

Prince George's County Special Permit Application No. SP-980001

Applicant: Amana Corporation, Owner

Location: The subject property is located on the south side of 41st Street between Webster Street and Volta Avenue

Request: The applicant seeks permission to establish a community center.

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

WHEREAS, the applicant has requested a special exception for a special permit for a community center in accordance with Section 27-239.029(a)(9) of the Prince George's County Zoning Ordinance; and

WHEREAS, the Technical Staff Report released October 28, 1998, recommended DENIAL; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on May 11, 2000, the Prince George's County Planning Board agreed with the staff recommendation and adopted the staff analysis and recommendation as its own in this case.

WHEREAS, the Planning Board recommendation is based on the findings and conclusions found in the Technical Staff Report and the following DETERMINATIONS:

- A. Location and Field Inspection: The subject property is located on the southeast side of 41st Street, 120 $\nabla$  feet southwest of Webster Street. It is developed with a brick warehouse with a loading dock and loading doors along the front.
- B. Request: The applicant seeks permission to establish a community center, in their words ~~an~~ important meeting and recreation center for the community. • The building would include offices, a conference room, study hall and a multi-purpose room for meetings, displays, exhibits, etc.
- C. Neighborhood and Surrounding Uses: The proposed use will occupy an existing warehouse-style building on 41st Street. Now in the U-L-I Zone, the property was previously in the C-M Zone prior to the 1994 SMA. The area is predominantly industrial in nature, a mixture of contractor~~s~~ businesses and warehouses. There are several single-family residences remaining, one of them is located on the adjoining property to the south.
- D. 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**

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: Access is directly off of 41st Street and cannot be shared with adjoining development.

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

Finding: There will be no service areas in the front of the building. Existing loading doors will be replaced with a new facade.

**(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. No outdoor trash receptacles are proposed.

**(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 must be in the front yard, the remainder of the site is taken up by the existing building.

**(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: The entire front yard is taken up with parking, with no buffering proposed.

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

Finding: This building is a warehouse, with all the monotonous features thereof. The applicant states that they will be replacing the loading dock and doors with a more aesthetically-pleasing facade, but do not elaborate.

- (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: No landscaping is proposed.

- (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: There is an existing brick wall and fence which separate the subject property from the single-family residence to the south.

- (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: No signs are shown. The applicant states that any sign proposed will be in accordance with the regulations of the Zoning Ordinance.

**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 and 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 makes recommendations for it. They include:

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 applicant feels they are furthering the purposes of the U-L-I Zone and the recommendations of the Master Plan because:

1. The proposed use does not involve heavy equipment operations.
2. The proposed use will promote a positive image for the community by providing a place for citizens to gather and interact.
3. The proposed use as a Community Center provides a greater opportunity for the users of the property to maintain and monitor it properly.

Although the applicant is proposing a use which would put some life into an otherwise vacant warehouse, establishing a community center at this location would not reinforce the revitalization of the urban light-industrial character of this area, which is the purpose of the zone and the intent of the action taken in the 1994 Master Plan and SMA. While such an amenity would not necessarily be deleterious to the area, it does not promote the small-scale industrial character of the area.

- E. Parking Regulations: The mix of uses within the proposed community center would necessitate the provision of 15 off-street parking spaces. Because of the developed nature of the site, only 7 spaces

can be provided. In order to address the deficit, the applicant is seeking approval of a U-L-I Optional Parking Plan in accordance with Section 27-585(c)(1) of the Zoning Ordinance. In order for the Optional Parking Plan to be approved, the following findings must be made:

- (1) **In the U-L-I Zone, the Planning Board may approve an Optional Parking Plan which may reduce the minimum parking and loading schedules and design standards required by Part 11 upon a determination that:**

- (A) **Providing parking lots and loading spaces in strict compliance with Part 11 is impractical because of the lack of sufficient vacant land located within a reasonable distance;**

Finding: The applicant points out that there is no area on the site to provide additional parking. They do have additional land nearby (4316 41<sup>st</sup> Street) which can accommodate their parking needs.

- (B) **A combination of shared off-street parking agreements, public parking lots and controlled on-street parking (subject to appropriate authorization from State, County, or municipal government) will be adequate to serve the designated area; and**

Finding: The applicant's land at 4316 41<sup>st</sup> Street can provide the additional spaces necessary.

- (C) **Modified parking and loading design standards are necessary to maximize the use of off-street locations and to allow on-street parking and loading alternatives.**

Finding: The applicant points to the fact that this use will (in theory) promote walking trips from the community, is located near a bus line, and will be open in the evenings and on weekends when other uses in the area are not using parking.

These factors, plus the provision of off-site parking at 4316 41<sup>st</sup> Street leads to the conclusion that the Optional Parking Plan should be approved.

- F. **Landscape Manual Requirements:** The site is exempt from the requirements of the Landscape Manual since there is no change proposed to the existing building.

The applicant has not met the burden of proof in this instance. This is not to say that a community center is not appropriate in the U-L-I Zone, just not at this location. The proposed use does not further the purposes for the U-L-I Zone, does not meet the guidelines of the 1994 Master Plan and does not address the design guidelines of the U-L-I Zone as contained in CR-30-1994.

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board recommends that Special Permit No. SP-980001 be DENIED.

\* \* \* \* \*

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 Boone, with Commissioners McNeill, Boone and Brown voting in favor of the motion, and Commissioner Hewlett temporarily absent at its regular meeting held on Thursday, May 11, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of June 2000.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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