

C O R R E C T 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 June 23, 2005, regarding Detailed Site Plan DSP-05017 for Belton Subdivision, the Planning Board finds:

1. **Request:** The subject application requests approval of a detailed site plan for the construction of a 16,572-square-foot, one-story office building in the C-O Zone.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	C-O	C-O
Use(s)	Vacant	Office
Acreage	1.4492	1.4492
Parcels	One	One
Building Square Footage/GFA	0	16,572

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total parking spaces	45	61
Loading spaces	1	1

3. **Location:** The site is in Planning Area 61, Council District 1. More specifically, it is located at 10700 Rhode Island Avenue, in the northwestern quadrant of its intersection with Clementon Road.
4. **Surroundings and Use:** The subject property is bounded to the west by property zoned R-80 and developed with a single-family detached residential subdivision; to the north by property zoned C-O and developed with an office building; to the east, across Rhode Island Avenue with a Pepco substation and a Bank of America branch, and to the southwest by several single-family detached residential homes.
5. **Previous Approvals:** The site is the subject of preliminary plan of subdivision 4-88279 and basic plan A-9707. It is also the subject of stormwater concept approval 20846-2003-00, issued August 29, 2003, and valid for three years, or until August 29, 2006; and basic plan A-9707. Lastly, the site is the subject of an expired detailed site plan, DSP-89093.

6. **Design Features:** The property is proposed to be accessed from Rhode Island Avenue via a joint access drive with Parcel C, immediately adjoining the property to the north. The access drive leads to a parking area positioned in front of the building.

The landscaping is limited to a single row of “street trees” along Rhode Island Avenue. The office building proposed for the site runs parallel to Clementon Road, then bends at an angle and runs along the westerly property line of the subject site.

Although only 46 parking spaces are required, 61 are provided for the development, with three meeting handicapped design standards. One service/loading zone is provided in the middle of the lot, not adjacent to the building it serves. A dumpster is located in the southern corner of the parking lot and a detail indicates that its enclosure will be clad in four-inch brick veneer.

The architectural elevations offered for the project indicate a varied design utilizing brick as its primary material (three colors), complemented by a dryvit system used on the pediments and the entablature as background for the ceramic tile, aluminum trim and standing seam metal roofing. The fenestration is regular with paired windows and doors. Entrances are articulated by a pedimented treatment, a characteristic semicircular segmented window below, and the use of columns. The building is stepped and segmented because of a grade difference. Additional columns, placed at the corners of the building parts, help give definition to the individual segments of this linear building.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-O Zone and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-461(b), which governs permitted uses in commercial zones. The proposed office building is a permitted use in the C-O Zone.
 - b. Although the proposal is in conformance with the requirements of Section 27-462, Regulations, regarding additional regulations for development in commercial zones, parking is inadequate for the 12 individual units in the building shown as per Section 27-268 of the Zoning Ordinance. Therefore, in Condition 1e. below, a reduction in the number of units in the building has been recommended, causing a corresponding reduction in the number of parking spaces required.
8. **Basic Plan A-9707-C:** The subject property was rezoned from R-R to C-O on by the District Council’s action approving Petition Number A-9707. Conditions of that approval that apply to the subject case are:
- 1. **The applicant shall obtain approval by the Planning Board of a site plan which shall satisfactorily address the following:**

a. **Limitation of access to one point from Rhode Island Avenue;**

Comment: Only one access point is indicated on Rhode Island Avenue. Further, it is a shared access with the adjoining office building to the east.

b. **Buffering, berming and vegetative screening from the adjoining residentially zoned property;**

Comment: The alternative compliance application proposed together with condition #1f, by which an appropriate screening fence is assured to remain between the properties, provides adequate buffering, berming and vegetative screening from the adjoining residentially zoned property.

c. **A forest stand delineation;**

Comment: In comments dated May 9, 2005, the Environmental Planning Section stated that the subject property is exempt from the requirements of the Woodland Conservation Ordinance. Therefore, no forest stand delineation is required at this time.

d. **Impact of the proposed development on the intersection of Powder Mill Road and Rhode Island Avenue; and**

Comment: The intersection is currently operating at an acceptable level of service and the Transportation Planning Section, in its referral comments, stated that the proposed project is in conformance with all the transportation-related conditions attached to the approval of a preliminary plan of subdivision for the site. The adequacy of public facilities, including transportation, is evaluated at the time of approval of a preliminary plan of subdivision, not detailed site plan.

e. **Emphasis on low-density office use.**

Comment: The building proposed for the site, designed at a single-story, retains the emphasis on low-density office use suggested by the basic plan.

2. **All detailed site plans shall be reviewed for approval by the District Council.**

Comment: Staff, in recommending conditional approval below, notes that review of the subject project by the District Council is mandatory.

9. **Preliminary Plan of Subdivision, 4-88279:** Preliminary Plan 4-88279 was approved by the Planning Board on April 19, 1989, by approving Resolution PGCPB 89-184. The following conditions of approval apply to the review of the subject detailed site plan:

4. **Detailed Site Plan approval is required for both the R-80 zoned and C-O zoned portions of this subdivision, pursuant to Zoning Application No. A-9707-C, and**

Zoning Application No A-9708-C.

Comment: The applicant has complied with this condition by submitting the subject application.

- 8. There shall be no direct access to Clementon Road from Parcel D. This denial of access shall be shown on the Final Plat of Subdivision.**

Comment: No direct access to Clementon Road from Parcel D is indicated on the subject detailed site plan.

- 12. Development on this site shall be limited to no more than 55,000 square feet of general office development or an appropriate square footage of another use that would generate an equivalent amount of traffic, as indicated in the applicant's submitted traffic study.**

Comment: In comments dated May 2, 2005, the Transportation Planning Section stated that with the addition of the subject building, the total square footage on the site would be 44,081 square feet, well within the limit of 55,000 established by preliminary plan of subdivision 4-88279 Condition 12.

10. ***Landscape Manual:*** The proposed development is subject to the requirements of Section 4.2, Commercial and Industrial Landscaped Strip Requirements; Section 4.3(a), Landscaped Strip Requirements, and (c), Interior Planting of the Parking Lot Requirements; and Section 4.7, Buffering Incompatible Uses of the *Landscape Manual*. The applicant has applied for alternative compliance for the common property boundary between the proposed subdivision and the existing single-family residential subdivision to its north.

The Urban Design staff reviewed the proposed landscape plan and found that the submittals regarding Section 4.2 and 4.3(a) of the *Landscape Manual* are in general compliance with the applicable sections of the *Landscape Manual*. Regarding compliance with Section 4.7, Buffering Incompatible Uses, *[although] and the Alternative Compliance Committee has come to a decision regarding the application, *[the committee's recommendation has not yet been approved by the Planning Director. A final recommendation from the Planning Director should be available by the Planning Board hearing date.] and that recommendation has been approved by the Planning Director. Recommended Condition 1b below, expresses [the] that recommendation [of the Alternative Compliance Committee].

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

11. **Woodland Conservation Ordinance:** The subject project is exempt from the requirements of the Prince George's County Woodland Conservation Ordinance. The Environmental Planning Section issued a standard exemption for the site, and a letter of exemption on February 25, 2005,

valid for two years, or until February 25, 2007. The exemption was based on a review of 2000 aerial photography and the master log of tree conservation plans maintained by the Environmental Planning Section. Further, the letter stated that the proposed activity on the property is exempt from the Ordinance because the site is less than 40,000 square feet in size, contains less than 10,000 square foot of woodlands, and there is no previously approved tree conservation plan on the subject property.

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

Community Planning—In a memorandum dated May 12, 2005, the Community Planning Division stated that the application is consistent with the 2002 General Plan development pattern policies for the Developing Tier. Additionally they stated that it conforms to the land use recommendations in the 1990 *Master Plan for Subregion I*.

Transportation—In comments dated May 2, 2005, the Transportation Planning Section, noting that Rhode Island Avenue is a proposed 80-foot right-of-way, stated that detailed site plan DSP-89087 authorized a 27,175-square-foot building on adjacent Parcel C that has been built. They stated that, with the current proposal, the total on the two sites would be 44,081 square feet of office development, in compliance with the requirements of Condition 12 of the approval of preliminary plan of subdivision 4-88279. In closing they mentioned that all other transportation--related conditions have either been met or are complied with by the proposed plan.

Subdivision—In comments dated May 19, 2005, the Subdivision Section offered the following: The Planning Board approved Preliminary Plan 4-88279 on April 19, 1989, for up to 55,000 square feet of general office uses via the adoption of PGCPB Resolution No. 89-184. A final plat of subdivision (5-89207) was approved by the Planning Board on July 6, 1989, and was recorded as Belton Subdivision, Lots 23-29, Block B, Parcels C, D and E in Plat Book 147, Page 87, on July 10, 1989. Parcel D is shown as 63,126 square feet in area with notes denying access to Clementon Road and for a variance to street width requirements. The configuration shown on the subject DSP is consistent with the record plat.

The preliminary plan conditions applicable to the detailed site plan stage are listed below.

5. **Detailed site plan approval is required for both the R-80-zoned and C-O-zoned portions of this subdivision, pursuant to Zoning Map Amendment Application No. A-9707 & A-9708.**
12. **Development of this site shall be limited to no more than 55,000 square feet of general office development or an appropriate square footage of another use that would generate an equivalent amount of traffic, as indicated in the applicant's submitted traffic study.**

Please see Finding 9 above for a more detailed discussion of the relevant preliminary plan.

Trails—In comments dated May 24, 2005, the senior trails planner stated that there are no trail requirements for the proposed project.

Permits—In a memorandum dated April 29, 2005, the Permit Review Section expressed concern regarding compliance with Section 4.7 of the *Landscape Manual* and the requirements of Basic Plan A-9707-C and Preliminary Plan of Subdivision 4-88279. With respect to compliance with Section 4.7 of the *Landscape Manual*, the applicant has successfully sought alternative compliance. With respect to the applicable basic plan and preliminary plan of subdivision, staff has reviewed the application for compliance and found them acceptable. Please see Findings 8 and 9 above for further details regarding those reviews.

Environmental Planning—In comments dated May 9, 2005, the Environmental Planning Section stated that the proposed project is exempt from the Woodland Conservation Ordinance and that a stormwater management concept was approved by DER on the basis of fee-in-lieu rather than on site system design.

Department of Environmental Regulation (DER)—In comments dated April 29, 2005, DER stated that the site plan for Belton Subdivision, DSP-05017, is consistent with approved stormwater management concept #2846-2003.

Fire/EMS Department—In comments dated May 8, 2005, the Prince George's County Fire/EMS Department cited the need for access to the site, attention to road design and the location and performance of fire hydrants. Please note that the Fire/EMS Department's requirements are ensured separately through the permitting process.

Department of Public Works and Transportation (DPW&T)— In a memorandum dated June 3, 2005, DPW&T stated that:

- a. Full frontage improvements and right-of-way dedication along the west side of Rhode Island Avenue, a county-maintained collector in accordance with DPW&T's specifications and standards would be required.
- b. Full frontage improvements including 22-foot paving and proper right-of-way dedication would be required for Clementon Road, 35 feet from the centerline, per Condition 6 of Resolution No. 89-184 would be required.
- c. The resurfacing of the full-width of Rhode Island Avenue along the property frontage would be required.
- d. All improvements within the public right-of-way as dedicated to the county would have to be designed in accordance with the requirements of the County Road Ordinance, DPW&T's specifications and standards and the Americans with Disabilities Act.
- e. Conformance with street tree and street lighting standards is required.

- f. All storm drainage systems and facilities are to be designed in accordance with DPW&T's and the Department of Environmental Resources requirements.
- g. Existing utilities may require relocation and/or adjustment and that coordination with the various utility companies would be required.
- h. Per Condition 10 and 11 of Resolution No 89-184, that Rhode Island Avenue is to be widened for continuous acceleration/deceleration lanes and improvements to the intersection of Rhode Island and Sellman Road.

Please note that compliance with DPW&T's requirements is ensured through their separate permitting process.

Washington Suburban Sanitary Commission (WSSC)—In comments dated April 26, 2005, WSSC stated that water and sewer are available to the site. In addition, noting that an on-site plan review package has been submitted, WSSC suggested that the applicant contact their Permit Services Unit and provided contact information. WSSC's requirements are ensured through their separate permitting process.

Maryland State Highway Administration (SHA)—In a letter dated April 11, 2005, SHA stated that though they have no objection to detailed site plan DSP-05017 approval, zoning case A-9797-C identifies a potential impact to traffic operations at the MD 212 (Powder Mill Road)/Rhode Island Avenue intersection. Further, they stated that should operational problems develop at this location after full build-out of the Belton Subdivision, SHA expects that M-NCPPC will condition the applicant/owner to fund and construct necessary improvements to maintain an adequate level of service. Please note that since adequate public facilities are not an issue at time of detailed site plan approval, staff is unable to recommend a condition to this effect below.

City of College Park—A staff member of the City of College Park has verbally stated that they will not offer formal comment on the proposed project.

- 13. As required by Section 27-285(b) of the Zoning Ordinance, 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.

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-05017 and further APPROVED Alternative Compliance No. AC-05013, subject to the following conditions:

1. Prior to signature approval of the plans, the applicant shall:
 - a. Indicate a direct pedestrian connection between the sidewalk internal to the development and the sidewalk along Rhode Island Avenue.
 - b. The applicant shall revise the Landscape Plan to provide 34 Green Giant Arborvitae or Leyland Cypress in the bufferyard between the proposed building and the adjacent single-family residential lot. The evergreens shall consist of a double-staggered row with plants ten feet on center and rows eight feet apart. The first row shall be eight feet off the fence.
 - c. Revise the plans so that landscape islands located parallel to parking spaces measure a minimum of nine feet wide.
 - d. The free-standing sign indicated on the plans shall be reduced to 25 square feet or the applicant shall successfully pursue a DSDS for the sign.
 - e. The number of units shall be reduced and parking lot layout modified, if necessary so that the parking requirements of the Zoning Ordinance and the requirements of the *Landscape Manual* are met. A revised site plan and elevation drawings shall be submitted to and approved by the Urban Design Section as designee of the Planning Board.
 - f. Should it be determined that the fence along the common property boundary between the subject property and the adjacent single-family home is on the lot on which the single-family home sits and if the single-family homeowners agree, applicant shall remove the existing fence along that boundary and erect a 6-foot-high sight-tight fence along that boundary entirely on the subject property. Design of the fence shall be approved by the Urban Design Section as designee of the planning Board. Applicant shall assume perpetual maintenance of the fence.
 - g. All mechanical equipment, including but not limited to air conditioning units shall be shielded from view and noise attenuation shall be provided so that noise at the property line is projected to reach a maximum of 65dBa. Such noise attenuation measures shall be approved by the Environmental Planning Section as designee of the Planning Board.
 - h. Revise the plans to indicate a chain-link fence between the office building and the adjacent single-family home lot to prevent pedestrian traffic behind the building. Final location and design of the fence shall be approved by the Urban Design Section as designee of the Planning Board.

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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 23, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of July 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:RG:rmk