

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 June 29, 2017 regarding Detailed Site Plan DSP-16032 for SMO, Incorporated, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) application is for a proposed 3,400-square-foot food and beverage store, eight multi-product dispenser gas station, and a 2,926-square-foot car wash.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zones	C-M/ M-I-O	C-M/M-I-O
Uses	Food and Beverage Store/ Service Station/Dry Cleaner	Food and Beverage Store/ Gas Station/Car Wash
Acreage	1.56	1.43
Parcel	2	2
Total Gross Floor Area (GFA)	9,009 sq. ft.	6,326 sq. ft.

OTHER DEVELOPMENT DATA

<b>Total Parking Spaces Required</b>	<b>31 spaces</b>
Food and Beverage Store	
3,000 GFA @ 1 space per 150 GFA	20 spaces
400 + GFA @ 1 space per 200 GFA	2 spaces
Gas Station	
2 Employees @ 1 space per Employee	2 spaces
Car Wash	
2,926 GFA @ 1 space per 500 GFA	6 spaces
 <b>Total Parking Spaces Provided</b>	 <b>33 Spaces</b>
Regular Spaces (9.5 ft. x 19 ft.)	29 spaces
Compact Spaces (8 ft. x 16.5 ft.)	2 spaces
ADA Spaces (8 ft. x 19 ft.)	2 spaces
 <b>Loading Spaces Required</b>	 <b>1 space</b>
<b>Loading Spaces Provided</b>	<b>1 space*</b>

Note: \* On the submitted DSP, the provided loading space is shown to be located within 50 feet of the residentially-zoned property to the west. This is not allowed per Section 27-579(b) of the Zoning Ordinance. The applicant has indicated that they can redesign the loading space to move it more than 50 feet from the adjacent property. Therefore, a condition has been included in this approval requiring this revision.

3. **Location:** The subject site is located on the west side of Old Branch Avenue between Kirby Road and Arbutus Lane, in Planning Area 81A and Council District 9. More specifically, the property is located at 7505 and 7509 Old Branch Avenue in Clinton, Maryland
4. **Surrounding Uses:** The property is currently developed with a food and beverage store, vehicle service facility, and dry cleaner, and is bounded on the east side by the public right-of-way of Old Branch Avenue, a designated historic road, and beyond by a vacant building in the C-M Zone. To the west is a vacant One-Family Detached Residential (R-80) zoned property. The site is bounded to the north by the public right-of-way of Kirby Road, with a bank in the C-M Zone beyond, and to the south by the public right-of-way of Arbutus Lane, with a food and beverage store in the C-M Zone beyond.
5. **Previous Approvals:** The subject property is a part of the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (Central Branch Avenue Corridor Sector Plan and SMA), which retained the site in the C-M Zone. The site was developed with a gas station and retail uses in the 1960s. The site also has a Stormwater Management Concept Plan (37816-2016-00), which was approved on March 1, 2017 and is valid through March 1, 2020.
6. **Design Features:** The subject site is roughly rectangular in shape, with the west side adjacent to vacant residentially-zoned property. The site fronts on Kirby Road to the north with one proposed vehicular access point, Old Branch Avenue to the east with a second vehicular access point, and Arbutus Lane to the south with a third vehicular access point, which will be 'exit-only.'

The applicant proposes a one-story, 23-foot-high, 3,400-square-foot food and beverage store, located along the northwestern edge of the property and facing east. Two surface parking areas are located along the east and north sides of the building, with a loading space and trash enclosure along the south side. The applicant also proposes a gas station with eight multi-product dispensers under an 18-foot-high canopy located to the east of the food and beverage store. Finally, the applicant proposes a 2,926-square-foot, approximately 26-foot-high car wash along the southern edge of the property. Parking is provided along the north side of the car wash with self-serve vacuum cleaners. Adequate handicapped parking has been provided for the project. Stormwater management is being accommodated by on-site underground storage and treatment.

### **Architecture**

The building design for the food and beverage store is rectangular with a flat roof. The exterior finish is brick with a stone veneer or decorative concrete block water table rising to three feet in height around all sides of the building. Dark grey fiber cement panels accent all sides of the

building and storefront windows and double door are provided along the eastern elevation. Fabric awnings are located on the front and sides of the building. The building is attractive and uses high quality materials. In front of the food and beverage store is the gas station dispenser area, covered with an 18-foot-high canopy. The color of the canopy is white with an internally illuminated red bar light. The canopy is supported by a pole system, covered in the same brick veneer featured on the main building.

The building design for the car wash is roughly rectangular with four curved roofs at varying heights and angles. The exterior finish is predominately a “wood-look” fiber cement siding with a stone veneer water table rising to three feet in height around all sides of the building and matching stone veneer accent columns. The building is attractive, uses high-quality materials, and provides a significant amount of windows on all elevations. Overhead doors providing access to the drive-through car wash are located along the western and eastern elevations.

### **Signage**

Two freestanding signs are proposed on the site. The first sign, located at the northeast corner of the property, adjacent to the Kirby Road and Old Branch Avenue intersection, is a 25-foot-high, internally-illuminated, white and red, ground-mounted sign, with three digital displays for the gasoline prices. The second sign, located to the south of the driveway entrance from Old Branch Avenue is a 25-foot-high, internally-illuminated, white, blue and green, ground-mounted sign, with a digital display and stone columns and base. Two additional menu-board signs and two directional signs for the car wash are also proposed.

Two 48-inch-tall, internally illuminated building-mounted signs are located on the east and north elevations of the food and beverage store totaling 70.95 square feet. Two 24-inch tall, internally illuminated signs are located on the east and north elevations of the gas station canopy totaling 69.5 square feet. Three channel-letter building-mounted signs are located on the car wash totaling 78.1 square-feet. All signs are consistent with applicable sign regulations, except as discussed in Finding 7 below.

### **Site Details**

**Light Fixtures**—Details of the downward light fixtures, canopy lights, wall-mounted lights and the light bollards to be located proximate to the car wash parking area have been provided and the Planning Board found them acceptable.

**Dumpster Enclosure**—The dumpster enclosure will be composed of concrete masonry unit (CMU), precast concrete and brick. The CMU is located on the watertable and a precast concrete band provides division between the wall and the watertable. Brick is to be utilized above the precast concrete. A variety of light and dark brown colors are coordinated in the dumpster design and match those colors of the food and beverage store. Double gates, finished in composite wood supported by painted steel posts, provide access to the enclosure.

**Hardscape**—A five-space bicycle parking rack has been provided on the north side of the food and beverage store.

**Wall/Fence**—A three-foot-high decorative wall is proposed along the Old Branch Avenue frontage. This wall is composed of brick, which matches the food and beverage store, with a pre-cast concrete cap.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-M Zone, Military Installation Overlay Zone (M-I-O) and the site plan design guidelines of the Zoning Ordinance.

a. The subject application is in general conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in commercial zones. The proposed food and beverage store, a gas station, and a car wash are permitted uses in the C-M Zone, subject to DSP review.

A gas station is permitted in the C-M Zone, subject to DSP review, and the requirements of Section 27-358(a)(1), (2) and (4) through (10), which are as follows:

(a) **A gas station may be permitted, subject to the following:**

(1) **The subject property shall have at least one hundred fifty (150) feet of frontage on and direct vehicular access to a street with a right-of-way width of at least seventy (70) feet.**

The above criterion has been met. The subject property is a through-lot that has direct vehicular access and over 322 feet of frontage along Old Branch Avenue, which has an ultimate right-of-way of 80 feet and has direct vehicular access and over 202 feet of frontage along Kirby Road, which has an ultimate right-of-way of 80 feet.

(2) **The subject property shall be located at least three hundred (300) feet from any lot on which a school, playground, library or hospital is located.**

The above criterion has been met. The subject property is not located within 300 feet of any school, playground, library or hospital.

(4) **The storage or junking of wrecked motor vehicles (whether capable of moving or not) is prohibited.**

The above criterion has been met. The applicant indicates that they will not store motor vehicles at the subject property.

- (5) Access driveways shall be not less than thirty (30) feet wide unless a lesser width is allowed for a one-way driveway by the Maryland State Highway Administration or the County Department of Permitting, Inspections, and Enforcement, whichever is applicable, and shall be constructed in compliance with the minimum standards required by the County Road Ordinance or Maryland State Highway Administration regulations, whichever is applicable. In the case of a corner lot, a driveway may begin at a point not less than twenty (20) feet from the point of curvature (PC) of the curb return or the point of curvature of the edge of paving at an intersection without curb and gutter. A driveway may begin or end at a point not less than twelve (12) feet from the side or rear lot line of any adjoining lot;**

The above criterion has been met. The proposal provides for a 35-foot-wide full access driveway off Kirby Road, which is located more than 20 feet from the point of curvature of the curb return and more than 12 feet from the rear lot line. The proposal also provides for a 47-foot-wide full access driveway off Old Branch Avenue, which is located more than 20 feet from the point of curvature of the curb return and is not along the same frontage as a rear or side lot.

- (6) Access driveways shall be defined by curbing.**

The above criterion has been met. The proposed access driveways are defined by concrete curbing.

- (7) A sidewalk at least five feet wide shall be provided in the area between the building line and the curb to those areas serving pedestrian traffic.**

The above criterion has been met. A five-foot-wide sidewalk is proposed along Kirby Road, Old Branch Avenue, and Arbutus Lane. In addition, sidewalks have been provided on three sides of the food and beverage store. A sidewalk connection should be provided to connect the food and beverage store with the sidewalks within the rights-of-way.

- (8) Gasoline pumps and other service appliances shall be located at least twenty-five (25) feet behind the street line.**

The above requirement has been met. All gasoline pumps and service appliances are located more than 25 feet behind the street line.

- (9) **Repair service shall be completed within forty-eight (48) hours after the vehicle is left for service. Discarded parts resulting from any work shall be removed promptly from the premises. Automotive replacement parts and accessories shall be stored either inside the main structure or in an accessory building used solely for the storage. The accessory building shall be wholly enclosed. The building shall either be constructed of brick (or other building material similar in appearance to the main structure) and placed on a permanent foundation, or it shall be entirely surrounded with screening material. Screening shall consist of a wall, fence, or sight-tight landscaping material, which shall be at least as high as the accessory building. The type of screening shall be shown on the site plan.**

The above criterion has been met. No repair facility is proposed for the gas station.

- (10) **Details on architectural elements such as elevation depictions of each façade, schedule of exterior finishes, and description of architectural character of the proposed buildings shall demonstrate compatibility with existing and proposed surrounding development.**

The above criterion has been met. The proposed gas station has been designed to not only be consistent with, but to be an attractive addition to, the existing surrounding development.

- b. The DSP shows a site layout that is consistent with Section 27-462 Regulations regarding building setbacks.
- c. 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, vehicular and pedestrian circulation is designed to be safe, efficient, and convenient for both pedestrians and drivers. Streetscape amenities, such as the brick wall, contribute to an attractive, coordinated development that is appropriately scaled for user comfort. Additionally, the light fixtures are durable and compatible with the architecture.

One of the site design guidelines says that pedestrian access should be provided into the site; however, no sidewalk connections to the sidewalks within the right-of-way are shown on the DSP. Therefore, a condition has been included in this approval requiring the addition of one such connection prior to certification of this DSP.

- d. **Military Installation Overlay (M-I-O) Zone:** Part 10(c) of the Zoning Ordinance sets forth criteria for the M-I-O Zone. The subject property is located within the Joint Base Andrews M-I-O Zone area, within Height Surface 'E,' establishing a height limit of

approximately 500 feet above the runway surface, which should be noted in the general notes and on any other future development plans. All the proposed buildings are no more than 26 feet in height and, therefore, meet the requirements of the M-I-O Zone.

- e. Proposed building-mounted and freestanding signage are proposed with the DSP and it appears that they generally conform to the Zoning Ordinance standards in Section 27-613, which governs signs attached to a building or canopy and Section 27-614, Freestanding Signs. However, the site is proposing two freestanding signs, as allowed due to the site's frontage on two parallel (or approximately parallel) streets, Kirby Road and Arbutus Lane. However, in order for this to be applicable, the signs need to be located so as to be fronting on those streets. The gas station freestanding sign location is acceptable at the corner of the intersection of Kirby Road and Old Branch Avenue. However, the car wash freestanding sign needs to be moved from the current location along Old Branch Avenue to along the Arbutus Lane frontage. A condition requiring this revision has been included in this approval.
  - f. The DSP proposes freestanding signage for the car wash where the main building is located less than 40 feet behind the front street line. The applicant requested a Departure from Sign Design Standards (DSDS-691) from Section 27-614(a)(1) of the Zoning Ordinance, that was approved by the Planning Board at the June 29, 2017 public hearing.
8. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This project is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site contains less than 10,000 acres of woodland, and does not have a previously approved tree conservation plan. A Natural Resources Inventory Equivalence Letter, NRI-088-2016, approved on April 14, 2016 was submitted with the review package. The NRI shows no regulated environmental features or woodlands on the subject property. The site received a Woodland Conservation Exemption Letter (S-071-16) on April 14, 2016. A Type 2 Tree Conservation Plan is not required.
9. **2010 Prince George's County Landscape Manual Requirements:** The DSP is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), as follows:
- a. **Section 4.2, Requirements for Landscape Strips along Streets**—Applies to all public and private road frontages, which include the northern and southern frontages of the subject site adjacent to Kirby Road and Arbutus Lane, respectively. The correct schedules are provided on the DSP showing this requirement being met for the majority of the frontages, except for a portion of the Arbutus Lane frontage. Therefore, the applicant filed a request for Alternative Compliance, AC-17006, from Section 4.2 for a reduction in the width of the landscape strip provided.

REQUIRED: 4.2 Landscape Strips along Streets, along Arbutus Lane (Option 1)

Length of Landscape Strip	135 feet
Width of Landscape Strip	10 feet
Shade Trees (1 per 35 linear feet)	4
Shrubs (10 per 35 linear feet)	39

PROVIDED: 4.2 Landscape Strips along Streets, along Arbutus Lane (Option 1)

Length of Landscape Strip	135 feet
Width of Landscape Strip	3–10 feet
Shade Trees	4
Shrubs	48

**Justification**

The applicant is requesting Alternative Compliance from Section 4.2, Landscape Strips along Streets, for a 48.9-foot portion (36 percent) of the 135-foot frontage on Arbutus Lane. Under normal compliance with Section 4.2, Option 1, the applicant would be required to provide a ten-foot-wide landscape strip fully on the subject property directly behind the right-of-way line, planted with four shade trees and 39 shrubs. Due to space limitations, and to accommodate additional parking, the applicant proposes to narrow a 48.9-foot portion of the landscape strip to a width of between three and seven feet. As an alternative to the normal requirements, the applicant proposes to provide nine shrubs in addition to the normal requirement. The Planning Board agreed that the space limitations on the site make normal compliance with the Section 4.2 requirements impractical and that the alternative design exceeds the quantity requirements of plant materials. However, the Planning Board found that 8–10 additional shrubs should be provided along the westernmost portion of the landscape strip to help screen the parking spaces located adjacent to the right-of-way. With the inclusion of the additional shrubs along the westernmost portion of the landscape strip, the Planning Board found that the applicant’s proposed alternative compliance measures be equally effective as normal compliance with Section 4.2 of the Landscape Manual.

- b. **Section 4.3, Parking Lot Requirements**—Section 4.3 requires a percentage of the parking lot, determined by the size of the lot, to be interior planting area and a perimeter landscape strip along all adjacent properties. The required schedules have been provided demonstrating conformance to this section.
  
- c. **Section 4.4, Screening Requirements**—The site is subject to Section 4.4, which requires screening of loading spaces, trash facilities, and mechanical equipment. A detail for a brick-veneered trash enclosure has been provided for the proposed dumpsters. The proposed loading space will be screened from Kirby Road and Arbutus Lane by the proposed buildings and the 4.2 Landscape Strips. The proposed loading space will be



screened from the adjacent residentially-zoned property by the Section 4.7 bufferyard. The proposed loading space is not shown to be adequately screened from Old Branch Avenue, therefore, a condition has been included in this approval requiring the addition of a fence and gate detail to screen the loading space.

- d. **Section 4.6, Buffering Development from Streets**—Section 4.6 requires a buffer between any use and the right-of-way of a special roadway. Old Branch Avenue is classified as a designated historic roadway adjacent to the subject property. Therefore, a Section 4.6 buffer is required, which includes a minimum 20-foot-wide buffer planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings (within the area formerly designated as the Developing Tier). Section 4.6 requires all plant materials to be located outside of any public utility easements adjacent to the right-of-way. The applicant has also filed a request for Alternative Compliance from Section 4.6(c)(2), for a reduction in the required buffer width and amount of plant units, which is discussed as follows:

REQUIRED: Section 4.6 (c)(2) Buffering Development from Special Roadways, along Old Branch Avenue, a designated historic roadway

Length of bufferyard:	308 feet
Minimum bufferyard width:	20 feet
Plant Units (80 per 100 linear feet):	247

PROVIDED: Section 4.6(c) Buffering Development from Special Roadways, along Ritchie Marlboro Road, a designated historic roadway

Length of bufferyard:	308 feet
Bufferyard width:	13–28 feet
Plant Units:	158

**Justification**

The applicant does not meet the strict requirements of Section 4.6(c)(2), Buffering Development from Special Roadways, along a 175.9-foot portion (57.1 percent) of the 308-foot frontage on the historic Old Branch Avenue because the full required buffer width has not been provided and a reduced number of plant units are provided. Section 4.6(c)(2)(A)(ii) of the Landscape Manual for development along historic roads in the Developing Tier requires the applicant to provide a minimum twenty-foot-wide buffer to be planted with a minimum of 80 plant units per 100 linear feet, which equals a total of 247 plant units for the subject property. The applicant is proposing to reduce the width of the buffer to 13 feet for a 175.9-foot portion of the buffer and to reduce the number of plant units provided to 158 plant units. However, the plan shows an additional 25 plant units are located within the buffer that have not been counted toward the requirement. The Planning Board found to count these plant units in the appropriate planting schedule.

As an alternative, the applicant is proposing to provide a three-foot-high decorative brick wall along the entire frontage. The applicant justifies this arrangement to accommodate an adequate and safe circulation pattern for the gas station, food and beverage store, and car wash.

One of the purposes of the Section 4.6 is to “Provide an attractive view of development from streets and special roadways by buffering those developments with appropriate landscaping.” The Planning Board found that the provision of the decorative brick wall, in addition to the plant materials proposed and the bufferyard width, will be equally effective as normal compliance with Section 4.6 of the Landscape Manual.

- e. **Section 4.7, Buffering Incompatible Uses**—A goal of Section 4.7 is to provide a comprehensive, consistent, and flexible landscape buffering system that provides transition between moderately incompatible uses. This section applies to the subject application because it proposes a new building on the site. The submitted plans provide the appropriate schedules and notes demonstrating conformance to this section, except that the applicant proposes to locate the required buffer on the adjacent, vacant, residentially-zoned property. Therefore, the applicant filed a request for Alternative Compliance, AC-17006, from Section 4.7 to locate the required buffer within an easement on the adjacent property, which is discussed as follows:

REQUIRED: 4.7 Buffering Incompatible Uses, along the western property line, adjacent to vacant residentially-zoned property

Length of bufferyard	336 feet
Minimum building setback	50 feet
Landscape yard width	40 feet
Fence or wall	Yes
Percent with existing trees	0 percent
Plant units (160 per 100 l. f.)	538

PROVIDED: 4.7 Buffering Incompatible Uses, along the western property line, adjacent to vacant residentially-zoned property

Length of bufferyard	336 feet
Minimum building setback	4.97 feet
Landscape yard width	40 feet
Fence or wall	Yes, six-foot-high, sight-tight
Percent with existing trees	0 percent
Plant units (60 per 100 l. f.)	570

**Justification**

The applicant requests Alternative Compliance from Section 4.7, Buffering Incompatible Uses Requirements of the Landscape Manual to propose an alternative solution to providing the required bufferyard on the subject property. Section 4.7 requires a Type “D” bufferyard, which includes a 50-foot building setback and 40-foot-wide landscape yard along this edge of the property, adjacent to vacant residentially-zoned property.

As a result of the narrow configuration of the lot, provisions to provide a safe, viable project, and adequate circulation is constrained. If the required buffer was provided on the developing lot, pedestrian and vehicle traffic would have a difficult time safely navigating the site. The applicant proposes to provide the full width of the buffer, as well as a six-foot-high sight-tight fence, in an off-site landscape easement on the adjoining vacant property. The proposed off-site easement provides the necessary spatial requirement to meet both the landscape yard and building setback requirements and provide the full buffer necessary along the western portion of the property.

The Planning Board found the applicant’s proposal equally effective as normal compliance with Section 4.7 of the Landscape Manual, as the proposed off-site easement provides the needed spatial requirement necessary to meet both the full landscape yard and building setback. However, the applicant proposes to plant the buffer with shade and ornamental trees only, and the Planning Board found that a portion of these be changed to evergreen trees and shrubs to provide seasonal variety and complimentary screening at different heights. Additionally, the landscape plan indicates an existing tree line within the proposed landscape easement that appears erroneous based on aerial photography. The applicant is not taking any credit for the existing trees; therefore, a condition is included to verify and correct the tree line. Additionally, to ensure appropriateness and maintenance, the easement document should be reviewed by the M-NCPPC Legal Department prior to recordation, and then the recorded Liber and Folio should be added to the plan.

In conclusion, the Planning Board found that the requests for approval of Alternative Compliance are justified for this redevelopment proposal in an older community due to the space limitations of the site, in accordance with Section 1.3(a)(2) of the Landscape Manual and approved the AC application.

- e. **Section 4.9, Sustainable Landscaping Requirements**—Section 4.9 requires that a certain percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs) should be native species (or the cultivars of native species). The minimum percentage of plants of each plant type required to be native species and/or cultivars is specified below:

Shade trees	50 percent
Ornamental trees	50 percent
Evergreen trees	30 percent
Shrubs	30 percent

The landscape plan provides 70 percent native shade trees, 100 percent native ornamental trees, no evergreen trees, and 38 percent native shrubs and, therefore, meets the above requirements.

f. **Alternative Compliance AC-17006 Decision**

The Planning Board found to APPROVE the Alternative Compliance application for Section 4.2, Landscape Strips along Streets, along Arbutus Lane; Section 4.6(c)(2), Buffering Residential Development from Special Roadways, along Old Branch Avenue; and Section 4.7, Buffering Incompatible Uses, along the western property line, of the 2010 *Prince George's County Landscape Manual*, subject to conditions, which have been included in this approval.

10. **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 require a building and/or grading permit for more than 5,000 square feet of disturbance. Properties that are zoned C-M are required to provide a minimum of ten percent of the gross tract area covered in tree canopy. The subject property is 1.56 acres in size, resulting in a TCC requirement of 0.156 acre, or 6,795 square feet. The provided tree canopy schedule indicates that this requirement is being met through the proposed landscaping on-site.

11. **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. **Community Planning**—This application is consistent with the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) for properties designated commercial located within established communities and within the growth boundary. The application conforms with the commercial-neighborhood land use recommended in the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. However, it is not consistent with the sector plan design recommendations regarding main street style development.

The proposal is not consistent with design recommendations of the master plan because the proposal does not place the buildings close to the street to create an active streetscape and it locates the parking in front of the building. The sector plan locates the subject property in the Coventry Way focus area. The building and site design principles for the Coventry Way focus area encourage building close to the street to provide for an attractive and active streetscape. The plan suggests having wide sidewalks with street trees and outdoor seating. The plan also suggests placing parking at the rear and side of all buildings, and providing low screening walls and/or hedges where surface parking can be viewed from the street.

The subject DSP is not required to conform to the Sector Plan and the use is such that placing buildings adjacent to the right-of-way is not typical. The DSP does provide for the required landscape strips along all rights-of-way's, including a decorative screening wall along the Old Branch Avenue frontage. Alternative Compliance has been requested and the Planning Board found to approve the AC application.

- b. **Transportation Planning**—The property is located in an area where the development policies are governed by the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*, as well as the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The plan recommends Old Branch Avenue and Kirby Road to be upgraded to collector roads. Old Branch Avenue (four lanes) is currently at its planned cross section and no further widening is likely. Kirby Road is currently two lanes and no permanent structures are being proposed within the master planned 80-foot right-of-way. There are no previous transportation conditions associated with the site.

**Transportation Conclusion**

Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a DSP, as described in the Zoning Ordinance.

- c. **Subdivision Review**—The subject property is composed of Parcels A and B in the Montague and Wilkes Properties Subdivision. The property is zoned C-M and is in the M-I-O Zone. Parcels A and B were recorded in Plat Books WWW 51-22 and 51-23 in April 1964 and were the subject of Preliminary Plan of Subdivision 12-3019 for which there are no available records.

The site is currently developed with two buildings totaling 9,009 square feet, which have been in existence since the early 1960s. The total area of the site is 67,990 square feet or 1.56 acres and the existing buildings comprise more than 10 percent of the site. At the time of the Planning Board approval, it was determined that the site is exempt from the requirement of filing a resubdivision pursuant to Section 24-111(c)(4) which states:

- (c) **A final plat of subdivision approved prior to October 27, 1970, shall be resubdivided prior to the issuance of a building permit unless:**
- (4) **The development of more than five thousand (5,000) square feet of gross floor area, which constitutes at least ten percent (10%) of the total area of a site that is not subject to a Regulating Plan approved in accordance with Subtitle 27A of the County Code, has been constructed pursuant to a building permit issued on or before December 31, 1991.**

In order for the above exemption to remain valid, the applicant should be aware that a building permit for the proposed structures should be approved prior to the razing of the existing structures or a resubdivision will be required for the development of more than

5,000 square feet of gross floor area. The existing development constitutes 13.25 percent of the total area of the site. The existing buildings are to be razed and this application is proposing a 3,400-square-foot food and beverage store, eight multi-product dispensers under the cover of a canopy and a 2,926-square-foot car wash. The record plats show a 10-foot-wide building restriction line along Old Branch Avenue and Kirby Road, which should be shown on the site plan.

Subdivision conditions are as follows:

- (1) Prior to certification of the DSP, the plans should be revised as follows:
  - (a) Add the bearings and distances to the plan;
  - (b) Add M-I-O to Note 4;
  - (c) Add the 10-foot building restriction line (BRL) to the plan or submit a minor final plat to remove it;
  - (d) Remove “MD Route 381” from the plan.

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.

The DSP has been revised to address some of the subdivision review issues. Those not addressed have been included as conditions of this approval.

- d. **Trails**—The Planning Board reviewed an analysis regarding the site plan’s conformance with the with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and/or the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements.

Two master plan trails/bikeways impact the subject application. Sidewalks and designated bike lanes are recommended along Old Branch Avenue and Kirby Road, which is designated as a shared use roadway (see MPOT map). Designated bike lanes along MD 381 can be considered by the Maryland State Highway Administration (SHA) comprehensively for the corridor at the time of road resurfacing. For the submitted site plan, any restriping along the site’s frontage should be consistent with the Maryland State Highway Administration January 2015 *Bicycle and Policy Design Guidelines*. ‘Share the Road’ signage is required along Kirby Road to implement the bikeway recommendation in the MPOT.

The Complete Streets element of the MPOT reinforces the need for these improvements and 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 site plan reflects sidewalk construction along the site's frontages of both Old Branch Avenue and Kirby Road. In addition to these improvements, the Planning Board found to require the provision of a sidewalk along the site's frontage of Arbutus Lane. Lastly, a small amount of bike parking should be provided for the food and beverage store.

#### **Trails Conclusion**

From the standpoint of non-motorized transportation, it is determined that this plan is acceptable, fulfills the intent of the applicable master plans and functional plans, fulfills prior conditions of approval, and meets the finding required for a DSP, if the following conditions were to be placed:

- (1) Prior to signature approval of the detailed site plan (DSP), the plan shall be revised to include:
  - (a) A standard sidewalk along the subject site's entire frontage of Arbutus Lane, unless modified by DPIE.
  - (b) Provide a bicycle rack(s) accommodating a minimum of five bicycles at a location convenient to the building entrance. A detail for the bike rack(s) shall be included with the site plan details.
- (2) Provide a financial contribution of \$420 to the Department of Public Works and Transportation/Department of Permitting, Inspections, and Enforcement for the placement of one "Share the Road with a Bike" sign along the site's frontage of Kirby Road. Payment shall be received prior to the issuance of the first building permit.

The DSP has been revised to show sidewalk along the Arbutus Lane frontage and bike racks near the building entrance. A condition has been included in this approval requiring the financial contribution for the bike signage.

- e. **Permit Review**—Permit comments have been either addressed by revisions to the plans or are worded in conditions of this approval.
- f. **Environmental Planning**—There are no environmental issues or comments for the proposed application. The entire site is impervious and the proposed impacts will not create any new pervious areas with this application. There are no regulated environmental features on the property. No residential uses are proposed; therefore, there are no noise issues. Old Branch Avenue is a designated historic roadway. Soils are Grosstown-Hoghole-Urban (GkB) land complex and no Marlboro Clay Soils are found on-site.
- g. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated April 26, 2017 DPIE offered the following comments on the subject application:
  - (1) The subject property is located on the west side of Old Branch Avenue, between Kirby Road and Arbutus Lane. The Department of Public Works and Transportation (DPW&T) Specifications and Standards must be followed accordingly for the:
    - (a) Right-of-way dedication and frontage improvements for the existing Old Branch Avenue (Scenic and Historic Rural four-lane Collector Road).
    - (b) Right-of-way dedication and frontage improvements for the existing Kirby Road (Urban five-lane Collector Road).
    - (c) Right-of-way dedication and frontage improvements for the existing Arbutus Lane (Urban Secondary Residential Road).
  - (2) Proposed Master Plan roadways impacting this property will require coordination with DPIE, DPW&T, and Maryland-National Capital Park and Planning Commission (M-NCPPC). These roads will require rights-of-way dedication and possible road construction, in accordance with DPW&T’s Specifications and Standards.
  - (3) A restoration bond is required for the existing driveway entrance within the public rights-of-way along frontage of the site.
  - (4) Half-width, two-inch mill and overlay for all existing County roadway frontages are required.
  - (5) Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance. Existing sidewalks are to remain accessible during construction.



- (6) All pedestrian crosswalks shall have proper sight distance and be constructed in accordance with American with Disabilities Act (ADA) accessibility guidelines.
- (7) The applicant is to provide adequate sight distance in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards for all driveway entrances from the site onto existing roadways.
- (8) The driveways are to be constructed in accordance with DPW&T's commercial driveway entrance standards.
- (9) Improvements within the public rights-of-way, dedicated for public use to the County, are to be in accordance with the County's Road Ordinance, DPW&T's Specifications and Standards, and the Americans with Disabilities Act (ADA).
- (10) The proposed development will require an approved DPIE site development -fine grading permit.
- (11) Compliance with DPW&T's Utility Policy is required. Proper temporary and final patching and the related mill and overlay in accordance with the established "DPW&T's Policy and Specification for Utility and Maintenance Permits" are required.
- (12) Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.
- (13) Conformance with DPWT's street lighting specifications and standards are required. Adjustments to street lighting, to accommodate the proposed plan improvements, are required in accordance with Section 23-140 of the Prince George's Road Ordinance.
- (14) Roadside trees will be required along County-maintained roadways within the limits of the permit area.
- (15) Determination of roadway layout configurations and right-of-way dedications, for Kirby Road within the site, is necessary prior to the Detailed Site Plan approval.
- (16) The proposed roadway layout configurations and right-of-way dedications, meet the intent of the approved Stormwater Management Concept Plan No. 37816-2016, dated March 1, 2017.
- (17) The proposed site is required to obtain DPIE storm drain/stormwater management technical approval to comply with the approved stormwater management concept.

- (18) All stormwater management facilities and drainage systems are to be constructed in accordance with the Specifications and Standards of the DPIE, DPW&T and the Department of the Environment (DoE). Approval of all facilities are required, prior to permit issuance.
- (19) The designated area is considered a “Hotspot”, pollution prevention plan is required.
- (20) An off-site stormdrain and grading easement is required at the west side of the property.
- (21) The existing storm drain easement is to be abandoned prior to permit issuance.
- (22) A soils investigation report, which includes subsurface exploration and a geotechnical engineering evaluation is required, prior to permit issuance.
- (23) This memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:
  - (a) Final site layout, exact impervious area locations are not shown on plans.
  - (b) The exact acreage of impervious areas has not been provided.
  - (c) Proposed grading is shown on the plans.
  - (d) Delineated drainage areas at all points of discharge from the site have not been provided.
  - (e) Stormwater volume computations have not been provided.
  - (f) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion and sediment control practices are not included in the submittal.
  - (g) A narrative in accordance with the County Code has not been provided.

The majority of DPIE’s comments are either factual or are required to be addressed prior to issuance of permits and at the time of technical plan approvals by DPIE. It should be noted that DPIE has stated that the plans are consistent with the approved stormwater management concept plan.

- h. **Prince George's County Police Department**—The Police Department did not provide comments on the subject application.
  - i. **Prince George's County Health Department**—The Health Department did not provide comments on the subject application.
  - l. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not provide comments on the subject application.
12. Based on the foregoing, and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP if approved with the proposed conditions below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
13. As required by Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

**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).**

The approved NRI equivalence letter indicates that there are no regulated environmental features or woodlands on the subject property. Therefore, this requirement is not applicable to the subject property.

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 Detailed Site Plan DSP-16032, and further APPROVED Alternative Compliance AC-17006, subject to the following conditions:

1. Prior to certificate of approval of the detailed site plan (DSP), the following revisions shall be made, or information shall be provided:
  - a. Provide an accessible pedestrian connection from the food and beverage store to the public rights-of-way.
  - b. Move the proposed loading space to more than 50 feet away from residentially-zoned property.
  - c. Add a general note to the site plan indicating that the property is within Height Surface 'E' of the M-I-O Zone, establishing a height limit of approximately 500 feet above the runway surface.

- d. Provide a fence and gate, including details, to screen the proposed loading space from Old Branch Avenue.
  - e. Add the bearings and distances of all property lines to the site plan.
  - f. Provide detailed dimensions of all signage elements on the elevations and sign details on the detail sheet.
  - g. Provide dimensions from the centerlines to the ultimate rights-of-way.
  - h. Provide mounting method for all building mounted signs.
  - i. Move the freestanding car wash sign to front along Arbutus Lane.
  - j. Show on the plan the location of a six-foot-high, sight-tight fence along the western edge of the proposed landscape buffer.
  - k. Revise the landscape plan as follows:
    - (1) Provide 8–10 additional shrubs along the westernmost portion of the landscape strip adjacent to Arbutus Lane.
    - (2) Revise the Section 4.6 schedule to count the 25 Rosa ‘knockout’ shrubs toward the provided plant units.
    - (3) The applicant shall prepare a perpetual landscape and maintenance easement to be reviewed by the M-NCPPC Legal Department prior to recordation, and the recorded easement shall be indicated on the plans.
    - (4) Convert approximately one-third of the proposed ornamental trees located in the Section 4.7 landscape yard to evergreen trees and shrubs. Revise the schedules as necessary.
    - (5) Verify or correct the existing tree line shown within the Section 4.7 landscape yard.
2. Prior to the issuance of the first building permit, the applicant and the applicant’s heirs, successors, and/or assignees shall provide a financial contribution of \$420 to the Department of Public Works and Transportation (DPW&T)/Department of Permitting, Inspections, and Enforcement (DPIE) for the placement of one “Share the Road with a Bike” sign along the site’s frontage of Kirby Road.

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.

\* \* \* \* \*

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, June 29, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of July 2017.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator

PCB:JJ:JK:rpg