

## R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed Special Permit Application No. 020003 requesting a vehicle lubrication or tune-up facility in the U-L-I 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 September 4, 2003, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property comprises one lot and a noncontiguous parcel on opposite sides of Pennwood Road at its intersection with Bunker Hill Road. The larger of the two, on the north side of Pennwood Road, is developed with a one-story brick warehouse building used for auto repair and a used clothing wholesale business. Unlike many of the other auto-related businesses in the area, there was no evidence of junked cars or cars being worked on outside of the building. The smaller, on the southeast side of Pennwood Road, is a narrow strip of land adjoining the railroad tracks used for parking. Several of the parking spaces were filled with what appeared to be illegally dumped yard waste. The applicant owns both sites. This site is located within the Town of Brentwood, which opposes the application.
- B. **History:** The subject property was placed in the U-L-I Zone by the *Sectional Map Amendment for Planning Area 68* in May 1994.
- C. **Master Plan Recommendation:** The *1994 Master Plan for Planning Area 68* recommends light-industrial use for the property. The master plan recommends a new category of industrial land use that reflects the urban and small lot development pattern of communities that were developed before the Zoning Ordinance was enacted. The master plan specifically recommends the creation of a new zone for urban industrial areas to address the practical hardships facing development and redevelopment of small industrial properties through adjusted standards for appropriate uses, compatibility with adjacent uses, setbacks, landscape, parking and loading requirements.

The 2002 General Plan places the site within the Developed Tier, a network of medium to high-density, transit-supported mixed-use neighborhoods.

- D. **Request:** The applicant seeks to validate a vehicle tune-up business currently operating on the site.
- E. **Neighborhood and Surrounding Uses:** The site is surrounded by the following uses:
  - Northeast: A small vacant lot and a millwork business in the U-L-I Zone.
  - Southeast: An electrical contractor in the U-L-I Zone.
  - Southwest: An open storage lot in the U-L-I Zone.

Northwest: A building contractor in the U-L-I Zone.

The neighborhood is defined by the following boundaries:

Northeast: Webster Street

Southeast: CSX Railroad tracks

Southwest: Bunker Hill Road

Northwest: Rhode Island Avenue

This neighborhood contains an unusual mix of uses sandwiched between Rhode Island Avenue and the railroad tracks. It is dominated by warehouses and auto-related businesses, yet also has several remaining single-family residences. The parking site on the south side of Pennwood Road directly adjoins the railroad tracks to the southeast. The neighborhood also contains the Brentwood Post Office.

F. **Special Permit Findings: Section 27-239.02(a)(9):**

In order for the Planning Board to grant a Special Permit in the U-L-I Zone, it shall make the following findings:

A. **The site plan generally conforms with the U-L-I Zone Design Guidelines; and**

The U-L-I Zone Design Guidelines are found in Council Resolution CR-30-1994 adopted by the Council concurrently with its adoption of CB-1-1994 creating the U-L-I Zone. The adopted guidelines are:

(1) **Whenever possible, access shall be shared.**

**Finding:** This use takes up almost the entire block between Bunker Hill Road and Utah Avenue. There are no other businesses on this side of Pennwood Road that would share access.

(2) **Service bays or areas should be located on the side or rear of buildings.**

**Finding:** The service bays for the repair business are enclosed within the building, with a single access point along Pennwood Road..

(3) **Outdoor storage and work areas and trash receptacles should be screened from adjoining residential areas and from street view.**

**Finding:** There will be no outdoor storage or work areas.

- (4) **Parking should generally be located in rear yards. If this is not possible, masonry walls are recommended to buffer the view of parking lots from the street and to augment any prevailing streetwall.**

**Finding:** Parking will be provided on both sites. There will be 10 parking spaces to the northeast side of the existing building, with 13 provided at the parking site on the opposite side of Pennwood Road. There is no prevailing streetwall along this area. Because the parking spaces on the parking site back directly onto Pennwood Road, a streetwall would be impractical. This section of Pennwood Road, while it is a public street, is not heavily traveled.

- (5) **Parking lots and cars should not be the dominant visual elements of the site. Large expansive paved areas located between the street and the building are to be avoided. Parking lots adjacent to, and visible from, public streets must be adequately buffered from view through the use of walls, fencing, landscaping or combinations thereof whenever possible.**

**Finding:** There is no parking proposed in front of the building; rather, the existing parking on the side of the building is proposed to be retained. Parking will also be provided across Pennwood Road. This section of Pennwood Road has very little traffic other than that associated with the two uses currently operating in the building. A fence or wall at this location would not be practical, as it would impair the visibility of drivers and trucks backing onto Pennwood Road. The resultant wall or fence would need to be so low that it would negate the intended purpose of the buffer.

- (6) **Long, monotonous walls and building facades should be avoided.**

**Finding:** The existing building was built as a warehouse many years ago. The applicant is not proposing any changes to the facade.

- (7) **Appropriate landscaping or street options should be provided which enhance the industrial area and result in a cohesive industrial character. Streetscape options which should be considered include the use of pavement patterns; the use of trees and tree gates; use of raised planters and low maintenance plantings; and delineation of entrances through paving and curbing.**

- (8) **Landscaping should be used to define areas by helping to focus on entrances to buildings, defining the edges between the public right-of-way and private development, providing transition between neighboring properties, and providing screening for outdoor storage, loading, and equipment areas. Green space, when provided, should be concentrated in public view areas.**

- (9) **Landscaping should be protected from vehicular and pedestrian encroachment by raised planting surfaces, depressed walks, or the use of curbs. Appropriate plant material for urban areas should be used. The use of vines should be considered, because building walls and fences in industrial areas tend to be large and blank.**

**Finding:** The existing landscaping on the site, while not of the highest quality, certainly distinguishes this site from most of the remaining sites in this neighborhood. Numerous Catalpa and Tree of Heaven trees have been able to grow to surprising heights out of the narrow strips of uncovered land on the building site, supplementing several pine and elm trees that were presumably planted years ago. Across Pennwood Road, at the parking site, mature trees and scrub exist between the parking spaces and the railroad tracks, effectively screening them from the railroad tracks.

- (10) **Bufferyards should not be required when visual and/or physical screening is already provided between industrial and nonindustrial uses. Screening should include a combination of elements, such as solid masonry walls, berms and landscaping. When fencing is used, sight-tight fencing should be used; observable barbed wire should not be permitted. For development abutting residential zoning, fences six feet or higher should be considered for adequate screening. Chain-link fencing with wood or metal slatting is an acceptable screening material only for areas not publicly visible.**

**Finding:** The site is completely surrounded by similar industrial uses and outdoor storage.

- (11) **Signs should reduce visual clutter and improve visibility by minimizing the number of words or symbols, and by using the fewest number of colors, fonts and font sizes.**
- (12) **Signs should generally be above window or door openings, not mask architectural detail or project above the roof.**
- (13) **The size of the sign should be in scale with the building and be located in a consistent location on buildings.**

**Finding:** There is no sign for the auto-repair business. There is a very small conforming sign for the clothing wholesalers. Signs in the U-L-I Zone are subject to the regulations found in Section 27-474.01(g) of the Zoning Ordinance. Any sign erected on the site in the future must conform to these specifications:

**(A) Location.**

- (i) Signs must be located on the front wall of the building in a band not less than eight (8) feet and no more than fourteen (14) feet high. In no case shall the band be higher than the lowest point of the roof of the building.**
- (ii) In the case of the attached buildings, the sign band location, if signs are proposed, shall be uniform across the front of the building.**

**(B) Height.**

- (i) Signs shall not exceed eighteen (18) inches in height.**

**(C) Color.**

- (i) The sign band defined in paragraphs (1) and (2), above, shall have one (1) background color and shall be uniform on any building or group of attached buildings.**
- (ii) Any individual sign may have a maximum of five (5) colors, including black and white.**

**(D) Area.**

- (i) The area of all signs shall be not more than one and one-half (1 2) square feet for each one (1) lineal foot of width along the front of the building (measured along the wall facing the front of the lot or the wall containing the principal entrance to the building, whichever is greater), to a maximum of eighty (80) square feet.**

**B. The site plan generally conforms with the design guidelines set forth in an approved Master Plan.**

**Finding:** The approved Master Plan for Planning Area 68 recommends a new zoning category be established for industrial uses that have developed in urban areas and communities developed prior to the Zoning Ordinance. These small industrial properties were often residentially platted and developed, then later converted to industrial use, sometimes not too successfully. This new zone would address the particular issues faced by this type of development (i.e., compatibility with adjacent uses, setbacks, landscaping, parking and loading etc.).

The subsequent SMA carried out the recommendation of the master plan by creating the U-L-I Zone, the purposes of which are:

- (A) **To attract and retain a variety of small-scale light industrial uses in older, mostly developed industrial areas, developed with structures lacking state-of-the-art mechanical features, and located close to established residential communities;**
- (B) **To create an urban light industrial character, setting it apart from both the more intense industrial zones and the high-traffic-generating commercial zones which will encourage a mix of small-scale industrial uses that are more appropriate for the small, older industrial areas;**
- (C) **To encourage the location of small-scale "clean industries" (e.g., electronic, assembly of precision laboratory equipment, etc.) and new "incubator" or "cottage businesses";**
- (D) **To apply appropriate physical site development standards or guidelines to new and existing uses or structures which will foster an attractive and viable light industrial employment area. The standards will also promote functional and visual compatibility with adjacent or nearby residential areas;**
- (E) **To encourage cooperative property management techniques such as parking, loading, screening, lighting, and security among the various industrial uses;**
- (F) **To establish a flexible regulatory process with appropriate standards that will promote reinvestment in, and appropriate redevelopment of, older urban industrial areas as employment centers.**

The 1994 Master Plan, on pp. 79-81, discusses this industrial area in some detail and contains the following recommendations:

1. **Provide clear identification and a sense of place to the industrial park**
2. **Enhance the appearance of the industrial park through the application of site design and architectural guidelines**
3. **Propose facade maintenance and improvement guidelines and programs**
4. **Provide streetscape improvements to create a pedestrian-friendly environment**
5. **Propose infill and redevelopment concepts for underutilized and undeveloped sites within the industrial park.**

The subject property, like much of the surrounding development, was built and developed in the 1940s. Despite its age and the decline of some other now-vacant buildings and lots in the area, the building is well maintained. Other than some apparently recently dumped yard waste on the parking site, the site is free of litter and debris. When the District Council created the U-L-I Zone via the 1994 Sectional Map Amendment, it was with the intent:

**To establish a flexible regulatory process with appropriate standards that will promote reinvestment in, and appropriate redevelopment of, older urban industrial areas as employment centers. (27-472.01(a)(1)(F))**

This is what the applicant proposes, by taking a vacant building and reestablishing a viable use. While this area has historically been dominated by warehouse and distribution uses, there has been a trend toward automobile-related uses in recent years. While this may not necessarily be a better, more aesthetically pleasing use, it can be a compatible and harmonious use if properly operated.

- G. **Parking Regulations:** The mix of uses proposed for the building requires 11 off-street parking spaces. The site plan shows 23 spaces, 10 at the building site and 13 at the parking site. Parking is permitted to be off-site so long as it is within 500 feet of the use being served (Section 27-573).
- H. **Landscape Manual Requirements:** The building site is exempt from the requirements of the *Landscape Manual*, since no new buildings are proposed. As discussed previously, there are some existing trees on both the building site and the parking site. The Urban Design Section, in its referral dated June 16, 2003, suggests that the applicant place additional landscaping along Pennwood Road in front of the parking lot directly adjoining the building. However, after a site visit, it became evident that any plantings or fences placed within this area would impair the ability for trucks to maneuver into the existing loading space. While this space seems a poor location for additional landscaping, there is an area at the corner of Pennwood Road and Bunker Hill Road, adjoining the parking site that would be appropriate for additional plantings. The site plan should be revised to show additional landscaping in this location. The Urban Design Staff can suggest pollution resistant varieties that will tolerate the industrial surroundings.
- I. **Other Issues:** The Permit Review Section, in its referral dated June 26, 2003, notes several revisions that need to be made to the site plan:
  - 1. This site was constructed prior to 1970. The parking spaces should be dimensioned at the pre-1970 standard of 10 feet wide by 20 feet long or 9 feet wide by 22.25 feet long. The minimum driveway width can be reduced to 18 feet wide.
  - 2. The pre-1970 parking methodology for warehousing/wholesale was one required space for every 1,000 square feet of gross floor area. The number of required parking spaces can be rounded down which would require the same amount of spaces (five). However, the parking methodology should be revised to show one required space for every 1,000 square feet of

gross floor area.

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. The parking spaces shall be dimensioned at the pre-1970 standard of 10 feet wide by 20 feet long or 9 feet wide by 22.25 feet long. The minimum driveway width can be reduced to 18 feet wide.
2. The parking methodology should be revised to show one required space for every 1,000 square feet of gross floor area.
3. The applicant shall plant one Eastern Red Cedar at the corner of Pennwood Road and Bunker Hill Road adjacent to the parking site and the railroad tracks.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the Circuit Court 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 Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Vaughns, Harley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 4, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of September 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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