

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 9, 2004, regarding Detailed Site Plan DSP-03061 for Randolph Village, Lots 22, 23 & 38 (Allen Office Building), the Planning Board finds:

1. **Request:** The subject application is for approval of a medical practitioner's office in the C-O Zone.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone	C-O	C-O
Use	Single-family detached	Medical practitioner's office
Acreage	0.82	0.82
Number of lots	3	3
Gross Floor Area (square feet)	N/A	3,348
Building Height (feet)	Varied	14.17

OTHER DEVELOPMENT DATA

	Required	Provided
Total parking spaces	12	12
Of which standard spaces	NA	10
Handicapped spaces	1	2

3. **Location:** The site is located in the northeast quadrant of the intersection of Central Avenue (MD 214) and Norair Avenue, approximately one-half mile west of the Capital Beltway (I-95), in Planning Area 72, Council District 7.

4. **Surroundings and Use:** The subject property is bounded to the south by Central Avenue (MD 214) and to the west by Norair Avenue; to the north by properties in the R-R Zone; and to the west by a commercial property in the C-O Zone.

5. **Previous Approvals:** The subject property consists of Lots 22, 23 and 38, of which Lots 22 and 23 are improved as single-family detached residences and Lot 38 is currently vacant and partially wooded. The site also has a letter of exemption from the Prince George's County Woodland Conservation Ordinance and a Stormwater Management Concept Approval #647-2002-00.

6. **Design Features:** The application proposes to build a one-story medical practitioner's office on the site. The office building is located on Lot 22 along the frontage of Central Avenue with the parking lot in the rear. Most of Lot 38 will be preserved with the existing woodland. The site is accessed through Central Avenue with the access point on Lot 23. Per CR-57-1993, the drive aisle located on Lot 23 will be further extended to the rear of the lot as an easement to provide access to the adjoining property to the east.

The proposed building has a square box-shaped floor plan and is finished in brick with a flat roof that is concealed by a parapet wall. The main elevation facing Central Avenue is designed in a symmetrical form with the main entrance covered by a dome-shaped awning and two cut-away sections each with a recessed entry at the two ends. Other elevations have been treated similarly in a very functional design concept.

A freestanding sign has been proposed for the development. The detail sheet shows a 10¹/₃-foot-high lighted sign without the indication of total sign face area. Since no freestanding sign is allowed to exceed eight feet in height, pursuant to Section 27-614, a condition of approval has been proposed in the recommendation section of this report to require a revision to the proposed sign prior to certification approval of this site plan.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-O Zone of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-461(b), which governs permitted uses in commercial zones. The medical practitioner's office is a permitted use.
 - a. The subject applicant is also in general conformance with the requirements of Section 27-462, Regulations, regarding setbacks.
8. **CR-57-1993:** Council Resolution CR-57-1993 approved the 1993 sectional map amendment for Landover and vicinity that rezoned the Central Avenue frontage at Randolph Village including the subject property from the R-R Zone to the C-O Zone and specified the following requirement:

“To insure that development is served by shared access to Central Avenue, Detailed Site Plan approval shall be obtained by the District Council for all phases of development. Site plan review shall incorporate the following: 1) provision for combined access between groups of lots both now and in the future; 2) reciprocating ingress/egress easements for the block; and 3) provision for the closing of existing access points after combined access is implemented.”

Comment: A unified access concept plan was established for Block 6, in which the subject site is located, during the Planning Board's review and approval of the site plan for Lot 25 (DSP-94017) in 1994. The plan shows a 22-foot-wide easement for two-way traffic through the rear of the lots in Block 6, with traffic entering the block off Central Avenue on or near Lot 22, and exiting at the unbuilt Eslin Street. (If access to Eslin Street were not feasible, access to Central Avenue would be considered on or near Lot 27.) Ultimately, all of the properties in the block would enter and exit from these two access points. This concept was subsequently used in the review and approval of the site plan for Lot 24 (DSP-97021) in 1997 and Lot 26 (DSP-98045) in 1998.

The unified access concept plan was conceived as a guide to show that the SMA requirement is implementable. It was determined that if the owner of an individual lot wishes to change the location of the access easement on his/her property, such revision shall be considered in light of the criteria that easements must provide service to all adjoining properties, must line up with any existing easement on previously redeveloped properties, and must meet transportation safety standards.

The subject application includes Lots 22, 23, and 38. The proposed medical practitioner's office is located on Lot 22 and a 22-foot-wide easement is located on Lot 23. The original easement shown on the unified access concept plan was on Lot 22 without foreseeing a situation as presented in the subject application. The Urban Design Section believes that the proposed easement meets the intent of the unified access concept plan by providing the access to its adjoining Lot 24 and by aligning with the easements that have already been approved on Lots 24, 25, and 26.

Finally, the access easements provided as part of this site plan are not considered private streets. Per the definition in the Zoning Ordinance, they are private easements created under Section 24-128(b)(9) to avoid the potentially hazardous traffic situation created by numerous driveways on Central Avenue and by the median break at Norair Avenue.

9. ***Landscape Manual:*** The subject application proposes to construct a medical practitioner's office on the site and is subject to Section 4.2, Commercial and Industrial Landscaped Strip Requirements, Section 4.3(c) Interior Planting, and Section 4.7, Buffering Incompatible Uses.
 - a. The subject site has frontage on both Central Avenue and Norair Avenue. Per Section 4.2, Option 1, the applicant proposes to provide a minimum 10-foot-wide landscaped strip on Lots 22 and 23 with the required planting units and to use the existing woodland on Lot 38 to fulfill this requirement.
 - b. The subject site plan has an interior parking lot of 9,216 square feet. Per Section 4.3(c), a minimum five percent of the parking lot should be interior planting area. The applicant provides approximately 932 square feet of interior planting area with six shade trees and thus complies with Section 4.3 (c).
 - c. The subject site is adjacent to single-family detached houses to its north and west. The

proposed medical practitioner's office is defined as a medium impact use. Per Section 4.7, a Type "C" buffer is required. The Type "C" bufferyard requires a minimum 40-foot building setback and a landscaped strip of a minimum 30-foot width to be planted with 120 plant units per 100 linear feet of property line. The applicant has applied for Alternative Compliance (AC-04009) from the requirements of Section 4.7 for both the north and west boundaries, because for the northern bufferyard, there is a portion of the 22-foot-wide easement inside the bufferyard, and for the western boundary, a portion of a parking lot and a small corner of the building are inside the required bufferyard. The Alternative Compliance Committee recommendation has been forwarded to and approved by the Planning Director. The following is the recommendation of the committee:

Alternative Compliance is requested from the requirements of Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*.

BACKGROUND

The site encompasses 0.82 acre in the C-O Zone. It is located at the northeast corner of the intersection of Central Avenue and Norair Avenue. The site is currently vacant and partially wooded. The subject site is bounded on its south by Central Avenue and on its west by Norair Avenue. To the north are single-family detached houses in the R-R Zone. To the east of the site is a construction company's office building in the C-O Zone. The applicant is proposing to build a medical practitioner's office with a gross floor area of 3,348 square feet.

REQUIRED

(Section 4.7, Buffering Incompatible Uses, along both northern and eastern property lines)

Northern Bufferyard

Length of Bufferyard	159 linear feet
Building setback	40 feet
Landscape yard	30 feet
Plant materials @120 PUs/LF	190 (95 after 50% reduction with a six-foot-high sight-tight fence)

Eastern Bufferyard (including 40 feet of Lot 38's northern property line)

Length of Bufferyard	187 linear feet (40% of the existing woodland)
Building setback	40 feet
Plant materials @ 120PUs/LF	135 (68 after 50% reduction with a six-foot-high sight-tight fence)

PROVIDED

Northern Bufferyard

Building setback	90 feet
Landscape yard	30 feet

Plant materials @ 120PUs/LF	125 plant units with a six-foot high sight-tight fence
<i>Eastern Bufferyard</i> (including 40 feet of Lot 38's northern property line)	
Building setback	20 feet (a small corner encroachment into the bufferyard)
Landscape yard	20 feet
Plant materials @ 120PUs/LF	90 plant units with a 6-foot-high sight-tight fence

JUSTIFICATION OF RECOMMENDATION:

The use of the subject property, a medical practitioner's office, is a medium impact use while the existing adjacent properties are developed as single-family detached residences. According to the *Landscape Manual*, a Type "C" Bufferyard, which requires a minimum 40-foot building setback and a minimum 30-foot-wide landscaped yard to be planted with 120 plant units per 100 linear feet of property line is required.

The subject property was rezoned from residential to the C-O Zone during the 1993 SMA (CR-57-1993) and subject to a unified access concept plan that requires the lots in question fronting onto Central Avenue to share a reciprocal ingress/egress easement. A portion of the 22-foot-wide driveway has been proposed in the northern bufferyard in order to provide access to the adjacent lots to the east. The applicant has offered 30 percent more plant units than what is required in the northern bufferyard.

The subject property consists of Lots 38, 22 and 23. Lot 38 is bounded to the west by Norair Avenue. Most of Lot 38 is wooded and will be preserved as a tree conservation area. Lot 23 is located in the east and an ingress/egress easement has been proposed on this lot. The proposed office building is located on Lot 22 in the middle. Due to the easement and preserved wooded area on the site, a very limited building envelope is available and creates a situation where a corner of the building and a portion of the parking lot encroach into the required Section 4.7 bufferyard. The applicant has proposed 32 percent more plant units than what is required in the eastern bufferyard.

Therefore, the committee is of the opinion that the Alternative Compliance proposal is equal to or better than the normal compliance with the requirements of Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*.

RECOMMENDATION:

The Alternative Compliance Committee recommends that Alternative Compliance from Section 4.7, Buffering Incompatible Uses, be APPROVED.

10. **Woodland Conservation Ordinance:** This property is exempt from the requirements of the Prince George's County Woodland Conservation Ordinance because the gross tract area of the subject property is less than 40,000 square feet and the site does not have a previously approved tree conservation plan. A tree conservation plan will not be required. A standard letter of exemption from the ordinance for the site was issued by the Environmental Planning Section on May 8, 2003.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. Major referral comments are summarized as follows:
 - a. The Community Planning Division, in a memorandum dated May 20, 2004, indicated that there are no master plan issues associated with this application. The staff concludes that the current plan is in compliance with staff's recommendation to relocate all proposed parking to the rear of the building and place the office building closer to Central Avenue with direct pedestrian access to the roadway.
 - b. The Transportation Planning Section, in a memorandum dated August 31, 2004, indicated that the site plan is acceptable.

In a separate memorandum from the Transportation Planning Section dated August 17, 2004, on detailed site plan review for master plan trail compliance, the trails planner noted that:

“The Adopted and Approved Landover and Vicinity Master Plan designates Central Avenue (MD 214) as a major sidewalk corridor. The master plan recommends that Central Avenue have sidewalks along both sides in order to facilitate pedestrian movement to Metro and commercial areas. The more recently approved Morgan Boulevard and Largo Town Center sector plan reinforces this recommendation. The sector plan also recommends sidewalks along both sides of Central Avenue, with wide sidewalks being implemented in areas of high pedestrian traffic. The sector plan also recommends wide curb lanes or designated bike lanes within the road to accommodate on-road bicycle movement. These bicycle facilities can be implemented by SHA at the time of road improvement or resurfacing.

“Adequate access is shown connecting the existing sidewalk along Central Avenue with the proposed office building. However, an additional connection may be appropriate from the proposed parking lot at the rear of the building to the building entrance. A sidewalk connection from the parking area will preclude people having to walk on the grass or in the entrance road to get to the building entrance. This sidewalk could be located either along the west side of the entrance road, or along the edge of the building, and should connect from the parking lot to the concrete walkway immediately in front of the building.”

The trails planner concludes by recommending a sidewalk connection from the parking lot to the concrete walkway in front of the proposed building, which has been worded as a condition of approval in the recommendation section of this report.

- c. The Subdivision Section, in a memorandum dated May 18, 2004, provided a discussion on issues such as right-of-way conveyance along the site frontage, exemption from resubdivision requirements, and 22-foot-wide access easement.

Comment: The applicant has conveyed parts of Lot of 38 to the Department of Public Works and Transportation (DPW&T) and parts of Lots 22 and 23 to the State Highway Administration (SHA) for right-of-way use. A condition of approval has been proposed to ask for evidence that the subject site does not include those portions of land that have been conveyed to the governmental agencies.

The proposed medical practitioner's office (approximately 3,348 square feet) is smaller than 5,000 square feet of gross floor area. Per Section 24-111, the proposed development is exempt from the resubdivision requirements.

The 22-foot-wide access easement in question is required by CR-57-1993 in order to minimize access points off Central Avenue. Thus, the 22-foot-wide access easement is permitted as proposed.

- d. The Permit Review Section, in a memorandum dated May 4, 2004, provided 13 comments on the application's compliance with both the Zoning Ordinance and the *Landscape Manual*. The applicant has revised the site plan to address most of the concerns raised by the permit reviewer. The unresolved landscaping issues will be addressed by the conditions of approval prior to certification.
- e. The Environmental Planning Section, in a memorandum dated May 14, 2004, recommended approval of Detailed Site Plan DSP-03061, subject to one environmental condition.

Comment: The proposed condition requires the applicant to demonstrate that the interior noise level for any residential structure is below 45 dBA Ldn on the subject site. Since the proposed use on the site is for a medical practitioner's office, the condition is not relevant.

- f. The State Highway Administration, in a memorandum dated May 4, 2004, recommended approval of the application subject to one condition, which has been incorporated into the recommendation section of this report.
- g. The subject application was also referred to the Department of Environmental Resources/Concept. In a memorandum dated May 4, 2004, the staff noted that the site plan is consistent with approved stormwater concept approval #16966-2002.

12. As required by Section 27-285(b), the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

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 Detailed Site Plan DSP-03061, and further APPROVED Alternative Compliance No. AC-04009 with the following conditions:

1. Prior to certificate approval of the Detailed Site Plan, the applicant shall:
 - a. Provide evidence to demonstrate that the subject site does not include those portions of land that have been conveyed to governmental agencies for public use.
 - b. Revise the landscape plan to show the corrected number of plant units to be provided in the two Section 4.7 bufferyards as shown in the alternative compliance report.
 - c. Show graphically the exact location of the proposed free-standing sign on the plan pursuant to Section 27-614, including height and calculation of sign face area.
 - d. Provide a sidewalk connection from the parking lot to the concrete walkway in front of the proposed medical practitioner's office building.
2. Prior to issuance of any building permits, the applicant, his heirs, successors and/or assignees shall :
 - a. Record a permanent 22-foot-wide access easement along the drive aisle in the rear of Lot 23 to provide access to adjoining properties.
 - b. Record a permanent 22-foot-wide access easement along the entrance drive aisle at the east side of Lot 23, to provide access to adjoining properties.
 - c. Note recorded liber and folio data for both easements on the plans.
 - d. Obtain a permit from the State Highway Administration for improvements, if any, required within the right-of-way of Central Avenue.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following 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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Vaughns, Squire and Hewlett voting in favor of the motion held at its regular meeting on Thursday, September 9, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of September 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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