

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board has reviewed Departure from Design Standards Application No. DDS 586 requesting a departure from the 50-foot setback requirement for loading space access in accordance with Subtitle 27 of the Prince George’s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on November 6, 2008, the Prince George’s County Planning Board finds:

A. Location and Field Inspection: The subject property, also known as Cheverly Industrial Center, is comprised of 6.51 acres of land, in the I-1 Zone. It is located in the east side of Viewpoint Place, approximately 940 feet north of the intersection of Kenilworth Avenue (MD 201) and Lydell Road. The site is currently improved with a 50,059-square-foot one-story structure with an associated parking lot and three loading spaces, which is used for a commercial printing and graphic arts business. The applicant is proposing to construct a 30,000-square-foot building addition and a parking lot on the east side of the existing building. Access to the site is from Viewpoint Place via a 29-foot-wide driveway entrance at the northwest end of the site. The property is screened by a substantial amount of woodland and is surrounded by nonresidential uses on the north, south and east sides. Along the northern property line, the site’s topography is significantly higher than the southern property line. However, the building and parking improvements are constructed within the central portion of the site that has been graded and leveled to support the proposed improvements.

B. Development Data Summary:

	EXISTING	PROPOSED
Zone(s)	I-1	I-1
Use(s)	Printing and Graphic Art Business	Warehouse/Office/Industrial Plant
Acreage	6.51	6.51
Parcel	B	B
Square Footage/GFA	50,059	30,000
Parking Spaces	100	54 (additional)

C. History: The subject property was retained in the I-1 Zone in the May 1994 Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69). According to the Maryland Department of Assessments and Taxation records, the existing one-story brick building was constructed in 1964. A building permit, 3421-98-CGU/02, was approved September 23, 1998 for the existing printing company to upgrade its parking compound to current design standards.

D. Master Plan Recommendation: The property is located in an area identified in the 2002 General Plan as the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium to high density neighborhoods. This application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier. The application is in conformance with the land use recommendations of the 1994 Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69) for light industrial uses.

E. Request: The applicant is proposing to build a 30,000-square-foot building addition to the east side of the existing 50,059-square-foot building, for a total gross floor area (GFA) of 80,059 square feet, and a new parking and loading area to serve the commercial printing and graphics art business. Access to the new loading area must be set back at least 50 feet from land in a residential zone in accordance with Section 27-579 of the Zoning Ordinance. The site plan indicates that the driveway providing access to the loading area has a setback from the northwestern property line that varies between 9 feet to approximately 43 feet wide at its furthest point as it approaches its eastern end of the property. A departure of 41 feet is therefore requested.

F. Surrounding Uses: The surrounding neighborhood is predominantly industrial, comprising mixed-light manufacturing, warehouse-related industrial uses, and institutional uses.

North — Developed with the Prince George's County Hospital campus in the R-55 Zone.

East — Undeveloped vacant land in the I-1 Zone.

South — Developed with the Pepsi Cola bottling plant in the I-1 Zone.

West — Across Viewpoint Place is the Baltimore Washington Parkway (MD 295).

G. Design Requirements:

1. Number of Required Parking and Loading Spaces: Section 27-568 (a)(7) of the Zoning Ordinance requires three parking spaces for the first 1,500 square feet of gross floor area (GFA) and one space for each additional space between 1,500 to 100,000 square feet of GFA for a warehouse unit. Additionally, the ordinance also requires two parking spaces per 1,000 square feet of GFA for an industrial plant. According to the applicant's parking schedule, the site has a total of 54,223 square feet of warehouse use and 25,836 square feet of industrial plant use. A total of 90 parking spaces are required for the entire site. The applicant is proposing to provide a total of 154 parking spaces to accommodate the site, approximately 41 of which are the result of the reconfiguration of existing parking spaces. The site plan provides 64 more parking spaces than required. The applicant is also providing three required loading spaces to serve the site.

2. Prince George's County Landscape Manual: The property is subject to Section 4.2, Commercial and Industrial Landscaped Strip, Section 4.3(b), Perimeter Landscape Requirements and Section 4.3(c), Parking Lot Interior Planting, of the Prince George's County Landscape Manual. The plans are in conformance with the requirements of the Landscape Manual.

H. Other Issues:

- a. The Permit Review Section, in a memorandum dated July 8, 2008, noted a discrepancy in the parking schedule regarding the number of parking and loading spaces, and has asked the applicant to revise the plan to provide two handicap van parking spaces and the correct number of loading spaces. The plan should also indicate the 50 foot setback of the access aisle all the way to the street line, and that the applicant is subject to Section 4.3(b), as well as a landscape schedule along a portion of the northern property line.
- b. The Urban Design Section, in a referral reply dated July 21, 2008, noted that prior to the Planning Board hearing, the plans shall be revised to indicate whether or not the chain-link fencing shown is proposed or existing. If the fence is an existing fence, the applicant should provide evidence that it is in good condition.

The applicant has revised the site plan and addressed all of the issues specified by both the Permit Review Section and the Urban Design Section, and has provided pictures of the fence showing that the fence is in good condition.

I. Required Findings:

Section 27-239.01(b)(7)(A) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:

- (i) **The purposes of this Subtitle will be equally well or better served by the applicant's proposal.**

The purpose of the Parking Regulation will be equally well or better served by the applicant's proposal. The purposes, among other things, seek to preserve the character of the residential areas. Although the adjacent property is zoned R-55 (Residential Single Family), it is part of the Prince George's County Hospital Campus, which is more intensive institutional use than residential development; therefore, would not be incompatible to the proposed expansion. Furthermore, the closest building on the hospital property is located more than 400 feet north of the shared property line. The landscaping and the topographical difference between the two sites will serve as a natural buffer to mitigate noise generated by vehicles accessing the loading spaces. Hence, the loading needs for a commercial printing and graphic arts business are not intensive enough to have an adverse impact on the adjacent residential community.

- (ii) **The departure is the minimum necessary, given the specific circumstances of the**

request.

The existing 50,059-square-foot building was constructed in 1964 before regulations regarding the proximity of loading spaces to residentially-zoned property were established. The loading spaces that are associated with the existing site improvements are currently served by an existing access drive which also predates the current Zoning Ordinance requirements. Since the proposed building expansion will relocate the existing loading spaces and requires extending the existing driveway access, the entire existing driveway is subject to the current 50-foot setback requirement. In order to meet the setback requirements, it is impractical from both planning and design perspectives to reconfigure the existing access driveway and pavement areas. It will necessitate the clearing of a portion of the existing mature trees, grading and filling of extremely steep slopes, construction of a minimum of 15,000 square feet of new pavement area, and the increase in stormwater runoff resulting from the new access drive. As a result, such a solution is considered to be unreasonable and the departure is the minimum necessary, given specific circumstances of the request.

(iii) 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.

The departure is necessary in order to alleviate circumstances that are unique to the site. The location of the existing building entrances, the interior architecture of the building and the existing site improvements makes it impractical to relocate the driveway to provide the required 50-foot setback. Currently, the applicant is renting an offsite warehouse space to store materials needed for the existing use. If the departure is granted, the new building addition will allow the applicant to meet their business warehousing needs entirely on site.

(iv) The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.

This departure will not impair the visual, functional or environmental quality or integrity of the site or neighborhood. The requested departure will keep the existing driveway at its current location. The loading requirements for the proposed building expansion are no greater in number than that which is currently required for the existing improvements. Subject driveway is adjacent to residentially zoned property that is developed with a large hospital. The use does not impact residential uses. Moreover, the combination of attractive existing woodlands, proposed landscaping and 20 feet grade separation along the northern property line will offset the need for a setback of 50 feet.

Section 27-239.01(b)(7)(B) For a departure from a standard contained in the Landscape Manual, the Planning Board shall find, in addition to the requirements in paragraph (9)(A), above, that there is no feasible proposal for alternative compliance, as defined in the Landscape Manual, which would exhibit equal or better design characteristics.

This application does not contain a request for relief from a standard in the Landscape Manual.

The site plan demonstrates full conformance with the requirements of the Landscape Manual.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the above-noted application.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Vaughns, seconded by Commissioner Cavitt, with Commissioners Vaughns, Cavitt and Parker voting in favor of the motion, with Commissioner Squire temporarily absent, and with Commissioner Clark absent at its regular meeting held on Thursday, November 6, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of December 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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