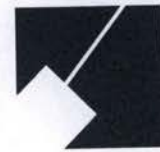


The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

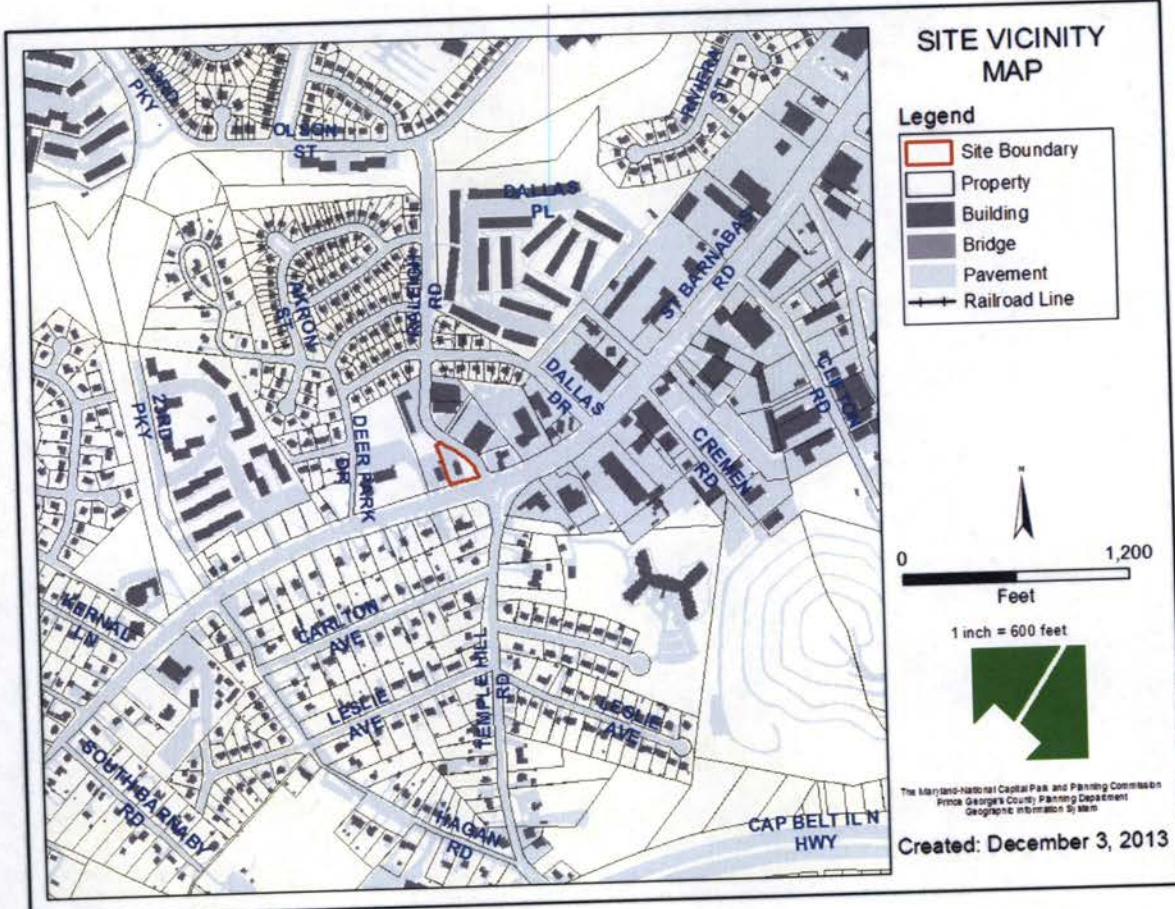
Special Exception

SE-4741

Application	General Data	
Project Name: Jim McKay Auto Mart Location: The northwestern quadrant of the intersection of St. Barnabas Road (MD 414) and Raleigh Road in Temple Hills. Applicant/Address: 4815 St. Barnabas Road, LLC. 1247 Harbour Island Walk Baltimore, MD 21230 Property Owner: Same as applicant	Planning Board Hearing Date:	03/27/14
	Staff Report Date:	03/12/14
	Date Accepted:	12/09/13
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.6 acre
	Zone:	C-S-C
	Gross Floor Area:	1,779 sq. ft.
	Lots:	N/A
	Parcels:	1
	Planning Area:	76A
	Tier:	Developed
	Council District:	08
	Election District	12
Municipality:	N/A	
200-Scale Base Map:	206SE03	

Purpose of Application	Notice Dates	
Special Exception for vehicle sales lot located in the C-S-C Zone.	Informational Mailing	11/20/13
	Acceptance Mailing:	09/23/13
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Tom Lockard Phone Number: 301-952-3410 E-mail: Thomas.Lockard@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: Jimi Jones, Zoning Supervisor, Development Review Division

FROM: Tom Lockard, Planner Coordinator, Zoning Section, Development Review Division

SUBJECT: **Special Exception Application No. SE-4741**
Jim McKay Auto Mart

REQUEST: **Vehicle sales lot in the C-S-C Zone**

RECOMMENDATION: **APPROVAL with conditions**

NOTE:

The Planning Board has scheduled this application to be reviewed on the agenda date of March 27, 2014. 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 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:

A. **Location and Field Inspection:** The subject property is located in the northwestern quadrant of the intersection of St. Barnabas Road (MD 414) and Raleigh Road in Temple Hills, more specifically at 4815 St. Barnabas Road. The proposed area of special exception is in the southeastern corner of the platted Parcel B, which measures approximately 0.6 acre. Parcel B is partially developed with an existing restaurant in its southwestern corner and a small strip shopping center in its northern portion. The central part of Parcel B is vacant.

The area of special exception is developed with a one-story, 1,779-square-foot, A-frame building that is set back approximately 35 feet from the right-of-way line of Raleigh Road and approximately 50 feet from the right-of-way line of St. Barnabas Road (MD 414). The structure was originally built in approximately 1968, and though currently vacant, was previously utilized as a fast food and pizza restaurant. There are current entrances to the site from Raleigh Road, to the north of the existing building and from St. Barnabas Road to the south of the building. Both of these entrances are proposed to remain along with the existing paved areas to the north, west and south of the existing building.

B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Vacant building	Vehicle sales
Acreage	0.6	0.6
Square Footage/GFA	1,779	1,779
Variances	No	No

C. **History:** The April 2013 *Central Branch Avenue Corridor Revitalization Sector Plan* retained the property in the C-S-C Zone. There has been no other zoning activity at this site.

D. **Master Plan Recommendation:** The October 2002 *Prince George's County Approved General Plan* placed the site in 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 generally conforms to the land use recommendations of the 2013 *Central Branch Avenue Corridor Revitalization Sector Plan*. The subject property is within the plan identified Beech Road Focus Area. The sector plan examines the Beech Road focus area to address conflicts between residential, commercial, and industrial land uses. The plan envisions this area as a community-scaled commercial area that supports the residential neighborhoods by providing locally serving retail, offices, and public uses closely integrated with residential development.

E. **Request:** The applicant proposes to establish a vehicle sales lot on the subject property. Proposed site improvements include milling and overlaying the existing paved areas, removal of some of the paved areas to add landscaping islands, restriping the parking spaces, adding permeable paving and reinforced turf areas to the east of the existing building for vehicle display areas, re-facing the existing pylon sign, adding a bollard fence with gates to enclose the parking and display areas, and adding landscaping. No changes to the existing building are proposed.

F. **Neighborhood and Surrounding Uses:** The neighborhood is defined by the following boundaries:

North— Barnaby Run
East— Twenty-Eighth Avenue
South— St. Barnabas Road (MD 414)
West— Deer Park Drive

The subject neighborhood has a dual character. To the north it is a mix of residential uses (single-family and apartments), while the southern half of the neighborhood consists of strip-commercial uses oriented towards St. Barnabas Road (MD 414).

The site is surrounded by the following uses:

North— Undeveloped land and a small strip shopping center in the C-S-C Zone, beyond which are single-family attached residences in the R-35 Zone.
East— Across Raleigh Road are a gas station and a telephone utility office, both in the C-S-C Zone.
South— Across St. Barnabas Road (MD 414) is a church in the R-R Zone.
West— A fast-food restaurant in the C-S-C Zone, beyond which is a church in the R-R Zone.

G. Specific Special Exception Requirements:

Section 27-461(b)(B) of the Zoning Ordinance permits a special exception for a vehicle sales lot, which includes dealer servicing and outdoor storage of vehicles awaiting sale, but excludes the storage or sale of wrecked or inoperable vehicles, except as accessory to the dealership for vehicles awaiting repair, in the C-S-C Zone. The sale of other than new vehicles may only occur on a tract of land containing a minimum of 25,000 square feet. The subject site contains 26,102 square feet.

Section 27-417.02. Vehicle, boat, mobile home, trailer, and camping trailer sales room or lot.

- (a) **A motor vehicle, boat, mobile home, trailer, and camping trailer sales room or sales lot for operable vehicles may be permitted, subject to the following:**
- (1) **The number and type of vehicles which are permitted on the lot shall be determined on a case-by-case basis, taking into account factors such as gross vehicle weight, vehicle size, the nature of vehicles (commercial, industrial, earth-moving equipment, passenger, or other vehicle type).**

The applicant is proposing to sell only passenger cars and light trucks on the subject property. They propose a maximum of 50 vehicles. Given the area of the outdoor display area, (12,060 square feet), it appears that 50 standard-sized passenger vehicles can be accommodated in the outdoor display area without encroaching upon the parking areas, drive aisles and landscaping along the north and west sides of the building. The site plan

should reflect that the display area will be used to display approximately 50 standard-sized vehicles.

H. **Parking Regulations:** The parking requirements for a full-service automobile dealership are based upon the display area, gross floor area (GFA), and service bays as shown below:

1,779 SF of GFA office, showroom, parts and service	1 space/500 GFA	4 spaces
12,060 SF of outdoor display area	1 space/1,000 SF	13 spaces
Total spaces required		17 spaces
Total proposed		19 spaces

The proposed site plan meets the design standards for parking and loading facilities. No loading space is required since the building is less than 2,000 square feet in area.

I. **Landscape Manual and Tree Canopy Coverage Requirements:** The proposed project is subject to the requirements of Sections 4.2, 4.3, 4.4, and 4.5 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) as follows:

Section 4.2—Requirements for Landscaped Strips along Streets

The project is subject to the requirements of Section 4.2, Requirements for Landscaped Strips along Streets, along its Raleigh Road and St. Barnabas Road frontages. The submitted plan provides the appropriate schedule, which demonstrates the requirements being met with the proposed development. However, the landscape plan does not reflect the 56 shrubs required and listed as provided in the schedule along the frontages. The landscape plan should be revised to include the 56 shrubs. As is allowed, slower-growing ornamental trees with lower ultimate heights have been selected for the portion of the frontage where shade trees might eventually interfere with existing overhead wires.

Section 4.3—Parking Lot Requirements

The project is subject to the requirements of Section 4.3 of the Landscape Manual, Parking Lot Requirements, because it involves new impervious areas in excess of 7,000 square feet. The submitted plan, however, incorrectly provides a schedule for a Section 4.3 perimeter strip along the western edge of the parking area, adjacent to the existing fast-food restaurant, as this part of the section only applies when a parking lot is adjacent to a property line. While the schedule can be removed as the requirement does not apply, the Urban Design Section suggests that the applicant should be required to retain the plantings along this edge for aesthetic reasons. The submitted plan provides a schedule for Section 4.3 Interior Planting which shows the requirements being met.

Section 4.4—Screening Requirements

The submitted site plan does not indicate any loading or maintenance areas visible from residential properties and streets, any outdoor merchandise storage, outdoor merchandise storage areas visible from residential properties and streets, exterior trash facilities, or mechanical equipment visible from adjacent properties, streets, outdoor living and recreation areas, and parking facilities that need to be screened in conformance with these requirements.

Section 4.5—Stormwater Management Facilities

The subject site plan does not indicate any proposed stormwater management facilities on-site that would require landscaping per this section.

Section 4.9 –Sustainable Landscaping Requirements

The special exception (SE) is subject to the requirements of Section 4.9 for all proposed plantings. The plan includes a Section 4.9 schedule and notes demonstrating conformance to these requirements. However, the plant schedule labels Little Leaf Linden and Washington Hawthorn as native species, which is incorrect, and changes the number of native species listed in the Section 4.9 schedule. The plant schedule and Section 4.9 schedule should be corrected and conformance to the requirements of Section 4.9 demonstrated.

Tree Canopy Coverage

The project is subject to the requirements of the Tree Canopy Coverage Ordinance as it involves land disturbance of more than 5,000 square feet. The limit of disturbance (LOD), however, appears to be incorrect though as it does not include the proposed areas of reinforced turf, permeable paving and new landscaped areas. This is important to clarify because, per Section 25-128 of the Zoning Ordinance, Tree Canopy Coverage Requirements, permits for redevelopment of a previously developed site, which does not qualify for an exemption under the requirements, shall be subject to the tree canopy coverage requirements based on the area within the limit of disturbance. The submitted plan provides a tree canopy coverage schedule with the calculation for the ten percent tree canopy required in the C-S-C Zone based on the entire area of special exception. This requirement is shown being met through the proposed plantings on-site. However, the number of proposed trees shown in the schedule does not match the number of proposed trees in the plant schedule. The area of disturbance should be corrected, the tree canopy coverage requirement should be recalculated based on the total area of disturbance and discrepancies regarding the number of landscape trees should be resolved, prior to recommending approval of the project.

- J. **Zone Standards:** The proposed site plan meets or exceeds the requirements of the C-S-C Zone.
- K. **Sign Regulations:** The proposed freestanding sign meets the location requirements of the Zoning Ordinance.
- 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 purposes of Zoning Ordinance are many and varied; however, they can best be summed up as promoting the health, safety and welfare of county residents by providing for the orderly growth and development of the county and promoting the most beneficial relationship between the uses of land and buildings. The proposed use and site plan will provide for the orderly growth of the county by replacing a vacant and neglected site with a new use. With the recommended conditions of approval, the proposed development will be harmonious with current and planned surrounding land uses.

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

The proposed site plan conforms to the requirements of the C-S-C Zone and the requirements of a vehicle sales lot. With the recommended conditions, the use will also comply with the requirements of the 2010 *Prince George's County Landscape Manual*.

- (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.**

If the subject property is developed with an automobile dealership, its use would be consistent with similar uses along St. Barnabas Road (MD 414) and would conform to the local commercial use called for in the April 2013 *Central Branch Avenue Corridor Revitalization Sector Plan*. For these reasons, staff concurs with the applicant's argument that the proposed use will not substantially impair the integrity of the master plan.

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

The proposed use will not have adverse impacts on the public health, safety and welfare. The proposed use will be developed in accordance with all applicable regulations. The applicant is proposing to add substantial amounts of landscaping on the site and will generally revitalize this vacant building. The Transportation Planning Section referral reply of January 8, 2014, concludes that the traffic generated by this use could be considered *de minimus* during the AM and PM peak hours, and would be less trip intensive than the prior use.

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

With the recommended conditions limiting the type and number of vehicles to be sold and changes to the proposed landscaping, the proposed use will not be detrimental to the use or development of adjacent properties or the surrounding neighborhood in general.

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

The site contains less than 10,000 square feet of woodlands and is exempt from this requirement. A letter of exemption from the Environmental Planning Section of the Maryland-National Capital Park and Planning Commission (M-NCPPC) Countywide Division must be obtained prior to final disposition of the case.

- (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.**

The site does not contain any regulated environmental features.

CONCLUSION

A special exception use is considered compatible with uses permitted by-right within the zone it is located as long as specific 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 the particular location proposed, would have adverse impacts above and beyond those inherently associated with the special exception use, regardless of its location within the zone.**

Staff believes that the applicant has their burden of proof in this instance. Therefore, staff recommends APPROVAL of Special Exception Application No. SE-4741, subject to the following conditions:

1. Prior to final approval of this special exception, the site and/or landscape plans shall be revised to show:
 - a. Correctly reflect the entire area of disturbance with the subject application on the plan and in the notes.
 - b. Revise the Tree Canopy Coverage Schedule to use the total area of disturbance in calculating the tree canopy coverage requirement, and correctly reflect the number of proposed types of trees in the schedule.
 - c. Revise the landscape plan to reflect the correct number of plants being provided within the Section 4.2 landscape strip.
 - d. Remove the Section 4.3 schedule for a Parking Lot Perimeter Landscape Strip.
 - e. Provide a note on the plans that states that "the project is not subject to the requirements of Section 4.7 of the 2010 *Prince George's County Landscape Manual* because the proposed area of special exception is not adjacent to a property line."
 - f. Correct the native species designation in the Plant Schedule and adjust the Section 4.9 schedule, as necessary, to match the Plant Schedule and demonstrate conformance to all requirements.
 - g. Show an Americans with Disabilities Act (ADA) curb cut and ramp along the subject site's frontage of the Raleigh Road (at St. Barnabas Road) and a marked crosswalk across Raleigh Road, unless modified by the Department of Public Works and Transportation (DPW&T) or the Maryland State Highway Administration (SHA).
 - h. Revise the site plan to depict the distance from the center line of St. Barnabas Road (MD 414) to the front property line of the subject property.
2. The applicant shall obtain an exemption letter from the Woodland Conservation Ordinance prior to final disposition of the case.
3. Vehicle sales shall be limited to passenger cars and light trucks, with a maximum of 50 cars displayed on the site at any given time. These limitations shall be noted on the site plan.

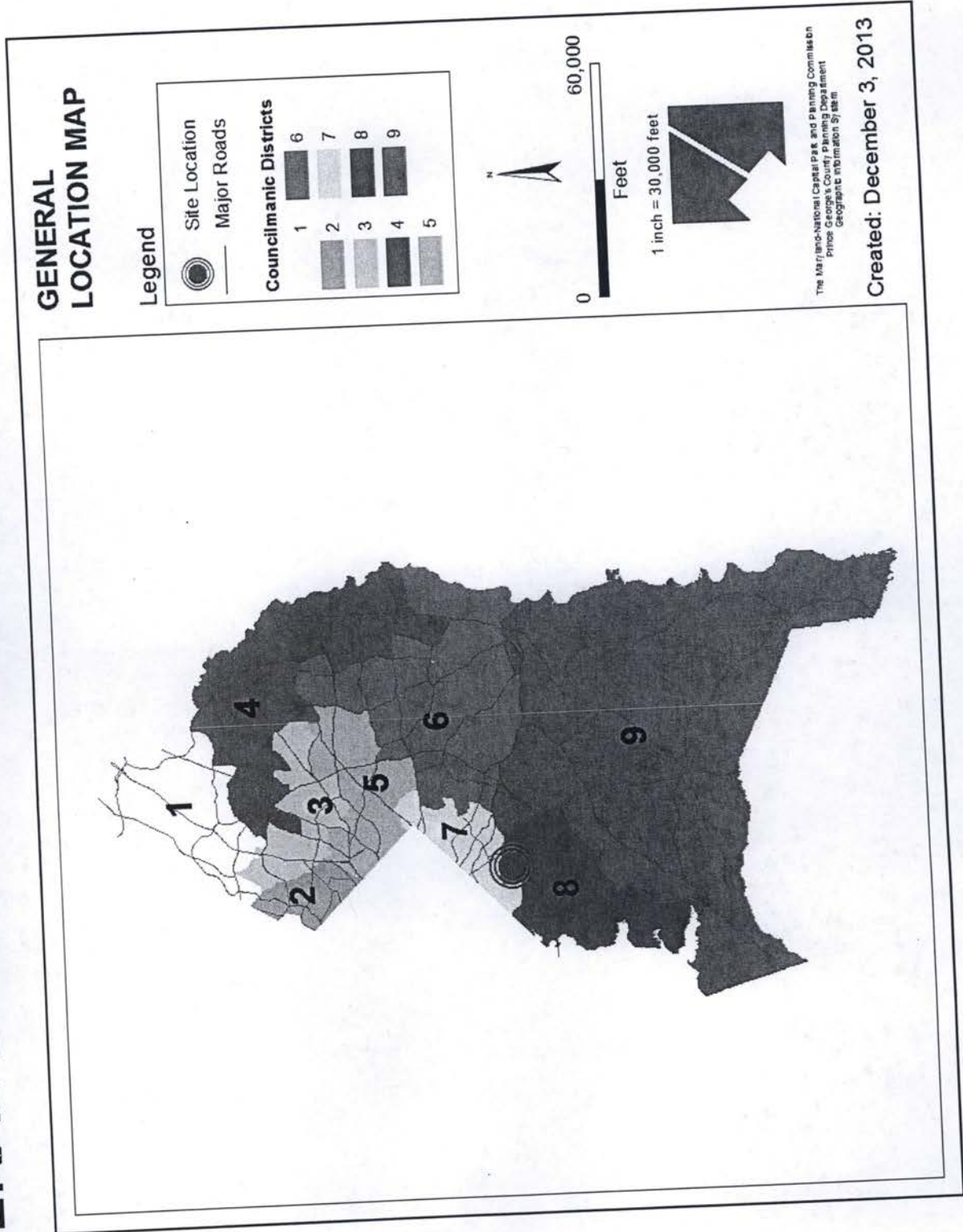
ITEM:
CASE: SE-4741

JIM MCKAY AUTO MART

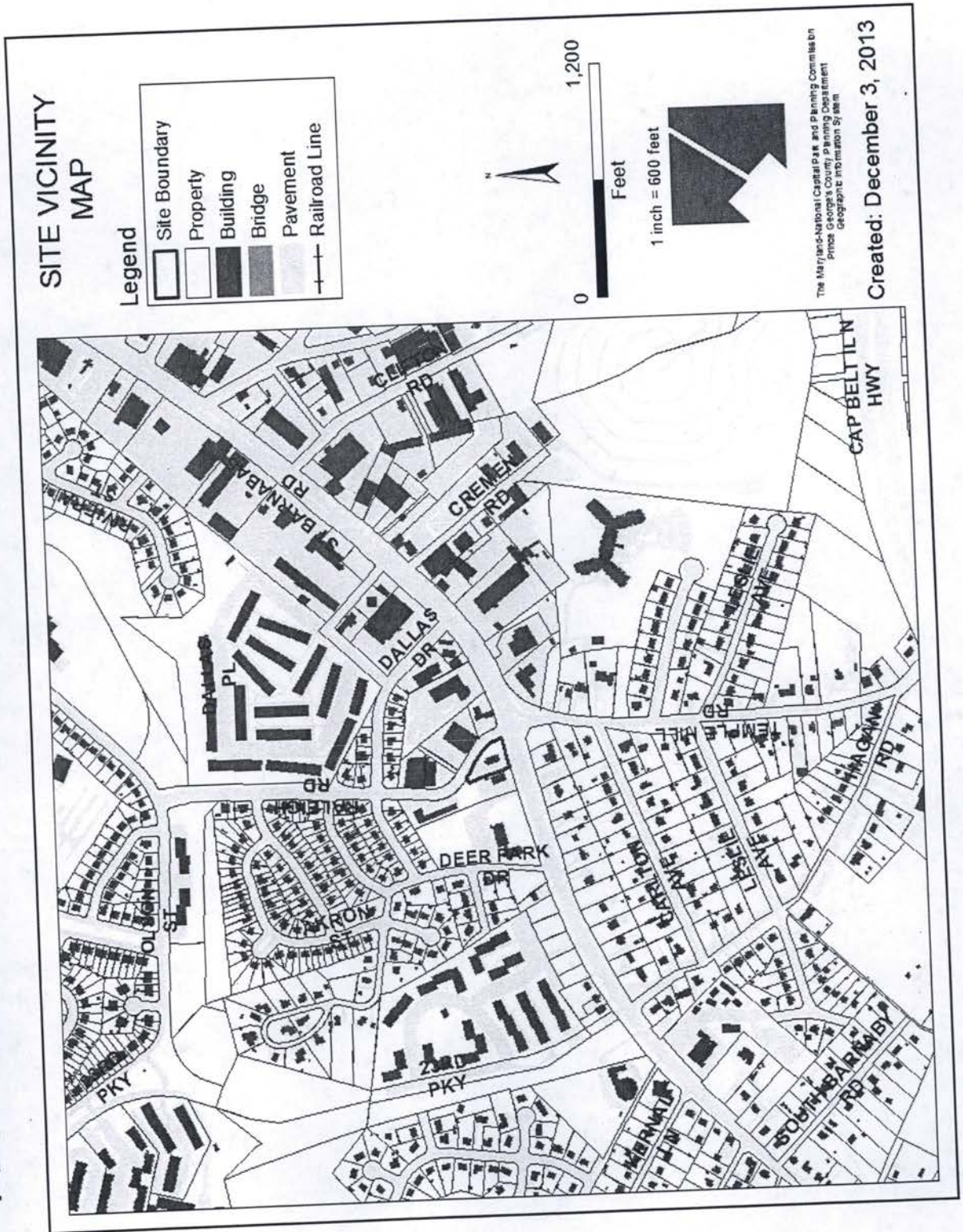


THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT

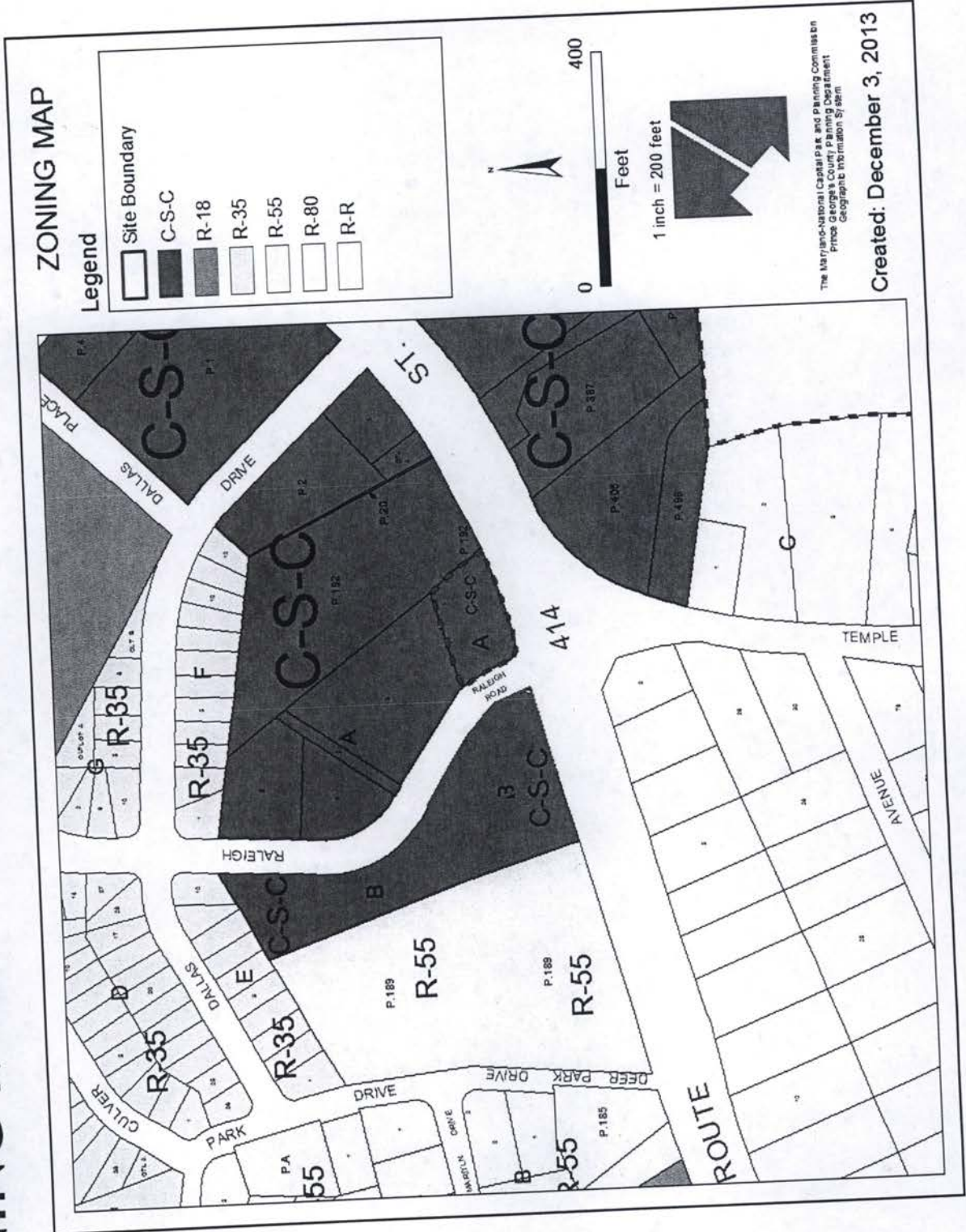
GENERAL LOCATION MAP



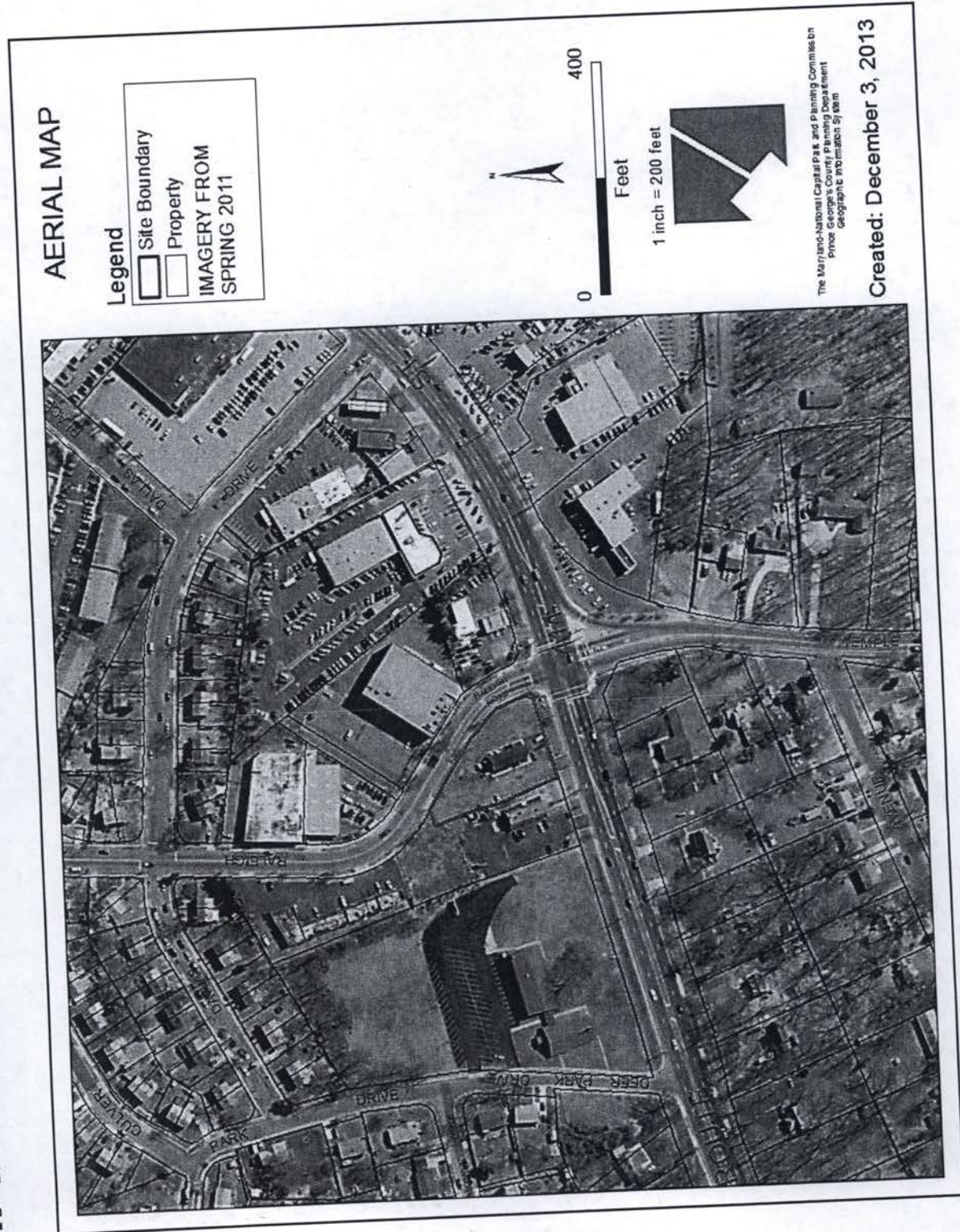
SITE VICINITY



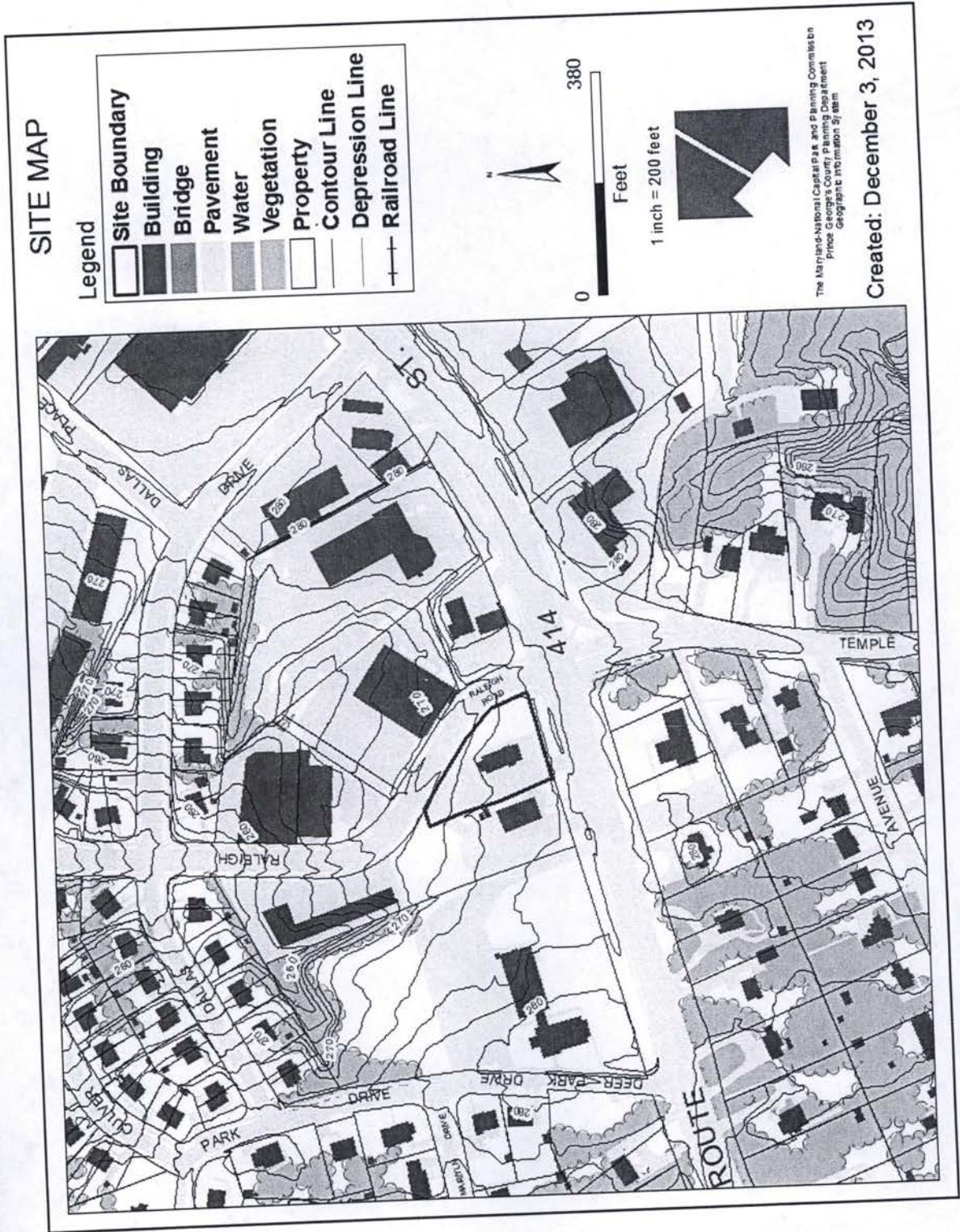
ZONING MAP



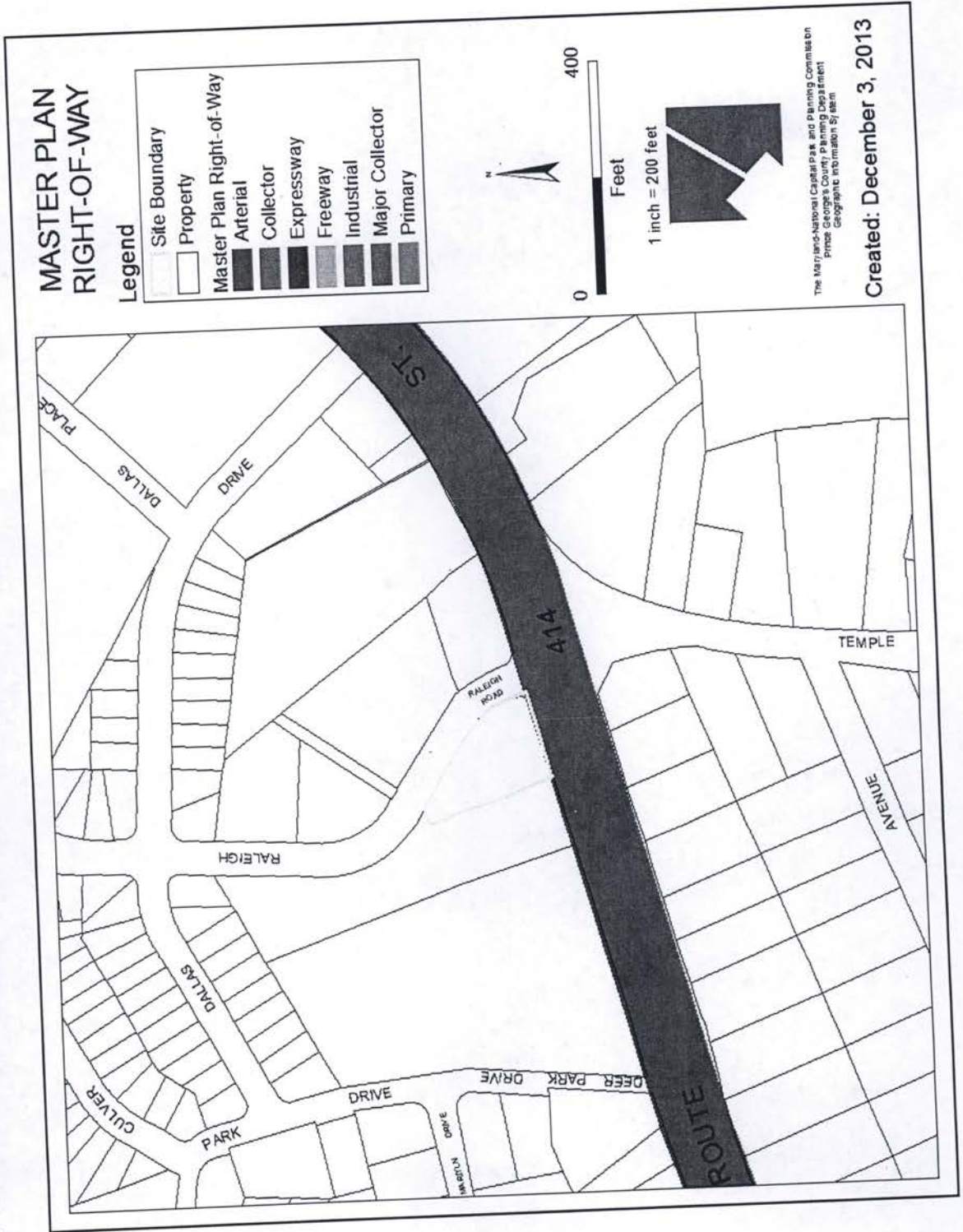
AERIAL MAP



SITE MAP



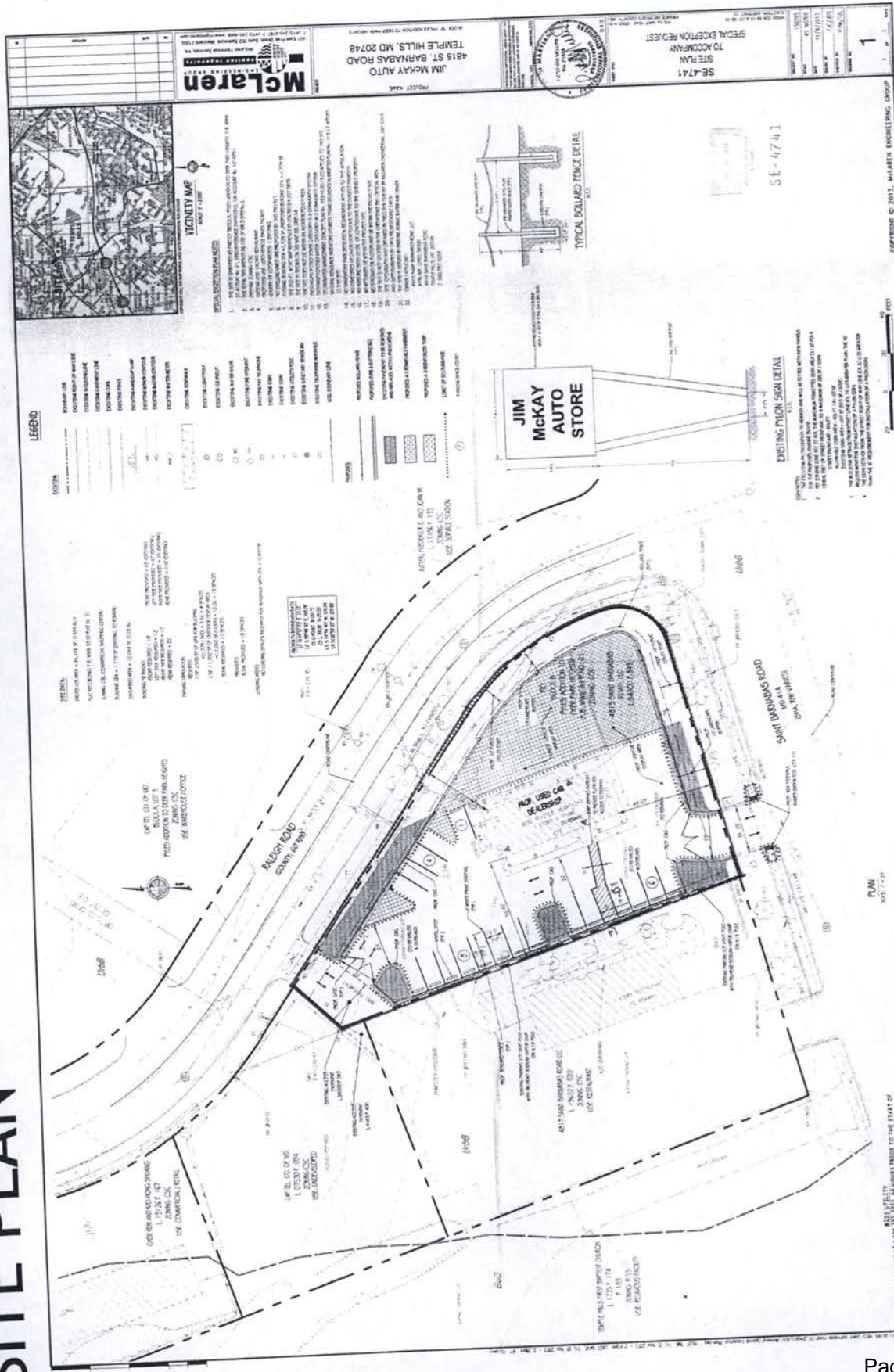
MASTER PLAN RIGHT-OF-WAY MAP



**BIRD'S-EYE VIEW WITH
APPROXIMATE SITE BOUNDARY OUTLINED**



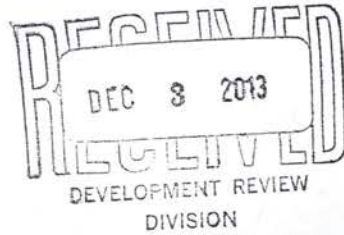
SITE PLAN



3/27/2014

Slide 9 of 10

SE-4741



Special Exception #4741 for
4815 SAINT BARNABAS ROAD, LLC
T/A JIM McKAY AUTO
4815 St. Barnabas Road
Temple Hills, MD 20748

STATEMENT OF JUSTIFICATION

The Applicant, 4815 Saint Barnabas Road, LLC c/o Chris Swann t/a Jim McKay Auto is the owner of the property subject to this application for an automotive vehicle sales lot. This property contains a vacant building which had been previously used as a fast food and pizza business. The owner recently acquired this property and is seeking to perform renovations and upgrades on this property for this vehicles sales facility. The Applicant is affiliated with Jim McKay Auto Group in Virginia which has other vehicle sales lots, and this location will be part of that other group. This entire lot as indicated on County records presently contains approximately 5.99 acres. This lot was subdivided by deed in 1972. The property subject to this application contains approximately 26,102 square feet in accordance with the attached deed and plat. The applicant is also preparing a formal subdivision to have this lot separately recorded. This property is further identified under Tax Account Number 1216951, Tax Map Grid 088A4, Block B, WSSC Grid 206SE03, Plan Area 76A, Planning Analysis Zone 249B.

The Applicant has found that a significant percentage of its customers come from Prince George's County. The Applicant intends to open this location to better serve those customers.

That this property is presently located on the northwest corner of the intersection of St. Barnabas Road and Raleigh Road, Temple Hills, MD. As stated, there are four (4) commercial properties located within this Parcel B which are long-term existing businesses that include another fast food facility to the west, a property owned by Verizon, which is presently vacant, to

the north, and a small strip shopping center north of the Verizon property, and the subject property. The properties within this parcel are currently zoned CSC. The property north of this parcel is zoned R35, the property to the east is zoned CSC, the property to the south is zoned RR and the property to the west of the parcel zoned R55.

The applicant believes that the appropriate neighborhood for the classification of this property would be St. Barnabas Road, Dallas Drive, and Deer Park Drive. This neighborhood creates a mix of residential and commercial properties with this parcel being in the middle of the CSC zoning categories.

This property is presently recorded under Liber 34300 folio 343. The existing building, which is presently vacant, was built in approximately 1968. The Master Plan for this property is consistent with the Applicant's intended use to continue with the commercial nature of this area. This lot does not contain enough space for the construction of a shopping center, therefore, this request and special exception is consistent with the nature of the plan. The Applicant intends to redevelop and upgrade the existing vacant building and improve the visual aesthetics of this corner lot with renovation of the property and the building, as well as bringing it to commercial standards. The Applicant also intends to landscape this property to further assist with the visual presentation. The Master Plan also addresses concerns about lighting and security within this area and the Applicant fully intends to address this area with appropriate lighting and security for public safety. Furthermore, the Applicant will provide fencing along the rear portion of the property, but, pursuant to comments in the Master Plan, this fencing will not include barbed wire. The Applicant will not be constructing fencing along St. Barnabas Road or Raleigh Road, but, will construct low profile decorative posts which will create a barrier to prevent individuals from

crossing through the property and yet provide the necessary visual appearance and safety concerns. As stated, this Applicant complies with the Master Plan in that it maintains the commercial nature of this site and yet provides the necessary upgrades to the lot and the building for the intended usage as well as visual appearance.

As stated, this Applicant is associated with the Jim McKay Auto Group in Virginia. That auto group has found that many Prince George's County citizens are going to Virginia to purchase vehicles from this organization. This applicant is intending to provide a service within the County where many residents are leaving the County to obtain.

The applicant has complied with Section 27-102 for the purpose of the ordinance as follows:

- 1.(a)(1) To protect and promote the health, safety, morals, comfort, convenience and welfare of the present and future inhabitants of the County.

Response: This property is presently vacant and the applicant intends to provide renovations and upgrades to this facility including compliance with the landscaping requirements. It will provide a substantial benefit to the neighborhood and the citizens of this county.

2. To implement the General Plan, Area Master Plan, and Functional Master Plans.

Response: The applicant asserts that the intended use is in compliance with the Master Plans and the filing of this special exception.

3. To promote the conservation, creation, and expansion of the communities that will be developed with adequate public facilities and services.

Response: The applicant will be meeting the criteria for storm water management and adequate public facilities for this property and provide upgrades from the vacant lot.

4. To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business.

Response: This new business will provide employment opportunities for various individuals in this neighborhood as well as provide an additional tax base.

5. To promote adequate light, air, and privacy.

Response: As a result of the limited nature of the construction of the buildings upon this facility and the size of this site, this Application will not have any adverse effect on light, air, or privacy. There are not any variances required as a part of this proposal.

6. To promote the most beneficial relationship between the uses of land and buildings and to protect landowners from adverse impact of adjoining development.

Response: This application will be in middle of a CSC zone, and this request will promote the most beneficial relationship between the uses of land and buildings and to protect landowners from adverse impacts of adjoining development.

7. To protect the County from fire, flood, panic and other dangers.

Response: This special exception will not have any effect on these requirements. This proposal will be constructed in accordance with applicable safety regulations of the County, State and Federal governments through the permit review process.

8. To provide sound, sanitary housing and a suitable and healthy living environment within the economic reach of all County residents.

Response: As stated, the applicant intends to renovate and upgrade this present building and the surrounding property to meet the current regulations. This will certainly promote the items as indicated in this requirement.

9. To encourage economic development activities that provide desirable employment with a broad, protected tax base.

Response: That applicant's intended use will create employment opportunities as well as a tax base for this new business.

10. To prevent overcrowding of land.

Response: This request will not have any impact on preventing overcrowding of land since the applicant will be renovating the existing building and not requesting any additional construction.

11. To lessen the danger and congestion of traffic on the streets, and to ensure the continued usefulness of all elements of the transportation system for their planned functions.

Response: The entrances as indicated on this property will be on Raleigh Road and pushed back as far as feasible from the intersection of St. Barnabas Road. This design technique will seek to minimize any foreseeable traffic or transportation issues as they relate to this proposed use.

12. To ensure the social and economic stability of all parts of the County.

Response: This Application will enhance the social and economic stability for the County by renovating a vacant building on this site as well as promoting employment and economic activities.

13. To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forest, scenic vistas, and other similar features.

Response: With the upgrade of this property as a result of the renovation, in compliance with the current storm water management and landscaping manual issues, this proposal will protect the items as indicated.

14. To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space.

Response: The applicant asserts that this request will not have any adverse impact on these aspects.

15. To protect and conserve the agricultural industry and natural resources.

Response: This proposed use will not have any adverse impact on the agricultural industry or natural resources.

The applicant meets the requirements under Section 27-317 as applicable, in that:

- (1) The proposed use and site plan are in harmony with the purpose of this subtitle.

Response: The proposed use by the applicant is in harmony with the purposes of this subtitle to promote economic activity and to upgrade existing vacant property.

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

Response: The proposed use in conformance with the applicable requirements and regulations of this subtitle. This special exception will continue in to be in conformance with all of the regulations as provided in 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 function Master Plan, the general plan.

Response: This application is in conformance with the Master Plan as indicated above.

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

Response: This property has been a commercial use for many years and the applicant intends to proceed and continue with that commercial use through that special exception.

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

Response: This proposed use will not have any detrimental impact on adjacent properties or the general neighborhood since the applicant will be renovating the existing building as well as brining the current lot up to stormwater management and landscaping requirements

- (6) This use is in conformance with the approved Type 2 Tree Conservation Plan.

Response: This property is exempt from the Tree Conservation Plans.

- (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).

This property is not located within the Chesapeake Bay Central Area Overlay Zone.

SE-4741

Response: The applicant intends to provide the necessary renovations and upgrades to this property to meet the current requirements for the storm water management regulations. All construction techniques are designed to minimize any impact which may occur for the purposes of these regulations.

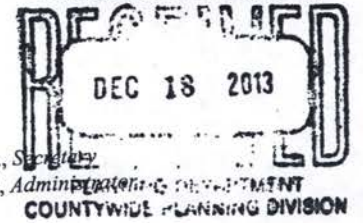
The Applicant is in compliance with Section 27-417.02 and that the Applicant is proposing to sell only passenger vehicles and light trucks on this site with the maximum number of such vehicles as 50. The Applicant asserts that this figure is reasonable as being the maximum number of vehicles on this sales lot. The Applicant is in compliance with 27-461, Footnote 37 in that the recorded lot for this project is in excess of 25,000 square feet, and is 26,102 square feet. For all of these reasons, the Applicant requests that this application be approved.

Respectfully submitted,

ALEXANDER & CLEAVER, P.A.

By: 

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Attorneys for Applicant



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator
COUNTYWIDE PLANNING DIVISION

Maryland Department of Transportation
December 11, 2013

Mr. Tom Lockard
Planning Coordinator
Maryland-National Capital Park & Planning
Commission
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

RE: Prince George's County
Jim McKay Auto Mart
SHA Tracking No: 13APPG054XX
County Tracking No: SE-4741
MD 414
Mile Point: 3.719

Dear Mr. Lockard:

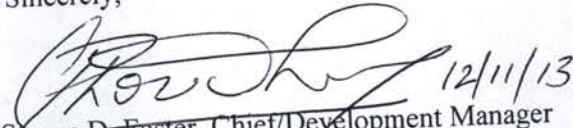
Thank you for the opportunity to review the special exception site Plan submittal dated December 10, 2013, proposing the Jim McKay Auto Mart at Temple hills in Prince George's County. The State Highway Administration (SHA) offers the following comments:

The SHA is not in a position to provide detailed comments regarding the proposed development at this time. The proposed site will be accessed from MD 414 – Saint Barnabas Road, a state owned, operated and maintained roadway. The project must provide a Trip Generation Study, showing comparison between existing use and proposed use. The study will further determine the need for a Traffic Impact Study which will establish all entrance, roadway improvements, signal warrant, (installation/modification if warranted and justified), and right-of-way required by SHA that could affect the development plan and site layout. Once the TIS is approved, the project may proceed through the Pre-Permit Engineering Plan Review process. Future submission of roadway development plans submitted to SHA-Access Management Division (AMD) should be on 22x34 size plan sheets. At the completion of the plan review phase, the developer must apply for and obtain an access permit from the SHA -AMD.

In the future we would like to work with the developer to complete the TIS Phase, which will allow better definition of the roadway improvements and impacts to the development plan. Until the SHA completes the Trip generation Study review, it is premature for SHA to provide approval of the development plan at this time.

Please provide this office with 2 copies of the study for our review, along with a CD containing a PDF version of the study which should be sent directly to Mr. Steve Foster attention of Pranoy Choudhury within the Access Management Division. Please reference the SHA tracking number on future submissions. If you have any questions, or require additional information, please contact Mr. Pranoy Choudhury at 410-545-8895, by using our toll free number in Maryland only at 1-800-876-4742 (x8895) or via email at pchoudhury@sha.state.md.us.

Sincerely,


for Steven D. Foster, Chief/Development Manager
Access Management Division

My telephone number/toll-free number is 410-545-5600
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Mr. Tom Lockard
SHA Tracking # 13APPG054XX
Page 2
December 11, 2013

SDF/PC

cc: Mr. Victor Grafton, SHA-District 3 Utility Engineer
Mr. Tom Masog, MNCPPC, tom.masog@ppd.mncppc.org
Ms. Venu Nemani, SHA-District 5 Traffic
Mr. Todd K. Pounds, Alexander & Cleaver, P.A., 11414 Livingston Road, Fort Washington, MD
20744
Ms. Erica Rigby, SHA-Access Management Division

Todd Pounds

From: Michael Lenhart <mlenhart@lenharttraffic.com>
Sent: Friday, February 14, 2014 12:46 PM
To: 'Chris Swann'; 'Todd Pounds'
Cc: 'Michael Lenhart'
Subject: FW: jim Mckay Auto Mart - SHA Tracking # 13APPG054XX



- Chris and Todd,

-> approved my letter report. See below.

They are asking for 3 sets of plan for review. You are not proposing any modifications with

should suggest making 3 sets with a cover letter referencing the approval of the trip generation study, and stating that there are no improvements within the SHA right-of-way.

*Tom,
For your file.
SHA comment
letter.
Todd*

Mike Lenhart, P.E., PTOE
Lenhart Traffic Consulting, Inc.
331 Redwood Grove Ct
Millersville, MD 21108
Office: (410) 987-3888
Mobile: (410) 980-2367
Fax: (443) 782-2288
www.LenhartTraffic.com

From: Pranoy Choudhury [mailto:PChoudhury@sha.state.md.us]
Sent: Friday, February 14, 2014 12:41 PM
To: 'Michael Lenhart'
Cc: Erica Rigby; Jim Renaud
Subject: jim Mckay Auto Mart - SHA Tracking # 13APPG054XX

Mike,

Thanks for submitting the trip Generation report/Study for the subject project. We concur with your findings, and hence a TIS would not be required for this project.. Please ask the applicant to submit 3 sets of detailed engineering plans for our Pre-Permit Engineering plan review, the plans could be mailed to me directly.

Thanks,
Pranoy



Rushern L. Baker, III
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

December 23, 2013

TO: Tom Lockard, AICP, Planning Coordinator
Zoning Section, M-NCPPC

FROM: *Tom* Dawit Abraham, P.E., Associate Director
Site/Road Plan Review Division, DPIE

RE: Jim McKay Auto Mart
Special Exception No. SE-4741

CR: Saint Barnabas Road (MD 414)

CR: Raleigh Road, 3-0258



In response to the Special Exception No. SE-4741, the Department of Permitting, Inspection and Enforcement (DPIE) offers the following:

- Special Exception No. SE-4741 is for an automotive vehicle sales lot. The owner is seeking to perform renovations and upgrade on this property for vehicles sales facility.
- The entire lot contains 5.99 acres. This property is located on the northwest corner of the intersection of Saint Barnabas Road (MD 414) and Raleigh Road.
- MD 414 is a State-maintained roadway; therefore, coordination with State Highway Administration is required.
- Access is via Raleigh Road, a County roadway; therefore, all improvements within the public rights-of-way, as dedicated for public use to the County, are to be in accordance with the County's Road Ordinance, the Department of Public Works and Transportation's (DPW&T) Standards and Specifications and the Americans with Disabilities Act.
- Any proposed and/or existing Master Plan roadways that lie within the property limits must be addressed through coordination between the Maryland-National Capital Park and Planning Commission (M-NCPPC) and DPW&T and may involve rights-of-way reservation, dedication and/or construction in accordance with DPW&T's Specifications and Standards.

Tom Lockard
December 23, 2013
Page 2

- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.
- Appropriate County site development permits will be required for all proposed on site and right-of-way improvements.
- The proposed Site Plan is consistent with the approved site concept number 17180-2001-01, dated July 1, 2013, for this property.
- DPIE has no objection to the proposed SE-4741.

If you have any questions or need additional information, please contact Mr. Mansukh Senjalia, District Engineer for the area, at 301.636.2060.

DA:MS:dar

cc: Mansukh Senjalia, P.E., District Engineer, S/RPRD, DPIE
Nanji Formukong, Engineer, S/RPRD, DPIE
Alexander & Cleaver, P.A., 11414 Livingston Road, Fort
Washington, Maryland 20744
481 St. Barnabas Road, LLC, 1247 Harbour Island Walk,
Baltimore, MD 21230



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Historic Preservation Section

(301) 952-3680
www.mncppc.org

December 16, 2013

MEMORANDUM

TO: Tom Lockard, Planner Coordinator
Zoning Section
Development Review Division

FROM: Jennifer Stabler, Archeology Planner Coordinator *JAS*
Historic Preservation Section
Countywide Planning Division

SUBJECT: **SE-4741 Jim McKay Auto Mart**

Phase I archeological survey is not recommended on the above-referenced 0.60-acre property located at 4815 St. Barnabas Road in Temple Hills, Maryland. The subject property currently contains a building (built in 1968) that has been used as a fast food and pizza business and its associated parking. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources, documented properties, or known archeological sites.

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
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
www.mncppc.org

December 30, 2013

MEMORANDUM

TO: Tom Lockard, Development Review Division
FROM:  Fred Shaffer, Transportation Planning Section, Countywide Planning Division
SUBJECT: Special Exception Review for Master Plan Trail Compliance

The following Special Exception was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and/or the appropriate area Master Plan in order to provide the Master Plan Trails.

Special Exception Number: SE-4741

Name: Jim McKay Auto Mart

Type of Master Plan Bikeway or Trail

Municipal R.O.W.*	<u> </u>	Public Use Trail Easement	<u> </u>
PG Co. R.O.W.*	<u> X </u>	Nature Trails	<u> </u>
SHA R.O.W.*	<u> X </u>	M-NCPPC – Parks	<u> </u>
HOA	<u> </u>	Bicycle Parking	<u> </u>
Sidewalks	<u> </u>	ADA Access	<u> </u>

*If a Master Plan Trail is within a city, county, or state right-of-way, an additional two - four feet of dedication may be required to accommodate construction of the trail.

The Transportation Planning Section has reviewed the special exception application referenced above for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and/or the appropriate area master/sector plan in order to implement planned trails, bikeways, and pedestrian improvements. Staff recommendations based on current or proposed conditions are also included in this memo.

The subject application is located in the northwest quadrant of the St. Barnabas Road (MD 414) and Raleigh Road intersection. The site includes .60 acres in the C-S-C zone. The application is covered by the *Approved Countywide Master Plan of Transportation* (CMPOT) and the *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity* (area master plan).

Review Comments (Master Plan Compliance and Prior Approvals)

The *Approved Countywide Master Plan of Transportation* (MPOT) and the *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity* (area master plan) include one master plan trail/bikeway recommendations that impact the subject site. St. Barnabas Road is designated as a

master plan bicycle corridor on the plan maps for both the MPOT and the area master plan. More specifically, continuous sidewalks and designated bike lanes are recommended along this road (see MPOT map).

The MPOT includes several policies related to pedestrian access and the provision of sidewalks within designated centers and corridors, as well as other areas in the Developed and Developing Tiers. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

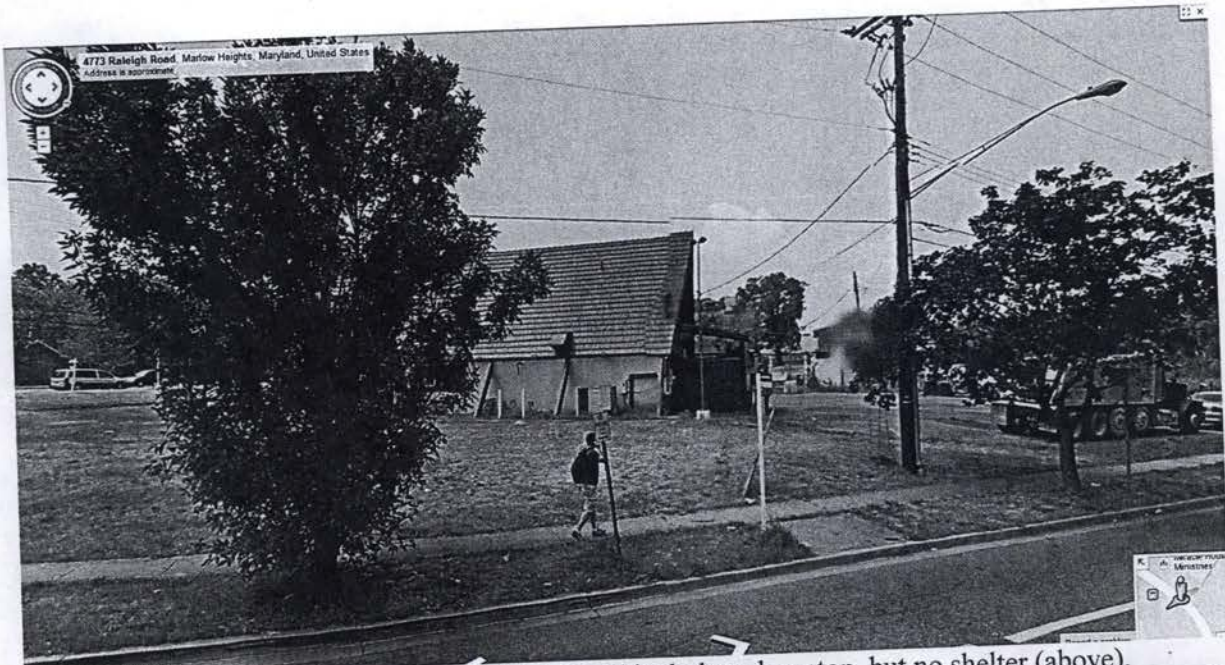
The submitted special exception reflects the existing standard sidewalks along both St. Barnabas Road and Raleigh Road. The plans also indicate that ADA curb cuts and ramps will be retrofitted at the site's ingress/egress along St. Barnabas Road. Current road width from curb to curb does not appear to contain the necessary space to accommodate full bike lanes along St. Barnabas Road. However, the Maryland State Highway Administration (SHA) has installed R4-11 signs (Bikes May Use Full Lane), consistent with the SHA policy for on-road bicycle facilities. Full designated bike lanes can be considered comprehensively for the corridor at the time of road resurfacing or improvement.

The subject site includes bus stops along both MD 414 and Raleigh Road, but shelters are not provided at either location. And, the intersection of MD 414 and Raleigh Road does not include an ADA curb cut and ramp or crosswalk over Raleigh Road along the frontage of the subject site.

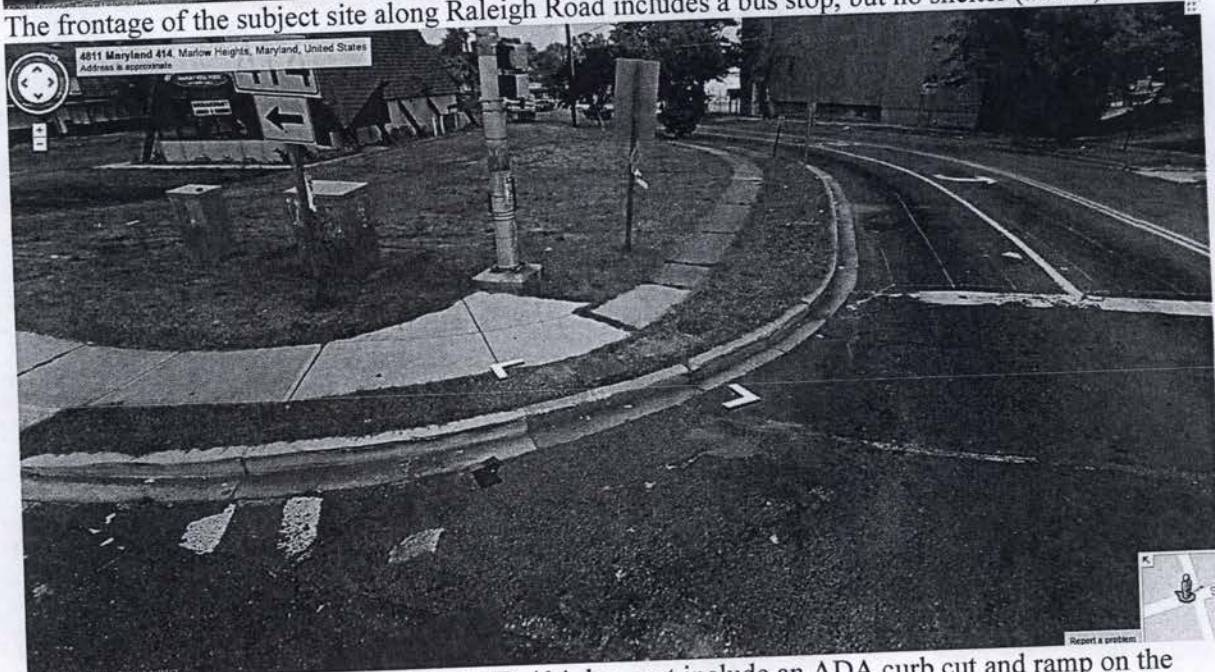
Conclusion

The Transportation Planning Section finds that with the following conditions, the proposal meets the requirements of Subtitle 27 for the approval of a Special Exception from the standpoint of non-vehicular circulation and transportation:

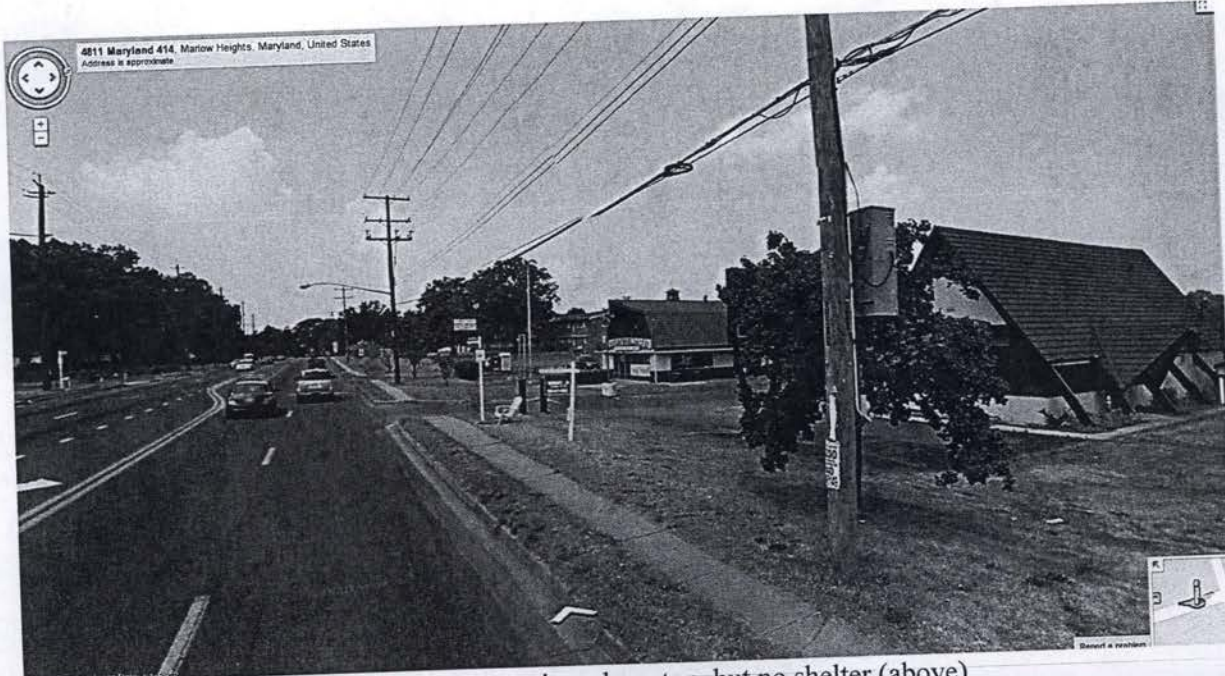
1. Provide an ADA curb cut and ramp along the subject site's frontage of the Raleigh Road (at St. Barnabas Road) and a marked crosswalk across Raleigh Road, unless modified by DPW&T or SHA.



The frontage of the subject site along Raleigh Road includes a bus stop, but no shelter (above).



The intersection of Raleigh Road and MD 414 does not include an ADA curb cut and ramp on the subject site (above). The crosswalk is barely visible at this crossing.



The subject site's frontage of MD 414 contains a bus stop, but no shelter (above).



The aerial photo above indicates the locations of the existing bus stops in the vicinity of the subject site.

PGAtlas (Internal) - Advanced Mapping





Prince George's County Planning Department
Community Planning Division

301-952-4225
www.mncppc.org

January 8, 2014

MEMORANDUM

TO: Tom Lockard, Planner Coordinator, Zoning Section, Development Review Division

VIA: Steve Kaii-Ziegler, ^{SL} Supervisor, Community Planning Division

FROM: Karen Buxbaum, Planner Coordinator, Community Planning South ^{VB}

SUBJECT: SE-4741 - Jim McKay Auto Mart

DETERMINATIONS

General Plan: This application is generally consistent with the 2002 General Plan Development Pattern policies for the Developed Tier.

Master Plan: This application generally conforms to the land use recommendations of the 2013 *Central Branch Avenue Corridor Revitalization Sector Plan*. The subject property is within the plan identified Beech Road Focus Area. The sector plan examines the Beech Road focus area to address conflicts between residential, commercial, and industrial land uses. The plan envisions this area as a community-scaled commercial area that supports the residential neighborhoods by providing locally serving retail, offices, and public uses closely integrated with residential development.

BACKGROUND

Location: This property is located on the northwest corner of the intersection of St. Barnabas Road (MD 414) and Raleigh Road.

Size: Approximately 0.6 acres

Existing Uses: Vacant Commercial

Proposal: A Special Exception to renovate and upgrade the existing building as an automobile sales lot.

GENERAL PLAN, MASTER PLAN AND SMA

2002 General Plan:	This application is located in 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.
Master Plan:	2013 <i>Central Branch Avenue Corridor Revitalization Sector Plan</i>
Planning Area/ Community:	Planning Area 76A/ The Heights
Land Use:	Commercial
Environmental:	Refer to the Environmental Planning Section referral for comments on the environmental chapter of the 2013 <i>Central Branch Avenue Corridor Revitalization Sector Plan</i> and the 2005 <i>Countywide Green Infrastructure Plan</i> .
Historic Resources:	There are no historic resources on or adjacent to the property.
Transportation:	Bike lanes are planned St. Barnabas Road, Temple Hills Road, and 23 rd Parkway
Public Facilities:	There are no public facilities on or adjacent to the property.
Parks & Trails:	Marlboro Heights Park, Temple Hills Park, and Barnaby Run Stream Valley Parks are within a half mile of the subject property. A hard surface trail is planned at Marlboro Heights Park and Barnaby Run Stream Valley Park.
Aviation:	This property is within the Joint Base Andrews (JBA) Interim Land Use Control (ILUC) area. The property is within Imaginary Surface F, establishing a height Limit of 500 feet above the runway surface. This property is outside of the 65 and above dBA noise contours, so noise attenuation is not required. The property is not in an Accident Potential Zone, so no controls on use or density are required. These categories do not prevent any of the proposed development and should be noted on the Special Exception site plan.
SMA/Zoning:	2013 <i>Central Branch Avenue Corridor Revitalization Sector Plan</i> retained the property in the C-S-C zone.

SE-4741-Jim McKay Auto Mart

January 8, 2014

Page 2

PLANNING COMMENTS

General Plan

There are no General Plan issues raised by this application. This application is in conformance with the Developing Tier vision for commercial development.

Sector Plan:

The application as proposed is consistent with the goals of the sector plan principles of local commercial land use in the Developing Tier.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
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www.mncppc.org/pgco

January 27, 2014

MEMORANDUM

TO: Tom Lockard, Planner Coordinator, Zoning Review Section
VIA: Ruth Grover, Planner Coordinator, Urban Design Section
FROM: Jill Kosack, Senior Planner, Urban Design Section *JK*
SUBJECT: Special Exception SE-4741 – Jim McKay Auto Mart

The Urban Design Section has reviewed the information provided in support of the Special Exception SE-4741, which requests a used vehicle sales business be established in an existing building, previously used as a fast food restaurant, located on a 26,102-square-foot property in the Commercial Shopping Center (C-S-C) Zone. The subject property is located in the northwestern quadrant of the intersection of St. Barnabas Road (MD 414) and Raleigh Road in Temple Hills, more specifically at 4815 St. Barnabas Road. The proposed area of special exception is in the southeastern corner of the platted Parcel B, which measures approximately 5.99 acres. Parcel B is partially developed with an existing restaurant in its southwestern corner and a small strip shopping center in its northern portion. The central part of Parcel B is vacant. The subject property is bounded to the east by the right-of-way of Raleigh Road with various commercial uses in the C-S-C Zone beyond; to the north by single-family detached homes in the R-35 (One-Family Semidetached, and Two-Family Detached, Residential) Zone; to the west by a church in the R-55 (One-Family Detached Residential) Zone; and to the south by the right-of-way of St. Barnabas Road with a church in the R-R (Rural Residential) Zone beyond.

The area of special exception is developed with a one-story, 1,779-square foot, A-frame building that is set back approximately 35 feet from the right-of-way line of Raleigh Road and approximately 50 feet from the right-of-way line of St. Barnabas Road. The structure was originally built in approximately 1968, and though currently vacant, was previously utilized as a fast food restaurant. There are current entrances to the site from Raleigh Road, to the north of the existing building and from St. Barnabas Road to the south of the building. Both of these entrances are proposed to remain along with the existing paved areas to the north, west and south of the existing building. Proposed site improvements include milling and overlaying the existing paved areas, removal of some of the paved areas to add landscaping islands, restriping the parking spaces, adding permeable paving and reinforced turf areas to the east of the existing building for vehicle display areas, re-facing the existing pylon sign, adding a bollard fence with gates to enclose the parking and display areas, and adding landscaping. No changes to the existing building are proposed.

ZONING ORDINANCE

Section 27-417.02 (a) of the Zoning Ordinance, Vehicle, boat, mobile home, trailer, and camping trailer salesroom or lot, does not include any urban design-related required findings for the subject special exception that warrant discussion here.

ARCHITECTURAL REVIEW

As no building changes are contemplated by the subject application, no architectural review is being provided by the Urban Design Section for the subject project.

LANDSCAPE MANUAL

The proposed project is subject to the requirements of Sections 4.2, 4.3, 4.4, and 4.5 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) as follows:

Section 4.2 - Requirements for Landscaped Strips along Streets

Comment: The project is subject to the requirements of Section 4.2, Requirements for Landscaped Strips along Streets, along its Raleigh Road and St. Barnabas Road frontages. The submitted plan provides the appropriate schedule, which demonstrates the requirements being met with the proposed development. However, the landscape plan does not reflect the 56 shrubs required and listed as provided in the schedule along the frontages. The landscape plan should be revised to include the 56 shrubs. As is allowed, slower-growing ornamental trees with lower ultimate heights have been selected for the portion of the frontage where shade trees might eventually interfere with existing overhead wires.

Section 4.3 - Parking Lot Requirements

Comment: The project is subject to the requirements of Section 4.3 of the Landscape Manual, Parking Lot Requirements, because it involves new impervious areas in excess of 7,000 square feet. The submitted plan, however, incorrectly provides a schedule for a Section 4.3 perimeter strip along the western edge of the parking area, adjacent to the existing fast-food restaurant, as this part of the section only applies when a parking lot is adjacent to a property line. While the schedule can be removed as the requirement does not apply, the Urban Design Section suggests that the applicant should be required to retain the plantings along this edge for aesthetic reasons. The submitted plan provides a schedule for Section 4.3 Interior Planting which shows the requirements being met.

Section 4.4 - Screening Requirements

Comment: The submitted site plan does not indicate any loading or maintenance areas visible from residential properties and streets, any outdoor merchandise storage, outdoor merchandise storage areas visible from residential properties and streets, exterior trash facilities, or mechanical equipment visible from adjacent properties, streets, outdoor living and recreation areas, and parking facilities that need to be screened in conformance with these requirements.

Section 4.5 – Stormwater Management Facilities

Comment: The subject site plan does not indicate any proposed stormwater management facilities

on-site that would require landscaping per this section.

Section 4.9 - Sustainable Landscaping Requirements

Comment: The SE is subject to the requirements of Section 4.9 for all proposed plantings. The plan includes a Section 4.9 schedule and notes demonstrating conformance to these requirements. However, the plant schedule labels Little Leaf Linden and Washington Hawthorn as native species, which is incorrect, and changes the number of native species listed in the Section 4.9 schedule. The plant schedule and Section 4.9 schedule should be corrected and conformance to the requirements of Section 4.9 demonstrated.

TREE CANOPY COVERAGE

The project is subject to the requirements of the Tree Canopy Coverage Ordinance as it involves land disturbance of more than 5,000 square feet. The limit of disturbance, however, appears to be incorrect though as it does not include the proposed areas of reinforced turf, permeable paving and new landscaped areas. This is important to clarify because, per Section 25-128 of the Zoning Ordinance, Tree Canopy Coverage Requirements, permits for redevelopment of a previously developed site, which does not qualify for an exemption under the requirements, shall be subject to the tree canopy coverage requirements based on the area within the limit of disturbance. The submitted plan provides a tree canopy coverage schedule with the calculation for the 10 percent tree canopy required in the C-S-C Zone based on the entire area of special exception. This requirement is shown being met through the proposed plantings on-site. However, the number of proposed trees shown in the schedule does not match the number of proposed trees in the plant schedule. The area of disturbance should be corrected, the tree canopy coverage requirement should be recalculated based on the total area of disturbance and discrepancies regarding the number of landscape trees should be resolved, prior to recommending approval of the project.

URBAN DESIGN RECOMMENDATIONS

Based on the above analyses, the Urban Design Section would suggest the following revisions to the plans and submitted materials:

1. Correctly reflect the entire area of disturbance with the subject application on the plan and in the notes.
2. Revise the Tree Canopy Coverage Schedule to use the total area of disturbance in calculating the tree canopy coverage requirement, and correctly reflect the number of proposed types of trees in the schedule.
3. Revise the landscape plan to reflect the correct number of plants being provided within the Section 4.2 landscape strip.
4. Remove the Section 4.3 schedule for a Parking Lot Perimeter Landscape Strip.
5. Provide a note on the plans that states that the project is not subject to the requirements of Section 4.7 of the Landscape Manual because the proposed area of special exception is not adjacent to a property line.
6. Correct the native species designation in the Plant Schedule and adjust the Section 4.9 schedule, as necessary, to match the Plant Schedule and demonstrate conformance to all requirements.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
www.mncppc.org

January 8, 2014

TO: Tom Lockard, Zoning Section, Development Review Division
FROM: Eric Jenkins, Transportation Planning Section, Countywide Planning Division
VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division
SUBJECT: SE-4741, Jim McKay Auto Mart

The Transportation Planning Section has reviewed the special exception application referenced above. Overall the subject property consists of 0.60 acres of land in the C-S-C Zone. The property is located in the northwest quadrant of St. Barnabas Road (MD 414) and Raleigh Road. The applicant seeks approval of a vehicle sales facility.

Review Comments

Required findings include that the proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area and that it will not be detrimental to the use or development of adjacent properties or the general neighborhood.

The applicant is proposing an automotive or vehicle sales facility using an existing vacant building at Raleigh Road and St. Barnabas Road. The existing building (vacant restaurant) is 1,779 square feet. The applicant is seeking a change in use. The applicant proposes to sell passenger vehicles and light trucks. Based on trip rates in *Trip Generation 9th Edition* (Institute of Transportation Engineers) (Code 841/Automobile Sales) this use could be considered de minimus during the AM and PM peak hours, and would be less trip intensive than the prior use.

The site has an existing building, commercial entrances to two roads, and an adjacent traffic signal. Traffic-generated by the use would not adversely affect the health, safety, or welfare of residents or workers in the area.

The plan shows St. Barnabas Road to have a variable width right-of-way. The distance between the centerline and the property is 56 feet. St. Barnabas Road is listed in the *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity* as an arterial roadway with a right-of-way width of 120 feet. Raleigh Road is shown on the site plan with a right-of-way width of 60 feet.

There are no underlying issues on the property from previously approved development plans.

Conclusion

In conclusion the Transportation Planning Section finds that the proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area or be detrimental to the use or development of adjacent properties or the general neighborhood.

January 16, 2014

MEMORANDUM

TO: Tom Lockard, Zoning Section
VIA: Whitney Chellis, Subdivision Section
FROM: Williamayah, Subdivision Section
SUBJECT: Jim McKay Auto Mart, SE-4741

The subject property is composed of Block B, Pyles Addition to Deer Park Heights, recorded on August 25, 1958 in Plat Book WWW 33-21 in the Land Records of Prince George's County, MD. The property is located on Tax Map 88 in Grid A-4, and is 2.24 acres in total. The property is improved with an eating and drinking establishment, an integrated shopping center, and a vacant building (formerly an eating and drinking establishment). The applicant has submitted a special exception to construct a vehicle sales lot, renovating the existing 1,779-square-foot vacant building for use as a used car dealership. The application is not proposing any additional buildings or gross floor area.

The current configuration of the property is the result of three divisions of land which took place before January 1, 1982. One parcel, which contains 33,037 square feet of land, was created on September 20, 1972 (Liber 4122 Folio 929), being a part of Block B, per plat WWW 33-21. Subsequently, two parcels, which contain 24,468 square-feet of land and 13,902 square feet of land respectively, were created on May 8, 1975 (Liber 4483 Folio 400), also being a part of Block B, per plat WWW 33-21. The creation of the aforementioned deed parcels resulted in the remaining 26,102 square-foot property that is the subject of this special exception. These deed conveyances were legal divisions of land, resulting in four deed parcels, pursuant to Section 24-107(c)(7) of the Subdivision Regulations.

Therefore, pursuant to Section 24-107(c)(7)(C) of the Subdivision Regulations, this site is exempt from the requirement of filing a preliminary plan of subdivision and a final plat of subdivision because the development proposed is in addition to a development in existence prior to January 1, 1990, and does not exceed five thousand (5,000) square feet of gross floor area. However, the applicant has expressed the desire to plat the subject property. Pursuant to 24-108(a)(3) of the Subdivision Regulations, the applicant may file a minor final plat. That plat will contain the appropriate notes regarding the requirement for a Preliminary Plan of Subdivision for future development.

PG Atlas indicates that this property is subject to a master plan right-of-way for Saint Barnabas Road (MD 414). The impact of the master plan right-of-way on this property should be determined by the Transportation Planning Section.

Site Plan Comments:

The Subdivision Section recommends the following conditions:

1. Prior to approval of the special exception the following technical corrections should be required:
 - a) Revise the site plan to depict the master plan right-of-way for Saint Barnabas Road (MD 414).
 - b) Revise the site plan to depict the distance from the center line of Saint Barnabas Road (MD 414) to the front property line of the subject property.

Failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.