



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Special Exception Application

**SE-4554**

Application	General Data
<b>Project Name:</b> Best Pawn Shop  <b>Location:</b> South side of Greenbelt Road approximately 500 feet east of Rhode Island Avenue, known as 5051 Greenbelt Road.  <b>Applicant/Address:</b> Best Pawn, Inc. 5051 Greenbelt Road College Park, Maryland 20740	Date Accepted: 1/17/06
	Planning Board Action Limit: N/A
	Plan Acreage: 0.27
	Zone: C-S-C
	Dwelling Units: N/A
	Square Footage: 2400
	Planning Area: 66
	Tier: Developed
	Council District: 03
	Municipality: College Park
200-Scale Base Map: 210NE05	

Purpose of Application	Notice Dates
Special exception for pawnshop in the C-S-C Zone	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003) <span style="float: right;">10/13/05</span>
	Sign(s) Posted on Site and Notice of Hearing Mailed: <span style="float: right;">N/A</span>

Staff Recommendation		Staff Reviewer: Kendra Wright	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

April 7, 2006

**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: Kendra C. Wright, Senior Planner

SUBJECT: **Special Exception Application No. SE-4554**

REQUEST: Special exception for pawnshop on the second story of an existing building in the C-S-C Zone

RECOMMENDATION: Approval with Conditions

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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.

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**FINDINGS:**

A. **Location and Field Inspection:** The subject property, known as 5051 Greenbelt Road, is located on the south side of MD 193 (Greenbelt Road), 500 feet east of Rhode Island Avenue in College Park. The acreage is developed with a two-story brick and block building consisting of 2,400 square feet and an accessory two-car garage in the rear. The property amounts to .27± acre and is zoned Commercial Shopping Center (C-S-C). Access to the site is via a two-way entrance from Greenbelt Road.

B. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	C-S-C	C-S-C
Use(s)	Sign contractor and garage	Addition of pawnshop on upper level
Acreage	.27	.27
Parcels	76	76
Square Footage/GFA	2400	2400

**Other Development Data**

C. **History:** The subject property was originally zoned R-55. It was later rezoned to C-1 by ZMA-1844 in 1952. In 1990, it was reclassified to C-S-C by the *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67.*

D. **Master Plan Recommendation:** The property is located in an area identified in the 2002 General Plan as the Developed Tier. It is also within the University Boulevard (MD 193) designated corridor. The vision for both the Developed Tier and for corridors includes mixed-use, transit-oriented development. The property was reclassified from the C-1 Zone to the C-S-C Zone in the 1989 *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67.* The application conforms to the land use recommendations in the master plan.

E. **Request:** The applicant requests approval of a special exception to establish a pawnshop on the second floor of an existing commercial structure. No new development is proposed.

F. **Neighborhood and Surrounding Uses:** The subject property is located in the eastern portion of College Park near both Berwyn Heights and Greenbelt. The neighborhood is defined by the following boundaries: MD 193 (Greenbelt Road) on the north; the Ohio Railroad tracks on the east; Berwyn Road on the south; and Baltimore Avenue (US 1) on the west. There is a mix of zones and land uses located within the neighborhood. The land fronting on US 1 and along Greenbelt Road houses mostly commercial and highway-oriented uses. The applicant notes that the subject property is within 300 feet of residentially zoned land. There is also a liquor store in close proximity. The property is surrounded by the following uses:

North—Across MD 193, Budget Inn Motel in C-S-C Zone

East—Vacant property owned by *The Washington Post* in the I-1 Zone

South—Washington Post distribution center in the I-1 Zone

West—Residence and small market in C-S-C Zone

The site plan incorrectly shows the property to the west zoned I-1. This must be corrected on a revised site plan.

**G. Specific Special Exception Requirements:**

**Sec. 27-394.01. Pawnshop.**

**(a) A pawnshop may be permitted by Special Exception, subject to the following:**

**(1) The structure in which the use is proposed shall be located at least three hundred (300) feet from any school, library, park, recreational facility, and historic site, resource, or district identified on the current Adopted Historic Site and District Plan, or National Register Site or Historic District.**

The subject property is not located within 300 feet from any school, library, park, recreational facility, or historic site, resource, or district identified on the current adopted *Prince George's County Historic Sites and District Plan*, or National Register Site or Historic District. Although there is no required distance from a residential area, the site is located within 300 feet of a residential dwelling and within a quarter-mile walking distance from several homes. Staff recommends that every effort be made to ensure the social stability of the adjacent residential neighborhoods. Conformance with this subtitle must be indicated on a revised site plan. In addition, the site plan shall be revised to reflect the proximity of residentially zoned land to the property.

**(2) As a part of the Special Exception approval, the Council may impose other reasonable requirements deemed necessary to safeguard the health, safety, morals, and general welfare of the community, taking into account the character of surrounding properties and the general neighborhood and any other uses on the subject property.**

In reviewing the character of surrounding properties, the general neighborhood, and other uses on the subject property, staff makes the following observations and recommends the following reasonable requirements to safeguard the health, safety, morals, and general welfare of the community:

The proposed hours of operation are 10:00 a.m. to 9:00 p.m. There is not any excessive tree coverage that shields the front of the property from public view. However, the lighting on the property is nominal. There appears to be minimal lighting on the sign, on the building, and the garage. According to the applicant, the lights on the building are on timers. Staff recommends that additional lighting be installed to ensure the safety and welfare of the community. Additionally, a revised site plan shall show the lighting on the property.

The Town Council of Berwyn Heights believes that a pawnshop in such close proximity to residential neighborhoods jeopardizes the safety, morals, and general welfare of the immediate community. In an attempt to safeguard the welfare and morals of the community, staff recommends that accepting or selling firearms be prohibited.

The surrounding properties and the general neighborhood are characterized by a number of uses. There is another use on the subject property. The use on the lower level of the building is indicated as a sign contractor. If the use makes signs, it is a sign shop and not a contractor's office. A sign shop is specifically listed in the commercial use tables as a prohibited use in the C-S-C Zone. It has a valid use and occupancy permit dated March 1956. Upon certification of a nonconforming use, the lower level sign shop on the subject property will not increase any perceived detriment imposed by the proposed pawnshop.

**(3) No Special Exception shall be permitted for a pawnshop located within 2,000 feet of another pawnshop.**

The subject property is not located within 2,000 feet of another pawnshop. According to the applicant, the nearest pawnshop is located 6,000 feet north of the subject property in College Park. A note shall be added to the revised site plan indicating compliance with this requirement.

**(4) Parking of motor vehicles pledged as collateral permitted on the subject property shall be in addition to parking required pursuant to Part 11. (CB-28-1997).**

The applicant does not intend to accept vehicles pledged as collateral on the subject property. A note shall be added to the revised site plan to this effect.

- H. **Parking Regulations:** Pursuant to Section 27-568(a)(5)(A), the requirement for a normal parking generation group serving retail uses is one space for every 150 square feet of the first 3,000 square feet. The second level of the building consists of 1,200 square feet. The requirement for the low parking generation group is one space for every 500 square feet. The first level of the building consists of 1,200 square feet. Therefore, the amount required is 8 spaces for the second floor and 3 spaces for the first floor, for a total of 11 spaces. The site plan indicates that 14 spaces will be provided on the property, exceeding the required total of 11. No right-of-way for Greenbelt Road has been dedicated from the subject property, although the proposed future right-of-way line is shown on the site plan. Parking spaces also currently exist within this right-of-way. The site plan depicts that the area will be restriped to ensure that no required parking is within the existing or proposed right-of-way.
- I. **Landscape Manual Requirements:** The subject application is exempt from the Landscape Manual pursuant to Section 27- 328.02, because no new improvements are proposed with this application.
- J. **Zone Standards:** The proposed use is in the C-S-C Zone. The use meets the standard height and setback requirements for this zone. No variances are required.
- K. **Sign Regulations:** No signage for the proposed pawnshop has been included in the plans. According to the site plan and site visit, there is an existing freestanding sign to be removed from the property. If there is no valid permit for the sign, it must be removed immediately. A separate sign permit must be issued in order for any sign to be erected.
- L. **Other Issues:** The justification statement claims that the garage is used by the property owner for dead storage unrelated to either of the uses in the building. Pursuant to Section 27-461, wholly enclosed storage is permitted in the C-S-C Zone when it is accessory to an allowed use. This storage does not appear to be accessory to an allowed use, therefore, it is prohibited. Also,

community planning staff acknowledged that according to GIS information, the property is located within the 100-year floodplain. The statement of justification maintains that the property is not within the flood zone. According to environmental planning staff, the property is not within the 100-year floodplain.

M. **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.**

With the recommended conditions of approval, the proposed use and site plan will be in harmony with the purposes of the Zoning Ordinance. The purposes of the Zoning Ordinance seek generally to protect and promote the health, safety, morals, comfort, convenience, and welfare of inhabitants of the county. The proposed pawnshop will provide a service to the community in a location that meets the required findings of this Subtitle.

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

With the recommended conditions of approval, the proposed use will be in conformance with all the 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 Map Plan, the General Plan.**

The proposed use will not substantially impair the integrity of the 1989 *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67* or the *Prince George's County Approved General Plan*. The property was reclassified from the C-1 Zone to the C-S-C Zone in 1989. The proposed use conforms to the land use recommendations.

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

With the recommended conditions, the proposed use and site plan will not adversely affect the health, safety or welfare of residents or workers in the area. Staff finds no traffic issues with the proposed use. In an attempt to safeguard the welfare and morals of the community, staff recommends and the applicant agrees that every effort be made to ensure the social stability of the adjacent residential neighborhoods by prohibiting accepting or selling of firearms.

**(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.**

Upon meeting the recommended conditions of approval, the proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood. No new development is proposed on the subject property. The use abuts *The Washington*

*Post* distribution facility, industrially zoned land, and commercially zoned land. No adverse impacts are anticipated.

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

The site is exempt from the Woodland Conservation Ordinance because the lot contains less than 10,000 square feet of woodlands, the site is less than 40,000 square feet in area, and there is no previously approved tree conservation plan. A tree conservation plan is not required.

**CONCLUSION:**

Upon meeting the recommended conditions of approval, the subject property will be conducive to the proposed use. The subject property is located on a well-traversed portion of University Boulevard, near its intersection with Metzerott Road. The location is at the split of Greenbelt Road (MD 193) and Metzerott Road and is situated such that patrons traveling from the east on MD 193 cannot make a left turn onto the property. They will have to pass the pawnshop and make a left turn onto Rhode Island Avenue and come back up Metzerott Road to access the site. In addition, *The Washington Post* owns the properties to the immediate south and east of the site. The land houses a building and parking lot to the south and is largely vacant to the east. The property to the north across MD 193 is fenced and houses a Budget Inn Motel. The nearest use to the west appears to be a home and small market. The greater neighborhood consists of both commercial and residential uses. Therefore, in addition to meeting the required findings, the site also does not present harm to the general neighborhood due to its rather isolated nature. Based on the preceding analysis, it is recommended that SE 4554 be APPROVED, subject to the following conditions:

1. Accepting or selling of firearms and vehicles is prohibited.
2. The site plan shall be revised as following:
  - a. Provide the correct distance of the site from residentially zoned land.
  - b. Provide the correct zoning for abutting property to the west.
  - c. Indicate the height of all existing fences.
  - d. Demonstrate adequate lighting on the site.
  - e. Add a note that no vehicles or firearms will be accepted or sold on the property.
  - f. Add notes demonstrating compliance with Section 27-394.01(a).
3. The use of the existing storage shed for dead storage unrelated to on-site business activities shall be prohibited.
4. Demonstration that the existing sign shop meets the requirements of the C-S-C Zone or a certification of nonconfirming use shall be required.