

Case No.: DSP-14036
5936 Old Central Avenue

Applicant: AMB Architectural Design
Studio LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

FINAL DECISION — APPROVAL OF DETAILED SITE PLAN

Pursuant to Section 25-210 of the Land Use Article ("LU"), Md. Ann. Code (2012 Ed. & Supp. 2015) and Section 27-290 of the Prince George's County Code (2014 Ed. as amended) ("PGCC"), we have jurisdiction to issue the final decision in this Detailed Site Plan Application Number 14036, ("DSP-14036").¹ Planning Board's Resolution No. 16-17 ("PGCPB No. 16-17"), approving Applicant's request for a mixed-use project consisting of 9,990 square feet of office and retail/commercial space, a change of the underlying zoning for the property from the existing Light Industrial Zone (I-1) to the Commercial Shopping Center (C-S-C) Zone and a partial waiver (36.2 percent) from tree canopy coverage requirements, is hereby AFFIRMED.

As the basis for this final decision, and as expressly authorized by Titles 22 and 25 of the Land Use Article of the Annotated Code of Maryland and Subtitle 27 of the PGCC, we hereby adopt the findings and conclusions set forth within PGCPB No. 16-17, except as otherwise stated herein, and APPROVE DSP-14036, subject to the following conditions:

- A. APPROVED a change of the underlying zoning for the subject property from the Light Industrial (I-1) Zone to the Commercial Shopping Center (C-S-C).
- B. APPROVED a partial tree canopy coverage waiver (36.2 percent /284 square feet).

¹ See also *Cnty. Council of Prince George's Cnty. v. Zimmer Dev. Co.*, 444 Md. 490; 120 A.3d 677 (2015).

C. APPROVED the alternative transit district standards for:

- **Building Envelope and Site, 1. General Building Envelope and Site Standards and Guidelines, Standard (2) Alleys**—To allow the Applicant not to construct alleys.
- **Building Envelope and Site, 1. General Building Envelope and Site Standards and Guidelines, Standard (3) Dedicated Right-of-way for Alleys**—To allow the Applicant not to dedicate right-of-way for alleys.
- **Building Envelope and Site, 2. Character Areas, 2.3 Main Street Character Area, Standard (2)**—To allow the building to be set back a maximum of 18.2 feet from Old Central Avenue and 16.67 feet from Chamber Avenue.
- **Building Envelope and Site, 2. Character Areas, 2.3 Main Street Character Area, Standard (3)**—To allow a reduced building lot coverage of 46 percent and lot frontage of 54 percent along Chamber Avenue.
- **Open Space and Streetscape, 4. Streetscapes, 4.2 Trees and Landscaping, Standard (2), Street Tree Planning Specifications**—To allow street trees to be a minimum of 3- to 3.5-inch caliper in size.
- **Open Space and Streetscape, 4. Streetscapes, 4.7 Buffers and Screening, Standard (3), Minimum Buffer Requirements**—To allow the Applicant to use a reduced bufferyard as proposed on the site plan.
- **Parking Facilities, 5. General Parking Facilities Standards and Guidelines, Standard (5)(b)(i)**—To allow the Applicant's parking lot landscape design as proposed.

1. Prior to certificate approval of this detailed site plan (DSP), the Applicant shall:

- a. Obtain signature approval of Preliminary Plan of Subdivision 4-13032.
- b. Provide documentation of concurrence with the public utility easement (PUE) layout shown on the DSP from the applicable utility providers, or provide a PUE in conformance with Section 24-122(a) of the Subdivision Regulations, and reflect that adjustment on the DSP. It is acceptable if no PUE is required by the utility providers.
- c. Label the proposed right-of-way dedication with bearings, distances, and square footage.

- d. Label the location of the bicycle rack(s) on the site plan.
- e. Provide details of the green roof in accordance with Leadership in Energy and Environmental Design (LEED) standards.
- f. Provide information about how the proposed building has applied green building techniques, and have incorporated innovative environmental technologies in the building and site design for the subject property.
- g. Add site plan notes as follows:
 - “All exterior lighting fixtures used in this development shall be full cut-off type.”
 - “Awnings will not project more than three feet beyond the build-to line into the public right-of-way, nor provide less than ten feet of vertical clearance above the sidewalk.”
 - “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 the Code of Maryland Regulations (COMAR).”
- h. Revise plan notes as follows:
 - (1) Indicate the correct use of the property as retail/office.
 - (2) Indicate the property is within the Main Street character area of the 2008 *Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zone Sectional Map Amendment*.
 - (3) Delete the reference that the DSP is not subject to the 2010 *Prince George’s County*

Landscape Manual (Landscape Manual). Indicate that the plan is subject to the Transit District Development Plan standards, where applicable, and is otherwise subject to the Landscape Manual (Section 4.9).

- (4) Provide building coverage and lot frontage calculations.
- i. Provide the Section 4.9 landscape schedule and the tree canopy coverage schedule.
- j. Revise the landscape plan to show two major shade trees and one ornamental tree along Old Central Avenue, and two major shade trees along Chamber Avenue, in accordance with the revised tree canopy coverage schedule. The Applicant shall be required to plant two major shade trees and one ornamental tree along Old Central Avenue, and two major shade trees along Chamber Avenue, in accordance with the revised tree canopy coverage schedule, unless the Applicant provides written documentation from the State of Maryland that expressly prohibits the Applicant from planting two major shade trees and one ornamental tree along Old Central Avenue.
- k. Add the following note to the tree canopy coverage schedule:
 - “A partial waiver of 36.2 percent of TCC credit has been approved for this site.”
 - “The Applicant shall be required to plant two major shade trees and one ornamental tree along Old Central Avenue, and two major shade trees along Chamber Avenue, in accordance with the revised tree canopy coverage schedule, unless the Applicant provides written documentation from the State of Maryland that expressly prohibits the Applicant from planting two major shade trees and one ornamental tree along Old Central Avenue.”
- l. Identify the dedicated right-of-way (ROW) of Chamber Avenue as shown on the preliminary plan of subdivision.
- m. Reflect the foundation grade on the west side building elevation.

- n. Provide exterior lighting for the dumpster area. The exterior lighting fixture shall be full cut-off type (in accordance with Condition 1 g) and detail specifications of the same shall be provided.
 - o. Implement the application of various green site and building techniques.
2. The Applicant and the Applicant's heirs, successors, and/or assignees shall provide a minimum of two bicycle parking spaces with a bicycle rack(s) meeting the specification and dimensions included in Standard 4 of the Bikeways and Bicycle Parking Section of the 2008 *Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zone Sectional Map Amendment*.

ORDERED this 17th day of May, 2016, by the following vote:

In Favor: Council Members Davis, Franklin, Harrison, Patterson, Taveras, Toles, and Turner.

Opposed:

Abstained:

Absent: Council Members Glaros and Lehman.

Vote: 7-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Derrick Leon Davis, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council