

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 7, 2005, regarding Detailed Site Plan DSP-03066 for Reza Auto Body, the Planning Board finds:

1. **Request:** The subject application requests permission to install a monopole on the subject property for use as a telecommunications facility.

2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	C-M	C-M
Use(s)	Auto Body Shop	Telecommunications Facility/ Auto Body Shop
Lots	3	3
Parcels	None	None
Building Square Footage/GFA	3,562	3,617

3. **Location:** The site is in Planning Area 72, Council District 5. More specifically, it is located in the southwest quadrant of the intersection of Martin Luther King Highway (MD 704) and I-95.
4. **Surroundings and Use:** The land use in the immediate vicinity of the subject site includes industrial use to the north, I-95 and portions of Springdale Gardens residential subdivision to the east, a Baptist Church to the south, and gas stations to the west.
5. **Previous Approvals:** CB-57-1933, adopted July 27, 1993, requires for the "Beltway Tract" that "site plan review shall address, among other things, unified access and circulation, views from the Beltway and Maryland 704, signs and building materials and compatibility with residential and institutional uses to the south and east."
6. **Design Features:** The proposed monopole and its ancillary equipment box are proposed to be located in a 50-foot by 50-foot compound in the extreme southeastern corner of the site. A seven-foot tall, board-on-board fence will surround the compound. The monopole will measure 150 feet tall and will accommodate a minimum of three operators. The pole will not be lit and will be constructed of galvanized steel material so as to best blend in with its surroundings.

The antenna design of monopole telecommunication towers falls into three general categories. The first, platform antennas, are the most visually intrusive as they have antennas that extend out on a platform from the monopole itself. The second general category is flush-mounted antennas,

where they are external to the tower, but mounted “flush” to the tower. The third type, recommended by staff in the subject application, is called “stealth design.” The antennas on stealth towers are internal to the monopole, not visible on its exterior and are the least visually intrusive monopole tower design.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The proposed project generally complies with the purposes stated in Section 27-459 (p.442) of the Zoning Ordinance for the C-M Zone (Commercial Miscellaneous). The Table of Uses I specifies a “tower, pole or antenna” as a permitted use in the C-M Zone. The subject property also complies with Section 27-462, regulations applicable in the C-M Zone. The subject application is in accordance with Division 5, Section 27-464.03, Wireless Telecommunications Facilities, except the plans need to be certified by a registered engineer that the structure will meet applicable standards for the wind load standards of the Electronic Industries Association for Prince George’s County.
8. **Landscape Manual:** The proposed development meets the requirements of the *Landscape Manual*.
9. **Woodland Conservation Ordinance:** The Environmental Planning Section has stated that the site is exempt from the requirements of the Woodland Conservation Ordinance because the property is less than 40,000 square feet in size, contains less than 10,000 square feet of woodland, and does not have a previously approved tree conservation plan. Furthermore, since the submitted site plan and an examination of air photos confirm that no classifiable forest exists on the property, a tree conservation plan is not required.
10. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
  - a. **Historic Preservation Planning Section**—In comments made December 24, 2003, the Historic Preservation Planning Section stated that the proposed project would have no effect on historic resources.
  - b. **Community Planning Section**—The Community Planning Section stated that though the proposed application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier and conforms to the land use recommendation of the 1993 approved master plan and sectional map amendment for Landover and vicinity (Planning Area 72), the project is also subject to District Council’s approval of the 1993 SMA for the Landover and vicinity master plan. That plan specifically noted that, because of the site’s location adjacent to the Capital Beltway and near the entrance to the Town of Glenarden, detailed site plan approval by the District Council would be required for all phases of the development. Furthermore, it was stipulated that site plan review shall address, among other things, unified access and circulation, views from the Beltway and MD 704, signs and building materials, and compatibility with residential and institutional uses to the south and east. Staff is recommending stealth monopole design,

the least visually intrusive of all monopole antenna designs, so that visual impacts from the Beltway and MD 704 are minimized and compatibility with residential and institutional uses is maximized.

- c. **Transportation Planning Section**—In comments offered January 26, 2004, the Transportation Planning Section stated that they had no objection to the location of the proposed monopole.
- d. **Subdivision Section**—In their initial comments dated January 14, 2004, the Subdivision Section noted a purported but unsubstantiated abandonment of right-of-way, the apparent lack of access to Lots 1, 2 and part of Lot 3, Block L, and the lack of congruity between the site plan and the record plat. In subsequent comments dated October 11, 2004, however, the Subdivision Section stated that, since recordation of the plat occurred prior to 1908, the roads were not dedicated, they were simply reserved. Therefore, a filing of a consolidation plat for the existing lots and street area would be required rather than a vacation of “platted” rights-of-way, together with a letter of consent from DPW&T. Such a condition has been included in the recommended conditions below.
- e. **Permit Review Section**—In a memorandum dated December 31, 2003, the Permit Review Section made numerous comments and suggestions regarding the proposed project. All concerns have either been addressed through revisions to the plans or in the recommended conditions below.
- f. **Environmental Planning Section**—The Environmental Planning Section, in a memorandum dated January 12, 2003, stated that the site is exempt from the requirements of the Woodland Conservation Ordinance and that a tree conservation plan is not required. They suggested that the applicant request and obtain a standard letter of exemption from the Environmental Planning Section, required prior to the issuance of any permit. Additionally, they noted that the applicant must submit a stormwater management concept approval letter and concept plan before certification of the detailed site plan. Please note that the required letter of exemption granting a standard exemption for the proposed project from the Prince George’s County Woodland Conservation Ordinance, dated November 6, 2003, has been received and made part of the case file.
- g. **State Highway Administration**—In a letter dated December 31, 2003, the State Highway Administration stated that the commercial driveway currently on the site would adequately serve existing and future uses. Therefore, the State Highway Administration has no objection to Detailed Site Plan DSP-03066 approval.
- h. **Department of Environmental Resources**—In comments received January 12, 2004, the Department of Environmental Resources stated that the site plan for Reza Auto Body, DSP-03066, is consistent with approved stormwater concept plan #17291-2003.
- i. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated January 25, 2005, DPW&T stated that abandonment of the publicly dedicated

rights-of-way of Watkins Avenue and Brightseat Road within the frontages of the property will be required before the proposed entrance off of MD 704 can be authorized. In this process, Lots 1,2,3 and 16 as shown on the detailed site plan would have to be consolidated and fee-in-lieu payment made in the amount of \$10,000 for the cost of relocation of the entrance and road construction. DPW&T'S conditons would be met through their separate permitting process.

- j. **The City of Glenarden**—In comments dated February 15, 2005, the City of Glenarden stated that the City's Permit Review Board does not have any objections to the structure, but they do have some concerns with it being placed at the Reza Auto Body site. In staff's report dated January 20, 2005, these concerns included safety considerations and that the city and its residents were not fully informed of various aspects regarding the tower and because the city believes that Reza Auto Body is in violation regarding land use and access to the subject site. In subsequent conversation between staff and Kimberly O'Neil, however, the current city manager for the City of Glenarden narrowed their concerns to include the status of zoning violations on the site and its impact on the City of Glenarden.
11. The detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use pursuant to Section 27-285(b)(1).

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-03066, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan, the applicant shall:
  - a. Have the plan certified by a registered engineer that the structure will meet applicable standards for wind loads of the Electronic Industries Association for Prince George's County.
  - b. The applicant shall add a note to the plans that tower design shall be of a "stealth tower."
  - c. Revise the plans to indicate "no parking" or "emergency parking only" signage along the subject property's Martin Luther King Highway frontage, either on the subject property or in the right-of-way if approved by the State Highway Administration (SHA). Such signs shall be paid for and perpetually maintained by the applicant or property owner and installed either by the applicant, property owner or SHA.
  - d. Applicant shall request and provide evidence to staff that the Department of Public Works & Transportation (DPW&T) has granted the property owner or applicant the right

to acquire or utilize the 25 feet of right-of-way on the north side of lots 1,2 and 3 (“Ardwick-Ardmore Road (Abandoned)”) and the 25 feet of right-of-way on the east side of lot 3 (“Watkins Avenue (Abandoned)”) to plant a fast growing evergreen tree such as Leyland Cypress to serve as transitional screening from Martin Luther King Boulevard and from the development on the east side of Route 495. However, should the vacation and transfer to the property owner of the portions of Ardwick Ardmore Road and Watkins Avenue to be utilized for the subject plantings take place as part of the action required by condition 3 below, permission from DPW&T would no longer be necessary. If, for any reason, the applicant is unable to plan the above buffer off-site, a 25-foot buffer shall be planted on site along the northerly boundaries of lots 1,2 and 3 and the easterly side of lot 3.

2. Prior to the issuance of any permits, the applicant shall record a final plat of subdivision in accordance with Section 24-108, for which no preliminary plan is required, to consolidate Lots 1-3 and Lot 16 and part of Brightseat Road and other appropriately vacated rights-of-way into one parcel.
3. Prior to the issuance of building permits, the applicant shall file a petition to vacate, in accordance with Section 24-112 of the Subdivision Regulations, that portion of Brightseat Road abutting the western property line of Lot 1, Block L, as delineated on the DSP. Portions of Ardwick- Ardmore Road to the north, and Watkins Avenue to the east, abutting this site shall be included in the petition to vacate, as determined appropriate by DPW&T.
4. Prior to the issuance of a use and occupancy permit for the monopole on the subject property, the applicant shall remove all stored materials from the property that are not directly related to the operation of the service repair business including stored parts, abandoned vehicles, etc. Such clean-up shall be to the satisfaction of the Ardmore Springdale Civic Association as evidenced in a letter to be submitted from them to the Urban Design Section.

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.

\* \* \* \* \*

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 Vaughns, seconded by Commissioner Harley, with Commissioners Vaughns, Harley, Eley and Hewlett voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, April 7, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th<sup>th</sup> day of April 2005.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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