

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Conceptual 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 September 28, 2000, regarding Conceptual Site Plan No. 00016 for Long=s Subdivision, the Planning Board finds:

1. The subject site (Lot 17, Long=s Subdivision), consisting of approximately 0.87 acres, is located on the east side of US 301, 1500 feet north of Clymer Drive in Brandywine. The properties to the north and south are zoned I-3 and the property to the east is zoned I-1. The properties to the north and east are vacant and the property to the south has a residential use.
2. The proposal is for converting the existing residence to a contractor=s office with no outside storage. The two existing storage sheds and a barbeque pit on the property will be retained. The existing paved parking area and driveway will be used for parking. The width of the existing driveway is being increased. A contractor=s office with no outside storage is a permitted use in the I-3 Zone and the existing structures were part of the previous residential use and were permitted under the previous residential zoning. The applicant is proposing five parking spaces in the front yard.
3. Section 27-471, I -3 Zone (Planned Industrial/Employment Park), of the Zoning Ordinance requires Conceptual Site Plans and Detailed Site Plans to be approved for all uses in the I-3 Zone. Therefore, the applicant has filed for both a Conceptual Site Plan and a Detailed Site Plan. The proposed Conceptual Site Plan is identical to the proposed Detailed Site Plan. The subject lot was recorded in 1941. The proposal is exempt from any requirement to subdivide. Therefore, the applicant has filed for both a Conceptual Site Plan and a Detailed Site Plan simultaneously.

The Conceptual Site Plan and the Detailed Site Plan are being presented to the Planning Board at the same time. The Conceptual Site Plan is to be approved prior to the Detailed Site Plan application.

4. Section 27-471, I-3 Zone (Planned Industrial/Employment Area) establishes the following parameters for development in the I-3 Zone:

a. *Purposes*

To provide increased and enhanced employment opportunities...
To provide for a mixture of industrial, research, office and specific retail commercial office uses....

To permit uses which when compared to the uses permitted in other industrial zones will minimize detrimental effects on adjacent properties...
To provide development standards which assure compatibility of proposed land uses with surrounding land uses...

The proposed contractor's office will be consistent with the industrial uses in the area and will provide employment opportunities. The height, scale, size and architectural style of the one-story brick house will be compatible with the size, architectural style and facades of the office buildings on the surrounding properties.

- b. *Landscaping, screening, and buffering of development in the I-3 Zone shall be as set forth in the Landscape Manual..*

Additional buffering and screening may be required to protect the park like setting of the Planned/Industrial Employment Park from adjoining or interior incompatible land uses.

The proposal is subject to the requirements of Section 4.2 (Commercial and Industrial Landscape Strip Requirements), Section 4.7 (Buffering Incompatible Uses) and Section 4.3 (Perimeter and Interior Parking Lot Landscape Requirements) of the *Landscape Manual*. The applicant has filed an Alternative Compliance application AC-00020 for alternative compliance from the requirements of Section 4.7 (Buffering Incompatible Uses) of the *Landscape Manual* along the south property line. The Alternative Compliance Committee recommended approval of the existing 17- foot-wide building setback (instead of the required 30-foot-wide building setback) and a 17- foot-wide landscape strip (instead of the required 20-foot-wide landscape strip) along the south property line. The required number of planting units along the south property line has been provided. The Planning Director has recommended approval of the Alternative Compliance application.

The applicant did not request Alternative Compliance from the requirements of Section 4.2 (Commercial and Industrial Landscape Strip requirements) of the *Landscape Manual*. Section 4.2.b of the *Landscape Manual* states:

AIIn the I-3 Zone, the width of the required landscaped strip shall be as required by Section 27-474 of the Zoning Ordinance. The plant materials in the landscaped strip shall be as shown on a detailed site plan approved by the Planning Board in accordance with Section 27-471 (d) of the Zoning Ordinance, but in no case shall be less than required by Section 4.2.a.2 of this Manual.@ The applicant is proposing parking within the front building restriction line due to space constraints. The above section requires a 50-foot-wide landscape strip in the front yard. The applicant will not be able to provide the required landscape strip and will require alternative compliance from the requirements of the

Landscape Manual. A condition of approval has been added to require the applicant to obtain alternative compliance approval from the Planning Director for the landscape strip along US 301.

c. *Outside uses*

With the exception of off-street parking and loading areas, recreational facilities all uses allowed in the Table of Uses shall be located in wholly enclosed buildings. Outdoor storage is prohibited.

The proposed use is entirely within the existing building.

d. *Site Plans*

A conceptual and detailed site plan shall be approved for all uses and improvements....

In addition to the requirements of Part 3, Division 9, the Detailed Site Plan shall show the design and size of lettering, lighting, and all other features of signs proposed (except those for directional and informational purposes containing not more than four (4) square feet). These signs shall be reviewed and approved or disapproved at the same time the Detailed Site Plan is acted upon.

The subject Conceptual and Detailed Site Plans have been submitted in accordance with this requirement. A 40-sq.-ft. free-standing sign is proposed on the south side of the existing paved parking area. The applicant must provide more details regarding the proposed design and size of lettering and lighting for the sign. A combination of annuals and shrubs should also be provided at the base of the sign. A condition of approval has been added to require the additional information.

e. *Uses*

The uses allowed in the I-3 Zone are as provided for in the Table of Uses

Contractor=s offices are permitted uses in the I-3 Zone.

f. *Regulations*

(1) Additional regulations concerning the location, size and other provisions for all buildings and structures in the I-3 Zone are as provided for in Divisions 1 and 5 of this part, the Regulations Tables (Division 4 of this Part), General (Part 2), Off-street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.

(2) Not more than twenty-five (25%) of any parking lot and no loading space shall be located in the yard to which the building=s main entrance is oriented, except that the Planning Board may approve up to an additional fifteen percent (15%) in its discretion if increased parking better serves the efficiency of the proposed use; improves views from major arteries or interstate highways; and makes better use of existing topography or complements the architectural design of the building.

(3) No loading docks shall be permitted on any side of the building facing a street except where the lot is bounded by three (3) or more streets.

The applicant has filed a Variance application VD-00017A for the proposed setbacks and parking. The Variance application is discussed in detail under Finding 17. Finding 17 concludes that findings for granting a Variance can be made. With the approval of the Variance, SP-00017 can be found to be in conformance with the above section.

h. *Required access*

Each Planned/Industrial Employment Park (including each property in separate ownership) shall have frontage on, and direct vehicular access to, a street having a right-of-way width of at least seventy (70) feet.

The access for the subject property is on US Route 301 which has a right-of-way width of 200 feet along this property. The ultimate right-of-way line is set back approximately 20 feet behind the ultimate right-of-way line.

i. *Minimum area for the development*

(1) The minimum area for the development of any Planned Industrial/Employment Park shall be twenty-five (25) gross acres.

(2) If the area is less than twenty-five (25) acres but not less than fifteen (15) acres, the property may be classified in the I-3 Zone when the property adjoins property in the C-O Zone provided the area of the combined properties is at least twenty-five (25) gross acres.

(3) If the area is less than twenty-five (25) acres, and the land was classified in the I-3 Zone prior to October 31, 1977, or upon approval of a Sectional Map Amendment, it may be developed in accordance with this Part, provided the owner of record does not own abutting undeveloped land in the I-3, E-I-A or C-O Zone.

The area of the subject property is less than 25 acres. However, the subject property was classified in the I-3 Zone by the 1978 Sectional Map

Amendment for Brandywine and Mattawoman. The owner of record does not own abutting undeveloped land in the I-3, E-I-A or C-O Zones. Therefore, the subject property complies with this requirement.

5. The proposed parking is consistent with the following requirements of Sections 27-568 and 27-582, Off-street Parking and Loading, of the Zoning Ordinance:

REQUIRED PARKING SPACES		PROPOSED
One(1) per 500 sq.ft. of the 1,200 sq.ft. of gross floor area	3	5
REQUIRED LOADING SPACES		PROPOSED
One (1) per 10,000 to 100,000 sq. ft. of gross floor area of office	0	0

The proposed parking is consistent with the requirements of Section 27-568 (a)(5)(B), Low Parking Generation Group. The proposed five parking spaces (four parking spaces and a carport) will be included in the front yard. One of the proposed parking spaces will encroach into the ultimate right-of-way line along US 301. Therefore, this parking space should be eliminated. A condition of approval has been added to propose all parking spaces outside the ultimate right-of-way line. With this condition, a maximum of four parking spaces will be provided in the front yard (three parking spaces and a carport) which is more than the required number of parking spaces.

6. The State Highway Administration (McDonald to Srinivas, June 6, 2000) has stated that the width of the existing entrance must be increased, acceleration and deceleration lanes must be provided, storm drain design and computations must be provided and a permit issued by the State Highway Administration must be obtained. Conditions of approval have been added to address those issues which directly impact the subject plan.
7. The Washington Suburban Sanitary Commission (Maholtz to Srinivas, June 5, 2000) has stated that there are no impacts due to the proposal.
8. The Community Planning Division (Rovelstad to Srinivas, June 22, 2000) has stated that the subject lot was originally classified in the I-3 Zone by the 1978 SMA for Brandywine and Mattawoman. The guidelines for development in these areas emphasize the appearance of the industrial development from major roads. The SMA therefore maintained zoning classifications with use and site plan review requirements for most of the undeveloped industrial property with frontage along the east side of US 301. The

purpose is to specifically monitor the appearance of new development and redevelopment in this area. The proposed use is in an existing house. Since no redevelopment is taking place at this time, the existing house along with the landscaping will be consistent with the general guidelines of the SMA for development of this area.

9. The Department of Public Works and Transportation (Senjalia to Srinivas, June 5, 2000) has stated that the review of this application must be coordinated with the State Highway Administration.
10. The Transportation Planning Section (Masog to Srinivas, June 27, 2000) has stated that the parking area conflicts with the Master Plan recommendations. The parking must also be relocated out of the ultimate right-of-way. A condition of approval has been added to relocate the parking out of the ultimate right-of-way. A Variance is also being granted for the parking area. With the condition and the Variance approval, the proposal will be in general conformance with the master plan recommendations.
11. The Environmental Planning Section (Stasz to Srinivas, July 6, 2000) has stated that the proposal is exempt from the requirements of the Woodland Conservation and Tree Preservation Ordinance because the subject lot is less than 40,000 square feet in area and does not have a previously approved Tree Preservation Ordinance. There are no other environmental impacts due to the proposal.
12. The Department of Environmental Resources (De Guzman to Srinivas, June 12, 2000) has stated that the proposal is consistent with the Stormwater Management Concept approval #008005190.
13. The Subdivision Section (Del Balzo to Srinivas, June 23, 2000) has stated that the subject lot was recorded in 1941 and that the subdivision is exempt from the requirements of Section 24-111 (c) of the Subdivision Regulations.
14. The Permits Review Section (Gallagher to Srinivas, September 21, 2000) has requested minor revisions to the site plan. The referral from this section shall be included in the backup prior to the Planning Board Hearing.
15. The Conceptual Site Plan SP-00016 is found to represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

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 the Conceptual Site Plan for the above-described land.

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.

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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 Brown, seconded by Commissioner Eley, with Commissioners Brown, Eley and Hewlett voting in favor of the motion and with Commissioner Lowe absent, at its regular meeting held on Thursday, September 28, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of October.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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