

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 November 18, 2004, regarding Detailed Site Plan DSP-01036/03 for Manokeek, the Planning Board finds:

1. **Request:** The subject application is for approval of a pad site for a Wendy's Restaurant in a commercial shopping center at 7099 Berry Road, Accokeek, Maryland.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	M-X-T	M-X-T
Use(s)	Parking, vacant	Retail, parking
Acreage	1.29	1.29
Lots	1	1
Parking	47	47

3. **Location:** The site is in Planning Area 84, Council District 9. More specifically, the property is a pad in the 26-acre Manokeek Shopping Center located at 7099 Berry Road and Manning Road East.
4. **Surroundings and Use:** The proposed retail lot is surrounded by retail uses south of Berry Road and proposed residential uses north of Berry Road.
5. **Previous Approvals:** The shopping center was approved for M-X-T commercial/retail use (CSP-99050) on July 27, 2000.
6. **Design Features:** The proposed restaurant will be part of a small group of commercial pad sites consisting of a bank, gas station, and other restaurants. The restaurant has been revised to comply with the recommendations of the Accokeek Development Review District Commission. Two additional evergreens (*Juniperus scopulorum*) were added that should help screen the rear of the building. There is more than enough parking if the surrounding spaces are counted (51 additional spaces adjacent to the proposed building).

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the Zoning Ordinance.
 - a. The site is in compliance with the requirements for parking with 47 spaces required for

2,542 square feet of “fast food” restaurant. The property currently has 50 spaces with two handicapped spaces. There are 51 additional adjacent spaces that can be used for the restaurant.

b. The M-X-T Zone is required, according to Section 27-544 to:

(J) “Enhance retail pad sites designs to be compatible with the main retail component. If the retail pad sites are located along the public frontage streets, parking shall be located to the rear and sides of the pad sites.”

(K) “Green area should be provided between pad sites.”

The proposed building will use brick as a main component. There is currently a 50-foot green planting strip to the southeast and a 10-foot green planting strip to the northwest side.

8. **Landscape Manual:** The applicant is not required to provide additional landscaping because the existing building is not creating an increase in the number of parking spaces. Conformance with the *Landscape Manual* was established at the time the shopping center was originally approved.
9. **Woodland Conservation Ordinance:** The proposal is in compliance with previously approved Type II Tree Conservation Plan, TCPII/112/01-01.
10. **Referral Comments:** The proposal was referred to the concerned agencies and divisions. The referral comments are as follows:
 - a. The Community Planning Division found “ There are no master plan or General Plan issues pertaining to this detailed site plan application.”
 - b. The Transportation Planning Section found: “At the time of preliminary plan 4-01012 and conceptual plan SP-99050, a number of transportation-related conditions were placed on the property pursuant to a finding of adequate transportation facilities.” Under SP-99050, conditions 7, 8, 9 and 10 were met or will be enforced at the time of preliminary plan. Under preliminary plan 4-01012, condition 7, 8, and 9 were met or will be enforced upon recordation or at the time of building permit. When DSP-01036 was approved “...it was determined that development on the other nine lots would require future review... cases involving trip-intensive uses that are not normally found in a retail center will require a more through analysis.” The subject plan would conform to the trip cap and transportation planning staff has no objection to the plan.
 - c. The Subdivision Section mentioned several conditions relating to this site. Condition 4 concerns a fire suppression system for the building, which the applicant has added to the plans. There were two additional concerns: The distance for the SW property line was

not consistent with the record plat and the record plat number should be included in the general notes. The applicant has addressed these issues.

- d. The Permit Review Section found no problems with the plan.
- e. The Environmental Planning Section found that no further information is required for the forest stand delineation, Type II tree conservation plan, or for noise impacts.
- f. The Department of Environmental Resources found that Manokeek Lot 6 "...is consistent with approved stormwater concept #8004410-2000-03."
- g. The Fire Department reviewed this plan and found no problems.
- h. The Department of Public Works and Transportation found no problems with the subject plan.
- i. The Maryland State Highway Department found no problems with this proposal.
- j. The Accokeek Development Review District Commission requested the following modifications to the plan:
 - 1. The back of the building needs more details (windows, doors or building design).
 - 2. Add evergreen trees or large shrubs to rear of building to hide outline.
 - 3. A band of light (cream) colored masonry to dumpster enclosure to match the building.
 - 4. Hide rooftop equipment from view from street and surrounding view.

The applicant has complied with all of the above requests from the Accokeek Development Review District Commission except item #1, "The back of the building needs more details." A condition is proposed below to address this deficiency. The addition of the junipers at the rear of the building will screen the building sufficiently.

Other Development Data

- 11. 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 by hiding utilities and improving the outside (rear) structure 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-01036/03, subject to the following conditions:

1. Prior to certification of the plan, the applicant shall revise the architectural elevations to address Condition 1 of the Accokeek Development Review District Commission, which states: "The back of the building needs more details (windows, doors or building design)." The revised architecture shall be approved by the Urban Design Section as designee of the Planning Board.

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 Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns, Eley and Harley voting in favor of the motion, and with Chairman Hewlett absent at its regular meeting held on Thursday, November 18, 2004, in Upper Marlboro, Maryland.

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

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:DG:rmk