

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 September 11, 2003, regarding Detailed Site Plan DSP-03020 for Bellefonte, Lot 6 (Marini Property), the Planning Board finds:]

*WHEREAS, DSP-03020 for Bellefonte, Part of Lot 6, was approved by the Planning Board on September 11, 2003, and PGCPB Resolution No. 03-190 was adopted on October 2, 2003; and

*WHEREAS, on October 20, 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-03020 for Bellefonte, Part of Lot 6, the Planning Board finds:

1. **Request:** The subject application is to validate the use of the subject property for a contractor's business and ancillary outdoor storage.
2. **Site Plan Data:**

	Existing	Proposed
Zone(s)	I-1	I-1
Use(s)	Contractor's office and outdoor storage	Contractor's office and outdoor storage
Acreage	28,400 square feet or .6519 acre	28,400 square feet or .6519 acre
Lots	1	1
Square footage/GFA	2,629 square feet	2,629 square feet
Dwelling Units:		
Attached	None	None
Detached	None	None
Multifamily	None	None

*Denotes amendment

[Brackets] denotes deletion

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Other Development Data:

	Required	Provided
Parking Spaces Required	10 spaces	10 spaces
Loading Spaces Required	None	None
Area of Outdoor Storage Compound	N/A	5,200 square feet
10% Green Area required	2,084	3,990
Signs	None	None

3. **Location:** The property is located in Planning Area 81A, Council District 9, adjacent to the south side of Andrews Air Force Base. More specifically, it is located at 7704 Poplar Hill Lane. The property is also known as Part of Lot 6 of the Bellefonte subdivision as depicted on Tax Map 108 in Grid A4 and is located in the Light-Industrial (I-1) zoning district.
4. **Surroundings and Use:** Land use abutting the subject site is exclusively industrial. The land use fabric in the neighborhood surrounding the subject property, however, is a mix of industrial and residential. Largely because of the rezoning of the land to industrial, land use in the vicinity is evolving from residential to industrial use. Industrial use seems a better fit both because of the number of industrial uses already in the neighborhood and the proximity of Andrews Air Force Base. As in the subject case, many of the single-family homes in the vicinity of the site have been converted to industrial offices, shops and ancillary uses.
5. **Previous Actions:** On May 9, 1989, the District Council granted a rezoning of the subject property in Zoning Ordinance No. 23-1989, Case No. A-9741-C. The application requested that 21.19 acres, which included the subject part of Lot 6, be rezoned from R-R to I-1. The approval carried with it a condition that any proposed development of the property be subject to detailed site plan review, with particular attention paid to buffering and screening of adjacent residential areas, noise impacts, and building acoustics. A detailed site plan application (SP-99019) was filed for the property but was then continued indefinitely by the applicant. In conjunction with that detailed site plan application, an alternative compliance application seeking relief from the provisions of Section 4.7 of the *Landscape Manual* was approved for the applicant. Such approval required 14 additional plant units in the bufferyard adjoining Lot 7 to complement the existing six-foot-high, sight-tight wood fence and plantings required of the owner of Lot 7 through approvals SP-91054 and AC-91085, granted 10/10/99. The Alternative Compliance Committee stated at that time that the combined landscape buffer between the two properties met the intent of the *Landscape Manual*.

COMPLIANCE WITH EVALUATION CRITERIA

6. **Zoning Map Amendment A-9741-C:** This amendment required that the detailed site plan show particular attention to buffering and screening of adjacent residential areas, noise impacts, and building acoustics. The applicant has applied for Alternative Compliance regarding the buffering and screening requirements of the Zoning Ordinance. However, since the subject site has no adjacent residential use, any further “particular attention” to buffering and screening is unnecessary in this case pursuant to Zoning Map Amendment A-9741-C. Additionally, noise impacts and building acoustics are not an issue since neither the proposed use (masonry contractor’s office and storage) nor the surrounding industrial uses generate substantial noise levels. Lastly, it has been determined that noise from Andrews Air Force Base has no significant negative noise impacts on the subject site.
7. **Zoning Ordinance:** The subject application has been reviewed against Zoning Ordinance requirements for the I-1 Zone and the site plan design guidelines, including parking, loading and signage. The subject use, a contractor’s office with outdoor storage, is in conformance with Part 11, Off-Street Parking and Loading, and the requirements of Section 27-469 for development in the I-1 Zone.
8. **Landscape Manual:** The project was reviewed against the applicable sections of the *Landscape Manual* and found to require alternative compliance. On August 1, 2003, the Alternative Compliance Committee and the Planning Director recommended approval of AC-99053/02 addressing landscaping in the bufferyards adjacent to Part of Lot 6 and Andrews Air Force Base required by Section 4.7 of the *Landscape Manual*, stating that the additional plant units and the existing and proposed fences compensate for lack of strict compliance with the requirements of the *Landscape Manual*. As mentioned earlier in this report, an earlier alternative compliance application, approved October 10, 1999, for the bufferyard adjoining Lot 7 concluded that the combined landscape buffer between the two properties met the intent of the *Landscape Manual*.
9. **Woodland Conservation Ordinance:** As per the Environmental Planning Section, the subject project is not subject to the provisions of the Woodland Conservation Ordinance because the lot is smaller than 40,000 square feet of gross tract area and does not have a previously approved Tree Conservation Plan (TCP). A TCP and Forest Stand Delineation are not required.
10. **Bellefonte Design Guidelines:** In an effort to improve the aesthetics and create some uniformity in urban design for the Bellefonte area, the Urban Design Section will attempt henceforth to recommend for Planning Board approval a consistent set of conditions dealing with fences, landscaping and other design elements on all Bellefonte applications. The instant case is being brought forward at the same time as DSP-02067, Bellefonte, Part of Lot 5, and both were evaluated against these guidelines. Evaluation of the subject case against the guidelines suggests that:
 - **Front yard^{3/4}** No construction of a new structure or storage area should be located in the front yard of the subject property. Any paving in the front yard should be the same as the street surface.

- **Landscaping** be installed in the existing vegetated island in front of the single-family house on the subject property at a rate of 20 shrubs per 35 linear feet, excluding driveway openings. The leftover front yard area should be landscaped. One shade tree should be provided for each 300 square feet or fraction thereof of the landscaped area. Landscaping should be well maintained for attractive year-round visual interest.
- **Fencing and gates**^{3/4} A six-foot-high, solid wood fence (wood boards painted a terra cotta color) should be provided aligned with the rear elevation on either side of the existing building to screen the rear yard.
- **Signage** on the property should be limited to one permanent ground-mounted sign fronting the street, located in the landscaped front yard, and awning and canopy signs if desired. Awning signs are preferably placed on the valance flap, but may be located on the shed portion of the awning.

11. **Referral Comments:** The subject application was referred to all concerned agencies and divisions. Major referral comments are summarized as follows:

- a. **Permits**^{3/4} The Permits Section stated that the limits of outdoor storage must be shown and that the access to the loading space must measure a minimum of 22 feet wide or a departure will be required, and that a schedule must be included on the plan demonstrating that the perimeter landscape strip along the shared boundary with Lot 7 complies with Section 4.3 of the *Landscape Manual*.
- b. **Transportation**^{3/4} The Transportation Section has not offered any comment on the subject project at the time of this writing.
- c. **Subdivision**^{3/4} The Subdivision Section noted that the applicant must demonstrate that Lot 6 was legally subdivided. They stated that deeds dated prior to January 1, 1982, must show the property in its current configuration or the applicant will be required to go through the subdivision process.
- d. **Community Planning**^{3/4} Stating that the proposed land use is not inconsistent with the 2002 General Plan development pattern policies for the Developing Tier, and that it conforms to the employment area land use recommendations of the 1993 Subregion V Master Plan, the Community Planning Section concluded that the proposed low intensity industrial use, if utilizing appropriate interior noise reduction techniques, is appropriate for the proposed location.
- e. **Environmental Planning**^{3/4} The Environmental Planning Section evaluated streams, wetlands, floodplain, soils, rare, threatened, or endangered species, noise levels, presence of historic or scenic roads and the site's inclusion in the Developing Tier according to the adopted General Plan. After its evaluation, which noted the site's exemption from the Woodland Conservation Ordinance, its compliance with noise and use requirements with respect to proximity to Andrews Air Force Base, and the presence of highly erodible soils, the Environmental Planning Section recommended approval of the project.

- f. **Public Works and Transportation**¾ The Department of Public Works and Transportation has not offered any comment on the subject property at the time of this writing.
- g. **DER Watershed Protection**¾ The Department of Environmental Resources stated that the stormwater concept for Bellefonte Lot 6 must be revised to reflect changes to the site plan.
- h. **Trails**¾ The senior trails planner of the Transportation Planning Section noted that there are no trail requirements for this project.
- i. **Fire Department**¾ The Prince George's County Fire Department, stating their requirements regarding access to the premises in case of fire, design of private roads, signage, hydrants and designation of firelanes, suggested that compliance with such requirements be made a condition of obtaining a use and occupancy permit for the project.
- j. **Andrews Air Force Base**¾ By letter dated September 5, 2003, Andrews Air Force Base raised a concern about proposed landscaping very close to their perimeter fence which has the potential to impede the line of sight, making it difficult to ensure that the perimeter fence is secure. Andrews Air Force Base therefore requested that any plantings be at least 5 feet and preferably 10-feet from the fence line. A condition of this approval requires at least a 5 foot setback for plant materials from the common boundary with Andrews Air Force Base. The Planning Board encourages the applicant to provide a greater setback, preferably the 10 foot requested by Andrews Air Force Base, wherever practical and feasible.

*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-03020, subject to the following conditions:] *REAPPROVED the Detailed Site Plan DSP-03020, subject to the following conditions:

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[Brackets] denotes deletion

Underlining denotes addition

- 1. Prior to signature approval, applicant shall:

- a. Revise the detailed site plan to:
 - (1) Indicate the limits of outdoor storage on the subject property.
 - (2) Include a note on the plan that no construction of new structures or storage shall be allowed in the front yard of the subject property.
 - (3) Include landscaping in the island in the front yard at least at the rate of 20 shrubs per 35 linear feet excluding driveway openings.
 - (4) Include a note that applicant shall maintain the landscaping so as to provide attractive year-round visual interest.
 - [(5) Include a detail of a six-foot high solid fence (wood boards painted a terra cotta color) on either side of the existing single-family house on the subject property, aligned with its rear elevation in order to screen the rear yard.]
 - *(5) A detail shall be added on the site plan for a new wood fence.
 - (6) Include in the above detail gates to be utilized on driveway openings on either side of the existing single-family house on the subject property, built of the same or similar material and design as the fence.
 - (7) Include a schedule demonstrating that the perimeter landscape strip along the shared boundary with Lot 7 complies with Section 4.3 of the *Landscape Manual*.
 - (8) Show all proposed plant materials at least five feet from the common boundary with Andrews Air Force Base.
- b. Revise the stormwater concept to reflect changes to the site plan to the satisfaction of the Department of Environmental Resources.
- c. Demonstrate to the satisfaction of the Subdivision Section that Lot 6 was legally subdivided, or the applicant shall complete the subdivision process for the subject property.

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- [2. Prior to the issuance of the use and occupancy permit, the applicant shall upgrade the existing front fence and gates on the subject property with the solid wood fence and gates described in

condition 1(a)(5) above.]

- *2. 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 condition.
3. Prior to issuance of any sign permits, the applicant shall submit the details of the proposed sign identifying the business on the site for review and approval by the Urban Design Section acting as the designee of the Planning Board. One permanent ground-mounted sign fronting the street is permitted inside the landscaped front yard area.
4. The applicant shall demonstrate that access to the loading space measures a minimum of 22 feet wide or shall successfully pursue a departure application for same.

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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, 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 4th day of November 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:RG:rmk

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