



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 13-78

File No. DSP-10027

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 June 28, 2013 regarding Detailed Site Plan DSP-10027 for Farmington Road Car Wash, the Planning Board finds:

1. **Request:** The subject approval is for a 9,129-square-foot combined car wash and retail building.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	C-M	C-M
Use(s)	Vacant	Car Wash/Retail
Acreage	2.647	2.647
Building Square Footage/GFA	0	9,129

Parking

	REQUIRED	APPROVED
Parking--Total	28	28
Including handicapped	2	2
Loading	1	1

3. **Location:** The subject site is located in the northeastern quadrant of the intersection of Indian Head Highway (MD 210) and Farmington Road East. The project is also located in Planning Area 84 and Council District 9.
4. **Surrounding Uses:** The site is bounded to the northeast by primarily vacant land zoned Rural-Residential (R-R) and owned by the Southern Maryland Electric Cooperative (SMECO), used in part as a switching center and occupied in part by Piscataway Creek and its Primary Management Area (PMA), the latter of which is also found on the subject property proximate to its shared boundary; to the southeast by Farmington Road East, with residential use in the Rural-Residential (R-R) Zone beyond; to the southwest by the right-of-way of Indian Head Highway (MD 210) and its intersection with Farmington Road East; and to the northwest by Indian Head Highway (MD 210), with a Washington Suburban Sanitary Commission Sewage Treatment Facility in the Reserved Open Space (R-O-S) and Open Space (O-S) Zones beyond.

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5. **Previous Approvals:** The project is subject to the requirements of the approval of Preliminary Plan of Subdivision 4-10013, approved by the Planning Board on June 30, 2011 (PGCPB Resolution No. 11-67), adopted by the Planning Board on July 28, 2011. The project is also subject to the requirements of Stormwater Management Concept Approval, 20898-2010-01, approved by the Planning Board on November 27, 2012 and valid until November 27, 2015.
6. **Design Features:** The project is accessed from a single point on its Farmington Road East frontage. Parking is provided for the project along the southwest and southeastern sides of the building and in the southwest corner of the paved area of the site. Loading and the dumpster enclosure are both located in this corner as well. Two handicapped-parking spaces are located on the southeastern side of the building. A sidewalk is provided around the building as is landscaping on the periphery of the site. An access lane to the car wash is provided separate from the parking area. Cars would turn right onto this queuing lane after entering the site and travel in a counter-clockwise direction to the car wash.

The architecture of the building offers visual interest by providing varied form and massing. This combined with predominant use of brick as the primary building material, a standing seam metal roof, and the use of landscaping to enhance and soften the architecture, create an aesthetically pleasing appearance and help the project fit in with its generally rural and undeveloped surroundings.

A single free-standing sign is proposed to identify both the car wash and tenant(s) envisioned to occupy the retail building. The design of the sign mimics the architecture of the building, including a green, standing seam metal roof and brick veneer piers flanking the sign face. The material to be utilized for the base and capitals of the architectural piers and some additional detailing at the base of the roof is not identified, though it appears to be exterior insulation finishing system (EIFS). The sign is proposed to measure 12-foot-high and 12-foot-wide, and be designed identically on both sides of the sign. The measurement of the side (from front to back façade) is not dimensioned but appears to measure approximately two feet. In deference to the status of Farmington Road East as historic, a condition of this approval requires that the sign be revised to be smaller so it will impact less its primarily, historic, undeveloped and rural surroundings.

7. **Prince George's County Zoning Ordinance:** The subject approval has been reviewed for compliance with the requirements of the C-M Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject approval is in conformance with the requirements of Section 27-461 (b) of the Zoning Ordinance, which governs uses in commercial zones. The car wash is a permitted use in the C-M Zone.
 - b. The detailed site plan (DSP) shows a site layout that is consistent with Section 27-462, regulations regarding building setbacks, of the Zoning Ordinance.

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- c. The DSP is in conformance with the applicable site design guidelines contained in Sections 27-283 and 27-274 of the Zoning Ordinance.
8. **The September 1993 Approved Subregion V Master Plan and Sectional Map Amendment (SMA):** The approved use conforms to the September 1993 *Approved Subregion V Master Plan and Sectional Map Amendment for Planning Areas 81A, 81B, 83, 84, 85A and 85B*, which recommended commercial use for the subject property. The subject DSP conforms to the intent of the master plan.
9. **The requirements of the approval of Preliminary Plan of Subdivision 4-10013:** Preliminary Plan of Subdivision 4-10013 for Farmington Road Car Wash was approved on June 30, 2011 (PGCPB Resolution No. 11-67) and adopted on July 28, 2011. The relevant requirements of that approval are included in [boldface] type below:
 2. **Prior to the issuance of permits, a detailed site plan shall be approved by the Planning Board in accordance with Part 3, Division 9, Subdivision 3, of the Prince George's County Code.**

The applicant has conformed to this requirement as the required DSP is approved herein in accordance with Part 3, Division 9, Subdivision 3 of the Prince George's County Code.

4. **Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-005-11). The following note shall be placed on the final plat of subdivision:**

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-005-11 or most recent revision), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

The subject approval conforms to the requirements of the TCP1 approval for the project, though the remaining requirements of this condition will be addressed at the time of approval of a final plat for the project.

7. **Prior to approval of the final plat, the following notes shall be provided:**

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- a. **Development of this subdivision shall be in accordance with approved Stormwater Management Concept Plan 20898-2010-00 and any subsequent revisions.**
- b. **A variation approved pursuant to Section 24-121(a) (3), which limited one direct vehicular access from Parcel 1 onto Farmington Road East.**
- c. **Direct vehicular access to Indian Head Highway (MD 210) is denied.**

In conformance with Sub-condition 7(a) above, in a memorandum dated May 16, 2013, the Department of Public Works and Transportation (DPW&T) stated that the proposed site development is consistent with approved Stormwater Management Concept Plan (SWM), 20898-2010-0, dated November 27, 2012. With respect to Sub-conditions 7(b) and 7(c), the Planning Board finds that they limit access to the site and that in conformance with these sub-conditions, there is to be no access from the site onto MD 210, and a single driveway onto Farmington Road East. Therefore, the Planning Board finds the site plan fully consistent with these requirements. A condition of this approval requires that the information contained in Condition 7 of the approval of Preliminary Plan of Subdivision 4-10013 be added to the General Notes of the subject DSP.

10. **At the time of final plat approval, the applicant shall grant a ten-foot-wide public utility easement (PUE) along the public rights-of-way as delineated on the approved preliminary plan of subdivision.**

The required ten-foot-wide public utility easement (PUE) is indicated along both the Farmington Road East and Indian Head Highway (MD 210) frontages.

14. **Total development of the overall site shall be limited to uses that would generate no more than 27 AM and 147 PM total peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This condition is a trip cap condition which limits development on the site to uses generating no more than 27 AM and 147 PM peak-hour vehicle trips. Further:

- a. The original preliminary plan proposed a 6,000 square foot car wash and 5,200 square feet of retail space. The current approval is for a 6,109-square-foot car wash and 3,020 square feet of retail space.

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- b. The car wash would have the same trip generation as that approved with the preliminary plan. The retail space would generate 24 AM and 57 PM peak-hour vehicle trips.
- c. The overall trip generation is 24 AM and 142 PM peak-hour vehicle trips. Therefore, the subject approval conforms to the condition.
- d. The applicant reduced the size of the proposed building prior to the subject approval, thereby reducing the number of trips from the site and continuing to conform to this condition.

The resolution of the approved preliminary plan contains 20 findings. Specifically, Finding 6 and Finding 20 are relevant to the subject approval and are included in [boldface] type below.

- 6. **Primary Management Area (PMA)—This site contains regulated environmental features that are required to be protected under Section 24-130 of the Subdivision Regulations. The on-site regulated environmental features include a stream valley with its associated 75-foot-wide stream buffer. Section 24-130(b) (5) of the Subdivision Regulations states:**

- (5) **Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. Any lot or parcel proposed for development shall provide a minimum of one acre of contiguous land area exclusive of any land within regulated environmental features in a configuration that will support the reasonable development of the property. This limitation does not apply to open space and recreational parcels. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.**

Impacts to the regulated environmental features should be limited to those that are necessary for development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by the County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewer lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least

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impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

If impacts to regulated environmental features are proposed, a statement of justification must be submitted in accordance with Section 24-130 of the Subdivision Regulations. A statement of justification for the proposed impacts was submitted on May 26, 2011.

The preliminary plan proposes impacts to the primary management area (PMA) in order to install two stormwater management/bioretention areas, stormwater outfalls, and road improvements to Farmington Road East. The two stormwater management/bioretention areas and the associated outfalls are proposed on the perimeter of the PMA. There is also a proposed impact to the PMA for the drive aisle that leads to the car wash.

All of the proposed impacts have been minimized by the use of a retaining wall to reduce grading into the PMA. The stormwater management features have been designed to meet current Maryland Department of the Environment (MDE) environmental site design standards and criteria to the maximum extent practicable; however, there is insufficient design information available at this time to fully evaluate the need for the impact of the drive aisle for the car wash.

Impacts related to stormwater management are considered necessary for the orderly development of the subject property. The impacts cannot be avoided because they are required by other provisions of the County Code. The development is providing full environmental site design standards with 100 percent water quality and quantity, and the impacts have been designed to minimize, to the fullest extent possible, impacts to the PMA.

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible

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based on the limits of disturbance shown on the tree conservation plan submitted for review. The impacts proposed in concept are for the installation of two stormwater management/bioretention areas, their associated stormwater outfalls, and road improvements to Farmington Road East because these site features cannot be avoided. The impact proposed for the drive aisle should be evaluated at the time of TCPII or detailed site plan review when more design information is available. The impacts are a total disturbance of the PMA of 7,867 square feet.

The proposed site design and statement of justification show that the proposed impacts demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. All of the impacts proposed in the statement of justification are approved.

Special attention has been given to the design of the drive aisle in relation to the primary management area (PMA) in the subject DSP in accordance with the guidelines set forth above in Finding 6 of the approval of Preliminary Plan of Subdivision 4-10013. More specifically, the drive aisle was relocated away from the PMA together with other measures in a major redesign of the originally submitted plans to the project which reduced the PMA impacts to 6,680 square feet, a level below the 7,867-square-foot maximum allowed disturbance previously approved in the preliminary plan of subdivision.

20. **Detailed Site Plan—A car wash is a permitted use in the C-M Zone subject to detailed site plan approval pursuant to Section 27-461(b), Table of Uses, Footnote 24, of the Zoning Ordinance. A detailed site plan is required for the car wash use and is not generally required for all uses in the C-M Zone. However, as discussed throughout this report (the TSR for the preliminary plan of subdivision), the subject site is located within the Accokeek community and the Mount Vernon Viewshed Area of Primary Concern, at a highly-visible intersection of Indian Head Highway (MD 210), and has frontage on a historic road, Farmington Road East. Maintaining a rural character in the Accokeek community is the key planning theme in the approved Subregion 5 Master Plan. The Accokeek Development Review District Commission expressed concern about the appearance and compatibility of nonresidential uses with the rural character of this community. Properties located within the Mount Vernon Viewshed Area of Primary Concern should be analyzed on the elevation of the site and proposed structures by the National Park Service. The site's highly-visible location with frontage on a historic road warrants special attention and coordination to the design of the scenic buffer and any entrance features and lighting to ensure that the design is integrated into the streetscape along**

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Farmington Road East and in keeping with the characteristics of the community. Therefore, a detailed site plan shall be required for, but not limited to, architecture, signage, landscaping, and lighting, to be approved by the Planning Board prior to building permits.

Pursuant to Section 27-270, Order of Approvals, of the Zoning Ordinance, a detailed site plan (DSP) is normally required prior to approval of the final plat of subdivision. However, in this case, approval of the DSP will have no bearing on the proposed parcel. Therefore, staff recommends that the DSP could occur prior to building permits and not prior to final plat as provided for in Section 27-270(a)(5), which allows for modification of the Orders of Approval if technical staff determines that the site plan approval will not affect final plat approval.

Each item suggested in Finding 20 of the PGCPB Resolution No. 11-67 is included in [boldface] type below.

Location in and impact on Accokeek Community—In an e-mail dated May 30, 2013, a representative of the Accokeek Development Review District Committee (ADRDC) stated that they had met with the applicant and his representatives to discuss the project. Primary among the ADRDC's concerns were:

- a. That the project was too large;
- b. The proposed corrugated metal roof was not in keeping with the character of the Accokeek community;
- c. That buffering along historic Farmington Road East was inadequate;
- d. That the proposed 45 parking spaces were too many for the proposed development;
- e. That the retail store and impervious surface on the site were too large as proposed;
- f. That the stormwater runoff that it would create would be a negative impact on the environment;
- g. That the ADRDC Committee did not like the proposed three-panel sign;
- h. That the ADRDC did not want a mini-strip shopping center at its proposed location as there are already two such developments in the area which have vacancies and there are two car washes already located in the vicinity;

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- i. That there is an element of uncertainty as to who will be tenants in the retail building;
- j. That the long gray cinder block wall of the car wash that faces MD 210 needs to be architecturally improved;
- k. That promised bike racks and a bench were not included in the design;
- l. That the design does not assist in maintaining the rural character of the Accokeek community; and
- m. That they would prefer a project that provided services for Accokeek residents.

Both in that e-mail and in a subsequent e-mail received May 31, 2013, the representative of the ADRDC indicated that the applicant had made several changes to the site plan that were requested by the ADRDC, that they did listen to their concerns and improve the design significantly, and that the ADRDC appreciated their willingness to be responsive to the ADRDC and adjust their plans to minimize the impact on the community. However, in both e-mails, the representative of the ADRDC maintained that the ADRDC continues to have doubts that the community needs or wants a car wash, and even that it is the consensus of the Accokeek Community that a car wash and/or a mini-market is not desired at the intersection of Indian Head Highway (MD 210) and Farmington Road East.

In a separate e-mail, received June 6, 2013, a representative of the White Hall Forest Home Owners' Association clarified that although they agree with the ADRDC's conclusion concerning the lack of desirability of the location of a retail building and car wash on the subject site, they:

- a. Would not necessarily oppose any commercial development on the property;
- b. Do not want to see the property developed without the benefit of community input or be abandoned;
- c. That although the current configuration shown on the site plan is significantly improved from what was originally presented, it does not eliminate all of the White Hall Forest Home Owners' Association's concerns;
- d. From an aesthetic standpoint, it fits better with the character of the community.
- e. That they want to see the project more forward, but hopefully without a carwash and/or with input from the community as to the selection of retail uses to be included in the proposed building.

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Location in and impact on Mount Vernon Viewshed—The elevation of the property is about 60 feet above sea level along Indian Head Highway (MD 210) dropping by about ten feet towards the north and east to a small Piscataway Creek tributary. That portion of MD 210 is elevated above the land to the west, along the line of site from Mount Vernon. Further, existing mature trees in a stream buffer on the Washington Suburban Sanitary Commission (WSSC) property on the western side of MD 210 (along the viewing cross-section line from Mount Vernon) as well as mature forest on other properties to the west will adequately screen the proposed development from view from Mount Vernon. The proposed development's distance from Mount Vernon will also reduce the potential for impairment of the historic view.

Location at and impact on a Highly-visible Intersection and on Historic Farmington Road East—The applicant worked with members of the Accokeek Community and the Planning Board to do justice to the project's prominent location at the intersection of Indian Head Highway (MD 210) and Farmington Road East. The architecture was improved in the course of the review and now includes fenestration and architectural detail which makes the building more visually interesting and employs quality materials such as brick and standing seam metal which lend an air of permanence to the architecture. Additionally, the applicant has reduced the impact of the subject project on the intersection by incorporating the two originally proposed buildings into a single building, reducing the parking included in the project and providing additional buffering and screening at the site's periphery.

Maintaining Rural Character per the approved Subregion 5 Plan—The proposed project helps to maintain the rural residential character in the vicinity of the project by including augmented landscaping in the design of the scenic buffer, and by using quality vernacular building materials such as brick veneer. Additionally, the applicant has agreed, and a condition of this approval requires that the applicant replace the "Patina Green" originally specified for the standing seam metal roof with a Forest Green color that will better blend with the project's surroundings.

Coordination of the design of entrance features and lighting—The applicant has worked with the Planning Board and representatives of the Accokeek community to reduce the size and improve the design of the sign proposed for the project by utilizing brick veneer as a primary material and standing seam metal for its "roof," thereby better coordinating it with the architecture of the proposed building. The applicant is proposing four different light fixtures, the "Cascade," the "Euclid," the "LED Patriot Wall Sconce" and the "LSI Abolite Deep Bowl." All but the Euclid are downward-facing which will prevent off-site light spillage and light pollution into the surrounding area. A condition of this approval requires that the Euclid be eliminated as a lighting choice for the site as the applicant failed to demonstrate to the Planning Board or its designee that the proposed fixture will not contribute to light spillage. The applicant has provided a photometric plan for the project indicating that footcandle measurements on the site range from 0 to 12.1.

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The Zoning Ordinance does not specify maximum footcandle values at the property line, but the Planning Board discourages use of all but downward facing light fixtures.

10. **The 2010 Prince George's County Landscape Manual:** The Planning Board has reviewed the subject project in accordance with the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) and offers the following information:

The project is subject to Section 4.2, 4.3, 4.6 and 4.7 because the project proposes to add gross floor area (GFA) to the subject site. The project is subject to Section 4.4, Screening Requirements, for loading spaces, outdoor merchandise storage, trash and recycling facilities and mechanical equipment, as is all development in the County under the Applicability Section 1.1 of the Landscape Manual. The project is subject to the requirements of Section 4.9-1, Sustainable Landscaping Requirements, as it is required under other sections of the Landscape Manual to provide plant material on the site. The applicant has included the appropriate schedules from the Landscape Manual for Section 4.2-1, 4.3-1, 4.3-2, 4.6-2, 4.7-1, and 4.9-1 on Sheet 7 of 9 of the plan set and demonstrated conformance with the requirements of each respective section of the Landscape Manual. All landscape materials are shown to be installed as required on Sheet 6 of 9 of the plan set "Landscape and Lighting Plan." Upon review of the plans, however, the Planning Board determined that the required 20-foot-wide 4.6 buffer was intruded on by four parking spaces. Therefore, a condition of this approval requires that, prior to signature approval, the applicant redesign the parking area to remove the identified parking spaces from the required buffer, while maintaining conformance to all applicable evaluation criteria. Therefore, the Planning Board hereby finds the approval in conformance with all relevant requirements of the Landscape Manual.

11. **The Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** The approval is subject to the current environmental regulations contained in the Zoning Ordinance, that came into effect on September 1, 2010, because the preliminary plan was approved in accordance with their requirements. The project is subject to the requirements of the Woodland and Wildlife Habitat Conservation Ordinance effective September 1, 2010, because no tree conservation plans were approved for the site prior to that date and conditions of this approval bring the project approval into conformance with the applicable requirements of the WCO.
12. **The Prince George's County Tree Canopy Coverage Ordinance:** The subject project is subject to the requirements of the Tree Canopy Coverage Ordinance as it proposes more than 1,500 square feet of site disturbance. The required schedule demonstrating conformance to the Prince George's County Tree Canopy Ordinance has been included on Sheet 7 of 9 the plan set. It indicates that the ten percent tree canopy coverage requirement of .26 acres or 11,500 square feet is met and exceeded by .12 acres of existing trees on site and the .60 acres of on-site woodland conservation to be planted on the site pursuant to Landscape Manual requirements, for a total of .72 of an acre meeting and exceeding the .26 acre tree canopy requirement. Therefore, the Planning Board hereby finds that the approval meets and exceeds Tree Canopy Coverage Ordinance requirements for the proposed project.

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13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
- a. **Historic Preservation**—The subject approval would have no effect on identified historic sites, resources, or districts.
 - b. **Archeological Review**—A Phase I archeological survey was not recommended for the subject site as a search of current and historic photographs, topographic and historic maps, and the locations of currently known archeological sites indicated that the probability of finding archeological sites within the subject property was low. A house was built on the property between 1938 and 1957 and a portion of the site was impacted by the construction of the house, the expansion of Farmington Road and the construction of Indian Head Highway (MD 210). The subject property is in close proximity to Piscataway Creek, and a number of previously identified archeological sites. Section 106 of the National Historic Preservation Act (NHPA) may require archeological survey for state or federal agencies if state or federal monies, or federal permits are required for the project. Previous construction on or near the subject property has likely already disturbed any archeological resources on the site. The subject approval will not affect any historic sites or resources, documented properties, or known archeological sites.
 - c. **Community Planning**—
 - (1) The 2002 *Prince George's County Approved General Plan* designates the property within the Developing Tier. The proposed use is consistent with the Development Pattern goals and policies of the General Plan.
 - (2) The September 1993 *Approved Subregion V Master Plan and Sectional Map Amendment for Planning Areas 81A, 81B, 83, 84, 85A and 85B* recommends commercial use for this property. The approved use conforms this recommendation of the master plan.
 - (3) The property is located in the Accokeek community within the Mount Vernon Viewshed Area of Primary Concern. The master plan recommends the appearance and compatibility of nonresidential uses to be in conformity with the rural environment and character of this community.
 - (4) The approval will not impact the view from Mount Vernon to the Viewshed Area of primary concern but its footprint, design, and building materials would have adverse visual impact on the immediate rural landscape, if it had not been redesigned.

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- (5) The property is in the Accokeek Development Review District. The comments submitted by the Accokeek Development Review District Commission (ADRDC), were considered, pursuant to Section 27-678 of the Zoning Ordinance.

With respect to the 2002 General Plan, the Master Plan and the Sectional Map Amendment:

- **2002 General Plan**—This approval is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable.
- **Master Plan**—The September 1993 *Approved Subregion V Master Plan and Sectional Map Amendment for Planning Areas 81A, 81B, 83, 84, 85A and 85B* is the approved sector plan for the vicinity of the approved site.
- **Planning Area/Community**—Planning Area 84/Piscataway & Vicinity
- **Land Use**—Commercial
- **Environmental**—See the environmental comments in Finding 13(g) for comments based on the June 2005 *Approved Countywide Green Infrastructure Plan*.
- **Historic Resources**—The property has frontage on Farmington Road, which is a designated Historic Roadway between Indian Head Highway (MD 210) and Livingston Road. See Finding 13(g) for comments on scenic and historic roads.
- **Parks & Trails**—Farmington Road East serves as a segment of the Potomac Heritage National Scenic Trail on-road bicycle trail.
- **Public facilities**—There are no future public facilities on the approved site but a sewer line extension is identified.
- **Aviation**—The site is not located in the area affected by the interim land use controls for Joint Base Andrews.
- **SMA/Zoning**—The September 1993 *Approved Subregion V Master Plan and Sectional Map Amendment for Planning Areas 81A, 81B, 83, 84, 85A and 85B* rezoned the property from the R-R Zone to the C-M Zone in accordance with the General Plan recommendations for commercial development.

The Accokeek community is rural in character and comprises a significant portion of the Mount Vernon Viewshed Area of Primary Concern in Prince George's County.

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Maintaining rural character, including tree canopy coverage, is a crucial planning theme and objective of the land use recommendations for Accokeek in the master plan and a key strategy to protect views of the area defined in the plan as the "Area of Primary Concern." This presents a challenge for commercial development to be designed and constructed so as not to threaten the rural character and the cultural significance of the Accokeek area, but reflect and complement the unique local character.

The elevation of the property is about 60 feet above sea level along Indian Head Highway (MD 210) dropping by about ten feet towards the north and east to a small Piscataway Creek tributary. That portion of Indian Head Highway (MD 210) is elevated above elevations to the west, along the line of site from Mount Vernon. Existing mature trees in a stream buffer on Washington Suburban Sanitary Commission (WSSC) property on the western side of Indian Head Highway (MD 210) (along the viewing cross-section line from Mount Vernon) as well as mature forest on other properties to the west will adequately screen the approved development from view from Mount Vernon. The proposed development's distance from Mount Vernon will also reduce the potential for impairment of the historic view. However, the building footprint, design, and choice of building materials could have had negative impact on the view from Mount Vernon if it had not been redesigned during the review process and may have had an adverse visual impact on the immediate rural landscape of the Accokeek community.

The applicant reduced the building footprint to bring the proposal more in line with the area's rural residential land use. Additionally, to offset the visual impacts the applicant had:

- (1) Used additional landscaping beyond the minimum required by the 2010 *Prince George's County Landscape Manual* to enhance the rural atmosphere and buffer the local view from Indian Head Highway (MD 210) and Farmington Road. In that regard, a staggered, double row of fast-growing evergreen and hardwood species was approved along the Indian Head Highway (MD 210) frontage to screen the building.
- (2) Quality vernacular building materials, including brick veneer, were utilized on the rear building elevation fronting Indian Head Highway (MD 210). The color and reflectivity of materials were selected in part to minimize potential viewshed impacts from Mount Vernon. Bright white and shiny or metallic materials were avoided.
- (3) Wooden or corten guard rails that blend in were utilized, instead of galvanized steel, for the retaining wall along the Farmington Road frontage.
- (4) Earth tone colors for the keystone wall were utilized to reduce the visual impact on the historic road and to better blend in with the landscaping.

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- (5) To retain the dark sky attributes of this community that are sought to be protected, and to minimize the risk of light pollution that would distract motorists on Indian Head Highway (MD 210) or be a nuisance to adjoining homeowners on First Street, the applicant:
 - (a) Reduced the height of the free-standing sign along Farmington Road (from 14 feet to 9 feet).
 - (b) Utilized muted lighting and a policy of full cut-off optics for all lighting on the property, except one that is modified by a condition of this approval. Light fixtures were used that complement rural character.
 - (c) LED lighting was used with no flashing, moving or intermittent illumination on tenant and other signage.
 - (d) Additional trees were planted along historic Farmington Road East to fulfill Section 4.6 Buffering Development from Scenic Roads Landscape Manual requirements, buffer the adjacent residential zoning on the south side of Farmington Road from the proposed development, and enhance the rural character of the surrounding community.

The subject project is located in the Accokeek Development Review District, pursuant to Section 27-687 of the Zoning Ordinance. Therefore, comments from the ADRDC, were considered as part of the evaluation of this proposal.

Project plans were revised to address planning issues. However, a condition of approval requires that the parking be reconfigured to accommodate a 20-foot-wide buffer along Farmington Road East as required by the 2010 *Prince George's County Landscape Manual* Section 4.6.

d. **Transportation Planning—**

- (1) The site plan for this property is required pursuant a condition of Preliminary Plan of Subdivision 4-10013, and it is a requirement of the car wash use in the C-M Zone. The site is subject to the general requirements of site plan review. The subdivision condition provides no particular requirements for site plan review, and the general requirements of site plan review suggest review of layout, landscaping, signage, screening, buffering, access, and onsite circulation. No traffic-related findings are required.
- (2) The site is located on proposed parcel "Farmington Road Carwash". Ultimately the parcel will be subject to final plat and recordation pursuant to Preliminary Plan of Subdivision 4-10013, and the site plan appears to be fully consistent with the requirements of that preliminary plan. See Finding 9 for discussion of

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transportation-related Preliminary Plan Conditions 7(b) and 7(c), 9, 12, 13 and 14. In general, access and circulation for this site are acceptable. With regard to the master plan for the site, however, the Planning Board made the following transportation-related findings:

- The site is adjacent to Indian Head Highway (MD 210) and Farmington Road East. Indian Head Highway (MD 210) is a master plan freeway facility. An adequate right-of-way has either been dedicated or deeded in the past, and based on the information at hand, no further right-of-way is required along MD 210. Farmington Road East is a planned arterial facility. During review of the preliminary plan, it was determined that the master plan requires approximately 85 to 90 feet on the north side of the existing centerline, while the applicant was willing to provide 60 feet from centerline. At that time, the subdivision plan was referred for reservation in accordance with Section 24-139(b) of the County Code. Responses to that referral were not affirmative, and the Planning Board determined that the use of reservation was not appropriate. It was determined that dedication of 60 feet from centerline along Farmington Road East would be acceptable as a means of fulfilling the right-of-way requirements set out by the master plan.
- The subject application generally conforms to the approved subdivision plan from the standpoint of transportation. While noting preliminary plan Conditions 12 and 13, the Planning Board stated that these conditions are enforceable at the time of the approval of a building permit for the project.

- e. **Subdivision Review**—The subject site is located on Tax Map 152 in Grid A-1, is within the C-M Zone, and is 2.64 acres. The site is currently undeveloped. The applicant has submitted a detailed site plan for the construction of a 9,129-square-foot car wash/retail building, which required the approval of a preliminary plan of subdivision (PPS) for the construction of more than 5,000 square feet of gross floor area (GFA).

The applicant filed a PPS and the site is the subject of the approved Preliminary Plan of Subdivision 4-10013. The resolution of approval was adopted by the Planning Board on July 28, 2011 (PGCPB Resolution No. 11-67). The preliminary plan is valid until July 28, 2013. A final plat for the subject property must be accepted by the Maryland-National Capital Park and Planning Commission (M-NCPPC) before the preliminary plan expires or a new preliminary plan is required. The applicant may ask for an extension of the validity period for the preliminary plan beyond July 28, 2013, in accordance with Section 24-119 of the Subdivision Regulations.

The plan incorrectly identifies the property as Parcel 6, which shall by conditions of this approval be revised to read Parcel 1 as reflected on the approved preliminary plan.

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Detailed Site Plan DSP-10027 is in substantial conformance with the approved Preliminary Plan of Subdivision 4-10013, as the comments included in Finding 9 have been addressed. See Finding 9 for a discussion of relevant Conditions 2, 4, 5, 6, 7, 9, 10, 11, 12, 13 and 14 and Findings 6 and 20 of the approval of Preliminary Plan of Subdivision 4-10013.

f. **Trails—**

- The subject application does not conflict with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), or the February 2009 *Approved Subregion 5 Master Plan And Sectional Map Amendment* regarding the approved trails, bikeways, and pedestrian improvements.
- Further, Farmington Road East is a signed bicycle route and a segment of the Potomac Heritage National Scenic Trail, and is recommended in the MPOT to contain signage that indicates the trail's location. The signage is part of a County/State/Federal coordinated project, and its implementation is not directly affected by the subject application. There are no County or State sidewalk or bikeway projects on Farmington Road East or Indian Head Highway (MD 210), other than the aforementioned signage related to the Potomac Heritage National Scenic Trail. Farmington Road East is of open section design at this time, does not contain sidewalks and is not recommended for sidewalk construction at this time. The area master plan recommends upgrading MD 210 to freeway status from subregion 7 to Berry Road (MD 228). From its intersection with Berry Road (MD 228) to the Charles County boundary, Indian Head Highway (MD 210) would be upgraded to an expressway (F-11). The road is currently being upgraded to freeway status from the Capital Beltway (I-95/495) to Old Fort Road South. The area master plan recommends upgrading existing at-grade intersections along MD 210 to interchanges at Farmington Road East, Livingston Road (MD 373), and Berry Road (MD 228) (E-7).
- See Finding 9 for a discussion of trails-related Conditions 8(a) and 8(b) of Preliminary Plan of Subdivision 4-10013, the approval of which was formalized in PGCPB Resolution No. 11-67.
- Adequate bicycle and pedestrian transportation facilities will exist to serve the proposed use.

- g. **Environmental Planning—**The site was previously reviewed by the Planning Board as a Natural Resource Inventory, NRI-011-10, which was approved on October 21, 2010. A Preliminary Plan of Subdivision, 4-10013, and Type 1 Tree Conservation Plan TCP1-005-11 was approved by the Planning Board subject to conditions contained in PGCPB Resolution No. 11-67 on April 26, 2011.

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The originally submitted plan proposed the development of a 6,100-square-foot carwash, 4,700 square feet of retail space and 45 parking spaces on a parcel in the C-M Zone. The revised application proposes the development of a 6,100-square-foot carwash, 3,020 square feet of retail space, and 28 associated parking spaces.

With respect to grandfathering, the project is subject to the environmental regulations contained in Subtitle 27 that came into effect on September 1, 2010 because the preliminary plan was approved under the current environmental regulations. The project is subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) effective September 1, 2010, because there are no tree conservation plan approvals before that date.

The site is totally wooded. According to the *Prince George's County Soil Survey*, the principal soils on this site are in the Grosstown soil series. Marlboro Clay is not found to occur on the site. There is a stream located on the site that is an unnamed tributary to Piscataway Creek that eventually drains to the Potomac River basin. The most recent plan submitted indicates that there are no wetlands located on the property, but there is 0.53 acres of 100-year floodplain on the property which was previously not identified. Indian Head Highway (MD 210), which borders the site to the northwest, is a master-planned Freeway and an existing source of traffic-generated noise. Farmington Road East was designated in the Approved Countywide Master Plan of Transportation (MPOT) (November 2009) as a historic road and is a master planned arterial roadway. Transportation-generated noise impacts are not evaluated for commercial uses. The site is located in the Developing Tier as reflected in the 2002 *Prince George's County Approved General Plan*. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. The property is located in the Area of Primary Concern of the Mount Vernon viewshed.

The Planning Board approved a Type 1 Tree Conservation Plan, TCP1-005-11 and Preliminary Plan of Subdivision, 4-10013, including a variation from Section 24-121(A)(3) and a variance from Section 25-122(B)(1)(G) on April 26, 2011. See Finding 9 of this resolution for a full discussion of relevant environmentally-related conditions of that approval as expressed in PGCPB Resolution No. 11-67.

- (1) An approved Natural Resource Inventory, NRI-011-10 which was signed on October 21, 2010, was submitted with the preliminary plan application for review. That plan shows that a stream is located on the eastern end of the site but shows no wetlands or 100-year floodplain on the property. The Forest Stand Delineation noted one forest stand totaling 2.63 acres with five specimen trees. The information on the approved NRI was found to be shown correctly shown on the preliminary plan, TCPI, as well as the detailed site plan and the Type 2 tree conservation plan submitted on April 15, 2013.

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- (2) The revised DSP and TCP2 received by the Planning Board on May 29, 2013, indicates that there is 0.53 acres of 100-year floodplain on the site, which affects the delineation and area of the PMA on the site because the 100-year floodplain extends beyond the required stream buffer, and also affects the net tract area of the site. The NRI shall by condition of this approval be revised to show the location of the source of the 100-year floodplain, the location of the 100-year floodplain, the revised delineation of the PMA and all appropriate site notes and statistics.
- (3) The property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site has a previously approved tree conservation plan. A Type 1 Tree Conservation Plan, TCP1-005-11 was approved with the preliminary plan, but no 100-year floodplain was included in the site calculations. The TCP1 showed the area of the on the 75-foot-wide stream buffer in the Developing Tier, but did not include the 100-year floodplain in the delineation of the PMA, or the calculation of the net tract area to determine the woodland conservation requirement on the site. While the area of retained and preserved woodlands is in general conformance with the approved TCP1, the final calculations of the woodland conservation requirement and how it will be fulfilled are incorrect. The worksheet shall by condition of this approval be revised to correctly calculate the site requirement and how it will be fulfilled.
- (4) A revised Type 2 tree conservation plan (TCP2) for this site was received by the Planning Board on May 29, 2013, which can be found in general conformance with the TCP1, but requires additional technical revisions required by conditions of this approval to address the results of delineating 0.53 acres of 100-year floodplain on-site. The gross tract area of the site is 2.64 acres which contains 0.53 acres of 100-year floodplain, resulting in 2.11 acres of net tract. The current zoning (C-M) of the subject property has a woodland conservation threshold of 15 percent of the net tract or 0.32 acres, which is correctly reflected in the TCP2 worksheet. The TCP2 proposes to clear 2.04 of upland and 0.03 acres of 100-year floodplain, resulting in a woodland conservation requirement of 1.29 acres based on the clearing proposed. The woodland conservation worksheet on the plan incorrectly calculates the requirement for the site.
- (5) The incorrectly calculated requirement for the site was proposed to be met with 0.60 acres of woodland preservation and 0.26 acres of fee-in-lieu of woodland conservation within a priority funding area, at the fee-in-lieu rate of \$0.90 per square foot. The correct calculation for the site determines that the woodland conservation requirement for the development is 1.29 acres. Existing trees within the 100-year floodplain cannot be credited as woodland conservation for the site, so the amount of woodland conservation provided on-site is reduced to 0.07 acres. The remaining shortage is 1.22 acres. Because the remaining requirement is greater than 1 acre, the methodology for the providing the shortage is off-site woodland conservation in an approved off-site bank. The woodland conservation

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worksheet for this requires revisions to be accomplished by conditions of this approval to correctly reflect the woodland conservation requirement for the site and how it is being fulfilled. The TCP1 plan also requires technical revisions to be accomplished by conditions of this approval to be in conformance with the requirements of the Environmental Technical Manual, which have been particularly detailed.

- (6) A total of five specimen trees were identified, located and evaluated on the overall site. Information on these trees is provided in a table on the TCP1. Specimen trees are defined as trees having a diameter at breast height of 30 inches or more; trees having 75 percent or more of the diameter at breast height of the current champion of that species; or a particularly impressive or unusual example of a species due to its size, shape, age or any other trait that epitomizes the character of the species. None of the trees on the site are considered "champion trees" because they are not the largest of their species in the country, state or county.

A variance request to Section 25-122(b)(1)(G) of the Woodland and Wildlife Habitat Conservation Ordinance was received on April 27, 2011 for the removal of three (3) specimen trees located on the subject property with the review of the TCP1, and the variance for the removal of ST-1, ST-4 and ST-5 was approved by the Planning Board. A note concerning the approval of the variance has been added to the TCP2.

- (7) Development of this site shall be in compliance with an approved Type2 Tree Conservation Plan, TCP2-014-13, approved herein. After September 1, 2010, pursuant to Section 25-122(d) (1) (B) woodland preserved, planted or regenerated on-site shall be placed in a woodland conservation easement recorded in land records and the liber/folio of the easement indicated on all plans of development. When a TCP2 is prepared for signature approval recording of a woodland conservation easement in the land records will be required, and the liber folio of the easement will by condition of this approval shall by condition of this approval be placed on the TCP2.
- (8) The site was previously identified as containing a Primary Management Area (PMA) that is required to be preserved to the fullest extent possible per Section 24-130(b)(5). The Subdivision Regulations requires that: "...all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible." The regulated environmental features on the subject property include the PMA. Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary

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impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

- (9) Impacts to the regulated environmental features were proposed and a statement of justification was submitted in accordance with Section 24-130 of the Subdivision Regulations on May 26, 2011. The preliminary plan proposed impacts to the PMA in order to install two stormwater management/bioretention areas, stormwater outfalls, and road improvements to Farmington Road. The two proposed stormwater management/bioretention areas and the associated outfalls are located on the perimeter of the PMA. There was also a proposed impact to the PMA for the drive aisle that leads to the carwash. It is hereby determined by the Planning Board that the proposed impacts had been minimized to the extent possible by the use of a retaining wall to reduce the grading into the PMA. The stormwater management features are also hereby found to be designed to meet the current Maryland Department of the Environment (MDE) Environmental Site Design (ESD) standards and criteria to the Maximum Extent Practicable (MEP); however, there was insufficient design information available at time of preliminary plan to fully evaluate the portion of the impacts needed for the drive aisle for the carwash.

The impacts related to stormwater management are considered necessary by the Planning Board for the orderly development of the subject property. The impacts cannot be avoided because they are required by other provisions of the County Code. The development is providing full ESD with 100 percent water quality and quantity and the impacts have been designed to minimize, to the fullest extent possible, the impacts to the PMA. At time of preliminary plan, a finding was made that based on the level of design information available at the then present time, the regulated environmental features on the subject property had been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the tree conservation plan submitted for review. The impacts approved in concept were for the installation of two stormwater management/bioretention areas, their associated stormwater outfalls and the road improvements to Farmington Road East because these site features cannot be avoided. But it was indicated at that time that the impact proposed for the drive aisle would be re-evaluated at the time of the review of the detailed site plan

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when more design information is available. A total of 7,867 square feet of disturbance to the PMA was approved at time of preliminary plan.

- (10) The Planning Board then requested that the applicant demonstrate the PMA impacts associated with the current approval not exceed the 7,867 square feet of disturbance approved at time of preliminary plan. On May 29, 2013, a supplemental Statement of Justification for PMA impacts was submitted to the Planning Board. The most recently revised plans, also received on May 29, 2013, represent a major redesign of the site which reduced PMA impacts due to the following changes to site design:
- (a) The retail building and car wash were combined into one building;
 - (b) The size of retail space provided was reduced from 4,751 square feet to 3,020 square feet;
 - (c) The number of parking spaces provided on site was reduced from 45 to 28 spaces;
 - (d) The building was relocated to provide a wider landscape buffer along Indian Head Highway (MD 210);
 - (e) The drive aisle was relocated further away from the PMA;
 - (f) Stormwater management bioretention areas were moved out of the PMA.

The net result of the redesign was a reduction of 1,187 square of PMA impacts, from 7,867 square feet to 6,680 square feet, or approximately 15 percent. The Planning Board determined that the applicant had demonstrated that the impacts were consistent with that approval at time of preliminary plan. Concurrently, the revised plans showed an additional 297 square feet of PMA disturbance resulting from the newly identified presence of 100-year floodplain on the site, which had not been addressed in the revised Statement of Justification. Adding the total of impacts resulting from the current approval and the amount of additional PMA impacts resulting from expansion of the PMA, the total hereby approved PMA impacts for this site is 6,977 square feet. This is a reduction of 890 square feet or 11 percent of those approved with the preliminary plan.

- (11) A revised approved Stormwater Management Concept Letter and plan (20898-2010-01) approved on October 5, 2012 were submitted. The concept plan showed three bioretention areas (A, B and C) and two outfalls. The tree conservation plan shows the three proposed bioretention areas and two outfalls to the adjacent stream and provides adequate clearing for construction. The SWM Concept Plan does not show the location of the 100-year floodplain. The presence

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of 100-year floodplain on the site was discovered late in the review process, because of changes to zoning within the associated drainage area. A 100-year floodplain has been reviewed (FPS# 201215) and will by condition of this approval be reflected as finally approved on the revised NRI, TCP2 and DSP.

- (12) According to the *Prince George's County Soil Survey* the principal soils on this site are in the Grosstown soil series. These soils typically drain well and pose no real problems for development.
- (13) Farmington Road East was designated a historic road in the Approved Countywide Master Plan of Transportation (MPOT) (November 2009), and is classified as an arterial. Any improvements within the right-of-way of an historic road are subject to review and approval by the DPW&T under the Design Guidelines and Standards for Scenic and Historic Roads. When a roadway is designated as historic, it is because it is located in its historic alignment and there is an expectation that historic features will be found along its length, although not necessarily on every property. Roadways are a linear element, and the intention of the historic buffer is to preserve or enhance the extent of the roadway and enhance the travel experience over that which would be provided if scenic qualities or historic features had not been preserved.

An Inventory of Significant Visual Features for the right-of way and site was required for the evaluation of the historic road viewshed with the preliminary plan application. A Viewshed Inventory Report for Farmington Road East as it pertains to the proposed Farmington Road East Car Wash was submitted on April 27, 2011. The inventory states that the current viewshed landscape of the site is slightly upland with mid-succession woodlands.

The 2010 *Prince George's County Landscape Manual* (Landscape Manual) contains requirements for the buffering of scenic and historic roads. Per the Landscape Manual, a designated historic road in the Developing Tier requires that a minimum 20-foot-wide buffer be provided along the frontage of a historic road. The 20-foot-wide scenic easement is required to be provided behind the public utility easement (PUE) to maintain a visually-appealing corridor. The DSP and landscape plans for the project shall by condition of this approval demonstrate the full provision of the required bufferyard to enhance the appearance of the historic road as alternative compliance was not requested. The design of the scenic buffer and any entrance features proposed along Farmington Road East frontage has been reviewed as part of the detailed site plan review to insure that the design addresses the following criteria:

- (a) In keeping with the desired visual characteristics of the historic road;

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- (b) Integrated into an overall streetscape treatment along Farmington Road East with regard to signage, materials, and plant species choices; and
- (c) Coordinated with the entrance feature and landscape treatment proposed for the proposed development.

The landscape buffer proposed along Farmington Road East has been reviewed for the quantity and placement of plant materials within the required buffer and a condition of this approval requires that the use of the non-native *Gleditsia triacanthos* (honey locust) within the bufferyard be replaced by a native species such as *Quercus Palustris* (pin oak), *Quercus rubrum* (red oak), *Quercus palustris* (pin oak), *Amelanchier Laevis* (shadblow serviceberry), *Myrica pennsylvanica* (Northern bayberry) and *Viburnum dentatum* (arrowwood) are all appropriate natives along this roadway. The monument sign proposed along the Farmington Road East entrance was reduced in height in the most current revision from 14 feet high to 12 feet high, but is hereby found overly large for the character of the roadway and adjacent development. The sign by condition of this approval is further downsized to reduce the height to nine feet, resulting in a 3:4 ratio of height to width.

The keystone retaining wall topped with guardrail proposed along Farmington Road is another important visual feature within the viewshed of Farmington Road. The choice of color, materials and design for these features within the viewshed has been reviewed for visual impacts, compatibility with the neighborhood and roadway character, and consistency with overall site design consistency.

- (14) The subject property is located in the Mount Vernon Viewshed Area of Primary Concern, which has been delineated as an evaluation tool for the protection of the Mount Vernon Viewshed. Properties located with the Area of Primary Concern may be referred to the National Park Service, National Capital Region, and have herein been evaluated for location and elevation of the subject property, the elevation and height of structures proposed on the site, retention of tree canopy and vegetative screening located between the subject property and Mount Vernon as the viewpoint.

The elevation of the subject property ranges from 66 feet adjacent to Indian Head Highway (MD 210) on the northwest to a falling elevation into the Piscataway Creek stream valley at the northeast corner of the site. The elevation of the site is consistent with the elevation of Indian Head Highway in this area. On the west side of Indian Head Highway, there is a 300-foot-wide buffer of existing woodlands sloping down towards the Piscataway Creek stream valley. Assuming that the height of the existing vegetation is a minimum of 35 feet in elevation, if the construction proposed on the site does not exceed 35 feet in height, mitigation for visual impact to the viewshed should be minimal, including the choice of

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earth-toned materials and coloration; limited use of highly reflective materials, and use of full cut-off optic lighting features to minimize night glow, should be sufficient. The height of the proposed structure is 26 feet.

A cross-section model prepared by the Planning Board indicates that the site and development proposed on the site will be screened by vegetative canopy within protected scenic easement areas located along the sightline to Mount Vernon.

- (15) Policy 5 in the Environmental Infrastructure chapter of the General Plan calls for the reduction of overall sky glow, minimizing of the spill-over of light from one property to the next, and a reduction of glare from light fixtures. This is of particular concern on a commercial site such as the subject approval, where outdoor lighting and parking lot lighting are proposed. The lighting shall by condition of this approval use full cut-off optics to ensure that off-site light intrusion into adjacent and environmentally-sensitive areas designated by the Green Infrastructure Plan and adjacent residential development minimized, and so that sky glow does not increase as a result of this development.
 - (16) Environmentally-related Conclusions:
 - (a) The required findings of Section 25-119(d) for the removal of specimen trees were addressed at time of preliminary plan review for the removal of specimen trees numbered 1, 4, and 5.
 - (b) The TCP2 is hereby found to be in general conformance with the approved TCP1 with regards to the retention of wooded riparian buffers within regulated stream buffers.
 - (c) The DSP is found to be in conformance with the Type 2 Tree Conservation Plan approved herein as revised by conditions of this approval.
 - (d) The DSP and TCP2 plans as conditioned herein demonstrate that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5) of the Subdivision Regulations. The PMA on the subject DSP is hereby found to have been preserved to the fullest extent possible because PMA impacts have been limited to less than 7,000 square feet of permanent disturbance from the 7,867 square feet approved with the preliminary plan.
- h. **Prince George's County Fire/EMS Department**—In a memorandum dated June 12, 2013, the Prince George's County Fire Department offered comment on needed accessibility, private road design, and the location of performance of fire hydrants.

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- i. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated May 16, 2013, DPW&T stated that they would require frontage improvements along Farmington Road East as determined by DPW&T, but that the right-of-way shown on the plan is adequate. It was further stated that all improvements within the public right-of-way as dedicated for public use to the County, are to be designed in accordance with the County's Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act (ADA), including full-width, two-inch mill and overlay for all County roadway frontage. With respect to any proposed and/or existing Master-Plan roadways that lie within the property limits, they must be addressed through coordination with the Maryland-National Capital Park and Planning Commission (M-NCPPC) and DPW&T and may involve rights-of-way reservation, dedication and/or construction in accordance with DPW&T's Specifications and Standards. DPW&T also stated that the proposed site development has an approved Stormwater Management Plan Number 20898-2010-01, dated November 27, 2012, with which the subject DSP is consistent.

Master Plan roadways have been addressed through coordination with M-NCPPC and DPW&T's requirements will be addressed through their own permitting process.

- j. **Prince George's County Police Department**—In a memorandum dated April 24, 2013, the Prince George's County Police Department stated that after visiting the site and reviewing the plans, they found no Crime Prevention Through Environmental Design (CPTED)-related issues.
- k. **Prince George's County Health Department**—In a memorandum dated May 10, 2013, the Prince George's Health Department stated that they had completed a desktop health impact assessment review of the detailed site plan submission for Farmington Road Car Wash, and offered the following recommendations:
- (1) As a water conservation measure, the proposed wash facility should be equipped with a water reclamation system.
 - (2) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. The intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control should be indicated as a note on the plan set.
 - (3) During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. The intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code should be indicated as a note on the plans.

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A condition of this approval requires that the applicant include comments (1), (2) and (3) above in the general notes of the subject DSP.

- l. **Maryland State Highway Administration (SHA)**—In a letter dated April 25, 2013, SHA provided numerous comments, including a request for information on stormwater management and erosion and sediment control proposed and a pavement striping plan, a complete and correct legend on the plan, a pavement section for the Farmington Road East widening, details on the depth of paving, milling and overlaying and the saw cutting locations on the typical section and plan view, a typical section of the proposed widening of Farmington Road East showing existing and proposed conditions and cross-referencing the pavement section detail, differentiating between the SHA right-of-way and the Prince George's County right-of-way on plan view, and a required note on the plans that references the standards to be utilized for construction of the improvements within SHA right-of-way.

SHA's comments will be addressed through their own permitting process.

- m. **Southern Maryland Electric Cooperative (SMECO)**—In comments received May 10, 2013, SMECO stated that the drawings correctly identify an existing utility pole in conflict with the proposed plan. Further, they stated that the subject pole is associated with Piscataway 14, a main distribution feeder serving southern Prince George's County. SMECO further stated that the developer must provide adequate space and bear the full cost for all affected existing and new facilities. With respect to costs, they said they may be expensive due to the nature of the work and the impact the relocation will have on adjacent structures. In closing, SMECO encouraged the applicant to contact and work with SMECO throughout the planning phase of the subject project.

The applicant has been provided with a copy of SMECO's referral comments and encouraged to follow the guidance offered therein. SMECO's requirements will be met through their separate permitting process.

14. Based on the foregoing and 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.
15. Based on the foregoing and as required by Section 27-285(b)(5), the DSP and TCP2 plans demonstrate that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5) of the Subdivision Regulations as the PMA impacts have been limited to 7,000 square feet of permanent disturbance, which is less than the 7,867 square feet approved in the preliminary plan of subdivision for the project.

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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 Type 2 Tree Conservation Plan (TCP2-014-13) and further APPROVED Detailed Site Plan DSP-10027 for the above-described land, subject to the following conditions:

1. Prior to signature approval of the plans, the applicant shall revise the detailed site plan or provide additional information as follows:
 - a. Reference to Farmington Road East shall be corrected throughout the case file, application and plan set.
 - b. If road frontage improvements are required by DPW&T along the subject property frontage of Farmington Road East, plans shall be revised to include a shoulder for bicyclists along the entire subject property frontage in conjunction with the bicycle warning signage, unless modified by DPW&T.
 - c. The applicant shall redesign the parking area to remove or relocate the four identified parking spaces that currently intrude into the required Section 4.6 20-foot-wide buffer along Farmington Road East, while maintaining conformance to all other applicable evaluation criteria.
 - d. The label of "Parcel 6" on the subject property shall be replaced by "Parcel 1" as reflected on the approved preliminary plan of subdivision.
 - e. The applicant shall add the following notes to the General Notes of the subject DSP:
 - (1) As a water conservation measure, the proposed wash facility will be equipped with a water reclamation system.
 - (2) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. This intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control is hereby indicated as a note on the plan set.
 - (3) During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. This intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code is hereby indicated as a note on the plans.
 - (4) "A variation approved pursuant to Section 24-121(a)(3) as part of the preliminary plan of subdivision for the project limits vehicular access to the site to one direct access from Parcel 1 onto Farmington Road East."

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- f. The applicant shall specify that the color of the standing seam metal to be utilized for the roofing in the subject project shall be "Forest Green" instead of "Patina Green" to be more in keeping with the natural surroundings of the subject project.
- g. The DSP and TCP2 shall be revised to correctly delineate the PMA based on the approved 100-year floodplain study, and the total area of the PMA and of the PMA impacts shall be indicated. The applicant shall demonstrate that the overall site is no greater than the quantity of PMA impacts approved by the Planning Board at time of preliminary plan approval prior to DSP certification.
- h. The TCP2 plan shall be revised as follows:
 - (1) Revise all areas of woodland preservation to eliminate areas located within the approved 100-year floodplain, and label with correct methodology and area.
 - (2) Correct the woodland conservation summary table on the plan sheet.
 - (3) Show the correct delineation of the PMA based on the approved 100-year floodplain, and revise all site statistics including the acreage of total PMA area shown on the plan to reflect the revised PMA.
 - (4) Include a graphic element for woodland conservation signage in the legend of the plan, and show proposed locations on site. Woodland conservation signs may be mounted on the permanent protection device (split rail fence) in lieu of a post if a detail is provided. Revise notes to indicate that woodland conservation signage should be retained in perpetuity.
 - (5) Revise the woodland conservation worksheet as follows:
 - (a) Show the correct TCP2 revision number in the worksheet.
 - (b) Insert the 0.53 acres of 100-year floodplain into the calculation and correct other quantities which are affected.
 - (c) Recalculate the woodland conservation requirement and provided based on revisions required above.
 - (d) Provide the woodland conservation shortage for the site as off-site woodland conservation in an approved woodland conservation bank.
 - (6) Have the revised plans signed and dated by the qualified professional who approved the plan.

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- i. The proposed outdoor lighting shall be specified as full cut-off optic fixtures to ensure that off-site light intrusion into adjacent and environmentally-sensitive areas designated by the 2005 *Approved Countywide Green Infrastructure Plan* is minimized, and so that sky glow does not increase as a result of the subject development. This requirement will cause the deletion of the "Euclid" fixture as a lighting choice for the site unless the applicant can demonstrate to the Planning Board or designee that the proposed fixture will not contribute to off-site light spillage.
2. Prior to signature approval of the TCP2 for this property, pursuant to Section 25-122(d)(1)(B) of the Subdivision Regulations, all woodland preserved, planted or regenerated on-site shall be placed in a woodland conservation easement recorded in land records and the liber/folio of the easement shall be indicated on the TCP2 and in the general notes on the DSP.
3. Prior to certificate approval of the DSP, the DSP and landscape plan shall be revised as follows to complement the vernacular character of the adjacent historic roadway:
 - a. The use of the non-native *Gleditsia triacanthos* (honey locust) within the bufferyard along Farmington Road East shall be replaced by a native such as *Quercus Palustris* (pin oak), *Quercus rubrum* (red oak), *Quercus palustris* (pin oak), *Amelanchier Laevis* (shadblow serviceberry), *Myrica pennsylvanica* (Northern bayberry) and *Viburnum dentatum* (arrowwood), all more appropriate along this historic roadway.
 - b. The proposed monument sign shall be reduced in height to no more than nine feet above ground level and 12 feet in width.
 - c. The keystone retaining wall shall be simple in design and be complementary in color to the structures on the site.

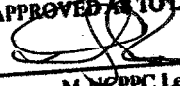
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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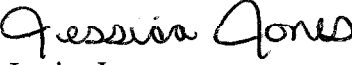
* * * * *

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Shoaff absent at its regular meeting held on Thursday, June 27, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of July 2013.

APPROVED AS TO LEGAL SUFFICIENCY

M-NEPPC Legal Department
Date 7/3/13

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:RG:arj