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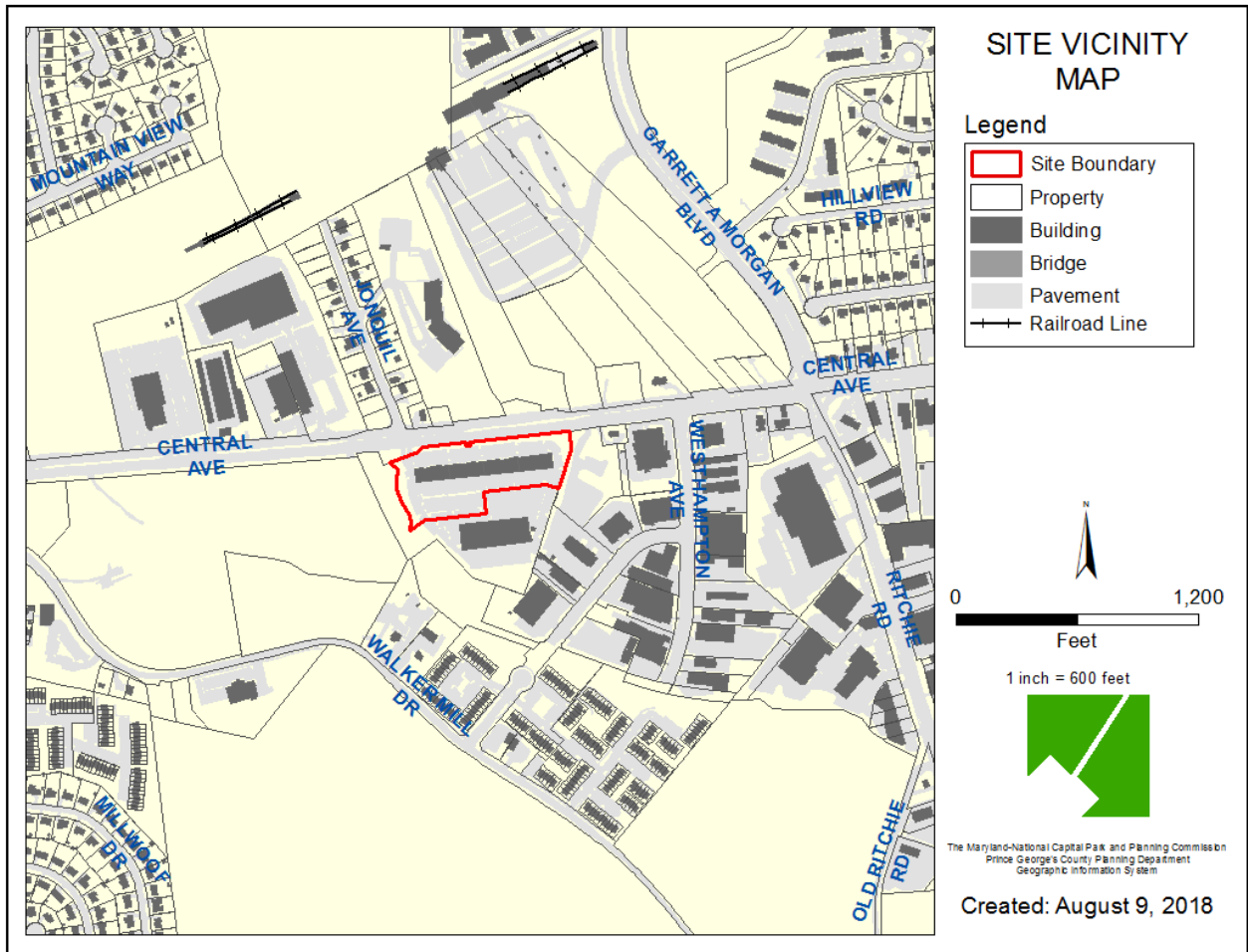
Special Exception

SE-4819

Application	General Data	
Project Name: Enterprise Rent-A-Car Park Central Location: On the south side of MD 214 (Central Avenue), approximately 515 feet west of its intersection with Westhampton Avenue. Applicant/Address: Enterprise RAC Company of Maryland, LLC 2273 Research Boulevard, 7th Floor Bethesda, MD 20850 Property Owner: GDR III Limited Partnership c/o Berman Enterprises 5410 Edson Lane, Suite 220 Rockville, MD 20852	Planning Board Hearing Date:	01/31/19
	Staff Report Date:	01/10/19
	Date Accepted:	11/13/18
	Planning Board Action Limit:	N/A
	Plan Acreage:	13,911 sq. ft.
	Zone:	C-S-C/M-I-O
	Gross Floor Area:	N/A
	Lots:	0
	Parcels:	1
	Planning Area:	75A
	Council District:	06
	Election District	18
	Municipality:	N/A
	200-Scale Base Map:	201SE07

Purpose of Application	Notice Dates	
Relocate an existing vehicle rental display unit to a new larger tenant space within the same building.	Informational Mailing	08/20/18
	Acceptance Mailing:	11/09/18
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Ras Tafari Cannady II Phone Number: 301-952-3411 Email: Ras.Cannady@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT:

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

VIA: Sherri Conner, Acting Supervisor, Subdivision and Zoning Section
Development Review Division

FROM: Ras Tafari Cannady II, Senior Planner, Subdivision and Zoning Section
Development Review Division

SUBJECT: Special Exception SE-4819
Enterprise Rent-A-Car Park Central

REQUEST: Relocate an existing vehicle rental facility, including vehicle rental display, to a larger
tenant space within the same building.

RECOMMENDATION: **APPROVAL with conditions**

NOTE:

The Planning Board has scheduled this application on the consent agenda for transmittal to the Zoning Hearing Examiner on the agenda date of January 31, 2019.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. 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:

1. **Location:** The subject site is located on the south side of MD 214 (Central Avenue), approximately 515 feet west of its intersection with Westhampton Avenue, in Planning Area 75A and Council District 6. The proposed use is located within a development site known as the Park Central retail center, recorded in Plat Book VJ 173-88, approved by the Prince George's County Planning Board on May 25, 1995. The site comprises 4.7882 acres of land known as Part of Parcel B of the aforementioned plat and is located in the Commercial Shopping Center (C-S-C) and Military Installation Overlay (M-I-O) Zones. The proposed vehicle rental tenant space and outdoor display area, which is the subject of this special exception application, specifically consists of 13,911 square feet, or 0.3193 acre, located at the eastern portion of Parcel B.
2. **History and Previous Approvals:** At the time of construction, the entire Park Central development was zoned Light Industrial (I-1) and included Parcels A and B recorded in Plat Book VJ 173-88. The development of four buildings was approved on November 20, 1989 per Permits 5164-89-CGU, 5165-89-CGU, and 5167-89-CGU. Building A, more specifically known as the subject building that houses the proposed special exception use, was constructed pursuant to Permit 5164-89-CGU. Buildings B and C were approved by Permits 5165-89-CGU and 5166-89-CGU, but were not subsequently constructed. A building, known as Building D, containing 41,720 square feet was constructed on Parcel A, to the south of the subject site (Permit 5167-89-CGU).

Parcel A was conveyed to Prince George's County in 1994 and the existing Building D is used for fleet maintenance. An additional 1.04 acres from Parcel B was conveyed to Prince George's County in 2017 per deed recorded in Liber 39813, folio 543. Given the prior conveyances, the subject site included in this application is known as Part of Parcel B (4.7882 acres), which is improved with a building (Building A) containing 47,600 square feet of gross floor area (GFA).

When Building A was constructed, it was anticipated that the building would house light-industrial tenants. As a result, while the front of the building facing Central Avenue presents a retail/storefront appearance, the rear of the building was constructed with larger loading doors to allow for materials to be loaded or for vehicles to enter the space. A vehicle rental facility is a permitted use in the I-1 Zone. However, in 2010, Parcel B was rezoned to C-S-C with the adoption of the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA). Consequently, the proposed vehicle rental facility use requires approval of a special exception in the C-S-C Zone, for which this application has been filed.

3. **Neighborhood and Surrounding Uses:** The general neighborhood is bounded to the north by MD 214, Old Ritchie Road, and Ritchie Road to the east; Walker Mill Drive to the south; and Shady Glen Drive to the west. The neighborhood includes a mix of commercial, industrial, and residential uses. The immediate uses surrounding the subject property are as follows:

North— MD 214 (Central Avenue) and north of MD 214 are single-family detached dwellings in the One-Family Detached Residential (R-80) and M-I-O Zones; and the Prince George's County Public Safety Complex and the Morgan Boulevard Metro Station and Park and Ride, all located within the Mixed Use-Infill (M-U-I), Development District Overlay (D-D-O), and M-I-O Zones.

South— Industrial uses located within the I-1 Zone.

West— Vacant land in the C-S-C and R-T (Townhouse) Zones.

East— Industrial uses zoned I-1.

4. **Request:** To relocate an existing vehicle rental facility, including vehicle rental display, to a larger tenant space within the same building.

5. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Shopping Center	Shopping Center (Vehicle Rental facility w/Display)
Site Acreage	4.7882	4.7882
Acreage for the proposed use		13,911 sq. ft.
Parcels	1	1
Gross Floor Area - Overall Building	47,600 sq. ft.	47,600 sq. ft.
Gross Floor Area of Vehicle Rental Tenant Space	5,600 sq. ft.	5,600 sq. ft.

6. **Required Findings:** Section 27-317(a) of the Prince George's County Zoning Ordinance provides that:

(a) A Special Exception may be approved if:

- (1) The proposed use and site plan are in harmony with the purposes of this Subtitle.**

The purposes of Subtitle 27 of the Prince George's County Code, as set forth in Section 27-102(a)(1) through (15) of the Zoning Ordinance, are generally to protect the health, safety, and welfare of the public; to promote compatible relationships between various land uses; to guide orderly development; and to ensure adequate public facilities and services. Specific to the C-S-C Zone, as set forth in Section 27-454(a) of the Zoning Ordinance, the purposes relate to providing locations for predominately retail commercial shopping facilities and locations for compatible institutional, recreational, and service uses, excluding uses incompatible with general retail shopping centers and institutions. As outlined in the applicant's statement of justification (SOJ) submitted on November 13, 2018, incorporated herein by reference, with the recommended conditions, staff finds that the uses and the site plans, as proposed, 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.**

As outlined within this technical staff report, this application has demonstrated conformance with the requirements and regulations of the Zoning Ordinance.

(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 Map Plan, the General Plan.

In 2010, Parcel B was rezoned to C-S-C with the adoption of the Subregion 4 Master Plan and SMA, which recommends mixed-use residential land uses on the subject property. However, the proposed use is permitted in the C-S-C Zone if the special exception criteria are met. Subsequently, in 2016, the Prince George's County District Council superimposed the M-I-O Zone on the subject property with the adoption of Council Resolution CR-97-2016. The property is subject to the height restriction imposed by the M-I-O Zone, as found in Section 27-548.54 of the Zoning Ordinance (Requirement for Height). Although this application is in Surface Area B, no new structures are being proposed; thus, the application meets the requirements for height. The special exception criteria are met as demonstrated in this technical staff report; therefore, staff finds that the vehicle rental facility will not substantially impair the integrity of the Subregion 4 Master Plan and SMA.

(4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.

The applicant's SOJ, submitted on November 13, 2018, states that the proposed use will not adversely affect the health, safety, or welfare of area residents and workers in the area. The proposed use, which has existed on the subject property since the late twentieth century, seeks to move tenant spaces in order to better serve and grow its existing customer base. The vehicle rental facility has operated without any adverse impacts on the community and has rendered a needed service to residents and workers in the area in need of a rental car.

None of the responses from any of the referral agencies received by staff indicate that the relocation of the existing use to a larger tenant space in the same building, subject to specific conditions, will 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 vehicle rental use is within an existing building and this application proposes relocation of that use in the same building, which will not result in any expansion to the existing building.

Staff finds that the proposed relocation of the existing vehicle rental facility to a larger tenant space, within the same building, will not 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.**

The subject property was developed prior to the requirement for preparation of a tree conservation plan, and no work is proposed which would trigger the applicability of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.

- (7) **The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The subject application will not result in new grading or development. The site plan demonstrates the existing improvements. Since new development is not proposed, any regulated environmental features are preserved in a natural state, to the fullest extent possible.

7. **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;**

As described within the applicant's SOJ, all of the rental vehicles will be parked on the existing parking lot, which is a hard-surfaced area resistant to erosion and is adequately treated to prevent dust. As shown on the site plan, the rental vehicles will be parked in spaces previously designated for required parking. These are treated with asphalt, striped, and there will be no dust generated because the vehicles travel over other portions of the parking lot to access this area.

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

As described within the applicant's SOJ, the gross vehicle weight of the vehicles rented will not exceed 20,000 pounds each.

- (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.**

As described within the applicant's SOJ, the proposed use will be screened from existing or proposed residential development. The area where the vehicles will be stored does not abut any residentially zoned properties and is not visible from any existing or proposed residential development. Thus, no additional buffering is required.

(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

The vehicle rental use is in conjunction with other previously established uses within the integrated shopping center. This special exception application will validate the rental use, irrespective of the commencement date of the use.

(2) Off-street parking for the use shall be provided in addition to the off-street parking required for the other business.

The vehicle rental use is in conjunction with previously established uses within the integrated shopping center. Off-street parking for the subject use is calculated on the submitted site plan, based on the overall requirements for an integrated shopping center, and more than the number of required parking spaces is provided. However, the applicant should separate the parking requirements for the proposed vehicle rental and display facility from the remaining uses within the integrated shopping center to demonstrate conformance with this requirement (Section 27-417(b)(2)).

(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

The site plan correctly shows that the area of the subject property is 0.3193 acre and the area of the entire site is 4.783 acres. Thus, the area devoted to rental purposes is only 6.6 percent of the net tract area of the development, and the area devoted to vehicle storage (8,311 square feet) is only 3.98 percent of the net tract area, fulfilling this requirement.

(2) The display shall be set back at least thirty (30) feet from the street line.

The nearest point of the outdoor vehicle display area is 170.7 feet from the street line, fulfilling this requirement.

8. **Zone Standards:** The applicant's proposal for the relocation of an existing vehicle rental facility, to a larger tenant space within the Park Central development, complies with the requirements of Section 27-454, C-S-C Zone (Commercial Shopping Center), and Section 27-548.54, Requirements for Height, of the Zoning Ordinance.

9. **Parking Regulations:** In accordance with the parking and loading regulations contained in Section 27-574 of the Zoning Ordinance, the 47,600-square-foot integrated shopping center is required to provide 190 parking spaces and 3 loading spaces. The site plan demonstrates that 169 standard parking spaces, 79 compact parking spaces, 7 handicap-accessible spaces, and 6 van-accessible spaces, for a total of 255 parking spaces, are provided. Additionally, the site plan demonstrates that eight loading spaces are provided. Therefore, the parking and loading requirements are exceeded. However, pursuant to Section 27-417(b)(2), the applicant should separate and delineate the parking requirements for the proposed use from the remaining uses within the integrated shopping center.
10. **2010 Prince George's County Landscape Manual Requirements:** The subject application is exempt from the provisions of the *Prince George's County Landscape Manual*, Sections 4.2, 4.3, 4.6, 4.7, 4.8, and 4.9, per Section 1.1(d) because no change of use from a lower to higher intensity and no additional GFA is proposed. Plantings shown on the site plan are consistent with previously issued permits for the site.
11. **Tree Canopy Coverage:** The proposed project does not include disturbance of the existing building or land area. Therefore, the proposed project is exempt from the requirements of the Prince George's County Tree Canopy Coverage Ordinance, pursuant to Section 25-127(a).
12. **Signage Regulations:** Existing and proposed signage were not submitted for the subject property; therefore, this application does not encumber the review of signage regulations.
13. **Referral Comments:** The following referrals were received and are incorporated herein by reference; all of the comments are addressed on the site plan, or as part of this technical staff report:
 - a. Historic Preservation Section dated November 27, 2018 (Stabler to Cannady II)
 - b. Permit Review Section dated November 29, 2018 (Gallagher to Cannady II)
 - c. Community Planning Division dated December 27, 2018 (Umeozulu to Cannady II)
 - d. Transportation Planning Section dated December 10, 2018 (Thompson to Cannady II)

RECOMMENDATION

A special exception use is considered compatible with uses permitted by-right within the C-S-C Zone, as long as specific special exception criteria are met. Unless unique adverse impacts are identified, the special exception may be approved. The appropriate standard for determining whether the use would create an adverse impact upon surrounding properties is to show that the proposed use, at this particular location, would not have adverse impacts above and beyond those inherently associated with the special exception use, regardless of its location within the C-S-C Zone.

Based on the applicant's statement of justification submitted November 13, 2018, the analysis contained in the technical staff report, associated referrals, and materials in the record, the applicant has demonstrated conformance with the required special exception findings, as set forth in Section 27-317 (in general) and Section 27-417, for vehicle and trailer rental display, of the Zoning Ordinance in this instance. Therefore, staff recommends approval of Special Exception SE-4819, Enterprise Rent-A-Car Park Central, subject to the following conditions:

1. Prior to certification of the special exception, the site plan shall be revised, as follows:
 - a. Include the special exception requirements of Section 27-417 of the Prince George's County Zoning Ordinance within the general notes.
 - b. Revise the site plan to adjust the curbs and/or parking area to provide a 22-foot-wide drive aisle adjacent to the seven compact spaces on the east side of the parking lot.
 - c. Separate the parking requirements for the vehicle rental and display facility from the remaining uses, within the integrated shopping center, in the parking schedule.