

Case No.: DSP-16053
4550 Rhode Island Avenue

Applicant: 4550 Rhode Island Avenue,
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, Md. Ann. Code (2012 Ed. & Supp. 2015) and Section 27-290 of the Prince George's County Code (2011 Ed. & Supp. 2015, or as amended), the District Council has jurisdiction to issue the final decision in this Detailed Site Plan Application Number 16053 ("DSP-16053"). As the basis for this final decision, the District Court adopts, except as otherwise stated herein, the findings of facts and conclusions of law set forth by the Planning Board's Resolution No. 17-144 ("PGCPB No. 17-144").

PGCPB No. 17-144 recommending approval of DSP-16053, a request for the addition of the use of "outdoor storage" to the table of uses for the subject property in the *2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (Gateway Arts District Sector Plan and SMA) as a permitted use in the Neighborhood Arts and Production character area for Lots 31-33, Block A (and part of Parcel 295 and Lot 46A), located on the north side of US 1 (Rhode Island Avenue), approximately 225 feet northeast of its intersection with Wallace Street, also located in Planning Area 68 and Councilmanic District 2, in the town of North Brentwood, is hereby AFFIRMED.

A. The alternative Development District Overlay Zone standards are APPROVED as follows:

Standard 1, page 149

Fencing, Walls, Screening, and Buffering: To allow the inclusion of an opaque fence exceeding four feet in height.

Standard 5, page 151

Landscaping: To allow less than 40 percent of the net area as green space, provided a landscape strip is provided along US 1 (Rhode Island Avenue) as specified by condition of this approval.

B. DSP-16053 is APPROVED, subject to the following condition:

1. Prior to certificate of approval, the following revisions shall be made, or information shall be provided:
 - a. The applicant shall provide evidence to staff that the Historic Preservation Section has been provided the opportunity to photo document the existing house on-site.
 - b. Clearly reflect and label all properties included in the site on all plan sheets and in all notes on the plans, including Lot 46A and Parcel 295.
 - c. Clearly label the location of vehicular access onto US 1 (Rhode Island Avenue) and denial of vehicular access to 41st Avenue.
 - d. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat and deeds.
 - e. Unless otherwise provided in and subject to condition 1.f., a six-foot-tall sight-tight fence, to be constructed of a durable composite material, shall be provided for the area to be utilized for outdoor storage along the perimeter of Lots 31-33, Lot 46A, and Parcel 295, collectively, except along the northeast boundary of Lot 31 where ten linear feet of fencing shall be provided extending from the fencing along the frontage of US 1. The fence and gates for vehicular access to US 1 and pedestrian access to Lot 10 shall be shown in the same location on the detailed site plan and the landscape plan. The final design of the fence and gates shall be approved by the Urban Design Section as designee of the Planning Board. Landscaping, including a minimum of two street trees, one on each of the vehicular entrance gates to US 1, and other landscaping shall be provided along the subject property's US 1 frontage, respecting the public utility easement.

- f. The applicant shall incorporate an art feature or design (e.g., a mural) along the majority of the proposed fencing. The applicant may substitute the fence material but shall not forego the landscaping along the property frontage for said art. The fence material shall not include chain-link. The final art feature or design shall not require an amendment to the detailed site plan.
- g. The applicant, 4550 Rhode Island Avenue, LLC, shall provide a recorded deed or other written evidence to confirm that 4550 Rhode Island Avenue, LLC is the contract-purchaser of Parcel 295 or that it has obtained fee simple title to Parcel 295. If 4550 Rhode Island Avenue, LLC is not a contract-purchaser or fee simple title owner of Parcel 295, it may provide an amended Detailed Site Plan application form signed by a representative of Prince George's County to confirm Prince George's County as owner of Parcel 295 is a co-applicant that has requested the Detailed Site Plan approval as it concerns Parcel 295.
- h. The applicant shall provide the Town of North Brentwood with a list of material that may be stored on the property, which may change from time to time.
- i. Schedule 4.7 Bufferyard "B" and "C" should be removed from the landscape plan.
- j. The final design of the landscaping on Lot 10 shall be revised to relocate the three proposed shade trees to be evenly distributed over the lot. All plant materials shall be in accordance with the Prince George's Landscape guidelines, and the use of native plants is encouraged.
- k. General Note 6 shall be revised to remove reference to the Zoning Ordinance and to correct the required lot coverage to "N/A" and the provided lot coverage to "N/A."
- l. A lighting plan shall be provided showing proposed lighting details and foot-candles. The lighting plan shall be reviewed and approved by the Urban Design Section as designee of the Planning Board.

ORDERED this 26th day of February, 2018, by the following vote:

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

Opposed:

Abstained:

Absent:

Vote: 9-0.

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: _____
Dannielle M. Glaros, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council