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## DEPARTURE FROM DESIGN STANDARDS

**DDS-577**

Application	General Data
<b>Project Name:</b> 48 <sup>th</sup> Street Warehouse  <b>Location:</b> Southwest Corner of the Intersection of 48 <sup>th</sup> Street and Webster Street  <b>Applicant/Address:</b> C & A Electric, Inc. 4208 48 <sup>th</sup> Street Bladensburg, MD 20710	Date Accepted: 7/16/2007
	Planning Board Action Limit: N/A
	Plan Acreage: 0.1148
	Zone: I-1
	Dwelling Units: N/A
	Square Footage: 4492
	Planning Area: 69
	Tier: Developed
	Council District: 05
	Municipality: Bladensburg
	200-Scale Base Map: 205NE04

Purpose of Application	Notice Dates
Requested Departure from Sections 4.2 and 4.3 of the Landscape Manual to waive Landscape Strip Requirements, and to waive Driveway and Curb Requirements for Parking.	Adjoining Property Owners Previous Parties of Record Registered Associations: 5/29/2007 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 9/11/2007

Staff Recommendation		Staff Reviewer: CYNTHIA FENTON	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	

September 26, 2007

**TECHNICAL STAFF REPORT:**

TO: The Prince George's County Planning Board  
The Prince George's County District Council

VIA: Jimi Jones, Acting Zoning Supervisor

FROM: Cynthia Fenton, Planner Coordinator

SUBJECT: **Departure from Design Standards (DDS-577)—48<sup>th</sup> Street Warehouse**

REQUEST: Request for waivers from Section 4.2 ((Commercial and Industrial Landscape Strip) and Section 4.3 (Parking Lot Requirements) of the *Landscape Manual*

RECOMMENDATION: DENIAL

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NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date indicated above. The Planning Board also encourages all interested persons to request to become a person of record in this application. Requests to become a person of record should be made in writing and addressed to the Development Review Division at the address indicated above. Please call 301-952-3530 for additional information.

**FINDINGS:**

**A. Location and Field Inspection:** The subject site, which is comprised of two lots (Lot 13 and Lot 14), is located in the southwest quadrant of the intersection of 48<sup>th</sup> Street and Webster Street in Bladensburg. The site is not improved with a structure, but it is paved and used as a parking area. There is no curb and gutter separating the right-of way from the subject property; consequently, there is no defined access to the site.

**B. Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	I-1	I-1
Use(s)	Warehouse/Office	Warehouse/Office
Acreage	5,000 square feet	5,000 square feet
Lots	2	2
Square Footage/GFA	0	3,920 warehouse 572 office

**C. History:** The subject property was retained in the I-1 Zone in the May 1994 Sectional Map Amendment for Bladensburg, New Carrollton and Vicinity. A permit (917-2002-U) for Lots 17, 18 and 19 was issued indicating that all required parking for those lots (10 spaces) is located on the subject property. In 2004, the Board of Appeals approved V-37-04 for the subject site, which addressed building setback, side yard setback and green area requirements. The variance has since expired. In March 2006, the applicant was denied Alternative Compliance for landscaping requirements.

**D. Master Plan Recommendation:** The *Approved Master Plan and Sectional Map Amendment for Bladensburg, New Carrollton and Vicinity* (Planning Area 69) recommends the subject property for light industrial uses. The Master Plan shows the site located within Employment Subarea 1.

**2002 General Plan:** The subject site is in the Developed Tier where the vision is for a network of sustainable, transit supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods.

**E. Request:** The applicant seeks approval of a Departure from Design Standards to waive *Landscape Manual* and parking and loading requirements in order to construct a 3,920 to 4,492-square-foot warehouse for an electrical contracting business. As discussed in greater detail below, the application is seriously deficient, and the applicant has refused to apply for all the departures and variances necessary to move forward with the site plan. Staff has advised the applicant not to proceed with the application as submitted; however, upon the applicant's insistence, staff scheduled a Planning Board date.

**F. Surrounding Uses:**

**North:** Across Webster Street, warehouse in the I-1 Zone

**South:** Contractors services in the I-1 Zone

**East:** Across 48<sup>th</sup> Street, bus storage lot in the I-1 Zone

**West:** Warehouse in the I-1 Zone

**G. Outstanding Issues:** The applicant specifically requests a departure from Section 27-564 of the Zoning Ordinance requiring compliance with the *Landscape Manual*, specifically Section 4.2 (Commercial and Industrial Landscape Strip Requirements) and 4.3 (Parking Lot Requirements). Pursuant to Section 27-329.01(8)(B), alternative compliance has been requested and denied. The applicant is also requesting a departure from Sections 27-563 (Connection to street) and 27-556 (Separation from streets and walks) to waive driveway and curbing requirements and allow parking access directly adjacent to a right-of-way.

In addition to the above, the site plan was found to be in nonconformance with several other provisions of the Zoning Ordinance. The applicant requires, but has not applied for, additional departures from the following sections of the Zoning Ordinance:

27-558 (Parking space sizes)

27-560 (Interior driveway width)

27-566 (Parking facilities for the physically handicapped)

27-568 (Number of parking spaces required)

27-582 (Number of loading spaces required)

27-581 (Connection to street) (Loading)

Staff notes that two separate Departures from Parking and Loading Spaces are required; one for the instant application and another for Lots 17, 18 and 19, since the required parking for the latter is being eliminated as a result of the warehouse proposal.

The applicant additionally requires a variance from Section 27-474(b)(Table 1) requiring structures to be located 25 feet from the street line (where the right-of-way is deemed to be 70 feet wide a total of 30 feet combined side yard setback from adjoining land in nonresidential zones); and Section 27-474(e)(Table IV) requiring that at least 10 percent of the net lot area shall be maintained as green area. Variances of 45 feet from the ultimate right-of-way of Webster Street, 26 feet from the ultimate right-of-way of 48th Street, 30 feet from the total side yard setback and nine percent green area are required. A previous variance for the above was approved by the Board of Appeals in April 2004. It has since expired.

Zoning and Permits staff met with the applicant on August 9, 2007 to review the outstanding issues. The list of issues discussed at that meeting is found in the backup materials attached to this report. The applicant has indicated no additional information will be submitted, yet they desire to proceed with the Planning Board hearing.

#### **H. Required Findings:**

**Section 27-587:** This section authorizes the Planning Board to grant departures from parking and loading design standards, under procedures and requirements in Part 3, Division 5, of the Zoning Ordinance.

**Section 27-239.01(b)(8)(A) of the Zoning Ordinance provides that in order for the Planning Board to grant a departure from parking and loading design standards, it shall make the following findings:**

- 1. The purposes of this Subtitle will be equally well or better served by the applicant's proposal.**
- 2. 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 unique to the site or prevalent in areas of the County developed prior to November 29, 1949.**
- 4. The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.**

The applicant has not provided sufficient information for staff to find that these criteria have been met. Moreover, the applicant has failed to apply for all the departures and variances necessary to advance the application.

#### **CONCLUSION:**

The application as submitted is incomplete; staff therefore recommends DENIAL.