommended to be relocated elsewhere in this general area, preferably off of Auth Place to the north near the Metro tracks)... In addition, the relocation would free up the two sites for more appropriate uses as specifically recommended in Area C.'

"The general area has been utilized for automobile service-related uses for many years. The special exception is an expansion of that type of use. According to page 24 of the master plan: 'As the overall employment area develops further, with vacant land becoming scarce and land values increasing, the land-intensive use of all car dealerships may no longer be viable at this location. If and when that occurs, appropriate alternative uses should be considered by the property owners and county. These uses should provide for an additional employment base that could utilize the adjacent Metro stations.'"

The overall conclusions of the Community Planning Division staff is that the proposed special exception is not inconsistent with the 2002 General Plan and that it conforms to the general land use recommendations of the master plan, but does not conform to the specific land use recommendation for development consistent with a restaurant park.

In the applicant's January 31, 2005, response to the land use recommendations of the master plan, he notes that:

The subject parcel is on the periphery of that part of the planning area that can be characterized as proximate to the Metro station, that the proposed use is not more land intensive than a restaurant park, that the proposed use is a better employment generator, qualitatively if not quantitatively, and that the existing free standing restaurant located outside of Area C equally offsets the use of the subject parcel as an auto dealership. Consequently, the proposed use does not "substantially impair the integrity" of the Master Plan for the Heights or any functional master plan and meets the other criteria for approval contained in the Zoning Ordinance as well.

J. Design Issues and Landscape Manual Requirements:

The Community Planning Division recommended that:

"If this special exception is approved, the site should be developed in accordance with the Branch Avenue Metro Station and Vicinity land use recommendations and other focus Area 1 land use recommendations; and Branch Avenue Metro Area Gateway Standards (for Auth Way, Auth Place, and Auth Road) sections of the master plan. In addition, emphasis should be placed on the following urban design strategies that further the goal of the 2002 General Plan to achieve high quality development patterns within Metropolitan Centers:

- “Require special signage, lighting, landscaping, street furniture, and architecture.
- “Require pedestrian-oriented design elements.
- “Emphasize the need for the overall design and amenities to create a special sense of place.
- “Consider essential TOD design characteristics to include land uses oriented to transit facility linkages and pedestrian-friendly building bulk and setbacks within Metrorail oriented Centers.”

The October 13, 2004, referral reply goes on to note that:

“Many of the automobile dealerships at this location have site problems such as lack of landscaping, uncontrolled site access and circulation; lack of parking (small sites primarily); poorly maintained signs; uncoordinated or inconsistent store facades; and poor pedestrian access

“The Gateway Development and Commercial Area Aesthetics chapter (pp.77-79) of the master plan lists recommendation intended to provide standards to guide site design improvements. Specifically, the master plan recommends: ‘Any renovations or redevelopment of commercial areas should be carried out in conformance with the site design standards specified in the Urban Design chapter [pp. 87-94] of the master plan. These standards include parking, landscaping, signage, building appearance, access, etc. for commercial retail and service properties. These standards will be applied during the county’s development review process to guide the development character both within the gateways and corridors.’”

Comment: Both the 2002 General Plan and the 2000 Heights & Vicinity Master Plan place a great deal of emphasis upon the design elements of the development surrounding Metro oriented centers. If this special exception use is approved, it will continue a land use pattern that has already been established in this area for some time. However, there are good reasons to hold the development of this property to higher standards than the typical automobile dealership. This is particularly true since it will serve as a transition between the businesses that have up until recently dominated this area, and the newer, more people intensive and pedestrian-oriented uses appropriate to the properties located within the primary area of transit-oriented development, generally east of the subject site.

There are certain design elements compatible with highly intensive, pedestrian-oriented uses that are not appropriate to the design of an auto-dependent use such as the proposed auto dealership. Design elements such as the placement of street furniture, or the location of building façades near the street line, are not compatible with the proposed use. On the other hand, there are a number of design elements that can enhance the compatibility of the proposed use with master plan objectives for the rest of Development Area C. These elements include:

1. **Building Materials and Façade Treatment.** This building will be visible from two existing office buildings and ultimately from the rest of Development Area C. Elevations of all sides of the building should be submitted to determine the appropriateness of the quality of materials and design. The use of high quality building materials and, to the extent possible, consistent façade treatments for all four sides of the building is encouraged. Special attention should be paid to the roof of the building and its visibility from the street and nearby uses. Parking on the roof of the building should not be permitted unless it can be screened from the view of adjoining streets and properties at street level. To address these issues, it is recommended that detailed site plan approval, limited to architectural review, be required prior to the issuance of building permits.
2. **Special Landscaping:** The proposed site plan shows the site dominated by a large parking lot. Large expanses of paved areas are visually unattractive and will discourage the development of more pedestrian-friendly uses nearby. The parking calculations for the site show that the applicant intends to provide 241 parking spaces, of which 58 will be on the roof. This is double the number of spaces required by the Zoning Ordinance.

In the northern corner of the site, the proposed landscape plan does not meet the standards of the Landscape Manual. The proposed interior landscaping meets the minimum requirements of the Landscape Manual. However, given the high standards recommended by the General Plan and the Heights and Vicinity Master Plan for the design of development proposed for the properties within the Branch Avenue Metro Station area, the landscaping proposed for this site should be exceptional. Meeting the minimum standards set by the Landscape Manual will not address large expanses of paving and the warehouse-type architecture normally associated with automobile sales facilities. We recommend that the landscape plan be revised to show twice the amount of landscaping currently proposed for the interior of the site, as well as all required buffer yards. This additional landscaping should be divided between landscaping adjacent to the building and landscaping that is interior to the parking lot. The increase in landscaping will break up the large expanses of paving and will soften the long walls of the proposed building. Where feasible, trees should be planted near the building to break up the mass of the building's longer walls. In some locations, a landscape island can be added to screen the entrances to the service bays.

3. **Lighting:** In an effort to provide onsite security, automobile sales and service centers are often exceptionally well lit. Such lighting tends to spill over onto other areas, to the detriment of surrounding properties. Moreover, by creating intense light in one area, the surrounding areas appear darker to the eye, thereby tending to decrease overall security in the area.

The expansion of automobile-oriented uses to this part of Development Area C, which is planned for more people-intensive uses, will require a lighting plan that is highly sensitive to the needs of the surrounding community, both existing and planned. It is, therefore, recommended that a photometric plan be submitted to demonstrate the use of full cut-off

optics to direct light onto the site and minimize light spillover. Up-lighting of signs, buildings, and any other site features shall be prohibited.

- K. **Zone Standards:** The proposed site plan meets or exceeds the requirements of the C-S-C Zone.
- L. **Sign Regulations:** The proposed freestanding sign meets the location requirements of the Zoning Ordinance. A sign details plan was submitted at the Planning Board hearing of June 9, 2005. The design of the sign and its height meet the requirements of the Zoning Ordinance.
- 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 purposes of Zoning Ordinance are many and varied; however, they can best be summed up as promoting the health, safety and welfare of county residents by providing for the orderly growth and development of the county and promoting the most beneficial relationship between the uses of land and buildings. The proposed use and site plan will provide for the orderly growth of the county by replacing the current automobile overflow storage lot located on the site with an expansion of the nearby Passport BMW dealership including a modern showroom and service facility. With the recommended conditions of approval, the proposed development will be harmonious with current and planned surrounding land uses.

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

The proposed site plan conforms to the requirements of the C-S-C Zone and the requirements of a vehicle sales lot. With the recommended conditions, the use will also comply with the requirements of the Landscape Manual and the sign regulations.

- (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.**

Despite its lack of conformance with all of the land use recommendations of the 2002 Heights and Vicinity Master Plan, the proposed special exception does not substantially impair the integrity of that plan or of the General Plan. The Community Planning Division staff carefully distinguished between the proposal's conformance to the overall land use recommendation of the master plan for this site (retail commercial) and the specific recommendation for its development as part of a future restaurant park. The master plan recommendations for this property are related to its intent to foster the growth and development of higher intensity, people-intensive uses near the Branch Avenue Metro Station. In drawing its Branch Avenue Metro Station area—focus Area 1 boundary, the master plan includes a far larger area to the west of the station than to the north, east or south. It consciously did so to link the poorly organized and underutilized Auth Road business area to the Metro station area in order to benefit the future use and development of both areas.

Primary areas for transit-oriented development are generally defined as within a convenient five- to ten-minute walk, or about a quarter-mile. Beyond that primary area to within a mile of the station, lower-density housing and lower-intensity businesses are generally proposed. A portion of Development Area C identified by the master plan as a future restaurant park and fronting on Britannia Way is just within a quarter-mile of the station. The subject property, however, and the property immediately to its south, are farther from the station and are currently oriented to Auth Place rather than Britannia Way.

If the subject property is developed with an automobile dealership, its use would be consistent with similar uses along Branch Avenue and Auth Way. Furthermore, with the recommended conditions ensuring its careful design, it will not detract from the eventual use of other properties in Development Area C consistent with the master plan goal for a restaurant park. For this reason, staff concurs with the applicant's argument that the proposed use will not substantially impair the integrity of the master plan.

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

The proposed use will not have adverse impacts on the public health, safety and welfare. The proposed use will be developed in accordance with all applicable regulations. The Transportation Planning Section referral reply of December 21, 2004, concludes that the nearest critical intersection (I-95 southbound off-ramp/Auth Place) will continue to operate at an acceptable level of service with the addition of traffic to the new facility. Fire Department safety guidelines indicate that although the response time to the site for engines is 4.18 minutes, which is beyond the 3.25-minute travel time guideline, the installation of a fire suppression system in accordance with Prince George's County laws for commercial properties will alleviate the negative impact on fire and rescue services. A note on the site plan indicates that loudspeaker noise shall not impact nearby residential properties.

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

With the recommended conditions regarding architecture and landscaping, the proposed use will not be detrimental to the use or development of adjacent properties or the surrounding neighborhood in general.

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

The site contains less than 10,000 square feet of woodlands and is exempt from this requirement. A letter of exemption was issued by the Environmental Planning Section on February 13, 2004.

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. Prior to the approval of a building permit, the applicant shall obtain from the Planning Board or its designee, approval of a limited detailed site plan for architectural review. The applicant shall submit elevations of all four sides of the proposed building. These elevations shall address:
 - a. The use of high-quality building materials and building design on all sides of the building.
 - b. The consistency of façade treatment on all sides of the building.
 - c. The location, type and design of service entry doors.
 - d. Parking on the roof of the building shall not be permitted unless it can be screened from the view of nearby streets and the ground level floors of adjoining properties.
2. Prior to final approval of this special exception, the site and/or landscape plans shall be revised to show:
 - a. Additional evergreen trees, planted twenty feet on center located in the bufferyard adjacent to parcel U.
 - b. Two additional shade trees added at the two planting islands located at the front corners of the building.
 - c. The elimination of three shade trees and the substitution of six evergreen trees in the planting island located at the rear service area.
 - d. One additional landscape island and one additional shade tree in lieu of one parking space centrally located along the eastern property line.
 - e. The plant schedule shall be revised to eliminate the Euonymus species with appropriate plant material that are less invasive and provide seasonal interest.
 - f. The use of pollution-resistant plant varieties.
 - g. The location of all entrances to the building to address the accessible route to the building from the spaces for the handicapped, as well as any potential for conflict between service bay entrances and parking areas.
 - h. A site plan note to indicate that the display area will be used to display approximately 50 standard-sized vehicles.
3. Prior to final special exception approval, a photometric plan shall be submitted to the Environmental Planning Section to demonstrate the use of full cut-off optics to direct light onto the site and minimize light spillover. Up-lighting of signs, buildings, and any other site features shall be prohibited.

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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 Harley, with Commissioners Squire, Harley, Eley and Hewlett voting in favor of the motion, and with Commissioner Vaughns absent, at its regular meeting held on Thursday, June 9, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of June 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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