

R E S O L U T I O N

WHEREAS, the Prince George=s County Planning Board has reviewed Departure from Design Standards No. 542 requesting a departure from the setback requirement for access to a loading space and a minor revision to the width of a bufferyard in accordance with Subtitle 27 of the Prince George=s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on October 16, 2003, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property is located on the south side of Greenbelt Road, approximately 1,320 feet west of its intersection with Lanham-Severn Road. It is developed with a neighborhood shopping center, known as Eastgate Shopping Center, which is currently undergoing renovation.

- B. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Retail shopping center	Retail shopping center
Acreage	10.9	10.9

- C. **History:** The C-S-C Zone predates the most recent Sectional Map Amendment in the area, which occurred in 1993. The shopping center was constructed in the 1980s. A detailed site plan (DSP-02039) was approved for the undeveloped C-S-C-zoned parcels to the east and south of the subject site; however, the subject property is not subject to the detailed site plan³/₄ or its accompanying tree conservation plan.
- D. **Master Plan Recommendation:** The Glenn Dale-Seabrook Lanham and Vicinity Master Plan (1993) recommends commercial retail uses for the site. The property is also located in the Developing Tier of the 2002 General Plan. The vision for the Corridors within the Developing Tier is for mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development.
- E. **Request:** The applicant requests a range of departures for the location of a drive aisle that provides access to loading spaces. The driveway is located along the western property line, and its distance from the property line varies from 35 to 29 feet for about 500 lineal feet, and eventually narrows to 16 feet for the 100 lineal feet closest to Greenbelt Road. The location of the last 100 lineal feet is the result of a relocation of the Greenbelt Road entrance at the request of the State Highway Administration. The requested departures, therefore, range from 15 feet to 34 feet.

In 2001, Alternative Compliance Application AC-01050 was approved for the landscape buffer required along the western boundary of the site. A minor revision to this approval is required in conjunction with this application.

F. **Surrounding Uses:** The subject site is surrounded by the following uses:

North—Across Greenbelt Road is the Goddard Corporate Park in the I-1 Zone

East— Undeveloped land in the C-S-C Zone

South—Undeveloped land in the C-S-C Zone and a gas station fronting on Lanham-Severn Road

West— R-R-zoned land which has just been graded for the construction of a church and large residential parcels in the R-R Zone

G. **Design Requirements:**

1. **Parking and Loading Areas:** The location of a loading space and its access driveway is required to be set back a minimum of 50 feet from land in a residential zone. Although the loading spaces are located at least 50 feet from the property line, the driveway providing access to these spaces is from 16 to 35 feet from this boundary. The adjoining church property is in the R-R Zone; therefore, the applicant has filed this departure.

It is also noted that the applicant complies with the required number of parking spaces for the physically handicapped. However, the location of these parking spaces is oriented toward the grocery store and fails to provide handicapped-accessible parking spaces in other parts of the center. It is recommended that two of these spaces be relocated to better distribute the spaces throughout the center.

The proposed site plan complies with all other aspects of the parking and loading regulations.

2. **Landscape Manual:** Alternative Compliance Application AC-01050 was approved to permit the reduction of the width of the bufferyard between the subject site and the adjoining residentially zoned land to the west. At that time, the requirement was for a Type D buffer, which requires a 40-foot wide landscaped yard. Alternative compliance was approved based on a combination of existing woodlands, a six-foot high, sight-tight fence, and additional landscaping. Since the approval of AC-01050, the adjoining property has been purchased by a church, which is currently constructing a church building and parking lot. The bufferyard requirement for an institutional use is less than for a single-family residence; therefore, the required width of the landscaped yard has been reduced to 20 feet.

The applicant has filed a minor revision (AC-01050/01), revising the request to permit the driveway entrance relocation as well as the reduced bufferyard. In essence, the

request had changed from reducing the yard from 40 feet to 24 feet for the entire 816-foot buffer to a reduction from 20 feet to 16 feet for only the last 100 feet closest to Greenbelt Road. The change in use of the adjoining property means that, for the first time, the landscape plan complies with the bufferyard requirement for the majority of the boundary. It is only where the driveway is proposed to be relocated that Alternative Compliance is required and the difference between the requirement and the proposal has been reduced to four feet. Taken as a whole, a total of 164 plant units are required and 340 are provided.

REQUIRED: Section 4.7, Buffering Incompatible Uses, along the western property line

Length of Bufferyard:	816	feet	
Building Setback (Type B)	30	feet	
Landscape Yard:	20	feet	
Plant materials	164		plant units, (50 percent reduction for 816 linear feet of six-foot high, sight-tight fence and reduction for existing woodlands occupying 50 percent of the bufferyard)

PROVIDED:

Building Setback	59	feet
Landscape yard	29 to 35	feet for 716 lineal feet
	16	feet for 100 lineal feet
Plant materials	340	plant units

3. **Additional Landscape Issues:** The Urban Design staff has reviewed the departure application and recommends the addition of evergreen trees to the mixture of existing woodlands and the proposed evergreen shrubs. Moreover, the location of the remaining woodlands is not delineated on the landscape plan. A revised landscape plan was submitted indicating in a note that 24 white pines would be added along the buffer at locations where the existing woodlands might be sparse. Because it is unclear exactly where this might be the case, or to what extent the proposed 24 trees would address the issue, it is recommended that the landscape plan be revised to show clearly where the existing woodlands are remaining and where additional evergreen trees will address the need for screening in lieu of the requirement for a 50-foot-wide setback.

I. Required Findings:

(A) 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:

1. The purposes of this Subtitle will be equally well or better served by the applicant's proposal.

The screening provided by the location of a six-foot, sight-tight fence, as well as a combination of existing woodland and evergreen shrubs, will compensate for the width of the required setback. The proposed landscape plan had previously received approval of Alternative Compliance for the requirement of a 40-foot-wide landscaped yard, indicating that the combination of sight-tight fence and vegetative buffer satisfies the *Landscape Manual*. The current request is changed due to the realignment of the existing entrance driveway at the request of the State Highway Administration. Although the required setback is further diminished at this location, it is in the location closest to Greenbelt Road and therefore more subject to the noise and traffic of Greenbelt Road than other portions of the property. Although the adjoining property is in a residential zone, it is now being developed with an institutional use and the subject loading access driveway directly abuts the proposed church parking lot.

However, the tree line of the remaining woodlands and the location of the additional evergreen trees needed to provide screening must be clearly delineated on the landscape plan.

2. The departure is the minimum necessary, given the specific circumstances of the request.

The location of the existing businesses on the site and the needs of the proposed food store to fit into the location of an existing building and also provide adequate parking dictate the need for the size of the requested departure.

3. 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 location of the existing businesses and the need to fit the proposed food store into the existing center while providing adequate parking creates the circumstance unique to this site, leading to the need for this departure.

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

The combination of an attractive sight-tight fence, existing woodlands and proposed landscaping will offset the need for a setback of 50 feet, especially since the requested departure abuts the parking lot of the adjoining church

property. The requested departure will permit the upgrading of this older shopping center, including safe, efficient access to loading spaces.

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 AC-01050/01 and further APPROVED the above-noted application, subject to the following conditions:

1. The proposed landscape plan shall be revised to clearly delineate the remaining woodlands and the locations for the addition of evergreen trees needed to provide screening of the proposed loading access driveways.
2. The site plan shall be revised to locate two of the proposed parking spaces for the handicapped, at least one of which shall be van accessible, to a location or locations convenient to the stores in the southern portion of the property.

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.

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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 Eley, with Commissioners Lowe, Eley, Vaughns, Harley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, October 16, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of October 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:CW:rmk