



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

PGCPB No. 17-13

File No. DDS-638

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Design Standards Application No. DDS-638 requesting departures for a loading space and access driveways to be located within 50 feet of land proposed to be used for residential purposes 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 January 12, 2017, the Prince George's County Planning Board finds:

1. **Request:** The subject application is for approval of three departures from design standards (DDS) from Section 27-579(b) of the Prince George's County Zoning Ordinance which prohibits loading spaces and access to a loading space to be located less than 50 feet from property proposed to be used for residential purposes. This case is companion to a Detailed Site Plan (DSP-16020) for a mixed-use project consisting of 55,600 square feet of commercial development including one 36,000-square-foot grocery store (LIDL), one 5,600-square-foot gas station with food and beverage store (WAWA), one 14,000-square-foot in-line commercial building, of which 500 square feet is to be used for community meeting space, and 59 townhouse units.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T/M-I-O	M-X-T/M-I-O
Use	Commercial	Commercial/retail and residential
Acreage	13.03	13.03
Proposed roadway dedication for Perrie Lane		0.18
Proposed roadway dedication for Public Roads		1.11
Net tract area		11.67
Parcel 1—gas station and food and beverage		1.67
Parcel 2—grocery store		3.46
Parcel 3—commercial with community space		0.49
Parcel 4—commercial with community space		0.73
Perrie Lane-Parcel E		0.42
Residential East		1.78
Residential West		3.12

Gross Floor Area (GFA)	EXISTING	APPROVED
Parcel 1		5,600
Parcel 2		36,000
Parcel 3 & 4		14,000
Residential development		<u>142,013</u>
Total GFA		197,613

Floor Area Ratio (FAR) in the M-X-T Zone

Base Density Allowed	0.40 FAR
Residential component	1.00 FAR
Total FAR Permitted	1.40 FAR (Optional Method of Development)
Total FAR Proposed	0.348 FAR (197,613/13.03 acres)

PARKING AND LOADING DEVELOPMENT DATA

Parking Spaces	Required	Provided
Parcel 1 – 5,600 food and beverage	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage = <u>33 spaces</u>	43 spaces
Parcel 1 – Gas Station	1 parking space per employee for 10 employees = <u>10 spaces</u>	10 spaces
Parcel 2 - food and beverage	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage = <u>185 spaces</u>	148 spaces
Parcel 3 - retail	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage = <u>45 spaces</u>	20 spaces
Parcel 4 - retail	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage = <u>24 spaces</u>	16 spaces
Residential	2.04 per townhouse = 59 x 2.04 = <u>121 spaces</u>	140 spaces
Total	418 spaces*	377 spaces*
Summary of Commercial Parking	Required	Provided
Standard Spaces	--	186 spaces
Compact Spaces	--	40 spaces
ADA Spaces (Total)	11 spaces	11 spaces
ADA Spaces	4 spaces	7 spaces
Loading Spaces Required		5 spaces
Loading Spaces Provided		5 spaces

Note: *The applicant submitted documentation to request a reduction in the required parking spaces as allowed in the M-X-T Zone per Section 27-574 of the Zoning Ordinance, which was approved in the review of DSP-16020 pursuant to PGCPB Resolution No. 17-12.

3. **Location:** The subject property is in the northeast quadrant of the intersection of Branch Avenue (MD 5) and Allentown Road (MD 337), in Planning Area 76B, Council District 8.
4. **Surrounding Uses:** To the north and east of the property are existing single-family residences along Robin Lane and Perrie Lane in the Rural Residential (R-R) Zone. To the south of the property, across Allentown Road, is the former Allentown Mall now used as consolidated storage with several commercial pad sites (Dunkin Donuts and a restaurant/liquor store) in the Commercial Shopping Center (C-S-C) Zone. Also, across Allentown Road from the subject site is a church in the R-R Zone, known as Old Bells Methodist Church and Cemetery (a designated Historic Site, 76B-017). The subject property is bounded by Branch Avenue to the west, beyond which are strip commercial uses in the C-S-C Zone.
5. **Previous Approvals:** The subject property was retained in the Commercial Office (C-O) and R-R Zones by the 2006 *Approved Henson Creek-South Potomac Master Plan and Sectional Map Amendment*. The site is made up of five separate deeded parcels and has never been through the subdivision process. Three commercial structures exist on the site.

On March 23, 2009, the District Council approved a Zoning Map Amendment (ZMA) A-9998-C, the Landing at Camp Springs, to change the zoning of the property from the R-R and C-O Zones to the M-X-T Zone. The approval was granted subject to 20 conditions as outlined in Zoning Ordinance No. 7-2009. The District Council adopted the findings and recommendations of the Zoning Hearing Examiner as its findings and conclusions in the case. Exhibits in the record indicate both horizontally and vertically integrated development with commercial development along Allentown Road and 370-multifamily units and structured parking located to the rear of the property.

Conceptual Site Plan CSP-15001 was approved on May 19, 2016 by the Planning Board as a mixed-use development, including approximately 54,600 square feet of commercial space and 61 single-family attached residential dwelling units.

Preliminary Plan of Subdivision 4-15022 (PGCPB Resolution No. 16-93) was approved by the Planning Board on May 19, 2016 with 30 conditions, and approved Type 1 Tree Conservation Plan (TCP1-001-16-01), variances to Section 27-548(h), Section 25-122.02, and further approved a variation from Section 24-121(a)(4) for 20 lots.

The property also has a Stormwater Management Concept Plan, 29321-2015, which was approved on December 14, 2015.

On January 12, 2017, the Planning Board approved the companion case to the subject application, Detailed Site Plan DSP-16020 (PGCPB Resolution No. 17-12).

6. **Design Features:** The applicant proposes to develop the overall property as a horizontal mixed-use development consisting of 59 single-family attached units (townhouses) and 55,600 square feet of commercial/retail uses. The following is a breakdown on the square footage associated with each parcel of the retail development:

Parcel 1: Gas station, food and beverage	5,600 square feet
Parcel 2: Grocery Store	36,000 square feet
Parcel 3: Retail	8,000 square feet
Parcel 4: Retail	6,000 square feet
Total	55,600 square feet

Access to the site is proposed via Allentown Road and Perrie Lane. A public street is proposed as a spine road down the center of the site, connecting Allentown Road to Perrie Lane. An existing access easement (part of Perrie Lane) runs along the rear of lots fronting on Robin Lane and extends as a public road to provide access to numerous parcels to the north of the site. This access easement is proposed to remain because it is valid in perpetuity.

The plans propose three commercial buildings on four parcels and 59 townhouses in a horizontal mix. Commercial uses are located at the front of the property along Allentown Road. Townhouses are proposed to be located in the rear of the property, with individual units fronting on the main spine road through the development, along private roadways and along open-space areas. The commercial development is proposed within three structures as follows:

- a. **Parcel 1: Gas station, food and beverage**—A 5,600-square-foot gas station (WAWA) with eight gas pumps and a food and beverage store is proposed in Parcel 1. The building and associated parking is shown on the east side of the main street with frontage along Allentown Road (MD 337). Parking is proposed around the building to the side and rear. Loading and trash facilities for this building are proposed along the eastern most edge of the building. This portion of the development is directly across Allentown Road from the Old Bells Methodist Church and Cemetery Historic Site, and is adjacent to the exiting Perrie Road and single family detached residential development to the east.

Loading facilities

A single-loading space is proposed for the food and beverage store located on the east side of the building, approximately 100 linear feet west of the adjacent residential property. The circulation plan indicates that truck traffic, including the gas tank trucks servicing the gas station will circulate on the site as close as 52 feet from the residential properties. This meets the minimum distance from residential properties as dictated by Section 27-579(b) of the Zoning Ordinance.

- b. **Parcel 2: Food and Beverage**—A 36,000 square-foot grocery store (LIDL) with associated parking and loading spaces is proposed on the west side of the main street and on the north side of Allentown Road on proposed Parcel 2. The building backs to the ramp

to Branch Avenue (MD 5). The rear façade may not be visible from Branch Avenue as the elevation of the roadway is 15 to 20 feet above the elevation proposed for the site, however, the roof of the grocery store may be visible from Branch Avenue. Loading and trash facilities for this building are proposed along the northernmost edge of the building, adjacent to the proposed residential community immediately to the north.

Loading facilities

Loading is proposed on the north side of the building, as well as the trash facilities. A dumpster enclosure is indicated at the northeastern corner of the building, proximate to the location of the two loading spaces provided for the project. The access driveway to this loading facility is within 50 feet of the proposed townhouse community property line. In accordance with Section 27-579(b), of the Zoning Ordinance, a departure from design standards (DDS) is required. This issue is discussed in detail relating to the DDS-638, see Finding 7(d).

- c. **Parcels 3 and 4**—A 14,000 square-foot building in-line retail store (without specified tenants) is proposed in a third commercial building, which straddles the two proposed parcels. Parcel 3 is located along the frontage of the proposed public road and Parcel 4 is proposed adjacent to Perrie Lane, with frontage on the public road. The parcels and building are located behind the gas station on Parcel 1. This building faces the back of the food and beverage store associated with the gas station and a parking lot is proposed in front of and to the east side of the building. Loading facilities for this building are proposed along the northernmost edge of the building, adjacent to proposed residential development immediately to the north.

Loading facilities

Loading is discussed as part of the Departure from Design Standards (DDS-638), see Finding 7(d).

COMPLIANCE WITH EVALUATION CRITERIA

- 7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T Zone and the criteria for the review of a DDS of the Zoning Ordinance as follows:
 - a. The subject application is in conformance with the requirements of Section 27-547(d), which governs the required mix of uses in all mixed-use zones. The overall project was approved for a mixed-use development consisting of commercial/retail business and residential dwellings. The subject includes the entire site and the mix of the two uses meet the requirements.
 - b. The application is consistent with Section 27-548, Regulations. The following discussion is provided:

(1) Per Section 27-548(a), the applicant used the optional method of development for the project by proposing a residential component as part of the overall development. This increases the floor area ratio (FAR) by 1.0 above the base allowed of 0.40, if more than 20 dwelling units are provided. The subject DSP proposes 59 townhouse units; therefore, it is eligible for this bonus and a limit of 1.4 FAR for the overall development. The proposed FAR is only 0.348 for the entire area of the site.

(2) Developments in the M-X-T Zone are required to have vehicular access to a public street in accordance with Section 27-548(g) as follows:

(g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

In conformance with this requirement, Parcel 1 has frontage and direct vehicular access to Allentown Road. Parcels 2, 3 and 4 have frontage and direct vehicular access to the public spine road that bisects the development.

c. The companion case, DSP-16020 was found to be in conformance with the applicable site design guidelines contained in Section 27-274. Section 27-283 of the Zoning Ordinance provides that a DSP shall be designed in accordance with the same design guidelines for a conceptual site plan (Section 27-274). The site was found to be in general conformance with the relevant design guidelines, as was found in the review of the CSP-15001 for the same site. The following discussion provides a history of the loading location as proposed:

(1) The Planning Board found in the review of the CSP that it was not necessary to redesign the site to move the building to the front of Parcel 2 because of the inconvenience and potential danger that would be caused to pedestrians if parking and loading were placed at the rear of the grocery store building because the entrance remains at the corner of the building as shown on the CSP and now on the DSP. The applicant argued that the parking spaces would not be located as near as possible to the uses they serve, which is another site design guideline. The DSP is designed in accordance with the approved CSP layout.

(2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive. At the time of the CSP, the Planning Board found that the development scheme should minimize the impact of loading and trash facilities on the existing and proposed residential properties at the time of DSP review. The Planning Board recognized that this issue is addressed in Section 27-579(b) of the Zoning Ordinance and that this issue would be addressed at the time of DSP review. If the applicant sought relief from the required 50-foot setback, a DDS

would be required. Therefore, the applicant filed the subject application, Departure from Design Standards DDS-638,

- d. **Departure from Design Standards:** The applicant requests three departures from Section 27-579(b) of the Zoning Ordinance, which prohibits loading spaces and access to a loading space within 50 feet from property proposed to be used for residential purposes. Specifically, Section 27-579(b) states the following:
- (b) **No portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan). (emphasis added)**

Departure 1, Parcel 2—On the west side of the main street adjacent to the land proposed for residential purposes, the application proposes a reduction in the required 50-foot width between the loading space and the access driveway to a loading space and the adjacent property line of land proposed to be used for residential purposes. Parcel 2 contains the grocery store with loading proposed on the north side of the building and trash facilities just beyond the loading facilities. The application incorrectly measures the distance from the loading space to the closest townhouse lot, as opposed to the land area associated with the future homeowners association (HOA) land which is proposed to be used for residential purposes. Staff's suggestion to adjust the lot line to provide a buffer on the commercial property, which is the normal requirement, was not adopted by the applicant in their exhibits. In the applicant's measurement methodology, the minimum distance of the loading access to the nearest townhouse lot is 47.5 feet. Within this 47.5-foot area (which includes homeowners association land) are the proposed parking facilities for the commercial property, bioretention facilities, a privacy fence, and landscaping. The buffering normally applied in this scenario would be required on the commercially used land. Noting that the property is actually zoned M-X-T, a mixed-use zone, does not negate the concept of protecting the future residential property from the noxious aspects of loading facilities used to service commercial buildings.

Departure 2, Parcel 3—On the east side of the main street, south of the land proposed for residential purposes, the applicant requests a reduction in the required width between one loading space and the access driveway, and the adjacent land proposed to be used for residential purposes. Parcel 3 contains the in-line retail building. Again, the applicant proposes to measure the distance from the loading space and access to the closest townhouse lot, as opposed to the land area associated with the HOA land. In the applicant's methodology, the minimum distance of the loading access to the nearest townhouse lot is 46 feet. Within this 46-foot area is the access drive, a privacy fence, and landscaping. The measurement methodology used by the applicant is incorrect, in that the measurement should be from the loading space and the access driveway to the residential

property line, which provides only a one to two-foot distance, as opposed to the required 50-foot distance. In the applicant's measurement methodology, the minimum distance of the loading access to the nearest townhouse lot is 24 feet. In addition, the buffering normally applied in this scenario would be required on the commercially used land. Using the applicant's methodology of ignoring the location of the property line, the area from the loading access drive available for buffering is only 24 feet in width on the residential property.

Departure 3, Parcel 4—On the east side of the spine road, and east of Parcel 3, south of the land proposed for residential purposes, the application proposes a reduction in the required width between the access driveway to the loading space and the adjacent land proposed to be used for residential purposes. This scenario is similar to the conditions on Parcel 3 because the in-line retail building spans both parcels, providing only a one- to two-foot distance, as opposed to the required 50-foot distance. In the applicant's measurement methodology, the minimum distance of the loading space to the nearest townhouse lot is 42 feet. Again, the applicant measures the distance from the loading space and access to the loading space to the closest townhouse lot, as 20 feet, as opposed to the land area associated with the HOA.

Section 27-239.01(b)(7) of the Zoning Ordinance contains the following required findings in order for the Planning Board to grant the departure.

Each standard is listed in **bold face** type below, followed by the applicant's justification and then by Planning Board analysis:

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

(i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;

Applicant's Justification:

"The purposes of the Subtitle for Parking Standards are:

"The purposes of this Part are:

"(1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to and uses;

"(2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;

- “(3) To protect the residential character of residential areas; and**
- “(4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

“Response: The location of the loading spaces with their associated drive aisles provide sufficient access to serve the needs of the project. This site is zoned M-X-T and certain purposes are established for this zone. For instance, one purpose of the M-X-T zone is to promote orderly development in the vicinity of major interchanges to enhance the economic status of the County. The second is to conserve the value of land by maximizing the public and private development so that the development does not otherwise become scattered. The third is to encourage diverse land uses which blend together harmoniously and to promote optimum land planning with greater efficiency. M-X-T zoning by nature allows and even requires that multiple uses be proposed. M-X-T is a high-density zone that promotes multiple users within the community. In effect, the reduction of distance of the proposed loading spaces with their associated drive aisle will allow the proper amount of loading to serve this project. The frequency of the trucks that do come to the site and load is relatively low. The trucks for the loading adjacent to Lot 20 use a regional distribution center model. The idea is that they pack everything needed from various vendors into one truck and make deliveries. In this way, different vendors do not bring their products directly to the store, unlike other grocers. This reduces the amount and frequencies of the trucks coming to the site. The trucks for the loading spaces adjacent to lots 47 & 48 come once a week. Although they come once a week, they come during normal business hours typically when everyone is not home but at work. The proposed loading areas will not be visible from residential areas because of the proposed sight tight fence and proposed landscaping. In addition, the residential areas will be separated by proposed micro-bio retention areas with their associated landscaping. Thus, the purposes of the Subtitle will have been met and will not detract from the character of such areas or from the character of the entire project as a whole.”

For clarification, the applicant's response above relating to townhouse Lot 20 addresses the proposed location of the loading space and access drive on Parcel 2 for the LIDL grocery store. The applicant's response above relating to townhouse Lots 47 and 48 applies to Parcels 3 and 4, respectively. The applicant argues that the frequency of the loading is low in each case, and during the day, a time when the applicant believes that people will not reside within the residences. The applicant further argues that the plan provides for fencing and landscaping. The applicant presented two exhibits; one exhibit that indicates the distances (identified in the record as slide 38 of 39 and labeled as Departure from Design Standard Exhibit DDS-638) and the proposed landscape buffering and mitigation techniques (identified in the record as slide 39 of 39 and labeled as Landscape Buffer Exhibit DDS-638). It should be noted that the landscaping placed

within and around the bioretention areas are governed under the authority of the Department of Permitting, Inspections and Enforcement. A sidewalk is proposed along the south property line on the eastern portion of the residential land that further limits space for landscaping. The fencing appears to be a non-wood, sight-tight fencing. Therefore, the applicant argued that the space only allows for planting of materials equivalent to a Type 'A' bufferyard, as described in the 2010 *Prince George's County Landscape Manual*, distributed on both the commercial and residential properties. A condition has been included in the approval of these plans requiring the bufferyard planting.

- (ii) **The departure is the minimum necessary, given the specific circumstances of the request;**

Applicant's Justification:

"The purposes of the Subtitle for Parking Standards are:

"The purposes of this Part are:

- "(1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to and uses;**
- "(2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**
- "(3) To protect the residential character of residential areas; and**
- "(4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

"Response: The departure for the loading space adjacent to Lot 20 is minimal. The loading space is actually 60+ feet from the lot. For only 39 linear feet does the drive aisle associated with the loading space encroach at a maximum of 7 feet. As mentioned earlier, the loading spaces adjacent to lots 47 & 48 are 46 ft and 40 ft away from the respective lots lines and even greater if the distance is measured to the actual building itself. The distances are 48 and 42 feet respectively. Although the drive aisle is closer, it is not the actual spot where the loading and unloading will occur but just the necessary means of ingress and egress and to the loading space itself. If there were no proposed loading space associated with this drive aisle, a departure would not be required for this drive aisle."

The Planning Board found that the buffer being placed nearly entirely on the residential property is appropriate in this case. Parcel 2 for the LIDL grocery store is required to provide a wall to be placed to enclose the loading space. The wall, combined with the landscaping buffer between the two uses and landscaping between the proposed loading/access and residential development for Parcels 3 and 4, will mitigate the impacts of the loading on the future residential development. Further, special attention to the proposed endwalls along this edge of the development will provide buffering to protect the residents of those units by minimizing the window fenestration and providing three stories of brick exterior end walls.

- (iii) **The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;**

Applicant's Justification:

"The purposes of the Subtitle for Parking Standards are:

"The purposes of this Part are:

- "(1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to and uses;**
- "(2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**
- "(3) To protect the residential character of residential areas; and**
- "(4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District."**

"Response: The departure is necessary in order to provide adequate and necessary loading spaces to serve the project within the available developable area. The project is bounded by established State Highway Right of Way and SHA parcels on the west and south. Perrie Lane bounds the site on the east. Perrie Lane was originally an easement granted to multiple property owners to the north in the 1800's and in 1985 Perrie Lane was taken into public road status. Since Perrie Lane cannot be removed and the site is bounded by State Highway parcels and right-of-ways, thus no additional land is available. Given that all components of this development need a minimum number of units or square feet

to make them viable, it is most efficient to minimally impact the three townhouse whose sides face the loading area to allow for this M-X-T project to reach its fullest potential as an economic force and destination for Prince George's County."

The M-X-T Zone promotes dense and compact development. This development is proposed as such a project, and the recommended conditions will mitigate negative impacts of the loading areas on the residential uses.

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

Applicant's Justification:

"The purposes of the Subtitle for Parking Standards are:

"The purposes of this Part are:

- "(1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to and uses;**
- "(2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**
- "(3) To protect the residential character of residential areas; and**
- "(4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

"Response: The proximity of the loading area with its drive aisle to the proposed residential use within this project will not have an adverse effect on the site for a couple of reasons. One, the loading spaces with their drive aisles are adjacent to only 3 of the 59 proposed townhouses. The side of these units face the loading and drive aisles and are not in direct view of them. Also, the necessary loading is located to the rears and side of the proposed retail. Within the space between the loading area and the townhouse units a 6-foot-high sight tight fence, landscaping, and landscaping for the micro-bio retention areas are being proposed. In addition, if the townhouses are built first, the future potential owners of these three lots will be made aware of the proximity of the loading space and the associated drive aisles."

The Planning Board found that the exhibits provided by the applicant, identified in the record as Slide 38 of 39 and labeled as Departure from Design Standard Exhibit DDS-638, and the proposed landscape buffering and mitigation techniques, identified in the record as Slide 39 of 39 and labeled as Landscape Buffer Exhibit DDS-638, and the architectural elevations were analyzed appropriately, including the end units for lots which will be designed to minimize the impact of the proposed loading on the inhabitants of the adjacent townhouse units. This will be achieved by providing a brick endwall on the end units and minimizing the window fenestration, so noise is buffered within the unit as much as possible. The Planning Board concurs that the requested departure will not impair the quality or integrity of the site or surrounding neighborhood if the mitigation measures are in place. The applicant is providing safe and efficient access and internal circulation. With the proposed landscaping, wall and fencing adjustment to lots and architectural treatments, the applicant will be providing an attractive and functional transition between the loading spaces and their access drive aisle and the residential property to the north.

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 above-noted application, subject to the following condition:

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made or information provided:
 - a. Provide a detail of the proposed sight-tight fencing between the eastern boundary and Perrie Lane and between the commercial and the proposed residential development to the north.
 - b. Revise the landscape plan to include planting materials equivalent to a Type 'A' bufferyard as described in the 2010 *Prince George's County Landscape Manual* on either or both of the commercial and residential properties along the northern property lines.
 - c. Townhouse endwalls adjacent to the commercial development shall include three-story masonry endwalls, with no more than two window openings, as proposed on the plans. All other endwalls in the community shall provide a minimum of two standard windows on the right side elevation and all standard and optional windows on the left elevation.
 - d. Provide an eight-foot-tall wall along the north side of the loading area associated with the LIDL grocery store which ties into the six-foot-tall trash dumpster enclosure, similar in material to the main structure.

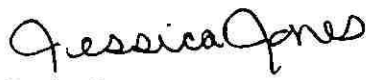
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

* * * * *

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 12, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of February 2017.

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:SHL:rpg

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPDC Legal Department
Date 1/26/17