



SPECIAL EXCEPTION APPLICATION NO. 4318

ALTERNATIVE COMPLIANCE APPLICATION NO. 00060

Application	General Data	
Project Name: Suitland Lawn Mower Repair Location Southeast side of Silver Hill Road, approximately 200' northeast of Parkway Terrace Drive Applicant/Address Larry S. Balducci, et al. 7032 Wood Thrush Drive Lanham, Md 20706 Correspondent Lawrence N. Tub O'Malley, Miles, Nylan & Gilmore, P.A. 11785 Beltsville Drive, 10th Floor Calverton MD 20705	Date Accepted	01-29-98
	Planning Board Action Limit	N/A
	ZHE Hearing Date	Not Scheduled
	Plan Acreage	1.3870 Acres
	Zone	C-S-C
	Dwelling Units	N/A
	Square Footage	N/A
	Planning Area	75A
	Council District	6
	Municipality	N/A
	200-Scale Base Map	205 SE 4R

Purpose of Application	Notice Dates	
Lawn Mower Repair with an Outdoor Display Area.	Adjoining Property Owners (CB-15-1998)	02-04-98
	Previous Parties of Record (CB-13-1997)	N/A
	Sign(s) Posted on Site	N/A
	Variance(s): Adjoining Property Owners	N/A

Staff Recommendation			Staff Reviewer: Elsabet Tesfaye
APPROVAL	APPROVAL WITH	DISAPPROVAL	DISCUSSION

	CONDITIONS		
	X		

February 21, 2001

TECHNICAL STAFF REPORT:

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

VIA: Arie Stouten, Zoning Supervisor

FROM: Elsabett Tesfaye, Senior Planner

SUBJECT: **Special Exception Application No. 4318**

REQUEST: **Motorized Lawn Mower Repair; Outdoor Display of Merchandise More Than Six Feet From the Main Building.**

RECOMMENDATION: **APPROVAL with condition**

NOTE:

This application is on the agenda for the Planning Board to decide whether or not to schedule a public hearing. If the Planning Board decides to hear the application, it will be placed on a future agenda.

Any person may request the Planning Board to schedule a public hearing. The request may be made in writing prior to the agenda date or in person on the agenda date. All requests must specify the reasons for the public hearing. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in this application. The request must be made in writing and sent to the Office of the Zoning Hearing Examiner at the address indicated above. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530

FINDINGS:

- A. Location and Field Inspection: The site is located on the southeast side of Silver Hill Road, approximately 200 feet northeast of Parkway Terrace Drive. It comprises approximately 1.39 acres (60,420 Square feet) and is improved with a one-story 1,830-square-foot former gas station building with canopy, two (2) attached storage sheds, outdoor display and storage areas, and a paved parking lot. The site is zoned C-S-C, and it has approximately 158 feet of frontage along Silver Hill Road.
- B. History: Special exception 181 was approved on May 19, 1954 permitting a gas station on the site. Special Exception 3982 was approved on May 10, 1991, to permit a vehicle parts and/or tire store with installation and a vehicle lubrication or tuneup facility. The 1986 Sectional Map Amendment (SMA) for Suitland-District Heights & Vicinity the property, along with adjoining properties, from R-55 & C-1 to the C-S-C Zone. The SMA also placed these properties in the Neighborhood Business Revitalization Area, (NBR).
- C. Master Plan Recommendation: The 1985 approved Master Plan for Suitland-District Heights & Vicinity recommends the property for retail-commercial land use.
- D. Request: The applicant proposes to occupy a building, formerly used as a gas station, with a lawn mower repair shop (motorized). The proposed modification includes an outdoor display area and storage building comprising 1,980 square feet.
- E. Neighborhood and Surrounding Uses: The neighborhood is generally defined by Suitland Road to the north and east, Suitland Parkway to the south and Silver Hill Road to the west. The immediate neighborhood is developed with a mixture of residential and commercial uses. Small-scale commercial uses are located along the east side of Silver Hill Road in the C-S-C Zone. The Suitland Metro Station and the Suitland Federal Center are located along the west side of Silver Hill Road, in the C-O Zone. The area immediately east and south of the subject property is developed with multi-family residential dwellings consisting of clusters of garden apartments in the R-10 Zone. Residential developments of single-family homes with small lots are concentrated to the northeast of the subject property in the R-55 Zone.

The site abuts a small shopping center with related parking lots to the north in the C-S-C Zone. The adjoining properties are developed with apartment buildings in the R-18 Zone. The Suitland Metro Station is located directly across the street, west of the subject property in the C-O Zone.

- F. Specific Special Exception Requirements:

A lawn mower or bicycle repair shop (motorized) is permitted in the C-S-C Zone as a special exception. Section 27-370 sets forth the specific requirements:

- (a) **A shop for the repair of motorized lawn mowers and bicycles may be permitted, subject to the following:**
- (1) **The entire operation shall be performed in a wholly enclosed building.**

The subject facility conforms to this requirement. The applicant's statement affirms that the entire operation will be performed in the wholly enclosed building. The site plan also provides for an accessory storage building to serve the lawn mower shop.

The outdoor display of merchandise is permitted in the C-S-C Zone as a special exception. Section 27-388 sets forth the specific requirements:

- (1) The outdoor display of merchandise for retail sale or rental may be permitted to be located more than six (6) feet from the main building, subject to the following:
 - (1) The use shall not obstruct the normal flow of pedestrian and vehicular traffic.

The proposed outdoor display area consists of 1,000 square feet and is located on the south side of the existing one-story building. There is an eight foot distance between the outdoor display area and the existing building; currently a 224-square-foot shed is located in this area. The shed is one of the two existing similar types of buildings to be removed. The site plan shows that the display area will be enclosed by a combination of a six-foot-high, eight-foot-tall board fence (rear) and a chain link fence (front and side) with a gate. As proposed, neither the use nor its location would obstruct the normal flow of pedestrian and vehicular traffic.

- G. Parking Regulations: **Pursuant to Section 27-568 of the Zoning Ordinance, the proposed lawn mower repair shop requires one (1) parking space for every 500 square feet of gross floor area of the building. Section 27-568 also requires one (1) parking space for every 1,000 square feet of gross outdoor display area.**

The applicant's parking schedule is consistent with this requirement. The proposed project consists of a total gross floor area of 3,810 (1,830 + 1,980) square feet. The outdoor display area is 1,000 square feet. A total of nine (9) parking spaces are required (8 for the repair shop and 1 for the outdoor display area). A total of 10 parking spaces, including one van-accessible space are provided.

- H. Loading Requirements: **Section 27-582 of the Zoning Ordinance requires one loading space for every 2,000 to 10,000 square feet of gross floor area (GFA) for retail sales and service (per store).**

The proposal conforms to this requirement. One loading space is required and the site plan provides for one loading space, dimensioned at 12 feet wide by 33 feet long, for the lawn mower repair shop which comprises a total 3,810 square feet of gross floor area. The loading space is located on the north side of the property.

- I. Landscape Manual Requirements:

The applicant's proposal is subject to the requirements of Sections 4.2, 4.4, and 4.7 of the *Landscape Manual*.

Alternative Compliance was recommended per memorandum dated November 19, 2000 from the Urban Design Review Section and memorandum dated September 26, 2000 from the Permit Review Section. On February 5, 2001, the Planning Director recommended APPROVAL of AC- 00060 (refer to attachment) with the condition that a letter from the State Highway Administration must be provided that demonstrates the applicant has permission to plant within the ultimate right-of-way.

- J. Sign Regulations: No sign is shown on the site plan. All signs that will be placed on the property, including building signs, must meet all area, height and setback requirements. Any proposed freestanding sign must be included on the approved site plan.
- K. Revitalization Focus Area: The subject property is within the Suitland Redevelopment Focus Area and along the commercial corridor within the Suitland Business District. The property is highly visible because it is located across from the Suitland Metro Station that is scheduled to open in the spring of 2001. It is also in close proximity to the Suitland Federal Center and is part of the State Highway Administration (SHA) streetscape improvement plan for Silver Hill Road. When this application was first filed in 1998, the Redevelopment Authority of Prince George's County (formerly Neighborhood Revitalization Division) made specific recommendations on the proposed development of the subject property. Since then, the applicant has revised the site plan to address issues and concerns raised by the Redevelopment Authority as well as the Permit Review and Urban Design Review Sections. Upon reviewing the applicant's site plan that was revised on August 9, 2000, the Redevelopment Authority has offered the following comments:

We appreciate the applicant's willingness to address some of our concerns as outlined in the March 16, 1998 memorandum from Eileen Nivera. However, in the interest of improving the physical appearance of the business district as a whole and attracting quality businesses and developers, additional modifications on the August 9, 2000 site plan should be explored. Provided below are some additional changes which would further enhance the appearance of the property.

- All of the chain-link fence, which is visible from the public right-of-way, should be removed and replaced with the wrought iron fence.
- A landscaped buffer should be placed along the northeast side of the property between the commercial properties.
- The cut-through on the northeast side of the building between the commercial properties, should be securely blocked or formalized. This has long been a problem in the community.
- The existing dumpster should be screened.

- The existing canopy should be removed since it provides no useful purpose and detracts aesthetically from the property.

Through the Alternative Compliance process, the applicant has incorporated all but one suggestion into the site plan. The canopy is not proposed to be removed. This no doubt would be an expensive item. Staff also notes that the canopy does not violate any current requirement.

L. Zone Standards: The site plan conforms to all other development standards of the C-S-C Zone.

13. 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 fundamental purposes of the Zoning Ordinance, as found in Section 27-102, are to protect the health, safety and welfare of the public and promote compatible relationships between the various types of land uses. The applicant has revised the proposed site and landscape plan on various occasions to address concerns and issues associated with this application which would have been the basis for potential conflict with the general purposes of this Subtitle. With the recommended condition, the proposed use and the site plan are in harmony with the purposes of this Subtitle.

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

The subject property is located in the C-S-C Zone which permits the proposed lawn mower repair shop and outdoor display area as special exceptions. The applicant has sought approval for an Alternative Compliance application to address deficiencies in meeting the requirements of the *Landscape Manual* and to incorporate most changes recommended by the Redevelopment Authority. As noted, the Planning Director has recommended approval of the Alternative Compliance application. With those deficiencies and issues addressed and with the recommended condition, the use will conform to all applicable requirements and regulations of this Subtitle.

- (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 Master Plan, the General Plan.**

The 1985 Approved Master Plan for Suitland, District Heights and Vicinity recommends the property for retail-commercial land use. The proposed use of the subject property for a lawn mower repair shop with an outdoor display area will not substantially impair the master plan issues. Upon reviewing the applicant's proposal, Christine Osie of the Community Planning Division offered the following comments (in part):

Though the request is in conformance with the master plan, there is a need to seek and encourage high quality design for all new and expanding retail businesses adjacent to the Suitland Federal Center and throughout the entire Suitland Business District.

- (4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.**
- (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.**

The applicant has submitted revised plans and an alternative compliance application addressing issues and concerns raised in referral comments of the Redevelopment Authority, the Permit Review Section and the Urban Design Review Section. In addition, the Transportation Section has indicated that there are no significant transportation impacts which would result from the proposed use. With the revisions as reflected in the applicant's latest site/landscape plan, and the recommended condition, the proposed use will not adversely affect the health, safety or welfare of residents or workers in the area. Moreover, there is no indication that the use would be detrimental to the use or development of adjacent properties or the general neighborhood.

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

A Tree Conservation Plan is not required because the property will result in cumulative disturbance of less than 5,000 square feet of woodland in the next five years, and it does not have a previously approved Tree Conservation Plan (Letter of Exemption from Environmental Planning Section issued on February 14, 2001).

CONCLUSION

Based on the preceding analysis and findings, it is recommended that SE-4318 and AC-00060 be APPROVED, subject to the condition that prior to the issuance of permits the applicant shall provide a letter from the State Highway Administration which demonstrates that the applicant has permission to locate plants within the ultimate right-of-way of Silver Hill Road.