

PGCPB No. 2023-129

File No. DDS-649

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board reviewed Departure from Design Standards Application No. DDS-649, Riverdale Laundromat (Wildercroft), requesting a departure to reduce the setback of a proposed loading space from the adjoining property, in accordance with Subtitle 27 of the prior Prince George's County Code; and

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Ancillary Commercial Zone (C-A); and

WHEREAS, pursuant to Section 27-1903(c) of the Zoning Ordinance, development applications submitted and accepted as complete before April 1, 2024, may be reviewed and decided in accordance with the prior Zoning Ordinance; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, after consideration of the evidence presented at the public hearing on December 7, 2023, the Prince George's County Planning Board finds:

1. **Request:** Approval of a departure from design standards (DDS) from Section 27-579(b) of the prior Prince George's County Zoning Ordinance.

Section 27-579(b) provides design standards for site plans related to the location of loading spaces. The Zoning Ordinance states that no portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within 50 feet of any residential zone. The applicant has requested a 37.2-foot departure for a 12.8-foot offset from a residential zone (Multifamily Medium Density Residential (R-18)) located to the west of the property.

Due to the confined nature of the property, site topography, and the location of the building, no feasible locations for a loading space or entrances to any loading space are feasible 50 feet or greater from a residentially zoned property. Therefore, the applicant requests this departure from the design standards.

2. **Development Data Summary:** The following chart summarizes the development for the overall Riverdale Laundromat (Wildercroft) property, which will remain unchanged by this application.

	EXISTING	EVALUATED
Zone	CGO	C-A (Prior)
Use(s)	Commercial	Commercial
Total Acreage	0.629	0.629
Number of Lots	0	0
Parcels	1	1
Total Gross Floor Area (GFA)	4,307 sq. ft.	4,307 sq. ft.

3. **Location:** The subject site consists of one parcel located on the south side of Riverdale Road, approximately 1,000 feet east of its intersection with US 295 (Baltimore-Washington Parkway). The property is known as Parcel 2, Block M of Wildercroft, which is recorded in Plat Book ME 261 page 32 of the Prince George's County Land Records. The property was in the Ancillary Commercial (C-A) Zone under the prior Zoning Ordinance.
4. **Surrounding Uses:** The subject site is bounded to the east by undeveloped land in the One-Family Detached Residential (R-80) Zone, and beyond by a substation owned by the Potomac Electric Power Company. Further east are single-family detached residences also in the R-80 Zone; to the south is undeveloped land in the R-80 Zone, and beyond is Veterans Parkway; to the west are multifamily residential developments in the R-18 Zone, and beyond is the intersection with Veterans Parkway; and to the north is Riverdale Road, and beyond are multifamily residential developments in the R-18 Zone.
5. **Previous Approvals:** The property is subject to Preliminary Plan of Subdivision (PPS) 4-18011, which was approved by the Prince George's County Planning Board on July 22, 2021 (PGCPB Resolution No. 2021-99). The PPS subdivided the property along the existing C-A and R-80 zoning line, creating two separate parcels. The subject property has been platted in accordance with the approved PPS.

The property has a Natural Resources Inventory (NRI-196-2016-02), which was issued on November 30, 2021, and is valid until November 30, 2026. The property also has a Type 1 Tree Conservation Plan (TCP1-008-2021) which was approved on September 9, 2021, and a Type 2 Tree Conservation Plan, TCP2-041-2022, that was approved on January 5, 2023.

The property has a landscape plan, Alternative Compliance AC-21015, which was approved on June 24, 2021. The AC reduced the requirements of Section 4.7, Buffering Incompatible Uses, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), along the eastern, western, and southern property lines.

The property also has a Stormwater Management (SWM) Concept Plan, 57204-2016-1, which was approved by the Prince George's County Department of Permitting, Inspections and Enforcement on July 3, 2023, and expires on July 3, 2026.

6. **Prince George's County Zoning Ordinance Requirements:** The criteria for approval of a DDS are set forth in Section 27-239.01(b)(7) of the prior Zoning Ordinance, which states the following:

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

(i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;

The applicant requested a reduction in the setback for a loading space to the adjoining residential property. Given the limited area of the property, the location of the building, parking lot, and the presence of steep slopes on the eastern portion of the property, the applicant has located the loading space as close to the building as possible. The loading space will be screened in accordance with the Landscape Manual.

The Planning Board reviewed the submitted site plan and landscape plan, as well as the approved AC, and found that the approved loading space will be adequately screened from the adjoining residential use.

(ii) The departure is the minimum necessary, given the specific circumstances of the request.

Given the specific site conditions, including the location of the building, parking lot, and slopes on the eastern portion of the property, the Planning Board found that the departure is the minimum necessary to accommodate the loading space.

(iii) The departure is necessary in order to alleviate circumstances, which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;

The departure is the minimum necessary to alleviate the constraints that are unique to this site. The approved loading space is as close to the building as possible. Given the location of the building, parking lot, and steep slopes within the constraints of the property, strict adherence to the code would not be possible.

(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

As shown on the plans, the approved loading space will not impair the visual, functional, or environmental quality or integrity of the site, or of the surrounding neighborhood. The property has an approved landscape plan, Alternative Compliance AC-21015, which adequately buffers the development from the incompatible residential developments. This landscape plan includes vegetative

screening and a 6-foot-high fence which runs along the entire length of the western, southern, and eastern property lines. The approved loading space will be further screened by an additional 6-foot-high fence. Furthermore, it should be noted that the closest multifamily building is approximately 130 feet from the shared property line. This multifamily building is separated from the shared property line by a parking lot and a 24-foot-wide by 8-foot-deep concrete stormwater channel. These existing features provide additional separation from the subject property. The Planning Board found that the approved plantings and fencing adequately screen the loading space from the surrounding neighborhood.

As previously discussed, the site has an approved TCP2 and SWM concept plan. No additional impacts to regulated environmental features (REF) or County regulated 100-year floodplain are planned within the approved limits of disturbance (LOD) of this DDS. No changes are required to the TCP2, as the DDS is in general conformance with the LOD of the TCP2.

The Planning Board found that the approved DDS meets the requirements of these findings.

7. **2010 Prince George's County Landscape Manual:** The development is subject to the Landscape Manual and has an approved Alternative Compliance (AC-21015). This DDS meets Section 4.4(c)(2), Screening Requirements, of the Landscape Manual, for screening of the loading space through the approved buffer and the additional screening fence.

The Planning Board found that the combination of approved plantings and fencing will adequately buffer the approved loading space.

8. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has a Type 2 Tree Conservation Plan (TCP2-041-2022) that was approved on January 5, 2023. No additional impacts to REFs or County regulated 100-year floodplain are planned within the proposed LOD of this DDS. No changes are required to the TCP2, as the DDS is in general conformance with the LOD of the TCP2.
9. **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 developments that request more than 5,000 square feet of disturbance. The property was zoned C-A and is required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The property is 0.629 acre in size and results in a TCC requirement of 0.0629 acre (2,740 square feet). The total TCC included on the property is 0.098 acre (4,275 square feet), and therefore, exceeds the requirement for TCC. The TCC schedule shown on the plans lists the site area as 0.66 acre. This is inconsistent with the acreage shown on the final plat. A condition has been included herein to address this discrepancy.
10. **Referrals:** The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference, and are summarized as follows:

- a. **Community Planning**—The Planning Board reviewed and adopts the memorandum dated November 9, 2023 (Selvakumar to Price), which provided an analysis of the subject application, and no issues were identified.
- b. **Transportation**—The Planning Board reviewed and adopts the memorandum dated November 9, 2023 (Smith to Price), which found the approved location of the loading space acceptable and recommended approval of DDS-649, with one condition included herein.
- c. **Permit Review**—The Planning Board reviewed and adopts the memorandum dated November 6, 2023 (Jacobs to Price), which offered no comments.
- d. **Environmental Planning**—The Planning Board reviewed and adopts the memorandum dated November 3, 2023 (Juba to Price), which provided an analysis of the subject application, and no environmental issues were identified. The Environmental Planning Section recommended approval of DDS-649, with no conditions.
- e. **Historic Preservation**—The Planning Board reviewed and adopts the memorandum dated October 12, 2023 (Stabler to Price), which found that the subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources, and recommended approval of DDS-649, without conditions.
- f. **Subdivision**—The Planning Board reviewed and adopts the memorandum dated November 6, 2023 (Diaz-Campbell to Price), which provided an analysis of the subject application’s conformance with PPS 4-18011 and found no issues. However, the Subdivision Section offered comments which have been included as conditions in this resolution.

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 @ the above-noted application, subject to the following conditions:

1. Prior to certification, the departure shall be revised as follows:
 - a. Provide shared-use bikeway signage and pavement markings within the right-of-way, along the subject site’s frontage of Riverdale Road, unless modified with written correspondence by the operating agency.
 - b. A bearing and distance are missing for the southernmost property line. According to the approved plat, this bearing and distance should be N 80°00’00” E 201.88’.
 - c. Revise the total property area listed on the plans (0.6583 acre) to be consistent with the area shown on the final plat (0.6294 acre).

- d. The title block indicates that the property is the “remainder of Liber 38146 at folio 610.” This deed reference predates Preliminary Plan of Subdivision 4-18011 and the final plat approvals and should be updated. The plan should instead reference the current plat recorded in Plat Book ME 261 page 32.


BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council for Prince George’s County, Maryland within thirty (30) days of 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 Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, December 7, 2023, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 4th day of January 2024.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:TP:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: December 18, 2023