

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 December 7, 2017, regarding Detailed Site Plan DSP-16060 for Horace and Dickies Carryout, the Planning Board finds:

1. **Request:** The subject application proposes to construct a new 1,030-square-foot addition to an existing commercial building, for an eating and drinking establishment excluding drive-through service. The detailed site plan (DSP) is required because a DSP shall be approved for development in the Development District Overlay (D-D-O) Zone prior to permit, and because the cumulative increase in the gross floor area (GFA) of the building is more than fifteen percent or 1,500 square feet, whichever is less.
2. **Development Data Summary:**

| Zone                   | <b>EXISTING</b><br>M-U-I/D-D-O | <b>APPROVED</b><br>M-U-I/D-D-O               |
|------------------------|--------------------------------|--|
| Use(s)                 | Commercial (to remain)         | Commercial/Eating and drinking establishment |
| Gross Acreage          | 0.42                           | 0.42   |
| Net Acreage            | 0.42                           | 0.42   |
| Parcels/Lots           | 7                              | 7  |
| Dwelling Units         | 0                              | 0  |
| Gross Floor Area (GFA) | 2,060 sq. ft.                  | 3,090 sq. ft.<br>(1,030 to be added)         |

OTHER DEVELOPMENT DATA

**Parking Requirements per the 2010 Approved Subregion 4 Master Plan and Sectional Map Amendment**

The following table outlines the parking that is required within the Subregion 4 Development District Overlay (D-D-O) Zone for the proposed development:

| Use  | Description  | Minimum*<br>Required | Maximum*<br>*Allowed | Total<br>Provided |
|--|--|----------------------|----------------------|-------------------|
| <b>Eating and Drinking Establishment</b> (Excluding drive-through service)<br>1,030 sq. ft.<br>0 seats | 1space/ 3 seats + 1space/ 50 sq. ft. of GFA (excluding any area used exclusively for storage or patron seating, and any exterior patron service) | 17                   | 21                   | <b>17</b>         |
| <b>Beauty Salon</b><br>1,442 sq. ft.   | 1/150 for first 3,000 sq. ft.  | 8                    | 10                   | <b>8</b>          |
| <b>Barber Shop Use</b><br>618 Sq. Ft.  | 1/150 for first 3,000 sq. ft.  | 3                    | 4                    | <b>3</b>          |
| <b>Total Parking</b>   |  | <b>28</b>            | <b>35</b>            | <b>28</b>         |

**Notes:** \*The minimum number of surface parking spaces shall be 80 percent of the total number of parking spaces required by Section 27-568 of the Zoning Ordinance per the Subregion 4 D-D-O-Zone page 554.

\*\*The maximum number of surface parking spaces shall be 100 percent of the total number of parking spaces required by Section 27-568 of the Zoning Ordinance.

**Parking Spaces Provided:**

|   |           |
|---|-----------|
| Standard spaces (9.5 ft. x 19 ft.)              | 9 spaces  |
| Compact Spaces (8 ft. x 16.5 ft.)               | 17 spaces |
| Handicapped-Accessible Spaces (13 ft. x 19 ft.) | 2 spaces  |

The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA) does not include specific requirements for the number of compact spaces allowed; therefore, Section 27-559 of the Zoning Ordinance serves as the requirement. Section 27-559 limits the number of compact car spaces allowed to up to one-third of the required number of parking spaces in any parking lot. This application requires a total of 28 parking spaces and is allowed 9 compact parking spaces, but proposes 17.

The applicant seeks a departure from this requirement per Section 27-548.25(e) of the Zoning Ordinance, which does not require a separate application for such departures, but requires that the Planning Board find that the departure conforms to all of the applicable development district standards. The number and size of the compact parking spaces conform to all of the applicable D-D-O Zone standards. Therefore, the Planning Board approved this departure.

3. **Location:** The subject property is located on the south side of MD 704 (Martin Luther King Jr. Highway), approximately 700 feet north east of its intersection with Barlowe Road, in Planning Area 72 and Council District 5. More specifically, the site is located at located at 7907 Martin Luther King Jr. Highway, in Glenarden, MD 20706
4. **Surroundings and Use:** The subject property is bounded to the north by MD 704, to the south by properties in the One-Family Detached Residential (R-55) and M-U-I Zones, to the west by properties in the Townhouse (R-T) and Multifamily Medium Density Residential (R-18) Zones, and to the east by properties in the M-U-I Zone. The neighborhood is predominately developed with a mix of residential homes, commercial development, and park land south of the property including the Glenarden Community Center.
5. **Previous Approvals:** The subject property, Lots 1–7, has an approved preliminary plan of subdivision, for which there are no available records. A record plat for the application was recorded in Prince George’s County Land Records in RNR 2-20, as filed on June 16, 1913. The subject property is currently improved with a 2,060-square-foot building, originally constructed in 1958. The property is also the subject of Stormwater Management Concept Plan 13196-2017-00, approved by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) and valid until May 15, 2020.
6. **Site Design:** The property was originally developed prior to 1960, as can be seen through aerial photography, with the original structure being developed in 1958. The current application is for the development of a 1,030-square-foot addition on the west end of the existing building on Lots 1-7, which total 0.42 acres. The existing building includes two tenants, a barbershop and a beauty salon, which will remain.

When the property was developed in 1958, it was subject to different development standards and does not comply with the current regulations. The redevelopment of this property will bring the site into conformance relative to stormwater, landscaping, and the requirements of the Zoning Ordinance, as well as the standards of the Subregion 4 Master Plan and SMA D-D-O Zone.

The site is accessed from a secondary access drive adjacent to MD 704 and proposes a two-way vehicular ingress and egress into the site on the west side of the property. The main pedestrian entrance to the proposed eating and drinking establishment, in addition to the existing commercial tenants, is located on the northern side of the building, facing MD 704.

The existing surface parking lot is being expanded to incorporate a two-way drive aisle, around the western side of the proposed building, in addition to a parking compound proposed at the rear of the building. The parking area in front of the existing building, adjacent to MD 704, directly off of the access drive, includes six existing parking spaces on the property that have been grandfathered because of their continuous use since 1958 (as can be seen from aerial photography of the subject property). This application proposes to restripe and renovate this existing area to propose six parking spaces including one handicapped-accessible parking space. The Planning Board has also

included a condition in this approval requiring wheel stops be added to the parking spaces, to allow for clear passage on the adjacent sidewalk in front of the building.

There is no loading proposed with this application in accordance with Section 27-582 of the Zoning Ordinance, which states that loading is not required if the retail sales or service use is less than 2,000 sq. ft. of gross floor area (GFA) on a store-by-store basis. GFA for each retail sales or service use is below this threshold, therefore, a loading space is not required.

**Architecture**—The existing single-story commercial building is generally rectangular and is 13 feet in height. The front of the existing building, facing north onto MD 704, includes a brick façade, storefront windows and doors, and a canopy accenting the building face. The eastern, western, and southern elevations are comprised of painted concrete masonry block with minimal fenestration. The proposed addition is located at the western side of the existing building and matches the height of the existing building. The addition continues the front, northern, brick façade and incorporates a variety of accents into the building face, such as a parapet wall on the roof extending the length of the building, an expanded canopy along the entire building face, and large storefront windows creating a clean design, which will complement the existing building. Conformance to the applicable architectural standards of the D-D-O Zone are discussed further in Finding 7 below. The completed building will include three distinct tenant areas for the barber shop, beauty salon, and eating and drinking establishment proposed with this application. The DSP does not indicate a finish to the side and rear of the building. The Planning Board recommends that it be painted in a color to match the front of the building facing MD 704, and has included a condition in this approval.

**Dumpster Enclosure**—The dumpster enclosure will be finished with concrete-masonry block. Double wooden gates, supported by painted steel posts, provide vehicular access to the enclosure. Pedestrian access is provided separately on the side of the enclosure for safety. The DSP does not indicate a finish to the block enclosure. The Planning Board recommends that it be painted to match the building and has included a condition in this approval requiring this. The design is acceptable if revised as conditioned, and the proposed enclosure is consistent with the D-D-O Zone requirements, as discussed in Finding 7 below.

**Lighting**—This DSP is proposing an addition to an existing building that predates the D-D-O Zone, and the existing building does not have exterior lighting. This site plan does not propose lighting, and should be revised to provide lighting to illuminate the building and parking areas on the site as required. The proposed lighting should provide a balanced lighting pattern on the property, highlighting the building entrances and providing patrons with a bright, safe atmosphere while not causing a glare onto adjoining properties. A condition has been included in this approval requiring that the site plan be revised to include sufficient lighting.

**Signage**—The applicant submitted a sign plan that includes building-mounted identification signage. The applicant is proposing a total of eleven building-mounted signs, three of the signs are located below the roof line on the northern elevation facing MD 704, and three are above the door for each tenant location. The signs are made of wood and mounted to the building face, and have a

sign face area of approximately 12 square feet for the primary sign and 2.75 feet for each secondary sign above the tenant doors. Each sign is painted in coordinating colors and features the name of the tenant. Two additional building-mounted signs are located on the eastern and western side elevations. These signs are rectangular and display the three tenant names, and have a proposed square footage of approximately 36 square feet each. The rear of the building, facing southwest, includes three additional signs over the service door to each tenant, which are similarly painted and mounted to the building face. All of the proposed building-mounted signs, are not illuminated and include red, white, and blue, painted letters and characters totaling approximately 152 square feet. The proposed signage conforms to the development district standards of the D-D-O Zone. The signage plan included with this application is unclear and the Planning Board recommends that the site plan be revised to include additional dimensions for all proposed building-mounted signage, including labels indicating signage material, type, and lighting, and be reflected on the site plans. The Development District Standards on (page 549) for Signage Standards and Guidelines require that the window signs, including letters and logos, not obscure views into the business and occupy not more than 25 percent of the total window area in which the sign is located. Additionally, the window signs shall generally be centered within the storefront display window, and be limited to one window sign per ground level building entry. A condition has been added to this approval requiring that the site plan be revised to meet the development district standards for signage standards and guidelines for window signs.

**Hardscape**—A bicycle parking rack has been provided on the western side of the parking compound adjacent to the proposed concrete sidewalk, which crosses the parking lot and connects to the entrance to the building. The DSP does not specify the number of bicycle parking spaces, and they are not reflected in the parking schedule. A condition has been included in this approval requiring the applicant to revise the site plans and parking schedule to reflect the number of bicycle parking spaces. A three-foot-high masonry wall runs between the MD 704 access drive and the sidewalk, and acts as a decorative masonry screen, as well as providing separation between vehicular and pedestrian traffic on the site. The proposed sidewalk stops abruptly on the western side of the parking lot and should be continued across the driveway and to the building to provide a clear and direct-pedestrian access. Additionally, the sidewalk is not dimensioned and the development district standards require sidewalks to be at least four feet in width to allow for clear pedestrian passage. This is discussed further in Finding 7 below. A crosswalk with striping should be included across the vehicular traffic aisle to provide for additional pedestrian safety measures. A condition has been included in this approval requiring the applicant to revise the site plans to address these sidewalk issues.

A sidewalk is proposed on the front and rear of the building, but is not proposed on the sides of the building due to space constraints. It should be noted that the existing building is located 10.5 feet from the eastern property line and a sidewalk could be proposed in this area to connect the sidewalks on the front and rear of the building without negatively impacting the site design or the requirements of the D-D-O-Zone. A condition has been included in this approval requiring the applicant to revise the site plans to include a sidewalk along the eastern side of the building.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **2010 Approved Subregion 4 Master Plan and Sectional Map Amendment and Development District Standards:** Section 27-548.25(b) of the Zoning Ordinance requires the Prince George’s County Planning Board to find that the site plan meets all applicable development district standards of the Subregion 4 Master Plan and SMA. Section 27-548.25(c) provides that the Planning Board may approve modifications to the development district standards if they are found to benefit the development and not substantially impair the implementation of the master plan. If approved with conditions, the subject application will conform to all of the recommendations and requirements, except for those from which the applicant has requested an amendment. In areas where the Planning Board is recommending that the amendment be approved, the Planning Board finds that granting of the amendment will not substantially impair implementation of the master plan. The applicant requests eight amendments to the development district standards, of which the Planning Board recommends approval of six, and disapproval of two. In the following discussion, the standard is listed in bold, followed by the Planning Board’s discussion.

- a. **Building Envelope Standards and Guidelines** (page 540)

**B. Mixed-Use, Commercial, and Institutional Types**

**A. Building Height**

The development district standards require that the ground floor on all one-story commercial buildings be 14 feet from the ground to the ceiling. The existing building predates the D-D-O Zone, and does not meet this requirement. The application is proposing to build a ground floor addition that is 13 feet in height, which is consistent with the remainder of the existing commercial building. It would be inconsistent with the existing structure and unreasonable to require the proposed addition to be designed with a height which is not in keeping with the existing building. The Planning Board supports this modification request, and recommends **approval** of the amendment request.

- b. **Building Envelope Standards and Guidelines** (page 540)

**D. Build-To Line and Setbacks**

**D1. Build-To Line—18 feet from the back of curb**

Detailed Site Plan DSP-16060 has frontage on MD 704 (Martin Luther King Jr. Highway), specifically along an access road adjacent to the main roadway. The development district standards require a build-to-line (BTL) and a frontage occupancy requirement to define streets that are not met by this application. The DSP is proposing an addition to an existing building that predates the D-D-O Zone, and strict conformance to these requirements would place the

structure in the service access road and are not realistic. Due to the location of the existing building on the property, it is not practical to locate a building within 18 feet of the back of curb along this portion of MD 704. Therefore, in designing the site to accommodate the proposed use, the applicant is unable to strictly adhere to the 18-foot build-to-line for the road frontage on MD 704, and requests an amendment to said standard.

The Planning Board notes that the proposed addition and configuration, along with the proposed modifications to the build-to-line and frontage occupancy requirements, continue the existing pattern of development and are in contrast to the plan's vision and recommendations for this area. However, given the existing building location and site conditions, the required building location is unfeasible. For these reasons, the Planning Board recommends **approval** of the amendment request.

c. **Signage Standards and Guidelines** (page 549)

A. **General**

1. **Building signs shall be constructed of quality building material**

2. **The placement of signs shall be integrated into the overall architectural design of the building. The materials, color, style, and size of a sign shall be coordinated with the architectural features of the building.**

The development district standards require that the building signs be constructed of quality building material and be integrated into the overall architectural design of the building. The applicant proposes a board sign that is not integrated into the design of the building. However, it should be noted that for purposes of consistency, the signage that the applicant has submitted is consistent with that of the other two tenants, which also predates the D-D-O Zone.

The Planning Board notes that the applicants proposed signage is in contrast to the plan's vision and recommendations for this area; however, given the existing building signage and site conditions, it will be consistent with the signage that currently exists on the building. For these reasons, the Planning Board recommends **approval** of the amendment request.

d. **Landscape Standards and Guidelines** (page 551)

**B. Street Trees**

1. **Street trees, which must be of a drought resistant native species, shall be planted on average a minimum of 35 feet on center along planting strips or in tree grates of street rights-of-way (Please refer to the *Prince George's County Landscape Manual* for acceptable street tree species).**

This standard requires street trees to be of a drought-resistant native species and be planted, on average, a minimum of 35 feet on center along planting strips or in tree grates of street rights-of-way. This standard has not been met because the streetscape within the adjacent public right-of-way is fully developed, includes an access drive, and does not allow room for planting strips along the roadway. Therefore, the Planning Board recommends **approval** of the amendment request.

e. **Landscape Standards and Guidelines** (page 552)

**H. Streetscape Enhancements**

1. **Streetscape enhancements (including, but not limited to street furniture, planters, trash receptacles, decorative paving, sculpture/ artwork, and bus shelters) shall be placed in an appropriate location for all future nonresidential development.**

This standard requires the streetscape area between the building and public right-of-way be treated in specific ways, and include, but not be limited to street furniture, planters, trash receptacles, decorative paving, sculpture/ artwork, and bus shelters. Mixed-use, commercial, and institutional private frontages shall be composed primarily of hardscape and may have planters and street furniture. The application is proposing an addition to an existing building that predates the D-D-O Zone and the applicant states that strict conformance with this standard would require the applicant to retrofit the existing property. However, the site plan should be revised along the commercial frontage facing MD 704 to include additional elements, such as landscape planters, benches, and/or other street furniture, to enhance the usability of the space. All of this could be done without retrofitting the site. Therefore, a condition is included in this approval requiring the addition of landscape planters and street furniture along the commercial frontage facing MD 704. Therefore, the Planning Board recommends **disapproval** of the amendment request.



f. **Landscape Standards and Guidelines** (page 553)

**H. Landscape Elements**

3. **Bicycle Parking—Bicycle parking shall be located within 50 feet of main entrances to multifamily, mixed-use, commercial, and institutional buildings, and have direct access to public rights-of-way.**

This standard requires that bicycle parking shall be located within 50 feet of main entrances to commercial buildings and have direct access to public rights-of-way. The application proposes bicycle parking adjacent to the parking lot on the western side of the building. This standard has not been met because the bicycle parking is located more than 60 feet from the main entrances of the building. However, the Planning Board notes that the application proposes the required number of bicycle parking spaces and they are located in an area that does not obstruct walkways or sidewalks. There is not sufficient room to locate the bicycle parking within 50 feet of the building due to the configuration of the vehicular parking area, and the location of the existing building. Therefore, the Planning Board recommends **approval** of the amendment request.

g. **Landscaping Standards and Guidelines** (page 554)

**H. Landscape Elements: Lighting**

1. **Lighting shall be provided along public and private streets, alleys and access drives, public open spaces and trails, and in parking areas.**
2. **Pedestrian-scaled street light fixtures (at heights between 12 to 14 feet in height) should be installed in all public spaces at no more than 60-foot intervals, as measures parallel to the street.**

The existing streetlights present along MD 704 will remain, and the application is proposing an addition to an existing building that predates the D-D-O Zone. This standard requires that lighting be provided along public and private streets, alleys and access drives, public open spaces, trails, and in parking areas. This lighting must be pedestrian-scaled in public spaces, at no more than 60-foot intervals, and cobra lighting is prohibited. This standard is not met. The applicant is not proposing lighting with this application, and the Planning Board recommends that the site plan be revised to provide lighting throughout the site to illuminate the building and parking areas on the site as required. Therefore, the Planning Board recommends that lights be provided to meet the requirements of this standard, and recommends **disapproval** of the amendment request.

h. **Parking and Loading Standards and Guidelines** (page 555)

**B. Surface Parking Lots**

**1. Surface parking lots shall be set back from the rear façade of nonresidential, mixed-use, or commercial structures in order to accommodate a landscape planting buffer adjacent to the building and five-foot-wide walkway adjacent to the parking.**

DSP-16060 was designed to be as compact and operationally efficient as possible due to the lot configuration, and existing building configuration in order to avoid impacts to the surrounding properties. This standard requires that surface parking lots be set back from the rear façade of commercial structures to accommodate landscaping and a sidewalk. The Planning Board notes that the application is proposing an addition to an existing building that predates the D-D-O Zone, and in order to meet the parking requirements, parking is proposed on the north of the property along MD 704 and to the rear of the building. Due to the required number of parking spaces, and the configuration of the property, it is not practical to set back the parking from the rear façade of the building to accommodate a landscape planting buffer. The rear, southern side of the building includes only a three-foot-wide sidewalk, directly adjacent to the existing building to accommodate a 22-foot-wide drive aisle width and cannot provide the required landscape buffer. Therefore, the Planning Board recommends **approval** of the amendment request.

In conclusion, of the applicant's eight amendment requests to the development district standards, the Planning Board approved six and disapproved two.

8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I Zone, the requirements of the D-D-O Zone, and the site design guidelines of the Zoning Ordinance, as follows:

- a. The subject application is in conformance with the requirements of Section 27-546.18(a) of the Zoning Ordinance, which governs the requirements for the M-U-I Zone, and states that the C-S-C Zone regulations apply to the proposed use. The C-S-C Zone, per Section 27-454, states the following:

**(d) Regulations.**

- (1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the C-S-C Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Table (Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

However, per Section 27-548.21, the D-D-O Zone modifies specific requirements of the underlying zone. The Planning Board has reviewed the application and found that it meets the requirements of the D-D-O Zone, except as discussed in Finding 7 above.

- b. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For instance, the parking lot is generally provided to the side of the structure, with the trash facilities located away from the major streets. Additionally, the green area incorporates a significant amount of landscaping.
- c. **Development District Overlay Zone Required Findings** (with code cited in **boldface text**, followed by the Planning Board's comment).

#### **Section 27-548.25 Site Plan Approval**

- (a) **Prior to issuance of any grading permit for undeveloped property or any building permit in a Development District, a Detailed Site Plan for individual development shall be approved by the Planning Board in accordance with Part 3, Division 9. Site plan submittal requirements for the Development District shall be stated in the Development District Standards. The applicability section of the Development District Standards may exempt from site plan review or limit the review of specific types of development or areas of the Development District.**

The DSP has been submitted in fulfillment of the above requirement.

- (b) **In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.**
- (c) **If the applicant so requests, the Planning Board may apply development standards which differ from the Development District Standards, most recently approved or amended by the District Council, unless the Sectional Map Amendment text specifically provides otherwise. The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.**

In response to Sections 27-548.25(b) and (c) of the Zoning Ordinance, the applicant requests that the Planning Board apply development standards which differ from the development district standards. The Planning Board finds that the alternate development district standards will benefit the development, and will not substantially impair

implementation of the master plan, given the property's location and site constraints, as discussed in Finding 7 above.

- (e) **If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.**

The proposed use would normally require a departure for the number of compact parking spaces, which is limited to 33 percent of the total number of parking spaces. The applicant has asked for a departure to allow for approximately 60 percent of the total provided parking spaces to be compact. See Finding 2 for further discussion.

- d. The DSP land use is in conformance with the permitted use table of the Subregion 4 Master Plan and SMA, as an eating or drinking establishment attached to or within a group of buildings sharing a common wall extending from the lowest floor to ceiling or sharing a building with one or more other uses, excluding full drive-through service, and is therefore permitted by-right with a DSP.
9. **2010 Prince George's County Landscape Manual:** Page 490 of the Subregion 4 Master Plan and SMA states that "except as modified by the development district standards, the provisions of the *Prince George's County Landscape Manual* (Landscape Manual) in Section 1.3 (Alternative Compliance) and Sections 4.2 (Commercial and Industrial Landscaped Strip Requirements), 4.3 (Parking Lot Requirements), and 4.7 (Buffering Incompatible Uses) do not apply within the development district. All other standards and regulations of the Landscape Manual apply as necessary." Therefore, the DSP is only subject to the requirements of Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. This application has included landscape schedules for Sections 4.2, 4.3, and 4.7 of the Landscape Manual, which should be removed because they are not applicable. A condition has been included in this approval requiring this removal.
- Section 4.9, Sustainable Landscaping Requirements**—This DSP application conforms to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. The applicant has provided 81 percent of the shade, 76 percent of ornamental, and 100 percent of evergreen trees, and 51 percent of the shrubs, in native varieties in accordance with the Landscape Manual requirements. The DSP meets this requirement.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The project is exempt from the requirements of the Woodland and Wildlife Habitat Conservation Ordinance because the site contains less than 10,000 square feet of woodland, and does not have a previously approved tree conservation plan. The site received a Standard Woodland Conservation Exemption Letter (S-001-2017) which is valid until January 5, 2019. A natural resources inventory (NRI) equivalency letter (NRI-002-2017) has been issued based on the standard woodland

conservation exemption and that no regulated environmental features will be impacted. The NRI equivalency letter is valid until January 5, 2022.

11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that propose 5,000 square feet of disturbance. The application is subject to the requirements of the Tree Canopy Coverage Ordinance, as the proposal will create more than 5,000 square feet of ground disturbance. Properties that are zoned M-U-I are required to provide a minimum of ten percent of the gross tract area in TCC.

The overall legal lot has a gross tract area of 0.42 acre and, as such, a TCC of 0.042 acre (or 1,743 square feet) is required. The submitted landscape plan provides a worksheet indicating that this requirement will be met through 0.068 acre (or 2,995 square feet) of the proposed plantings shown on this DSP.

12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
  - a. **Historic Preservation**—The Planning Board noted the subject property has been extensively graded and extensively disturbed over time. 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 known Prince George's County Historic Sites, Historic Resources, or archeological resources.
  - b. **Community Planning**—An in-depth discussion of the community planning-related issues showing the DSP's conformance with the D-D-O Zone has been incorporated into Findings 7 and 8 above.
  - c. **Transportation Planning**—There are no underlying transportation-related plat notes or other conditions that would control the development of this site. The plan is subject to general site plan requirements, as well as the development district standards established within the Subregion 4 Master Plan and SMA.

As established within the Subregion 4 Master Plan and SMA, the plan is located within Opportunity Site 1 (Zone 1) - Martin Luther King, Jr. Highway/Glenarden City Revitalization. The eastern portion of the MD 704 corridor is envisioned as the gateway to Glenarden and the other Subregion 4 neighborhoods to the west while the southeastern edge of the corridor will be anchored by an expanded civic/institutional campus. Improved commercial uses will anchor the western edge of the corridor. Three of the five goals for this area include:

- Determine the best mix of land uses, densities, and design features needed to create a unique sense of place for the established community.
- Develop a hierarchy of commercial-serving areas that balance the needs of residents, transit riders, and regional traffic.
- Attract higher quality, desirable uses to the area that meet current community needs or provide new opportunities for the area.

Access to this facility would be through an existing access driveway that is parallel to MD 704. The applicant has placed six parking spaces, labeled 15 through 20 on the plans, in front of the existing two businesses. These parking spaces are located in a manner that enables direct access from MD 704 because of how they are situated. The access driveway is under the jurisdiction of the Maryland State Highway Administration (SHA) and the applicant needs to coordinate with that agency.

The site is adjacent to MD 704, a master plan arterial roadway. Sufficient right-of-way consistent with the master plan recommendations was previously dedicated or deeded, and no provision for further right-of-way impacts this property. As long as SHA approves of this access, this plan is acceptable and meets the finding required for the detailed site plan as described in the Zoning Ordinance

- d. **Subdivision Review**—The Planning Board notes that redevelopment of a site of more than 5,000 square feet of gross floor area would require a new preliminary plan of subdivision (PPS) pursuant to Section 24-111(c) of the Subdivision Regulations. However, a PPS is not required at this time because less than 5,000 square feet is proposed. The bearings and distances that are shown on the submitted DSP are consistent with the recorded plat for the property.

**Plan Comments:**

1. Identify all existing and proposed square footages on the plan for the entire site.
2. The General Notes on the DSP shall be amended to include the following:
  - a. The acreage of the entire site in General Note 2.
  - b. The D-D-O-Z in General Note 3.
  - c. The existing uses on the site in General Note 4.
  - d. The existing and proposed lots in General Note 5.
  - e. The existing and proposed GFA in General Note 7.

The subdivision comments have either been addressed through revisions during the design process or are included as conditions in this approval.

- e. **Trails**—The Planning Board reviewed the trails-related requirements for the DSP application, including conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Subregion 4 Master Plan and SMA in order to implement planned trails, bicycle ways, and pedestrian improvements.

One master plan trail issue impacts the subject property with a shared-use sidepath recommended along MD 704. The sidepath along MD 704 will ultimately serve as the extension of the WB&A Trail (which currently terminates at MD 450) to the Washington, D.C. line. The Planning Department has acquired grant funding from the MWCOG Transportation/Land Use Connections Program to begin evaluating the feasibility of this connection. The MPOT includes the following recommendations for each road:

**MD 704 Shared-Use Sidepath: A side path or wide sidewalk construction with designated bike lanes is recommended along MD 704 (District of Columbia to I-495). It may be appropriate to use excess capacity along MD 704 to accommodate improved bicycle and pedestrian facilities. MD 704 connects to the existing WB&A Trail outside I-495. Trail construction along MD 704 will provide an extension of the existing WB&A Trail to provide a continuous east/west trail connection through central Prince George’s County (MPOT, 28).**

It should be noted that just west of the subject site, designated bike lanes have been provided along MD 704 via a recent “road diet” restriping project. At this point, it is undetermined which side of the road the sidepath will be provided on. Also, it is likely that sidepath construction will be done as part of, or after, a larger road diet project that is envisioned for the corridor inside the Capital Beltway. Due to these issues, no trail construction is recommended at this time. The trail will be accommodated within the already dedicated right-of-way. The recently initiated grant-funded feasibility study will resolve issues related to the alignment and facility type of the trail.

The MPOT also contains a section on Complete Streets which provides guidance on accommodating all modes of transportation as new roads are constructed or frontage improvements are made. It also 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.**

A standard sidewalk exists along the site's frontage of MD 704. A striped crosswalk is recommended at the site's ingress/egress point, unless modified by SHA. A small amount of bicycle parking is recommended near the building entrance.

**Trail Recommendations:**

1. Prior to signature approval, the plans shall be revised to include the following:
  - a. A striped crosswalk at the site's ingress/egress onto MD 704, unless modified by SHA.
  - b. A bike rack(s) accommodating a minimum of two bicycles at a location convenient to the building entrance.

The trails review comments have either been addressed through revisions during the design process or are included as conditions in this approval.

- f. **Permit Review**—In a memorandum dated August 30, 2017, (Gallagher to Bishop) the Permit Review Section provided comments that have either been addressed through revisions to the plans or through conditions included in this approval.
- g. **Environmental Planning**—The environmental-related issues relating to conformance with the Woodland and Wildlife Habitat Conservation Ordinance (WCO) are discussed in Finding 10 above, and the Planning Board found that no other environmental requirements were identified for this application.
- h. **Prince George's County Fire/EMS Department**—At the time of the writing of this approval, the Fire/EMS Department did not offer comments on the subject application.
- i. **Prince George's County Department of Inspections, Permitting and Enforcement (DPIE)**—In a memorandum dated November 8, 2017, DPIE offered numerous comments that have been provided to the applicant. These comments will be addressed through DPIE's separate permitting process.
- j. **Prince George's County Police Department**—At the time of the writing of this approval, the Police Department did not offer comments on the subject application.



- k. **Prince George's County Health Department**—At the time of this writing of this approval, the Health Department did not offer comments on the subject application; however, the following standard notes are recommended to be added to the plan:
- (1) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
  - (2) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
- A condition has been included in this approval that requires these County requirements to be noted on the DSP prior to certification.
- l. **Maryland State Highway Administration (SHA)**—In an e-mail dated August 24, 2017 (Woodroffe to Bishop), SHA indicated that they had no comments on the subject application, because no work is being proposed within the SHA right-of-way.
- m. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this approval, WSSC did not offer comments on the subject application.
- n. **Verizon**—At the time of the writing of this approval, Verizon did not offer comments on the subject application.
- o. **Potomac Electric Power Company (PEPCO)**—At the time of the writing of this approval, PEPCO did not offer comments on the subject application.
- p. **City of Glenarden**—At the time of the writing of this approval, the City of Glenarden did not provide any comments on the subject application.
13. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP 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.
14. Per Section 27-285(b)(4) of the Zoning Ordinance, a required finding for approval of a DSP is as follows:

- (4) **The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

In an e-mail dated September 6, 2017 (Reiser to Bishop), the Environmental Planning Section stated the project is exempt from the requirements of the Woodland and Wildlife Habitat Conservation Ordinance, that the site received a Standard Woodland Conservation Exemption Letter (S-001-2017) and NRI equivalency letter (NRI-002-2017), and that no regulated environmental features will be impacted. Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, with the recommended conditions.

15. The subject application adequately takes into consideration the requirements of the D-D-O Zone and the Subregion 4 Master Plan and SMA. The amendments to the development district standards required for this development, as recommended for approval, would benefit the development and the development district, as required by Section 27-548.25(c) of the Zoning Ordinance, and would not substantially impair implementation of the sector plan.

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:

- A. Recommends DISAPPROVAL of the alternative development district standard for:
1. **Landscape Standards and Guidelines—Streetscape Enhancements** (page 552)—To allow for no new street trees along MD 704 (Martin Luther King Jr. Highway).
  2. **Landscape Standards and Guidelines—Lighting** (page 554)—To allow for the development of the property without appropriate site lighting.
- B. Recommends APPROVAL of the alternative development district standards for:
1. **Building Envelope Standards and Guidelines—Building Height** (page 540)—To allow for the construction of a 13-foot-high building that is consistent with the existing structure on site.
  2. **Building Envelope Standards and Guidelines—Build-To-Line** (page 540)—To allow for the building to be set back a maximum of 85 feet from the back of curb.
  3. **Signage Standards and Guidelines—General** (page 549)—To allow building-mounted signage which is not integrated in the architectural design of the building.
  4. **Landscape Standards and Guidelines—Street Trees** (page 551)—To allow for no new street trees along MD 704 (Martin Luther King Jr. Highway).

5. **Landscape Standards and Guidelines–Bicycle** (page 553)—To allow the bicycle parking to be located more than 50 feet from the main entrances.
  6. **Parking and Loading Standards and Guidelines–Surface Parking Lots** (page 555)—To allow for no landscape area between the parking and the building.
- C. APPROVED Detailed Site Plan DSP-16060, Horace and Dickies Carryout, including a departure from the maximum number of compact parking spaces, subject to the following conditions:
1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
    - a. Add a striped crosswalk at the site’s ingress/egress onto MD 704, unless modified by SHA.
    - b. Provide the right-of-way and centerline of MD 704 on the site plan.
    - c. Label the handicap van space, showing a dimension of 16 feet by 19 feet in size.
    - d. Revise the DSP to correctly identify and demonstrate all approved development district standard amendments and departures.
    - e. Add proposed spot elevations, as necessary, to describe high and low points.
    - f. Revise the site plans and parking schedule to reflect the number of bicycle parking spaces.
    - g. Revise the site plans to dimension the sidewalks on-site and continue the sidewalk on the eastern side of the parking compound.
    - h. Revise the site plans to include a sidewalk along the eastern side of the building connecting the front and rear sidewalks.
    - i. Revise the DSP to add the following site plan notes:

“During the demolition and construction phases, this project will conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”

“During the demolition and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR).”

- j. Revise the DSP to include locations and details of all light fixtures, for the development indicating full cut-off optics, no spillover at the property lines, and sufficient lighting for all parking facilities, entrances, pedestrian pathways, public spaces, and property addresses, to be reviewed by the Urban Design Section as the designee of the Planning Board.
- k. Revise the DSP to include a minimum of three landscape planters, each with a minimum dimension of 18 inches in width and height, that are made of low-maintenance durable material, along the building's frontage facing MD 704 (Martin Luther King Jr. Highway).
- l. Revise the DSP to show conformance with window signage standards of the D-D-O Zone.
- m. Revise the DSP to add dimensions for all proposed building-mounted signage and include labels indicating signage material, type, and lighting.
- n. Revise the DSP to indicate that the dumpster enclosure will be painted in a color to match the building.
- o. Revise the DSP to indicate that the sides and rear of the entire building will be painted in a color to match the front of the building.
- p. Revise the DSP to provide wheel stops on the parking spaces on the northern side of the building.
- q. Remove all Landscape Manual schedules from the landscape plan, except Section 4.9.

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, December 7, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of January 2018.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:NAB:rpg