



SPECIAL EXCEPTION APPLICATION NO. 4441

Application	General Data
Project Name: Enterprise Car Rental (Glenarden) Location South side of Martin Luther King, Jr. Highway, approximately 170' east of Glenarden Parkway, known as 7919 Martin Luther King, Jr. Highway. Applicant/Address City of Glenarden 8600 Glenarden Parkway Glenarden, Maryland 20706 Correspondent Abigale Bruce-Watson O♦Malley, Miles, Nylen & Gilmore, P.A. 1185 Beltsville Drive Calverton, MD 20705	Date Accepted 10/03/01
	Planning Board Action Limit N/A
	ZHE Hearing Date Not Scheduled
	Plan Acreage 1.433 acres
	Zone C-S-C
	Dwelling Units N/A
	Square Footage N/A
	Planning Area 72A
	Council District 6
	Municipality Glenarden
	200-Scale Base Map 204NE7

Purpose of Application	Notice Dates
Vehicle and Trailer Rental Display 27-317 & 27-417	Adjoining Property Owners 10/23/21 (CB-15-1998)
	Previous Parties of Record N/A (CB-13-1997)
	Sign(s) Posted on Site N/A
	Variance(s): Adjoining Property Owners N/A

Staff Recommendation			Staff Reviewer: Elsabett Tesfaye
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

January 2, 2002

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. 4441**

REQUEST: **Vehicle and Trailer Rental Display**

RECOMMENDATION: **APPROVAL with conditions**

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 subject property is located on the south side of Martin Luther King, Jr. Highway, approximately 170 feet east of Glenarden Parkway, known as 7919 Martin Luther King, Jr. Highway. The property is improved with a one-story building. The building, which previously housed a bank, is currently vacant. The property comprises approximately 1.433 acres of land. It has approximately 260 feet of frontage on the south side of Martin Luther King, Jr. Highway, from which it is accessed.
- B. History: The property was originally adopted into the Maryland-Washington Regional District on April 17, 1928. The Model Neighborhood SMA(11/8/7 7) placed the property in the General Commercial (C-G) Zone. The approved 1993 Sectional Map Amendment (SMA) for Landover and Vicinity rezoned the property to the C-S-C Zone.
- C. Master Plan Recommendation: The 1993 *Approved Master Plan for Landover and Vicinity* recommends the property for retail-commercial land use.
- D. Request: The applicant proposes to replace the existing one-story bank building with a new one-story, 1,500-square-foot building to establish a vehicle and trailer rental facility on the property.
- E. Neighborhood and Surrounding Uses: The neighborhood is generally defined by the following boundaries:

North●John Hanson Highway

East●95 Capital Beltway

South●Landover Road (MD 202) and the Capital Beltway

West●Landover Road (MD 202) and John Hanson Highway

The neighborhood is developed with a mixture of residential, commercial, and industrial uses, with commercial and industrial uses concentrated along Martin Luther King, Jr. Highway within the C-S-C and C-G and I-1 Zones. The remaining portion of the neighborhood is residential in the R-55, RT and R-18 Zones. The Kenmoor Elementary and Kenmoor Middle Schools are located in the southern portion of the neighborhood in proximity to the subject site. The Glenarden Woods Elementary School is located in the northern portion of the neighborhood. The central and a small part of the eastern portion of the neighborhood is located within the boundaries of the City of Glenarden.

The adjoining property to the east and west are developed with retail and service uses including a convenience store, a liquor store, a dry cleaner, beauty salons and a barber shop, all in the C-S-C Zone. To the south, the property abuts the M-NCPPC Theresa Banks Aquatic Facility. Farther south are residential developments in the R-55 and RT Zones. To the north, across Martin Luther King, Jr. Highway, is a commercial mini-center with retail and service uses including restaurants, a laundromat, a liquor store, etc., in the C-G Zone. The subject property, as well as the adjoining properties to the west and east, are owned by the City of Glenarden. The City of Glenarden Municipal Building is located approximately 550 feet east of the subject property

- F. Specific Special Exception Requirements: **Section 27-417 - Vehicle and trailer rental display.**

- (a) **The display for rental purposes of motor vehicles (except dump trucks), trailers, boats, camping trailers, or other vehicles may be permitted, subject to the following:**

- (1) **Rental vehicles shall be parked on a hard-surfaced area, which is resistant to erosion and adequately treated to prevent dust emission.**

The proposed site plan indicates that all rental vehicles will be parked on asphalt paving, which is resistant to erosion and adequately treated to prevent dust emission.

- (2) **The gross weight of trucks shall not exceed twenty thousand (20,000) pounds each.**

The gross weight of trucks shall not exceed twenty thousand (20,000) pounds each and a note (No. 18) is included in the site plan indicating compliance with this requirement.

- (3) **In addition to the buffering requirements in the *Landscape Manual*, the use shall be screened from existing or proposed residential development by a six (6)-foot high opaque wall or fence. The fence or wall shall not contain any advertising material, and shall be maintained in good condition. This screening may be modified by the District Council where the parking area is already effectively screened from residential property by natural terrain features, changes in grade, or other permanent, natural, or artificial barriers.**

The applicant contends that commercial zoning to the north, south, east, and west surround the property and thus additional buffering requirements are not required. Staff concurs. However, as it is discussed under *Landscape Manual* requirement (Item I) of this report, the proposal needs to meet the requirements of Sections 4.2 (Commercial and Landscape Strip Requirements), 4.3 (Parking Lot Requirements) and 4.4 (Screening Requirements).

- (b) **If the rental use is in conjunction with another use, it shall be subject to the following:**

- (1) **A Special Exception is required to validate the rental use, irrespective of the commencement date of the use; and**
- (2) **Off-street parking for the use shall be provided in addition to the off-street parking required for the other business.**

The proposed vehicle and trailer rental facility will be the only use operating on the property, therefore, this section is not applicable.

- (c) **If the use is a totally separate business (not in connection with any other business), it shall be subject to the following:**

- (1) **The area devoted to rental purposes shall not be more than sixty percent (60%) of the net lot area; and**
- (2) **The display shall be set back at least thirty (30) feet from the street line.**

The proposal meets both of these requirements. The site plan provides for 11 percent of the total net lot area being devoted to rental purposes. The plan also shows that all display areas are set back at least 30 feet from the street.

- G. **Parking Regulations: Section 27-568 of the Zoning Ordinance requires one parking space for every 1,000 square feet of outdoor display area. It also requires one parking space for every 500 square feet of gross floor area (GFA) for the office.**

The total display area is 7,200 square feet. A total of 11 parking spaces are required for the 7,200-square-foot display area and for the 1,500-square-foot office building. The site plan provides for a total of 30 parking spaces, including four spaces for the physically handicapped, and as such exceeds the requirement. However, the parking schedule on the site plan must be revised to reflect 11 required spaces and the appropriate parking ratio being used. Moreover, the site plan needs to be revised to show at least one of the four handicap parking spaces as van-accessible.

- 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).**

No loading space is required for the subject 1,500-square-foot building.

- I. **Landscape Manual Requirements Section 27.328.02(a) Landscaping, Buffering and Screening:**

Except for uses which do not require the construction, enlargement, or extension of a building, all land uses requiring the approval of a Special Exception shall comply with the landscaping, buffering and screening requirements set forth in the *Landscape Manual* through the approval of a landscape plan. In approving a Special Exception, the District Council may require additional landscaping, screening or buffering if it determines that the amount required by the *Landscape Manual* is insufficient to adequately protect adjacent uses.

The proposal is subject to the requirements of Sections 4.2 (Commercial and Landscape Strip Requirements), 4.3 (Parking Lot Requirements) and 4.4 (Screening Requirements) of the *Landscape Manual*. The Urban Design Review Section has offered the following comments.

Sections 4.2, Commercial and Industrial Landscape Strip Requirements; 4.3, Parking Lot Requirements; and 4.4, Screening Requirements, of the *Landscape Manual* are applicable to the subject development proposal.

- (a) Section 4.2 of the *Landscape Manual* requires the provision of a ten-foot-wide landscape strip with one (1) shade tree and ten (10) shrubs per 35 linear feet of frontage along adjoining rights-of-way excluding driveway openings. The proposed landscape plan states that seven (7) shade trees and sixty (60) shrubs are required. Given the linear feet of street frontage of the subject property, 2,161 feet, a total of seven (7) shade trees and seventy (70) shrubs are required to satisfy the minimum threshold of Section

4.2. Therefore, it is recommended that the proposed landscape plan be revised to reflect seventy (70) shrubs in the commercial and industrial landscape strip adjacent to Martin Luther King, Jr. Highway.

The proposed plan provides two landscape strip areas that are five feet in width in the northeast corner of the site at Lots 17 and 19, adjacent to Martin Luther King, Jr. Highway. As stated, a ten-foot-wide landscape strip is required along the frontage of adjoining right-of-ways excluding driveway openings. Therefore, it is recommended that the plan be revised to provide a minimum 10-foot-wide landscape strip along the frontage of Martin Luther King, Jr. Highway excluding driveway openings.

- (b) The subject site plan proposes a six-foot-high, sight-tight, wood fence comprised of two inch by six inch vertical boards as the finished exterior material on the fence and gate, as the trash dumpster enclosure. The said enclosure will be on a concrete pad. The subject property is located on a major thoroughfare that has consistently high traffic volumes and is within the City of Glenarden. The dumpster enclosure will be visible from the Martin Luther King, Jr. Highway right-of-way. Although the proposed enclosure meets the minimum requirements of Section 4.4(b) of the *Landscape Manual*, Screening Requirements, which requires that trash dumpsters and trash collection/storage areas be screened from all adjoining properties, public roads, and entrance drives, aesthetic quality and durability should also be considered as determining factors with regard to the enclosure appearance over time. The proposed dumpster enclosure will ultimately deteriorate and wear under changing weather conditions, and its appearance will suffer. Therefore, given the stated high visibility location, and the ultimate durability/appearance of the enclosure, it is recommended that a brick or split-faced block enclosure with opaque metal swinging gates be installed instead of the proposed sight-tight wood fence.

In view of the Urban Design Review Section's findings with regard to the appearance of the proposed enclosure over time, it is recommended that a six-foot-high, board-on-board fence with matching gates be installed. The site plan, including the fence and gate details, must be revised to reflect the recommended changes.

- J. Sign Regulations: The site plan shows a 14-foot-high, pole-mounted freestanding sign and three illuminated building-mounted signs. All signs that will be placed on the property must meet all area, height and setback standards in accordance to the provisions of Part 12 of the Zoning Ordinance. It appears that the subject proposal meets the requirements.
- K. Zone Standards: The site plan conforms to all other development standards of the C-S-C Zone.
- L. 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. Review of the applicant's site plan for conformance with the

requirements of the Ordinance indicates no potential conflicts with these fundamental purposes.

As noted, the property is currently vacant with a potential of becoming a blighting influence in the immediate neighborhood. The replacement of the existing building and the returning of the property back to active use will enhance the appearance of the property. However, in order to ensure its compatibility with existing and future development in the immediate neighborhood, the applicant should provide architectural elevations with specified exterior finishing materials. With the recommended conditions, the proposed use and site plan will be 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 vehicle and trailer rental use as a special exception. With the recommended conditions, 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 approved 1993 *Master Plan for Landover and Vicinity* recommends this property for retail-commercial use. The subsequent Sectional Map Amendment rezoned the property from C-G to the C-S-C Zone. It is also located within a neighborhood activity center (pp. 56-59) in the Master Plan. The proposed use will not result in the substantial impairment of the approved 1993 *Master Plan for Landover and Vicinity* that recommends the property for retail-commercial land use. However, upon reviewing the proposal for Master Plan consistency, the Community Planning Division has recommended that adequate screening and buffering should be provided to minimize the potential negative impact of the paved surfaces and rental vehicles on the property's esthetic appearance. The Division has offered the following comments.

The subject property is located in an area designated as a neighborhood activity center in the master plan (see Commercial Areas and Activity Centers chapter). A neighborhood activity center can be four to ten acres in overall size with 20,000 to 50,000 square feet of commercial space. An activity center is intended to be a community focal point which, ideally, combines general retail, service commercial, professional office, higher density housing and appropriate public and quasi-public uses. The plan encourages that social and community activities should be provided in, and related to, the commercial activities. The plan states that a neighborhood activity center may have professional office-type uses, financial services, grocery, drug or dairy store, day care, and limited housing. The plan further states that the redevelopment of centers should, where appropriate, seek to provide the sought-after components and amenities.

The proposed redevelopment of the subject property from a former bank use to a vehicle and trailer rental use (land intensive use) would seem to be contrary to the intended character and function for the neighborhood activity center. It will not enhance the center as a focal point. It will not provide for the daily needs of the residents in the area. However, the plan states that service commercial uses (which the subject use is

classified as) can be part of the mix of an activity center. Further, the proposed use will provide for the reuse of a vacant site.

If this application is approved, it would be appropriate to recommend significant landscaping along the street frontage to reduce the visibility of the paved surfaces and the rental vehicles.

- (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.**

With the recommended conditions, the proposed use will not adversely affect the health, safety or welfare of residents or workers in the area, and there is no indication that it would be detrimental to the use or development of adjacent properties or the general neighborhood. In fact, with return of the site to active use, the replacement of the existing dilapidated building and the recommended landscaping, the property will contribute positively to the vitality and character of development in this area. The applicant indicated that the hours of operation for the proposed facility will be from 7:00 a.m. to 6:00 p.m., Monday through Friday, 8:00 a.m. to 12:00 p.m. on Saturdays, and closed on Sundays.

With regard to traffic and transportation issues, the Transportation Planning Section has offered the following comments:

The subject property would require the construction of a 1,500-square-foot building for use as a car rental facility. The *Guidelines for the Analysis of the Traffic Impact of Development Proposals* do not provide specific trip rates for a car rental facility, and neither does the Institute of Transportation Engineers' *Trip Generation Manual*. Using the rates in the *Manual* for a new car sales facility, the use could generate 3 AM and 4 PM peak-hour vehicle trips. Using the rates in the *Manual* for an automobile care center, the use could generate 4 AM and 5 PM peak-hour vehicle trips. While staff believes that the use would have a somewhat higher trip generation than the rates for the two comparable uses above might suggest, there is no published data available to make a more reliable estimate.

The majority of vehicle trips generated by the subject property would utilize the intersections of MD 704/Glenarden Parkway and MD 704/Ardwick-Ardmore Road. These intersections have not been analyzed since 1995. At that time, under total future traffic, these intersections were found to operate at Level-of-Service A and B respectively in both peak hours. There has been some development in the area since that time, but not a great amount. While the service levels are probably worse today than they were in 1995, there is little reason to think that either intersection currently operates inadequately during peak hours.

While staff remains somewhat uncertain about the site trip generation, even if it were three or four times the amount computed above, it would still not be sufficient to result in failing traffic conditions in the area. From a trip generation standpoint, the

transportation staff finds no reason to oppose the proposed use and sees no rationale for further data collection or analyses, even though there is no current data at hand.

Adequate rights-of-way in accordance with Master Plan recommendations currently exist along MD 704, which is a Master Plan arterial. Access appears to be via a service roadway along MD 704. Given the proximity of the westernmost driveway onto the site to the opening between the service roadway and MD 704, the applicant should consider closing that driveway and accessing the drive aisle from one of the other access points. Having a driveway at this location might pose vehicular conflicts with the opening onto MD 704.

The Transportation Planning Section finds that there are no significant transportation impacts which would result from the proposed Special Exception. However, for reasons stated above, the westernmost driveway should be considered for closure.

The Transportation Planning Section's recommendation for the closure of the westernmost driveway is based on a valid concern regarding traffic circulation near and at the location of the entrance to the site. However, since Martin Luther King, Jr. Highway is a state road (MD 704), any improvements on its rights-of-way would have to be approved by the State Highway Administration. The State Highway Administration, in a memorandum dated October 22, 2001, has indicated that the existing access and frontage improvements within the state right-of-way appear to be consistent with current SHA guidelines. The State Highway Administration further stated that it has no objection to the subject proposal.

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

A Tree Conservation Plan is not required because the proposed activity will disturb less than 5,000 square feet of woodland and there are no previously approved Tree Conservation Plans (per the Letter of Exemption from the Environmental Planning Section issued on September 7, 2001).

CONCLUSION

Based on the preceding analysis and findings, it is recommended that Special Exception Application No. 4441 be APPROVED, subject to the following conditions:

1. Prior to the issuance of permits, the site/landscape plan shall be revised to include the following:
 - a. The parking schedule on the site plan shall be revised to reflect 11 required spaces and the appropriate parking ratio being used.
 - b. At least one of the four handicap parking spaces shall be van accessible.
 - c. The screening for the trash dumpster shall be a six-foot-high, board-on-board enclosure with matching gates.
 - d. The provision of 70 shrubs in the commercial and industrial landscape strip adjacent to Martin Luther King, Jr. Highway to meet the minimum requirements of Section 4.2 of the *Landscape Manual*.

- e. The provision of a minimum 10-foot-wide landscape strip along the frontage of Martin Luther King, Jr. Highway excluding driveway openings.
 - f. The provision of a minimum 10-foot-wide landscape strip along the frontage of Martin Luther King, Jr. Highway excluding driveway openings.
 - g. A note indicating that the operating hours of the vehicle and rental facility will be from 7:00 a.m. to 6:00 p.m., Monday through Friday, 8:00 a.m. to 12:00 p.m. on Saturdays and closed on Sundays.
2. Prior to final special exception approval, the applicant shall provide architectural elevations with specified exterior finished materials to demonstrate compatibility with existing and future developments in the immediate neighborhood.