

Prince George's County Departure from Design Standards

Applicant: Preit-Rubin, Inc.

Location: Located at the northwest quadrant of the intersection of Belcrest Road and East-West Highway

Request: Departure from Section 4.7 of the Landscape Manual for Northern and Westerly boundary bufferyards.

R E S O L U T I O N

WHEREAS, the applicant is requesting a Departure from Design Standards from Section 4.7 of the Landscape Manual for Northern and Westerly boundary bufferyards; and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released March 28, 2001, recommends APPROVAL with conditions; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on April 12, 2001, the Prince George's County Planning Board agreed with the staff recommendation; and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the Technical Staff Report and the following DETERMINATIONS:

1. The site is located north of the Prince George's Plaza Metro Station, directly across East-West Highway. The site is zoned C-S-C and is entirely within the Prince George's Plaza Transit District Overlay Zone and encompasses 51.78 acres. The applicant is providing the required amount of parking and loading spaces.

The requests of the applicant in Departure from Design Standards DDS-515 are as follows:

- a. Relief from the bufferyard requirements of Section 4.7 of the *Landscape Manual*.  
The subject site is deemed a high intensity use by the *Landscape Manual*; to the north of the subject property is the Georgian Plaza apartment complex which is a low intensity use, and to the west is a medical office complex, which is a medium intensity use.
- b. Reduction of the width of the required landscape yard along the northern property line from 40 feet to 0 feet (for approximately 1,637 linear feet), then gradually widening to 50 feet for 120 linear feet; along the western property line, reduction from 20 feet to 0 feet (for approximately 786 linear feet), then gradually widening to 50 feet for 300 linear feet.

- c. Reduction of the required plant units from 2,811 plant units to 340 plant units along the northern property line and from 869 plant units to 250 plant units along the western property line.
2. Departure from Design Standards, DDS-330 (PGCPB No. 88-430) was approved on September 8, 1988 which granted relief from several sections which has resulted in the current small amount of landscaping. The Board of Zoning Appeals (Appeal No. 9274) granted the request for a variance from Section 27-450(a)(2) (which required that one-half of the required side yard be landscaped when adjoining land is in a residential zone and that such yard be screened from the adjoining residential land). This approval predates the requirements of the *Landscape Manual*. A 3 2 foot-high fence is currently existing along the north property line as well as 340 plant units. The site became subject to the requirements of the *Landscape Manual* because the application is proposing more than 5,000 square feet of development and for the same reason is subject to the requirements of the Transit District Development Plan (TDDP) for Prince George=s Plaza. The applicant requested alternative compliance from Section 4.7 of the *Landscape Manual*. The request for alternative compliance (AC-99059) was denied.

### 3. Required Findings

**Section 27-239.01(b)(9) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:**

- a. **The purposes of this Subtitle will be equally well or better served by the applicant=s proposal.**

The purposes of the Zoning Ordinance are set forth in Section 27-102. They are varied in nature, but in general are to protect the health, safety and welfare of the residents and workers in Prince George=s County. In this instance, the facts establish that granting the requested departure will in no way jeopardize these purposes. The subject property is located in an older area inside the Capital Beltway that was developed before most current zoning and development standards came into effect. The current condition of the immediate area can be described as an older shopping center with garden apartments to the north. While the shopping center has had a face-lift, several vacancies remain. The proposed application for the subject property will create an environment and related amenities that will enhance and revitalize the shopping center as well as provide a service to the residents who live in the area.

- b. **The departure is the minimum necessary, given the specific circumstances of the request.**

The applicant is proposing approximately 330 plant units in combination with 260 existing plant units for a total of 590 plant units out of 3,680 plant units required by

current *Landscape Manual* standards. Staff believes that this is adequate and recommends brick pillars and stone caps at the openings along the existing fence-line to help mitigate the lack of landscape materials that are required for these two bufferyards.

- c. **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 necessary to alleviate circumstances which are unique to the site. The subject application is part of the shopping center which predates the current requirements of the *Landscape Manual*. The subject shopping center has received previous approvals for Departure from Design Standards #330 (PGCPB No. 88-430), Alternative Compliance #99059, and Variance No. 9274 which have resulted in the current situation.

- d. **The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.**

The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood. Staff believes that the departure, if approved in accordance with the condition recommended below, will result in a visual improvement for both the Georgian Plaza apartment complex to the north and the medical office complex to the west. Staff believes that the applicant should be allowed to maintain the previously approved reduction, but given the increased requirement of the *Landscape Manual*, this reduction should be mitigated by provision of brick pillars and stone caps located at the openings along the existing fence-line. Additional shrub plantings should be added where the existing hedge has died out. The applicant should also be allowed to maintain the existing condition of the western property line, but for the same reason, the applicant should be required to provide a six-foot-high board-on-board fence with brick pillars and stone caps 20 feet-on-center. The fence has 3 foot-wide breaks where existing access is provided to the shopping center. The brick pillars and additional landscaping will mitigate the reduction in the width of the bufferyard and plant materials and will ensure the visual, functional, and environmental quality, and integrity of the site and surrounding neighborhood.

- e. **For a departure from a standard contained in the *Landscape Manual*, the Planning Board shall find, in addition to the requirements above, that there is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, which would exhibit equal or better design characteristics.**

The applicant applied for alternative compliance which was denied by the Planning Director. By virtue of this disapproval, it is apparent that there is no feasible proposal for alternative compliance which would exhibit equal or better design characteristics.

NOW, THEREFORE, BE IT RESOLVED, that Departure from Section 4.7 of the Landscape Manual for Northern and Westerly boundary bufferyards is hereby APPROVED subject to the following condition:

1. The site plan shall be revised to include brick pillars and stone caps where existing access is provided to the shopping center along the northern property line. A detail of the pillars shall be added to the Detailed Site Plans. Shrub plantings shall be added to the hedge where existing vegetation has died out.

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 Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 12, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of May, 2001 .

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:SL:bj