

R E S O L U T I O N

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 30, 2006, regarding Detailed Site Plan DSP-04076/01 for EYA Hyattsville (Lustine Properties), the Planning Board finds:

1. **Request:** This revision is for the purpose of removing a 600-square-foot appendage from the Lustine Building, revisions to landscaping plans for retaining walls, lot lines, riser information, utility location, garage and ground floor elevations, for the relocation of a handicap parking space and trash locations for the live/work units and other minor revisions.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	M-U-I/D-D-O	M-U-I/D-D-O
Use(s)	Vacant/residential	Mixed-Use
Acreage	6.77	6.77
Parcels	2	2
Lots	0	137
Building Square Footage/GFA	0	6,610

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total parking spaces	151	290/232*
Handicapped parking spaces	3	3
Loading spaces	0	0

*The first number is for all standard unit types; the second number is for all optional unit types.

3. **Location:** The site is in Planning Area 68, Council District 2. More specifically, it is located on the west side of Baltimore Avenue (US 1), south of its intersection with Madison Street.
4. **Surroundings and Use:** The subject property is bounded to the north by DeMatha High School, single-family residential land use, and commercial retail land use along Baltimore Avenue; to the west by multifamily and single-family residential land use; to the east by commercial retail land use; and to the south by residential and commercial retail land use.
5. **Previous Approvals:** The site is the subject of Preliminary Plan of Subdivision 4-04192, which was approved by the Planning Board on September 8, 2005, and formalized in PGCPB Resolution 05-

191. The site is also the subject of Detailed Site Plan DSP-04076 – EYA Hyattsville approved by the Planning Board on September 8, 2005, and formalized in PGCPB Resolution 05-188. Subsequent to that time, Final Plats 5-06041 and 5-06042, approved by the Planning Board on March 9, 2006, were recorded in the office of land records on April 20, 2006, as Arts District Hyattsville, West Village, Plats 1 and 2, for 82 and 55 attached units, respectively. The site is also subject to approved Stormwater Concept 9124-2005.

6. **Design Features:** The subject application proposes to demolish a 600-square-foot, one-story brick addition to the south elevation of the showroom portion of the Lustine Chevrolet Building. The building is a large mid-twentieth-century automobile showroom/repair shop of unique architectural form and a contributing resource within the Hyattsville Historic District, listed in the National Register of Historic Places in 1982. The Lustine Chevrolet Building is being adaptively reused as a community space with exercise and meeting rooms and other space for community functions. Additionally, the subject application seeks to reduce the southernmost pocket park, located on 44th Street, by 500 square feet.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The requirements of the *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*:** The subject revision does not alter the previous findings of conformance made at the time of approval of the underlying detailed site plan.
8. **Development District Standards of the Development District Overlay Zone (DDOZ):** The subject application does not affect the findings made regarding the DDOZ during the approval of the underlying detailed site plan, DSP-04076 for EYA Hyattsville.
9. **The requirements of the Zoning Ordinance in the M-U-I (Mixed-Use Infill) Zone:** The subject application does not affect the findings made during the approval of the underlying detailed site plan, DSP-04076 for EYA Hyattsville, regarding compliance with the requirements of the Zoning Ordinance in the M-U-I Zone.
10. **Preliminary Plan of Subdivision, 4-04192:** In a memorandum dated August 3, 2006, the Subdivision Section stated that the property is in general compliance with the requirements of Preliminary Plan of Subdivision 4-04192. Please see Finding 14 below for a more detailed discussion of its conformance.
11. **Landscape Manual:** The proposed development is not subject to the requirements of the *Landscape Manual*.
12. **Woodland Conservation and Tree Preservation Ordinance:** In comments dated June 29, 2005, Environmental Planning Section staff stated that the property is not subject to the provisions of the Woodland Conservation and Tree Preservation Ordinance because although the gross tract area of the subject property is greater than 40,000 square feet, there is less than 10,000 square feet of existing woodland. Further, they stated that a Type I tree conservation plan was not submitted with the review package and is not required. A standard letter of exemption (S-096-

05) from the ordinance was issued by the Environmental Planning Section, Countywide Planning Division, dated March 30, 2005.

13. **Detailed Site Plan DSP-04076:** Staff has reviewed the subject project against the requirements of Detailed Site Plan DSP-04076 and found it to be substantially in compliance.
14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

Historic Preservation—In a memorandum dated August 1, 2006, the Historic Preservation and Public Facilities Planning Section offered the following:

The subject application is a revision of approved Detailed Site Plan DSP-04070 involving the former Lustine Chevrolet Building, 5710 Baltimore Avenue, Hyattsville. The entirety of the subject property is located within the Hyattsville Historic District, listed in the National Register of Historic Places in 1982. The documentation and boundaries of the Hyattsville Historic District nomination were amended and expanded in 2004.

The Lustine Chevrolet Building is a large mid-twentieth-century automobile showrooms/repair shop of unique architectural form. The Lustine Building, at the northeastern edge of the developing property, is identified as a contributing resource within the National Register Historic District. Constructed in 1950, the Lustine Chevrolet showroom and repair facility is a substantial masonry-and-glass structure with a monumentally-scaled, curvilinear, glass-walled roadside display facility in the modernist idiom, attached to a massive, rectangular-plan, masonry-and-glass repair facility of utilitarian industrial design. The focus of the composition is the street-facing showroom designed to dramatically showcase automobiles to passing pedestrians and motorists. The highly transparent and modernist design of the showroom is emblematic of the importance placed on the automobile in post World War II America.

The applicant's approved detailed site plan was based in part on the demolition of the large rear service wing/repair facility of the building. The subject application to revise the approved detailed site plan, among other things, proposes to demolish a small, one-story addition on the south elevation of the showroom portion of the building to be retained. Historic Preservation staff has determined that this proposed selected demolition of the one-story addition to the south elevation will have no effect on the mid-twentieth-century character of the showroom, which will be enhanced and preserved through the proposed adaptive re-use.

Subdivision—In a memorandum dated August 3, 2006, The Subdivision Section stated that the property is the subject of Preliminary Plan 4-04192, approved by the Planning Board on September 8, 2005, for 1,378 lots and two parcels pursuant to PGCPB Resolution No. 05-191. The development proposal shown in the resolution is for 137 townhouse units and 6,610 square feet of community space. These lots have been recorded at Plat Book 211 at Plats 86 and 87. The proposed revised detailed site plan shows a lotting pattern consistent with the record plats.

Permits—In a memorandum dated August 11, 2006, the Permit Review Section stated that all parking spaces for the physically handicapped have either ramps or depressed curbing and that the top and bottom elevations for all retaining walls be indicated. Additionally, the section noted the lack of sign details for both the community and the commercial component of the development. Further, staff stated that should the applicant request approval of signs, in the future, a formal revision of the detailed site plan would be required. The concerns of the Permit Review Section have been addressed in the recommended conditions below.

Department of Environmental Resources (DER)—In comments dated September 8, 2006, DER stated that the site plan for EYA Hyattsville, DSP-04076/01 is consistent with approved Stormwater Concept 9124-2005.

City of Hyattsville—On August 4, 2006, Mayor William Gardiner verbally informed staff that Hyattsville had no comment on the subject project.

15. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan's proposed revision to DSP-04076 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. The recommended conditions below are intended to augment the requirements of the original approval, DSP-04076, which will remain in full force and effect.

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-04076/01, subject to the following condition:

Prior to signature approval of the plans, applicant shall revise the plans as follows:

- a. All parking for the physically handicapped shall be indicated to provide unhampered access by either ramps or depressed curbing.
- b. All top and bottom elevations shall be provided for all retaining walls.

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 Clark, with Commissioners Squire, Clark, Eley and Parker voting in favor of the motion, and with Commissioner Vaughns absent at its regular meeting held on Thursday, November 30, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of December 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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