

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 July 6, 2017, regarding Detailed Site Plan DSP-16051 for Carrollton Shopping Center, Parcel B, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) for a change of the underlying zoning for a portion of Parcel B from the existing One-Family Residential (R-55) Zone to the Commercial Shopping Center (C-S-C) Zone. No new development is proposed as part of this application.

2. **Development Data Summary:**

	EXISTING R-55/C-S-C/T-D-O	APPROVED C-S-C/T-D-O
Zone(s)	Integrated Shopping Center	Integrated Shopping Center
Use	27.75	27.75
Acreage	1	1
Parcel	274,408	274,408
Total Existing Gross Floor Area (sq. ft.)		

3. **Location:** The subject property is located in the northeast quadrant of the intersection of Annapolis Road (MD 450) and Riverdale Road, in Planning Area 69, Council District 3.

4. **Surrounding Uses:** The site is bounded to the north and east by single-family detached dwellings in the R-55 Zone; to the west by the public right-of-way of Riverdale Road with multifamily dwellings in the R-18 Zone beyond; and to the south by the public right-of-way of Annapolis Road with commercial uses in the M-X-T Zone beyond.

5. **Previous Approvals:** The subject site, consisting of Parcel B, is developed with a portion of an existing integrated shopping center known as the Carrollton Shopping Center. Final plats of subdivision were recorded among the Prince George’s County Land Records on January 18, 1993, with Parcel B being recorded as VJ 164-89. The 2010 *Approved New Carrollton Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (New Carrollton TDDP and T-D-O ZMA) retained the R-55 and C-S-C Zones for the property and superimposed a T-D-O Zone on the property. A Departure from Sign Design Standards, DSDES-572, was approved on March 8, 2001 (PGCPB Resolution No. 01-52) with two conditions.

The site also has an approved Stormwater Management Concept Plan, 65877-2016-00, which was approved on January 12, 2017 and is valid through January 12, 2020.

6. **Design Features:** The subject site is an L-shape, with its longest frontage on Riverdale Road. The site has two vehicular-access driveways off of Riverdale Road to the west and two off of Annapolis Road to the south. The site is developed with seven separate commercial buildings, with a total of 274,408 gross floor area (GFA), surrounded by various parking areas. Major tenants include a Lowe's home improvement store located at the northern end of Parcel B and a Shoppers Food Warehouse in the middle of Parcel B, with various other retail uses and eating and drinking establishments located along the southern end of the property, as well a bank on the western edge of the property. No new development is proposed as part of this application. Only a request for change of the underlying zoning for the northeastern portion of Parcel B from the existing One-Family Residential (R-55) Zone to the Commercial Shopping Center (C-S-C) Zone is included in this DSP. All site specifics included on the DSP is of the existing conditions for information only.

The existing integrated shopping center development is on both the subject Parcel B and the adjacent Parcel A to the southeast. However, due to the limited scope of the rezoning request, only Parcel B has been included in this DSP, as Parcel A is located fully in the C-S-C Zone. In the future, if expansion or improvements are proposed to the existing shopping center, both Parcels A and B should be included in the DSP as a uniform development scheme.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2010 Approved New Carrollton Transit District Development Plan and Transit District Overlay Zoning Map Amendment:** The purpose of the New Carrollton TDDP and T-D-O ZMA is to ensure that future development around the New Carrollton Metro Station maximizes transit ridership, revitalizes the area while maintaining its socio-economic diversity, and adopts a sustainable development pattern. The New Carrollton TDDP envisions the New Carrollton Metro Station and its vicinity developing into Prince George's County's premiere new urban center by the year 2030. The development concept for the New Carrollton TDDP envisions new development concentrated primarily in three focus areas: Metro Core, Annapolis Road and Garden City. These areas are designated neighborhoods within the planning framework for transit-oriented development at the New Carrollton Metro Station. The subject property is located in the Annapolis Road Corridor character area. The character area is intended to create a revitalized and enhanced moderate density, mixed-use commercial district along Annapolis Road (MD 450). The T-D-O Zone imposes urban design standards to implement the plan's vision and this character area.

Request to change the underlying zone from the R-55 Zone to the C-S-C Zone

The applicant has requested a change to the underlying zone of a portion of the subject property from the R-55 Zone to the C-S-C Zone and has provided the following justification:

“The proposed amendment to the underlying zone of a small portion of Parcel B will place the subject property entirely within a zoning category that is in harmony with the TDDP initiatives. Parcel B is a location that provides predominantly retail/commercial shopping facilities. The current use of the property as a hardware store is compatible with the purposes and goals of the T-D-O Zone by providing community-serving retail. rezoning to C-S-C will be consistent with the exiting uses of the subject property and the purposes of the T-D-O Zone for stabilizing and revitalizing neighborhood commercial areas. The C-SC Zone and its associated uses are better suited for transit-oriented development than the R-55 Zone. In addition to better reflecting the use of the site, incorporating Parcel B fully within the C-S-C Zone better reflects the boundary of the T-D-O Zone, which ends at the boundary of Parcel B. It should be noted that Council Bill 88-1999 was enacted to facilitate the development of the existing hardware store. During implementation of the current T-D-O Zone, the focus of the zoning map amendments was along the MD 450 corridor, as is the focus of the T-D-O Zone development standards.

“Rezoning the R-55 portion of the property to the C-S-C Zone will clearly distinguish the commercial property from the adjacent residential neighborhood. This rezoning will eliminate the ambiguity that is inherent to split-zoned properties and will contribute to a more orderly development pattern throughout the T-D-O Zone. The inclusion of the entire site within the same zone will also facilitate redevelopment of the site and future revitalization of its vicinity.

“This change in the underlying zoning is also in conformance with the recommendations of the Annapolis Road Corridor focus area. The TDDP envisions the focus area as a dense, urban boulevard and mixed-use node. Commercial uses will complement the mixed-use and mid-rise multifamily uses planned for the area. As such, the continued use of the subject property as a hardware store will be consistent with the goals of the T-D-O Zone.”

The Planning Board found to support the zoning change request, as it will conform to the commercial land use recommendations of the TDDP. If rezoned, the T-D-O Zone will still be superimposed on this site and the T-D-O Zone standards will apply to all future development to implement the plan’s vision for this character area.

8. **Prince George’s County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-S-C and T-D-O Zones and the site plan design guidelines of the Zoning Ordinance as follows:
 - a. The subject application is in conformance with the requirements of Section 27-461 of the Zoning Ordinance, which governs permitted uses in all commercial zones, such as the existing integrated shopping center.

- b. The DSP is in conformance with the following provision of the T-D-O Zone, which addresses the property owner's right to request changes to the underlying zones as contained in Section 27-548.09.01(b) of the Zoning Ordinance. It provides:

(b) Property Owner.

- (1) A property owner may ask the District Council, but not the Planning Board, to change the boundaries of the T-D-O Zone, a property's underlying zone, the list of allowed uses, building height restrictions, or parking standards in the Transit District Development Plan. The Planning Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.**

The Planning Board's recommendation on the subject DSP will be forwarded to the District Council for final review and approval as required.

(2) The owner's application shall include:

- (A) A statement showing that the proposed development conforms with the purposes and recommendations for the Transit District, as stated in the Transit District Development Plan; and**

The applicant's justification of the rezoning is discussed in Finding 7 above where a conclusion was made that the request is in conformance with the purposes and recommendations for the Transit District.

- (B) A Detailed Site Plan or Conceptual Site Plan, in accordance with Part 3, Division 9.**

The subject DSP was submitted in conformance with this requirement.

- (3) Filing and review of the application shall follow the site plan review procedures in Part 3, Division 9, except as modified in this Section. The Technical Staff shall review and submit a report on the application. When an amendment application proposes to enlarge the boundaries of the Transit District Overlay Zone by five (5) or more acres, the Technical Staff shall also provide an Adequate Public Facilities report as defined in Subtitle 24 of the County Code as part of the development review process for proposed development of the subject property. The Planning Board shall hold a public hearing and submit a recommendation to the District Council. Before final action the Council may remand the application to the Planning Board for review of specific issues.**

The subject DSP has been filed and reviewed in conformance with Part 3, Division 9. No enlargement to the T-D-O Zone boundary is proposed.

- (4) **An application may be amended at any time. A request to amend an application shall be filed and reviewed in accordance with Section 27-145.**

The application has not been amended.

- (5) **The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms with the purposes and recommendations for the Transit Development District, as stated in the Transit District Development Plan, and meets applicable site plan requirements.**

The Planning Board found that the proposed rezoning conforms with the purposes and recommendations for the transit development district, as stated in the TDDP, and meets applicable site plan requirements, as discussed in Finding 7 above.

- (6) **If a Conceptual Site Plan is approved with an application, the owner may not obtain permits without an approved Detailed Site Plan.**

This application does not include a conceptual site plan.

- c. **Site Design Guidelines:** Since there are no new improvements proposed on the site, those guidelines are not applicable.
9. **2010 Prince George's County Landscape Manual:** The 2010 *Prince George's County Landscape Manual* (Landscape Manual) is superseded by the standards in the TDDP per the following statement on page 128 of the plan:

“Unless stated otherwise, these design standards and guideline replace the standards and regulations contained in the landscape manual and the zoning Ordinance of Prince George's County.”

However, the subject application is exempt from the T-D-O Zone standards as it does not propose any development. These requirements would be enforced at the time of any future development on the subject property.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has been issued a Letter of Conformance with an Approved Type 2 Tree Conservation Plan dated March 2, 2017. It states that for applications solely for rezoning, a TCP2 nor letter of exemption is required because no ground disturbance is proposed. As such, the proposed request may move forward without a TCP2 or exemption until disturbance is proposed as part of a preliminary plan, site plan or grading permit.

For informational purposes, the approved Type 2 Tree Conservation Plan (TCP2-134-99) covers only the northern portion of Parcel B. As part of any future grading permit, the TCP2 will be required to be expanded to include the remainder of the property.

11. **Prince George's County Tree Canopy Coverage Ordinance:** The subject DSP is exempt from the Tree Canopy Coverage Ordinance because it does not propose any ground disturbance or new GFA to the existing building.

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. **Community Planning**—This application is generally consistent with the Plan Prince George's 2035 policies for Established Communities.

The application conforms to the 2010 *Approved New Carrollton Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment* land use recommendations for commercial use; however, a portion of the Parcel B is zoned residential. Further discussion is incorporated into Finding 7 above.

- b. **Transportation Planning**—Within a T-D-O, a landowner is allowed to request a zoning change through a detailed site plan process. There are no particular traffic-related findings or requirements associated with this type of request.

Given that no development is proposed under this site plan, the Transportation Planning Section offers no comments on the plans as submitted.

The sole salient issue involves the proposed rezoning from the R-55 to the C-S-C Zone. The land area proposed for rezoning is approximately 1.89 acres. Using the estimated development yields for each zone along with trip generation rates, the table below was developed. The information presented is based upon the entire site being usable. Density in the R-55 Zone is based upon 4.20 residences per acre; density in the C-S-C Zone is based upon retail trip rates and a floor-to-area ratio of 0.25:

Comparison of Estimated Trip Generation, DSP-16051, 1.89 acres						
Zoning or Use	Units or Square Feet	AM peak hour Trips		PM peak hour Trips		Weekday Trips (ADT)
		In	Out	In	Out	
Existing Zoning R-55 (residential)	7 detached	1	4	4	2	63
Proposed Zoning C-S-C (all retail)	20,580 square feet	19	11	50	54	1,215
Difference (between bold numbers)		+18	+7	+46	+52	+1,152

The comparison of estimated site trip generation indicates that the proposed rezoning could have an impact of 25 trips during the AM peak hour and nearly 100 trips during the PM peak hour. Weekday average daily travel would increase by 1,150 daily trips. Pass-by travel has been factored into these estimates.

These trip estimates probably overestimate the impact of the rezoning. Effectively, the R-55-zoned property is already in use as part of the retail development that exists in the C-S-C-zoned portion as a buffer between the retail development and the adjacent residential community. For the protection of that community, it is recommended that the property being rezoned not have access to Longfellow Street.

Transportation Conclusion

From the standpoint of transportation, it is determined that this plan is generally acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance. No opposition is raised to the rezoning from R-55 to C-S-C provided that the adjacent residential community is protected by the following condition:

- (1) No portion of Parcel B shall have vehicular access to Longfellow Street.

The applicant has stated that no vehicular access to Longfellow Street is proposed.

c. **Subdivision Review**—No new development is proposed with the subject application, and, therefore, the approval of a preliminary plan of subdivision (PPS) is not required. Note 1 of each record plat reflects that Parcels A and B were platted pursuant to Section 24-111(c)(4) of the Subdivision Regulations, which provides the following exemption from resubdivision;

- (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.

The applicant should be advised that any redevelopment of the site will need to continue to meet the exemption criteria of Section 24-111(c)(4) or a new PPS may be required. The bearings and distances that are shown on the submitted DSP are consistent with the recorded plats for the property.

- d. **Permit Review**—Permit review comments have been addressed through revisions to the plans. Per Section 27-579(d) of the Zoning Ordinance, the exterior loading spaces and vehicular entrances to loading spaces are shown as located at least 30 feet from the lot line of adjoining land in a residential zone.
- e. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated June 1, 2017 DPIE offered the following comments on the subject application:
 - (1) The subject property is located at the northeast quadrant of the intersection of Riverdale Road and Annapolis Road. Frontage improvements along 85th Avenue and Riverdale Road are required in accordance with the Department of Public Works and Transportation’s (DPW&T) collector road standards.
 - (2) All improvements within the public right-of-way, as dedicated to the County, are to be in accordance with the County Road Ordinance, DPW&T’s Specifications and Standards, and the Americans with Disabilities Act (ADA).
 - (3) All storm drainage systems and facilities are to be constructed in accordance with DPW&T’s standards.
 - (4) Existing utilities may require relocation and/or adjustment. Coordination with the various utility companies is required.
 - (5) The site development concept plan number 65877-2016, dated January 12, 2017, is consistent with Detailed Site Plan No. DSP-16051.
 - (6) 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 shown on plans;

- (b) Exact acreage of impervious areas has been provided on the concept plan;
- (c) Proposed grading is shown on the plans;
- (d) Delineated drainage areas at all points of discharge from the site have been provided on the concept plan;
- (e) Stormwater volume computations have been provided with the concept plan;
- (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 this submittal;
- (g) A narrative in accordance with the County Code has 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.

- f. **Prince George's County Police Department**—The Police Department did not provide comments on the subject application.
 - g. **Prince George's County Health Department**—The Health Department did not provide comments on the subject application.
 - h. **City of New Carrollton**—The City of New Carrollton did not provide comments on the subject application.
 - i. **Town of Landover Hills**—The Town of Landover Hills did not provide comments on the subject application.
 - j. **City of Glenarden**—The City of Glenarden did not provide comments on the subject application.
14. Section 27-548.08(c)(2) of the Zoning Ordinance requires that the Planning Board must make the findings in order to approve a DSP in a T-D-O Zone, as follows:
- (A) **The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;**

The DSP is exempt from TDDP standards as it was lawful and operating at the time of the TDDP approval and no new development is proposed in this DSP.

(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;

As noted above, the DSP is exempt from the TDDP guidelines and criteria for development as no new improvement is proposed.

(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;

The DSP meets all of the applicable requirements of the T-D-O Zone and underlying zone relative to a rezoning only application.

(D) The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;

This requirement is not applicable as no development is proposed with the subject application.

(E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development; and

This requirement is not applicable to the structure as no development is proposed with the subject application. However, the rezoning of the subject property in this DSP would potentially create incompatibility with the existing adjacent residential use. Given no development is included in the site plan, the existing woodland provides a good transition between the existing shopping center and the adjacent residential use.

(F) Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to Section 27-548.09.02 meet the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.

This requirement is not applicable to the subject application.

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 recommends APPROVAL of Detailed Site Plan DSP-16051 for Carrollton Shopping Center, Parcel B, to the District Council for the sole purpose

of changing the underlying zoning for a portion of the subject property from the One-Family Detached (R-55) Zone to the Commercial Shopping Center (C-S-C) Zone. A note to this effect shall be added to the DSP prior to certification.

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 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, July 6, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of July 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator