

A M E N D E D   R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed 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 April 24, 2003, regarding Detailed Site Plan DSP-02063 for Bellefonte, Part of Lot 30 and Lot 31, the Planning Board finds:]

\*WHEREAS, DSP-02063 for Bellefonte, Parts of Lots 30 and 31, was approved by the Planning Board on April 24, 2003, and PGCPB Resolution No. 03-81 was adopted on May 15, 2003; and

\*WHEREAS, on June 9, 2003, the District Council elected to review this case; and

\*WHEREAS, on November 24, 2003, the District Council voted to remand the case to the Planning Board in accordance with Section 27-290 of the Zoning Ordinance in order to allow the case to be reviewed again after revised Bellefonte design standards have been approved, and other matters; and

\*WHEREAS, in consideration of evidence presented at a second public hearing on November 4, 2004 regarding DSP-02063 for Bellefonte, Parts of Lots 30 and 31, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for a contractor's office with an outdoor storage yard in the I-1 Zone.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	I-1	I-1
Use(s)	Vacant	Contractor Office with Outdoor Storage
Acreage	0.46	0.46
Number of lots	2	2
Gross Floor Area (square foot)	1,237	1,237
Building Height (foot)	12	12

\*Denotes amendment

[Brackets] denotes deletion

Underlining denotes addition

### Other Development Data

	REQUIRED	PROPOSED
Total number of parking spaces	3	4
Of which Handicapped space	1	1

3. **Location:** The site is in Planning Area 81A, Council District 9. More specifically, it is located on the north side of Delano Road, approximately 725 feet east of Alexandria Ferry Road.
4. **Surroundings and Use:** The subject property is bounded to the south by Delano Road. To the east, west and north of the site are properties in the I-1 Zone. The surrounding properties are all used as contractor's offices except for a property to the northwest of the site where a single-family dwelling is located.
5. **Previous Approvals:** The subject site was originally improved as a single-family detached residence. In 1989, the property was rezoned from the R-R Zone to the I-1 Zone by Zoning Map Amendment Application No. A-9741-C. The site is exempt from the Woodland Conservation Ordinance and the Letter of Exemption was issued on December 17, 2002. The site also has a valid Stormwater Management Concept Approval, #35074-2002-00.
6. **Design Features:** The application proposes to use the existing one-story frame building as a contractor's office and the existing gravel surface located in the rear of the property as an outdoor storage yard to undertake a construction container leasing business. The other existing frame building in the northwest corner of the rear yard will also be used for storage purposes. An existing 30-foot-wide driveway provides the access to the site. An existing six-foot-high, sight-tight fence is located along the east side of the site. On the north and west sides of the site, there is an eight-foot-high, sight-tight fence enclosing the property. The application does not propose any building or parking improvements.

### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance No. 23-1989 (A-9741-C):** Zoning Ordinance No.23-1989 was adopted by the District Council on May 9, 1989, to approve application No. A-9741-C to rezone approximately 21.19 acres of land, located adjacent to the south side of Andrews Air Force Base, 200 feet east of Old Alexandria Ferry Road, on both sides of Poplar Hill Lane and Delano Road, from the R-R Zone to the I-1 Zone with one condition. The subject site is a portion of the rezoned property. The condition of approval reads:

**“Any proposed development of the property shall be subject to detailed site plan review. Particular attention shall be given to buffering and screening of adjacent residential area, noise impacts, and building acoustics.”**

**Comment:** The subject detailed site plan application is for the purpose of fulfilling the above-noted condition. The site is bounded to the south by Delano Road and to the east, west and north by properties in the I-1 Zone. Except for a very small portion of the northwest boundary,

which is adjacent to an existing residential use, all the adjacent properties are used as contractor's offices with outdoor storage. Finding 9 of this report has a detailed discussion of the application's compliance with the zoning condition's requirement for buffering and screening as well as the requirements of the *Landscape Manual*.

As indicated in memoranda from both the Community Planning Division and the Environmental Planning Section, the subject site is located south of Andrews Air Force Base and is within the 70 to 75 dBA noise contour associated with the flight path of aircraft. The site is also situated within the limits of Accident Potential Zone I (APZ I) for Andrews Air Force Base. The development of this site as a contractor's office with outdoor storage is consistent with the uses for APZ I according to Table 4-2 (Land-Use Compatibility) of the 1998 Andrews AFB AICUZ Study and the 1993 *Subregion V Master Plan* recommendations. According to the referral comments from

the Environmental Planning Section, no further action is needed in regard to noise issues related to this detailed site plan review.

8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the I-1 Zone and the site plan design guidelines of the Zoning Ordinance.
  - a. The subject application is in conformance with the requirements of Section 27-473(b), which governs permitted uses in industrial zones. The proposed contractor's office with outside storage is a permitted use in the I-1 Zone.

The total gross tract area of the site is only 0.46 acre. Therefore this application is exempt from the requirements of Footnote 38, which requires a Special Exception for land that is 10 acres or greater in size and located within 300 feet of any residentially-zoned land and land owned by the Washington Metropolitan Area Transit Authority.
  - b. The proposal is also in conformance with the requirements of Section 27-474, Regulations, regarding setbacks and green area in industrial zones.
9. **Landscape Manual:** The proposed development involves a change of use but no increase in the gross floor area (GFA) of the building. According to Section 1.1, Applicability, of the *Landscape Manual*, the application is exempt from the requirements of Section 4.2, Commercial and Industrial Landscaped Strip Requirements.

The application involves a change of use from a less intense (residential) to a more intense use category (contractor's office with outdoor storage) as defined in Section 4.7. The application is subject to Sections 4.3(b) and 4.7 of the *Landscape Manual*.

- a. Section 4.3(b), Perimeter Landscape Requirements, requires a minimum five-foot-wide landscaped strip between the parking lot and any adjacent property line for a site over 10,000 square feet that has a parking lot adjacent to a property. The subject site is more than 20,000 square feet in size and has a parking lot within 30 feet of the adjacent property. A five-foot-wide landscaped strip is required along the western property line between the parking lot and the adjacent property with a street address of 7722 Delano Road. The applicant should either revise the plan to comply with the requirements of

Section 4.3(b) or seek Alternative Compliance from this requirement.

- b. The proposed contractor's office with outside storage is defined as a high impact use in the *Landscape Manual*. A small portion of the subject site is adjacent to a single-family use to its northwest. Per Section 4.7, a Type "D" bufferyard is required between the single-family property and the subject property. Type "D" bufferyard requires a minimum 50-foot building setback, 40-foot-wide landscaped yard and 160 plant units per 100 linear feet of property line. The applicant has an existing eight-foot-high, sight-tight fence but does not provide any other required treatment. The applicant should either revise the plan to comply with the requirements of Section 4.7 or seek Alternative Compliance from this requirement.
10. **Woodland Conservation Ordinance:** The property is not subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the entire site is less than 40,000 square feet in size and does not have a previously approved Tree Conservation Plan. A Tree Conservation Plan (TCP) and a Forest Stand Delineation (FSD) are not required.
  11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
    - a. In a memorandum dated February 4, 2003, the Community Planning Division found that there are no master plan issues with this application because the proposed use is in conformance with master plan recommendations and is appropriate for this location.
    - b. In a memorandum dated March 5, 2003, the Office of Engineering, Department of Public Works and Transportation (DPW&T) of Prince George's County, provided standard conditions on issues such as road dedication, frontage improvement, sidewalks, etc., in order to be in accordance with the requirements of DPW&T and the Department of Environmental Resources (DER).
    - c. The Transportation Planning Section, in a memorandum dated February 18, 2003, stated that since no improvements to the property are proposed within the right-of-way, the site plan is acceptable.

In a separate memorandum from the Transportation Planning Section dated February 4, 2003, on Detailed Site Plan Review for Master Plan Trail Compliance, the trails planner found that there are no master plan trails issues with the application.
    - d. In a memorandum dated January 27, 2003, the Subdivision Section staff found that no subdivision issues are associated with this application.
    - e. The Environmental Planning Section, in a memorandum dated January 29, 2003, recommended approval of DSP-02063. The Environmental Planning Section confirms that even though the site is severely impacted by air traffic from Andrews Air Force Base, the proposed use as a contractor's office with outdoor storage is appropriate for this location.

f. The Permit Review Section provided many questions concerning compliance with the requirements of both the Zoning Ordinance and the *Landscape Manual* in a memorandum dated January 10, 2003. The questions have been either answered during the review process or incorporated into the conditions of approval.

g. The Special Hazards Section, Bureau of Fire Prevention, Prince George's County Fire Department, had not responded to the referral request at the time the staff report was written.

\*12. At the Planning Board hearing on November 4, 2004, the Planning Board removed the condition requiring brick piers with the fence.

13. The detailed site plan, if revised in accordance with the proposed conditions, will 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 from its intended uses.

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 Detailed Site Plan DSP-02063, subject to the following condition:] \*REAPPROVED the Detailed Site Plan DSP-02063 and transmitted the case to the District Council with the following conditions:

\*1. Prior to certificate approval of this detailed site plan, the applicant shall either revise the plan and show complete compliance with the requirements of Sections 4.3(b) and 4.7 of the *Landscape Manual* or apply for Alternative Compliance and gain approval from the Planning Director acting as designee of the Planning Board for the northwest portion of the site that is subject to the above-noted *Landscape Manual* requirements.

\*2. A detail shall be added on the site plan for a new wood fence. The detail shall include a solid wood fence stained in terra-cotta color.

\*3. Prior to issuance of a use and occupancy permit, the applicant shall upgrade the existing front fence that screens the rear yard from a view of Delano Road with the solid wood fence as described in the above conditions.

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.

\*Denotes amendment  
[Brackets] denotes deletion  
Underlining denotes addition

\* \* \* \* \*

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 Harley, seconded by Commissioner Eley with Commissioners Harley, Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, November 4, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4<sup>th</sup> day of November 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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