

RESOLUTION

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 February 22, 2007, regarding Detailed Site Plan DSP-05094 for Darden Property Medical Office, the Planning Board finds:

1. **Request:** The subject application requests the construction of a one-story medical office in the C-O Zone.

Development Data Summary

	EXISTING	PROPOSED
Zone	C-O	C-O
Use(s)	Vacant	Medical Office
Acreage	0.2962	0.2962
Lots	2	2
Building Square Footage/GFA	NA	1,027
Building Height	NA	13 feet 10 inches

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total parking spaces (1/200 sq. ft of GFA)		
Standard spaces	6	8
Compact spaces	1	1
Van accessible handicapped spaces	1	1

2. **Location:** The site is in Planning Area 68, Council District 3. More specifically, it is located in the southwest quadrant of the intersection of Kenilworth Avenue (MD 201) and MD 410 (East West Highway) in Riverdale Park, Maryland
3. **Surroundings and Use:** The subject property is bounded to the north and east by commercial zones and to the southeast by residential dwellings. The subject property is bounded by East West Highway to the north, Kenilworth Avenue to the east, Powhatan Road to the south and existing detached dwellings immediately to the west.
4. **Previous Approvals:** The proposed site for the medical office is the subject of Zoning Map Amendment (ZMA) A-9940. The subject site was rezoned from the R-55 Zone to the C-O Zone with conditions. Stormwater Management Concept Plan 9963-2005-00 was approved for the site with conditions on June 9, 2005. The conditions of approval are as follow: "(1) First floor elevation to be

one foot above floodplain, and (2) provide equal compensatory storage for the volume of fill.” The approval will be valid for three years, or until June 9, 2008.

The subject site has an approved letter of exemption from the Environmental Planning Section dated September 20, 2005, from the Prince George’s County Woodland Conservation Ordinance. The approval will be valid until September 20, 2007.

5. **Design Features:** The applicant originally proposed a one-story building with Exterior Finishing Insulating Finishing System (EIFS) siding and gable roof with asphalt shingles. The front and rear elevations for the proposed structure consisted of concrete stairs with handrails and split face masonry construction material for the base, an entrance commercial doors with canopy, two windows with vinyl shutters and a double window in the front façade. The side elevations consisted of a casement window with vinyl shutters on the west façade, and a ramp with railings and split face masonry on the east façade. A 6-inch EIFS band was proposed around the lower section of the structure.

The Planning Board continued the subject case to provide time for the applicant to revise the architecture. Staff has worked with the applicant and the architect to improve the architectural elevations for this medical office. The result is more visually appealing elevations for the medical office building with use of brick veneer siding, brick water table and soldier course on four sides of the building, split-face masonry base and a gable roof with charcoal asphalt shingles. The front elevation consists of an arched front entrance with two Corinthian columns with base, double pane colonial style windows, custom-designed wood doors with arched window above, concrete stairs and a ramp and aluminum handrails with Plexiglas panels. The rear elevation has similar architectural features without the entrance columns. Total base finished area for the proposed structure is 1,027 square feet in size and 13 feet 10 inches in height. The Planning Board found the revised architectural elevations to be a significant improvement and a welcome addition to the Riverdale Park area.

The applicant proposes a freestanding sign measuring 15 feet by 16 inches in height is 20 square feet in size. The sign will be constructed of wood with gold lettering. According to Sec. 27-614(1) Freestanding signs, “In all Commercial and Industrial Zones (except the I-3 and U-L-I Zones), signs shall only be located on property where the main building associated with the sign is located at least forty (40) feet behind the front street line. This shall not apply to integrated shopping centers, other commercial centers with three (3) or more businesses served by common and immediate off-street parking and loading facilities, industrial centers, or office building complexes.” The proposed building does not meet the building setback requirements. Thus, a Departure from Sign Design Standard is necessary. The applicant in a respond letter dated December 20, 2006 stated: “A separate DSDS Application will be submitted since the signage will be free-standing and will require a departure from setback requirements.” The subject site plan identifies the type and location of required streetlights. The applicant provides asphalt on site parking spaces for the medical office and no onsite dumpster is provided.

COMPLIANCE WITH EVALUATION CRITERIA

6. **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, which governs permitted uses in commercial zones. The proposed medical office is a permitted use in the C-O Zone.
7. **Zoning Map Amendment Plan (ZMA) A-9940:** The ZMA Plan A-9940 was approved by the District Council on February 22, 2000, rezoning the subject site from the R-55 to the C-O Zone. The following conditions (in boldface type) included in that approval are relevant to the subject site, followed by staff comment.
 1. Development is subject to an approved Detailed Site Plan, which shall address, at a minimum, the following:

(a) The impact on the surrounding transportation system;

Comment: In a memorandum dated January 8, 2007, the Transportation Planning Section stated “This application is a proposal for a one-story medical office building consisting of approximately 1,270 gross square feet, which is expected to generate approximately 3 AM and 4 PM additional peak hour vehicle trips.” Per the requirements of the “Guidelines for the Analysis of the Traffic Impact Development Proposals,” the Transportation Planning Section determined that the proposed development would have insignificant impact on the surrounding transportation system. Therefore, staff deems this condition has been satisfactorily met.

(b) The final design for vehicular access along Powhatan Road;

Comment: Access to the site will be from existing Powhatan Road, a one-way residential street with 40 feet rights-of-way. There is no access from Kenilworth Avenue (MD 201) or East West Highway (MD 410). The Transportation Planning Section stated that Powhatan Road is not maintained by the county or state; thus the proposed access needs to be constructed per the Town of Riverdale Park Standards.

(c) The siting of the building and parking area;

Comment: The proposed building is located on the southeast portion of the site with parking areas surrounding the building on three sides. The front and rear facade contain entrance doors and two standard windows. It is important the south facade facing Kenilworth Avenue have at minimum two architectural features. A condition of approval is included in the recommendation of this report.

(d) A Landscape and Screening Plan; and

Comment: The applicant has submitted a landscape plan. A "C" bufferyard is required between the proposed site and the adjoining residential property. A "C" bufferyard consists of a 40-foot building setback and a 30-foot landscaped yard requiring 120 plant units per 100 linear feet to be provided. The applicant has submitted application for alternative compliance (AC). The AC committee reviewed the plans and forwarded a recommendation to the Planning Director. The Planning Director recommends approval of the AC application with one condition. The condition of approval is included in the recommendation section of this report.

(e) Architectural review, including the incorporation of the existing structure and the maintenance of continuation of some its architectural features.

Comment: The existing structure was previously razed from the subject property, so it will not be possible to incorporate the existing structure into the project. The applicant proposes a new one-story building. Please see the item 5, Design features, for more information regarding the proposed architectural elevations.

2. Total commercial office floor space developed on the site shall not exceed 3,500 GFA.

Comment: The application is for a one-story medical office building 1,027 square feet in size, which is significantly less than the allowed gross floor area.

3. Height of the structure shall be limited to one story in keeping with the height of other buildings in the area.

Comment: The proposed one-story building height is 13 feet 10 inches.

4. Access shall be limited to Powhatan Road, which will be modified to permit two-way (right-in/right out) traffic at this location so as to facilitate this access. No access shall be permitted on East West Highway or on Kenilworth Avenue.

Comment: In a memorandum dated January 8, 2007, the Transportation Planning Section indicated that the condition requires access to the site be limited to Powhatan Road, to be modified to permit two-way (right-in/right-out) traffic at this location so as to facilitate this access. The condition also states no access shall be permitted on East West highway or on Kenilworth Avenue. Powhatan Road is a one-way street in eastbound direction. The intersection of Powhatan Road and Kenilworth Avenue has been reconstructed by the SHA, which physically restricts traffic from entering onto

Powhatan Road. As result, the site access must be constructed as left-in/left out. The access can be modified to left in/right and left out, only if the Town of Riverdale Park elects to make Powhatan Road west of the proposed site access a two-way street. The town referral memo does not proffer this change.

8. ***Landscape Manual:*** The proposed development is subject to Section 4.2, Commercial and Industrial Landscape Strip Requirements; Section 4.3(a), Parking Lot Landscape Strip Requirements; and Section 4.7, Buffering Incompatible Uses.

The applicant did not provide a landscape schedule for the above-required sections. In regard to Section 4.7 of the *Landscape Manual*, Buffering Incompatible Uses, a bufferyard is also required between the proposed development and adjacent single-family dwellings. The Type C bufferyard is required between the two properties, which requires a minimum of a 40-foot building setback and a minimum of a 30-foot landscape yard requiring 120 plant units per 100 linear feet to be provided. The proposed landscape plan along the rear property line is not in compliance with Section 4.7 of the *Landscape Manual*. The applicant has applied for alternative compliance from Section 4.7.

In regard to Section 4.2, Commercial and Industrial Landscape Strip, of the *Landscape Manual*, the applicant's plans indicate 201.1 linear feet of street frontage. The minimum for the development is 6 shade trees and 58 shrubs. The proposed landscape schedule is in compliance to the requirements of Section 4.2 of the *Landscape Manual*.

Section 4.3(a)(1) requirements for the parking lot landscape strip for 37.5 linear feet are 11 plant units. The applicant proposes two shade trees and four shrubs, which is fewer than the total plant units required by the *Landscape Manual*. The applicant should provide six additional shrubs to meet the required number of plant units.

Compliance with Section 4.7 of the *Landscape Manual*, Buffering Incompatible Uses, is also required between the proposed development and adjacent single-family dwelling. The required buffer between the two properties requires a minimum of 30 feet; the minimum building setback is 40 feet. The proposed 4.7 schedules are not in conformance to this section. The applicant requested alternative compliance for the minimum width of landscape yard along the 146.59-foot property line. The alternative compliance committee recommended approval of AC-06020, Darden Property, with one condition, which was approved by the Planning Director.

Alternative Compliance, AC-06020, Darden Property

The applicant requested alternative compliance for the minimum width of landscape yard along the 146.59' property line. In a memorandum dated January 5, 2007 the alternative compliance committee recommended approval of AC-06020, Darden Property with one condition. The alternative compliance committee offered the following:

BACKGROUND:

The property is zoned C-O and is proposed to be developed as a medical office building. The site is adjacent to an existing single-family detached dwelling to the west. The applicant has filed a detailed site plan for construction of a medical office, subjecting the site to the requirements of the *Landscape Manual*.

REQUIRED:

Section 4.7, Buffering Incompatible Use, along the western property line.

Length of bufferyard:	146.59 feet
Building setback:	40 feet
Landscape yard:	30 feet
Plant materials @ 120 PUs/100 LF:	176 plant units
With fence or wall	88 (50%) plant units

PROVIDED:

Building setback:	57 feet
Landscape yard:	10 feet
Fence or wall:	yes
Plant materials:	180 plant units

JUSTIFICATION OF RECOMMENDATION:

The plan indicates that there is a somewhat unusually shaped corner lot, which limits the space for the required landscape yard. The plan has proposed installation of more than the minimum of 88 plant units within and near the required landscape buffer. Since a large percentage of the landscaping is within the adjacent stormwater management pond, the committee believes that a six-foot-high privacy fence is warranted to screen the vehicle parking and the parking compound from the adjacent residentially zoned property. The Committee is of the opinion that the proposed alternative compliance application will be equal to or better than normal compliance to the requirements of Section 4.7 of the *Landscape Manual* if the condition below is attached to the associated Detailed Site Plan application (DSP-05094).

RECOMMENDATION:

The Alternative Compliance Committee recommends approval of alternative compliance AC-06020 pursuant to Section 4.7, subject to the following conditions.

Prior to certification of the Detailed Site Plan, the plans shall be revised to indicate a six-foot-high vinyl sight-tight fence of a natural color on the property line.

Comment: A condition of approval is included in the recommendation section of this report.

9. **Woodland Conservation Ordinance:** This property is not subject to the provisions of the Prince

George's County Woodland Conservation Ordinance because the gross tract area is less than 40,000 square feet and does not have a previously approved tree conservation plan. A standard letter of exemption has been issued for this site and will be valid through September 20, 2007.

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

Historic Preservation: In a memorandum dated October 20, 2006, the Historic Preservation Planning Section stated the proposed detailed site plan has no effect on the historic resources.

Archeological Review: In a memorandum dated October 17, 2006, the archeological reviewer offered the following: Phase I archeological survey is not recommended for the above-referenced property. However, the applicant should be aware that state or federal agencies may require archeological investigation through the provisions of Section 106 of the National Historic Preservation Act.

Community Planning: In a memorandum dated October 10, 2006, the Community Planning offered the following:

This application is not inconsistent with the 2002 Approved General Plan Development Pattern policies for the Developed Tier. This application conforms to the land use recommendations of the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68*.

PLANNING ISSUES

Powhatan Road is essentially a residential street where the property fronting Kenilworth Avenue on the south side of Powhatan Road contains a car repair facility. The street presently operates as one way from 54th Street east to Kenilworth Avenue. Consequently, access to the site does not occur from Kenilworth Avenue, but egress from Powhatan Road to Kenilworth Avenue southbound lanes is possible. However, the street formerly functioned as a two-way street allowing access from the southbound travel lanes on Kenilworth Avenue. The municipality closed the street to prevent that circulation and made the street a one-way street.

Comment: Access is limited to Powhatan Road. A condition of approval will be included in the recommendation of this report to add a note on the site plan: "No access shall be permitted on East West Highway or on Kenilworth Avenue"

Transportation: In a memorandum dated January 8, 2007, the Transportation Planning Section offered the following:

The Transportation Planning Section has reviewed the detailed site plan referenced above. The subject property consists of two recorded lots (Lots 3 and 4) approximately 0.29 acre in the C-O zone. The property is located on the southwest quadrant of the Kenilworth Avenue (MD 201) and

East West Highway (MD 410) intersection. The property is not subject of a preliminary plan, and none is required. The applicant proposes to develop the site with a one-story medical office building consisting of approximately 1,270 gross square feet.

Review Comments

This site has not been reviewed for transportation adequacy. Access to the site will be from an existing Powhatan Road, a one-way residential street with 40 feet in total rights-of-way. Access and circulation within the site are acceptable. The submitted plan shows a proposed bioretention area within the right-of-way of a planned eastbound MD 410 to Southbound MD 201 directional ramp. The proposed MD 201 and MD 410 diamond interchange and the ramp are shown on two approved and adopted master plans: the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)*, and the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68*. Since the subject property is not subject of a preliminary plan, and none is required, staff is not recommending dedication of the needed rights-of-way for the ramp. Since provision of the required bioretention area within the planned rights-of-way for the ramp is also not acceptable, the applicant has agreed to relocate the proposed bioretention area outside the designated and recommended ramp's rights-of-way, when deemed necessary by the SHA and/or DPW&T.

Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that the proposed development in the referenced detailed site plan as submitted will meet the circulation requirements of the US1 sector plan and Section 27-548(c)(1)(D) of the County Code provided a note is placed on the approved plan indicating the applicant's acceptance to completely relocate the proposed bioretention area outside the designated and recommended the ramp's rights-of-way, when deemed necessary by the SHA and/or DPW&T.

Trails: In a memorandum dated November 21, 2006, the trails planner stated: "The Adopted and Approved Planning Area 68 Master Plan includes no trail recommendations that impact the subject site. There is an existing sidewalk along the subject site's frontage of Kenilworth Avenue. This sidewalk, as well as striped wide outside curb lanes, were implemented as part of a recent SHA road improvement project. The subject site also includes a standard sidewalk along its frontage of Powhatan Road. East West Highway does not include a sidewalk from Kenilworth Avenue to 49th Avenue, including the frontage of subject site." There are no master plan trails recommendations.

Parks: In a memorandum dated October 12, 2006, the Department of Parks and Recreation offered no comments.

Permits: In a memorandum dated October 20, 2006, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.

Environmental Planning: In a memorandum dated December 28, 2006, the Environmental Planning Section recommended approval of Detailed Site Plan DSP-05094 subject to one environmental condition.

Background

This site was previously reviewed in 2000 by the Environmental Planning Section in conjunction with the approval of A-9940, with no environmental conditions. The current submittal proposes the construction of a medical office facility on a site totaling 0.29 acre in the C-O Zone.

Site Description

This subject property is located on the corner of Kenilworth Avenue (MD 201) and Powhatan Road within the southwest quadrant of East West Highway (MD 410) and Kenilworth Avenue. A review of the information available indicates that the site is partially developed, slightly wooded, relatively flat, and is characterized with terrain sloping toward the northwest portion of the subject property and drains into tributaries of the Northeast Branch watershed in the Anacostia River basin. There are no streams, wetlands, or 100-year floodplain found to occur on the site. The predominant soil type found to occur on this property, according to the Prince George's County Soil Survey, is Hatboro series, which generally exhibits moderate to severe limitations to development due to high water table, flood hazard, and poor drainage. No Marlboro clay has been identified on this site. There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources, Natural Heritage Program.

There are no historic or scenic roads affected by the proposal. Kenilworth Avenue and East West Highway are both arterials and generally regulated for noise impacts associated with residential uses. However, adverse noise impacts are not associated with this site due to the commercial zoning of the subject property. The subject property is located in the Developed Tier as delineated in the General Plan. The site is within a network gap as part of the Countywide Green Infrastructure Plan.

Environmental Review

1. This site is within a network gap as part of the Countywide Green Infrastructure Plan. This portion of the network gap is also associated with an evaluation area adjacent to East West Highway and Kenilworth Avenue. The associated regulated areas are located on the opposite side of both roads. Although it is the intent of the Green Infrastructure Plan to connect network gaps with the regulated areas and evaluation areas, the existing road will impede any possible connection to those areas.

Comment: No further comments needed with regard to the Countywide Green Infrastructure Plan.

2. This property is not subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the site contains less than 40,000 square feet in area and it has no previously approved tree conservation plan. A Type I tree conservation plan was not

submitted with the review package and is not required. A standard letter of exemption from the ordinance was issued by the Environmental Planning Section, Countywide Planning Division, on September 20, 2005.

Comment: No further action is needed at this time as it relates to woodland requirements. The letter of exemption should accompany all future application for plans and permits.

3. A stormwater management concept approval letter (9963-2005-00) dated June 9, 2005, was submitted for the subject property. The requirements for stormwater management will be met through subsequent reviews by the Department of the Environmental Resources.

The plans recently submitted (received December 14, 2006) show a potential new ramp for Kenilworth Avenue based on the master-planned road network. This ramp would be placed over the proposed bioretention facility shown to be constructed on the northern part of the property. If this construction occurs, the property owner will be responsible for the construction of some other form of stormwater management facility, which is likely to be an underground facility because of the limited space available on the site. To address this situation, the following note must be placed on the DSP: "If any portion of the bioretention facility shown on the DSP is impacted by future roadway construction, the property owner shall obtain a revised stormwater management plan approval in order to provide an alternative design. The alternative design shall be constructed prior to the removal of the bioretention facility for construction of the roadway."

Comment: A condition of approval is included in the recommendation section of this report.

Department of Environmental Resources (DER): The subject site has an approved stormwater management concept approval, 9963-2005-00, subject to two conditions. As of the writing of this report no comment was received from DER.

Fire Department: The Fire Department had not responded to the referral request at the time the staff report was written.

Department of Public Works and Transportation (DPW&T): As of the writing of this report no comment was received from the DPW&T.

Washington Suburban Sanitary Commission (WSSC): In a memorandum dated October 11, 2006, WSSC offered the following comments:

"Water and sewer is available. Existing WSSC facilities are located on the site. Submission has been made to the WSSC. An on-site plan review package should be submitted. Water connection may need to be tapped into the 12-inch water [main] in Kenilworth Avenue or possible replacement of the 6-inch water main (built in 1926) in Powhatan Road with one of a larger diameter, at the applicant/property owner's expense."

Maryland State Highway Administration (SHA): At the time of the writing of this report no comment was received from SHA.

Town of Riverdale Park: In a memorandum dated December 5, 2006, the Town of Riverdale Park stated, "At a Legislative meeting of the Riverdale Park Mayor and Council held on December 4, 2006, Council voted to recommend approval of the subject petition known as the Darden property, 5424 Powhatan Road:

1. Mayor and Council support the project
2. Validated that Council views the intersection as non-problematic
3. Reaffirm that Council was involved in the rezoning of the land parcel in 1998
4. Support the architectural plans of the proposed building.
5. Support the implementation of the proposed project with Council support to proceed, as time is of the essence.

Town of Edmonston, Town of Bladensburg, City of College Park, city of Hyattsville, City of Greenbelt: A referral request was sent to all the above municipalities, which were within one mile of the subject site. At the time of the writing of this report, no comment was received from the above municipalities.

11. 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-05094 and further APPROVED Alternative Compliance No. AC-06020, subject to the following conditions:

1. Prior to certificate approval, the following modifications or revisions shall be made to the detailed site plan, or the following information shall be provided:
 - a. Provide a note on the site plan: "No access shall be permitted on East West Highway or Kenilworth Avenue."
 - b. The proposed and existing right-of-way shall be clearly delineated on the site plan. The setbacks shall be shown on the site plan from the proposed right-of-way.
 - c. Label the 22-foot back-up area required behind parking spaces. Provide the dimension of the drive aisle width between the parking spaces and the handicap parking space.
 - d. Provide detail sheets and specifications for all fences on the site plan.

- e. Provide an additional six shrubs in area “B” by the entrance to the site in compliance with the Section 4.3(a) of the *Landscape Manual*.
- f. The freestanding sign shall be removed from the plan.
- g. Provide a six-foot-high vinyl sight-tight fence of a natural color on the property line.
- h. Provide details and specifications and identify location, type of fixture, and pole height of proposed lighting. The lighting shall be arranged so as not to reflect or glare on land used for residential proposes.
- i. Provide the following note on the site plan: “If any portion of the bioretention facility shown on the DSP is impacted by future roadway construction, the property owner shall obtain a revised stormwater management plan approval in order to provide an alternative design. The alternative design shall be constructed prior to the removal of the bioretention facility for construction of the roadway.”
- j. Provide details and specifications and identify the location of outdoor trash facilities, if provided, and the associated screening.
- k. Provide at minimum two architectural features for the building’s south elevation, facing Kenilworth Avenue.

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 Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns, Eley, Clark and Parker voting in favor of the motion at its regular meeting held on Thursday, February 22, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of March 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

RBC:FJG:NR:bjs