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PGCPB No. 13-117 File No. DSP-12019

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 October 17, 2013, regarding Detailed Site Plan DSP-12019 for Dunkin' Donuts, Lanham, the Planning Board finds:

1. **Request:** The subject application proposes a 304-square-foot building addition to an existing eating and drinking establishment with drive-through, and site modifications.

2. **Location:** The property is located on the south side of Annapolis Road (MD 450), 650 feet northeast of its intersection with Harkins Road. The subject property address is 7903 Annapolis Road.

3. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T/T-D-O	M-X-T/T-D-O
Use(s)	Eating and Drinking Establishment with Drive-Through	Eating and Drinking Establishment with Drive-Through
Acreage	0.294	0.294
Lots	2	2
Square Footage/GFA	1,515	1,819

OTHER DEVELOPMENT DATA

Parking Requirements:

	REQUIRED	APPROVED
Total Parking Spaces	6	13
2.75 spaces per 1,000 SF retail/commercial		
of which Handicap Spaces	1 (van-accessible)	1 (van-accessible)
Total Loading Spaces for retail sales and service	0	0

4. **Surrounding Uses:** The subject property is bounded to the north by Annapolis Road (MD 450). The property to the west, south, and east is located in the Mixed Use Transportation–Oriented (M-X-T) and Transit District Overlay (T-D-O) Zones and is owned by the Volunteers of America,

Chesapeake. It is developed with a two-story, 1970's era, brick office building with an associated surface parking lot. The property is bounded to the northeast by a driveway associated with Defense Shopping Center also located in the M-X-T and T-D-O Zones. Across Annapolis Road are existing commercial uses located within the Multifamily High Density Residential (R-10) Zone.

5. **Previous Approvals:** According to tax records, the primary structure was constructed in 1969. There is no previous approval history for the subject property.

6. **Design Features:** The subject site contains an operating Dunkin' Donuts restaurant with a drive-through. The existing building is a one-story concrete masonry unit building with a mansard roof. With the subject application, the applicant proposes to construct a 304-square-foot building addition to accommodate Baskin Robbins ice cream sales. The detailed site plan (DSP) also includes an update of the entire exterior of the existing building, new building-mounted and freestanding signage, restriping of the existing parking lot, and landscape improvements along the property's frontage.

The subject site has two existing points of access on Annapolis Road (MD 450). Currently, the westernmost entrance provides a right-in/right-out ingress and egress. Due to traffic concerns during peak business hours and poor queuing on the site, the applicant proposes to restripe the westernmost access point to indicate ingress only. The parking lot will also be restriped to provide angled parking and require patrons to exit the site by using either the dedicated drive-through lane or the one-way drive aisle adjacent to the drive-through lane at the rear of the site, and exit the site by using the easternmost access point. The proposed circulation revisions are indicated to be accomplished by restriping only. The Planning Board finds that, instead of restriping only, appropriate shall curbing be provided and the access be revised to eliminate excess asphalt at the site's westernmost entrance. Excess asphalt shall become green area, which would improve the pedestrian experience along the site's frontage. These revisions are subject to concurrence and modification by the Maryland State Highway Administration (SHA). All restriped parking spaces should also demonstrate adequate back-up distance on the subject property without infringing on the right-of-way.

The existing building is located 16.8 feet from the Annapolis Road right-of-way. The 304-square-foot building addition is proposed at the front of the building and will place the building approximately 14 feet from the right-of-way. The submitted building elevations indicate that, while only the front of the building will be expanded, the entire building will be refaced to provide an updated appearance.

Architecture
The one-story building will be refaced in two tones of brick veneer painted in the following colors: a darker brick veneer (Night Shade) and a lighter brick veneer (Bittersweet Stem). The darker brick veneer is proposed along the base of the building, and is shown in the areas of the entry and side monolith building features. The front of the building will be expanded 301 square feet and will include an area of storefront windows with orange canopies above. Goose neck-style lighting

is proposed above the awning as an added detail. The appearance of the overall height of the building will be increased to 15 feet by a modest one-foot tall parapet wall. The three monolith features extend above the parapet to a height of 18 feet.

The building elevations have been significantly modified from the original submission. The Planning Board is satisfied with the revised architectural concept and approves the architecture with minor modifications. Instead of painting the brick veneer, as is indicated on the architectural elevations, the applicant shall select natural brick veneers in the desired colors. The use of natural brick veneers would create a finished product that is more natural in appearance, and potentially less high-contrast in color. There would also be some added benefit in providing brick detailing along the top and all sides of the building for visual interest. This shall be done by changing the pattern of the brick, or modifying the projection of one or two rows of brick, and not by introducing new high-contrast brick colors. The final treatment shall be indicated on the DSP prior to certificate of approval.

Signage

The signage proposal includes five building-mounted signs, one freestanding sign, and canopy signage. Sections 27-613(f)(1) and 27-614(e)(1) of the Zoning Ordinance state that the design standards for all signs attached to a building and all on-site freestanding signs shall be determined by the Planning Board for each individual development in the M-X-T Zone at the time of DSP review. The 2010 *New Carrollton Approved Transit District Development Plan and Adopted Transit District Overlay Zoning Map Amendment* (New Carrollton TDDP/TDO) further states that signs must be externally lit, and box signs are prohibited.

In standard commercial zones, the width of the front of the building determines how much signage is permitted on the entire building. For this building, 94 square feet of building-mounted signage would generally be permitted; however, in the M-X-T Zone, the Planning Board determines how much signage shall be permitted. The subject application proposes 189.89 square feet of building-mounted signage. The Planning Board finds that the signage proposal shall be reduced in scope to be more in keeping with the regulations for similar commercially-developed sites in conventional zones.

A description of the signage proposal is provided below:

a. **Building-Mounted Signage**—The DSP locates five building-mounted signs. These signs have a total area of 68.78 square feet. The signage is "cloud-style" signage with internal lighting. The sign area associated with these signs is appropriate and consistent with signage in similar commercially-developed properties.

b. **Canopy Signage**—The architectural proposal and sign plan includes orange awnings with an aluminum frame and white sign graphics. The area of the sign graphics is considered building-mounted signage. In total, 60.55 square feet of sign graphics is proposed, including a 50 percent reduction in sign area calculations, due to the proposal of individual text on the solid canopy background. The Planning Board finds that the canopy

graphic shall be eliminated or reduced to a maximum of 25 square feet. The building-mounted sign area shall not exceed 94 square feet.

c. **Freestanding Signage**—There is an existing pylon sign on the site with box lighting. Box-lighting is prohibited by the sector plan. The existing pylon sign shall be removed from the site. The applicant proposes a four-foot-tall, pedestrian-scale, monument-style, freestanding sign on a low brick base to replace the function of the existing pylon sign. This sign has a total area of 12.44 square feet. The sign plan indicates that this sign will be lit from the exterior with ground lights. The sign will be located within five feet of the property line, perpendicular to the low brick wall along the property frontage. The proposed monument-style sign is attractive and is a reasonable proposal to replace the existing pylon sign. No other freestanding commercial signage shall be approved along the site's frontage.

As approved with conditions, and an amendment of one development district standard pertaining to sign lighting discussed in Finding 7, the sign proposal will be consistent with the goals of the sector plan.

7. **2010 New Carrollton Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment:** The subject site is located in the 2010 New Carrollton TDDP/TDO. The purpose of the New Carrollton TDDP/TDO is to ensure that future development around the New Carrollton Metro Station maximizes transit ridership, revitalizes the area while maintaining its socio-economic diversity, and adopts a sustainable development pattern. The TDDP sets out a development vision for the New Carrollton Transit District that articulates vibrant and diverse neighborhoods, a multimodal transportation system, sustainable and accessible environmental infrastructure, and pedestrian-oriented urban design.

The site is specifically located within the Annapolis Road Neighborhood. The TDDP contains specific development standards and guidelines for development within this neighborhood with the intent to create a revitalized and enhanced moderate-density, mixed-use, commercial district along Annapolis Road (MD 450).

a. In accordance with Section 27-548.08(c)(2) of the Zoning Ordinance, the applicant may ask the Planning Board to apply development standards that differ from mandatory requirements in the TDDP, unless the plan provides otherwise. The Zoning Ordinance specifically states that the Planning Board may amend any mandatory requirements except building height restrictions and parking standards, requirements which can only be amended by the District Council under procedures in Part 10A, Division 1 of the Prince George's County Zoning Ordinance. The Planning Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.

In approving the DSP, the Planning Board must find that the mandatory requirements, as amended, will benefit the proposed development and the transit district and will not

substantially impair implementation of the transit district plan, and the Planning Board must find that the site plan meets all of the mandatory requirements that apply.

As approved with conditions, the subject application conforms to all of the recommendations and requirements except for those from which the applicant has requested an amendment. The Planning Board finds that granting of the amendment will not substantially impair implementation of the transit district plan.

b. The applicant requests amendments of the following design standards:

Annapolis Road Neighborhood, Standards (page 138)

1. Buildings shall be between three and eight stories in height.

The Planning Board approves an amendment of this standard. Due to the minor nature of the expansion, requiring conformance with this standard is not practical. The existing building is one story. An increase in the number of stories cannot be provided.

2. Buildings on Annapolis Road (MD 450) shall sit along the established build-to-line measured 12 feet from the edge of the curb.

The Planning Board approves an amendment of this standard. The intent of this standard is to create a continuous street wall by locating the building face along a consistent build-to-line. Complying with this standard would require locating the building within the existing right-of-way, which is not feasible. The proposed building addition will be constructed approximately 14 feet from the property line. The applicant is proposing an expansion toward the street front which is appropriate. The applicant's revised plan also creates more of a street wall through the provision of a low brick wall and evergreen shrubs. The streetscape improvements, including the low wall, will be constructed 4 to 5.5 feet from the property line, which serves to meet the intent of the build-to line within the TDDP.

3. Buildings shall cover between 60 percent and 80 percent of their lot and shall occupy at least 70 percent of their street frontage.

The building occupies ±13 percent of the lot and does not meet the minimum 60 percent requirement. Furthermore, the existing building occupies only 54 percent of the site's street frontage. The Planning Board approves an amendment of this standard. Due to the minor nature of the expansion, requiring conformance with this standard is not practical.

5. Off-street parking lots and structures shall be placed behind their on-site uses.

The Planning Board approves an amendment of this standard. Existing parking areas are located largely to the sides of the existing building. The applicant is not proposing additional parking and there is no room to relocate parking to the rear of the site because of the shallow rear yard.

Building Form and Scale, Building Façade Treatments, Standards (page 174)

2. **Prohibited building façade materials: Tilt-up concrete panels, smooth-faced concrete masonry panels, mirrored glass stucco, wood, EIFS (exterior insulating finishing system), concrete masonry units, imitation or synthetic stone or brick veneers, and prefabricated metal panels shall not be permitted.**

4. **Universal Compliance of (Franchise Outlet Design) building facades with TDDP Architectural Standards: The exterior facades and signage of all mixed-use and nonresidential buildings must comply with the TDDP architectural standards. Trademark franchise outlets shall not be permitted except as ancillary retail uses housed in larger commercial or mixed-use commercial buildings. In addition, their exterior facades and signage must comply with the TDDP architectural standards.**

The subject application was continued from the Planning Board hearing date of July 18, 2013 to the hearing date of October 17, 2013 to allow the applicant additional time to respond to concerns regarding the original architectural submission. The applicant had previously requested amendments of the above development district standards. With the proposed revisions to the architectural elevations, the application now meets the above architectural design standards and no amendments are necessary.

The existing Dunkin' Donuts building is a one-story concrete masonry unit building with a mansard roof. The front of the existing building is faced in exterior insulation and finishing system (EIFS). All of the existing building materials are prohibited materials in the TDDP. The subject application proposes to expand the building toward Annapolis Road (MD 450) to provide additional square footage and improve all elevations by refacing the building in two tones of brick veneer. This is a notable improvement upon the original submission. Instead of painting the brick veneer, as is indicated on the architectural elevations, the applicant shall select natural brick veneers in the desired colors. The architectural elevations shall note that all brick veneers will be genuine brick.

The proposed façade revisions will not create an overtly "franchised" image for the Dunkin' Donuts/Baskin Robbins building. The applicant has significantly modified the building proposal to incorporate traditional building materials and an overall aesthetic that is more in keeping with the TDDP architectural standards. No amendment of Standard 4 above is necessary.

5. **Building frontage as storefronts: Facades on retail frontages shall be detailed as storefronts. No less than 70 percent of ground floor retail frontage shall be glazed with clear glass.**

The building elevations indicate that 44 percent of the front façade will be storefront glass. Storefront windows are proposed from the base of the building to ceiling height, which occurs at approximately ten feet. Providing storefront glass above the ceiling height of the existing building would pose significant design challenges. The Planning Board grants an amendment of this standard. The storefront has been designed to provide the most storefront glass that is practicable.

Signage, Standards (page 176)

9. **Prohibition of Back-Lit Signs: Signs must be externally lit and designed to illuminate the sign face only. Box signs are prohibited.**

The Planning Board approves an amendment to permit the internal lighting of individual letters and logos of the building-mounted signage. This will provide a more attractive sign style on the site and will improve the quality of signage along the corridor.

The applicant also proposes a freestanding sign to replace the existing prohibited box-style pylon sign located along the site's frontage. The sign details provided for the lower ground-mounted sign indicate that no internal lighting is proposed. This is acceptable.

8. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T and T-D-O Zones of the Zoning Ordinance and the following discussion is offered:

a. The subject application is in accordance with the requirements of Section 27-547, Uses Permitted, of the Zoning Ordinance. Eating and drinking establishments are permitted in the M-X-T Zone.

Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone as follows:

(d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The

amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:

(1) Retail businesses;
(2) Office, research, or industrial uses;
(3) Dwellings, hotel, or motel.

A conceptual site plan is not required for sites within the New Carrollton TDDP/TDO. As the subject site is located within a Transit District Overlay Zone, a mix of uses is not required on the subject property. A mix of uses is ultimately provided for this direct area because the abutting property to the southwest is an office building owned by the Volunteers of America, which is also located within the M-X-T Zone.

b. The DSP is consistent with Section 27-548, Regulations, of the Zoning Ordinance. The following discussion is offered:

(1) The proposed floor area ratio (FAR) shall be provided on the site plan. The subject application does not use the optional method of development.

(2) Developments in the M-X-T Zone are required to have vehicular access to a public street in accordance with Section 27-548(g) noted below.

Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

The subject site has frontage and direct access to Annapolis Road (MD 450), a public street.

c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d)(1) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:

(1) The proposed development is in conformance with the purposes and other provisions of this Division:

The purposes of the M-X-T Zone as stated in Section 27-542(a) of the Zoning Ordinance include the following:

(1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

The subject establishment, Dunkin' Donuts, is located near a major interchange along a busy commercial corridor. The applicant proposes to expand an existing business through interior and exterior improvements, including improvements of the property's appearance from Annapolis Road and the on-site vehicular circulation. The Planning Board finds that the subject DSP will help ensure an orderly redevelopment of the property, so that the property enhances the Annapolis Road Corridor.

(2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;

The Planning Board finds that this application is consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developed Tier. This application is not strictly in conformance with the mixed-use recommendations of the New Carrollton TDDP/TDO because of the relatively low density nature of the subject proposal. The application proposes only a modest addition to the existing single commercial use with a drive-through. The Planning Board finds that the proposal moves in a positive direction in implementing the recommendations of the master plan due to some of the improvements to the site's frontage and the increase in density on the subject site.

(3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;

By improving the existing building and site, the Planning Board finds that the proposal furthers the goal of conserving the value of land and buildings.

(4) To promote the effective and optimum use of transit and other major transportation systems;

This existing business is located in the midst of a business corridor that has a mix of surrounding uses. The Planning Board finds that given its close proximity to other businesses in the area, it is able to capitalize on the effectiveness of transit usage.

(5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;

The applicant indicates that the Dunkin' Donuts will open well before workday hours and will remain open long after work hours. The Planning Board finds that this assists in the facilitation of a more 24-hour environment for those who live, work in, or visit the area.

(6) To encourage diverse land uses which blend together harmoniously;

The Planning Board finds that diverse land uses are encouraged. This Dunkin' Donuts is surrounded by a mixture of uses, including retail, office, hotels, and other eating and drinking establishments. Not only does this coffee shop serve those who live in and visit the area, but also those who work in the surrounding offices, retail stores, and other establishments.

(7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;

The Planning Board finds that the Dunkin' Donuts will have an appropriate functional relationship with adjacent uses. The proposal will create an attractive visual character for the site that will blend in harmoniously with existing and future uses.

(8) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;

The subject proposal is largely a single-purpose project; however, the location of the site within close proximity to other commercial and office uses provides energy savings for patrons.

(9) To permit a flexible response to the market; and

By permitting the applicant to expand the existing building, the applicant is able to respond to the market.

(10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

The Planning Board finds that the above purpose is not directly applicable to the subject application.

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in

conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

The DSP is subject to this requirement because the property was placed in the M-X-T Zone through a sectional map amendment zoning change. As discussed in the body of this resolution, the proposal is an expansion to an existing use and is, therefore, permitted by the TTDP. The proposal is largely in conformance with the design standards intended to implement the TDDP. As approved with conditions, the Planning Board finds that the proposal will conform to this requirement.

(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;

The Planning Board finds that the proposal has an outward orientation and most of the improvements will be visible from Annapolis Road (MD 450). The proposed site improvements are a reinvestment in the property, and should encourage similar reinvestment and improvements on adjacent properties.

(4) The proposed development is compatible with existing and proposed development in the vicinity;

The Planning Board finds that the proposed expansion is compatible with existing development in the vicinity, which was largely constructed prior to the changes in zoning through the TDDP. The Planning Board finds that the subject proposal will also, if modified in accordance with conditions approved below, be compatible with proposed development that will be constructed pursuant to the requirements of M-X-T regulations.

(5) The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;

Pursuant to Section 27-547(d), this finding is not directly applicable, as a mix of uses is not required on the subject site that is located within a T-D-O Zone. The proposed improvements do reflect a development capable of sustaining an environment of continuing quality.

(6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;

No phasing or staging is proposed.

(7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;

The Planning Board finds that the pedestrian system is convenient and comprehensively designed. A standard sidewalk exists along the site's frontage on Annapolis Road (MD 450) and a bike rack is proposed near the front of the building. The applicant also proposes to improve the site frontage with a low, three-foot-tall, brick wall, which will improve the pedestrian experience along the site frontage and screen cars parked within the parking lot.

(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and

The DSP shall be revised to include gathering places for people, outside of the existing sidewalk. The area between the front of the building and the proposed brick wall could become an attractive space for outdoor seating for the business, and would be in keeping with the principles of transit-oriented development. Prior to signature approval of the plans, outdoor seating shall be provided. The five-foot-wide sidewalk along the front of the building could be extended closer to the brick wall to provide a wider area for outdoor gathering. The applicant indicates that this or alternate locations for an outdoor seating area can be explored. Details for proposed outdoor furniture shall be provided. The final location and design of the proposed outdoor seating area shall be approved by the Urban Design Section as designee of the Planning Board.

(9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The subject application is a DSP. This requirement is not applicable.

(10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a

reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be approved by the applicant.

The site has never been subjected to a review of transportation adequacy. The "Transportation Review Guidelines, Part 1" prescribe that DSP reviews for such sites, in making the required finding in Section 27-546, consider recent traffic counts in the area or otherwise determine that the proposal is de minimus. Further information should be required of an applicant if it is determined that the site would generate more than 50 peak hour trips. In consideration of trip rates and pass-by rates provided in *Trip Generation* (Institute of Transportation Engineers), along with the small amount of additional square footage in the proposal, the Planning Board finds that the proposal is de minimus and, therefore, complies with this section.

(11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 548.

The subject site contains 0.294 acre and is not a mixed-use planned community. Therefore, this DSP is not subject to this requirement.

d. **Transit District Overlay Zone Submission Requirements**—The subject site is located in a T-D-O Zone. In addition to the information required by Part 3, Division 9 of the Zoning Ordinance for DSPs, additional information is required on plans in the T-D-O Zone per Section 27-548.08(b)(1), Contents. The subject site plan is substantially in conformance with this section; however, as required by the Zoning Ordinance, the applicant shall also provide the following information:

Section 27-548.08(b)(1)

(b) Contents.

(1) In addition to the information required by Part 3, Division 9, for Detailed Site Plans, the following additional information shall be included for Plans in the T-D-O Zone:

(C) The density and floor area ratios proposed, and how they were calculated;

(F) An exterior lighting plan, showing exterior lighting of all buildings, parking areas, driveways, and pedestrian ways,

including the heights, number, and type of fixtures. The plan shall also show the amount of glare upon adjoining properties in terms of level of illumination (measured in foot-candles) and cut-off angle;

A note indicating the property's floor area ratio shall be provided on the plan.

Exterior lighting information is shown on the submitted landscape and lighting plan. Due to the nature of the application, which proposes limited modifications to an existing developed site, a photometric plan was not requested. The proposed cut-off light fixtures shall be positioned as to not direct glare onto adjacent properties. A note to this effect shall be placed on the DSP.

e. Section 27-548.08(c) lists the required findings for approving a DSP in the T-D-O Zone as follows:

Section 27-548.08(c)(1)

(c) Required Findings.

(1) The findings required by Section 27-285(b) shall not apply to the T-D-O Zone. Instead, the following findings shall be made by the Planning Board when approving a Detailed Site Plan in the T-D-O Zone:

(A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;

The Planning Board finds that the DSP is in conformance with all of the applicable mandatory development requirements of the TDDP.

(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;

The subject site plan is consistent with, and reflects most of the development guidelines and criteria contained in the TDDP. For those requirements that cannot be met, the applicant has requested an amendment from the Planning Board in accordance with Section 27-548.08(c)(2) of the Zoning Ordinance. See Finding 8 above for a detailed discussion on the amendment of standards and requirements.

(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones;

As approved with conditions, the DSP will meet this requirement.

(D) The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;

The DSP, as amended with conditions, will be in compliance with this requirement.

(E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development.

The Planning Board finds that the proposed use and design, including the improved architectural elevations and pedestrian amenities, are compatible with the vision for the Transit District.

9. **2010 Prince George's County Landscape Manual:** The DSP for a building addition is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.4, Screening; and Section 4.9, Sustainable Landscaping Requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

a. **Section 4.2, Requirements for Landscaped Strips along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscaped strip shall be provided on the property abutting all public and private streets. A Section 4.2 landscaped strip is required along Annapolis Road (MD 450) due to an increase in the building's square footage by more than ten percent.

The landscape plan indicates the use of landscaped strip Option 4, which consists of a minimum four-foot-wide planting strip with shade trees and a three-foot-tall masonry wall. The landscape plan proposes three Thornless Honey Locust trees and a three-foot-tall brick wall along Annapolis Road, which meets this requirement. Site plan details indicate that a wall with a brick face will be provided. Plan notes indicating that the wall is concrete masonry shall be removed.

b. **Section 4.4, Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in

any residential zone, and constructed public streets. The submitted information indicates that a vinyl dumpster enclosure for one dumpster is proposed in the location of the existing concrete dumpster pad, and a detail of the enclosure has been provided. This detail of the dumpster enclosure shall be revised. The final design of the dumpster shall be coordinated with the brick building and incorporate brick, or brick veneer. No loading space is required for the building.

c. **Section 4.9, Sustainable Landscaping Requirements**—The site is subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. The required charts have been provided on the plans and indicate conformance with this section.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The Planning Board finds that the project is not subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site contains less than 10,000 square feet of woodland and has no previous tree conservation plans. A standard letter of exemption has been issued and is valid until February 19, 2018.

11. **Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that propose 1,500 square feet or greater of gross floor area or disturbance. The submitted DSP indicates an area of disturbance of 1,032 square feet and is, therefore, not subject to the requirements of the Tree Canopy Coverage Ordinance.

12. **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. **Community Planning**—The Planning Board adopts the following:

(1) This application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier.

(2) This application is not strictly in conformance with the mixed-use recommendations of the 2010 New Carrollton TDDP/TDO. The sector plan's vision is for infill mixed-use development to create a moderate density along Annapolis Road (MD 450). The subject application proposes a modest addition to the existing single commercial use with a drive-through. The plan is in conformance to the applicable development district standards, as amended by the DSP, and the requirements of the M-X-T and T-D-O Zones.

b. **Transportation Planning**—The Planning Board adopts the following:

The site is subject to the general requirements of site plan review, which includes attention to parking, loading, on-site circulation, etc.

(1) Annapolis Road (MD 450) is listed in the TDDP as an arterial roadway. No further dedication of right-of-way is required.

(2) Drive-through service is generally not suitable within transit-oriented development. In this case, the drive-through service is legal, as it is existing. The applicant proposes modifications to the parking lot configuration and drive-aisles to reduce queuing conflicts associated with the drive-through and surface parking lots. The Planning Board finds that these revisions are acceptable, and believes it is reasonable to permit an existing drive-through use in this instance.

c. **Trails**—The Planning Board finds that the existing sidewalks are adequate.

d. **Subdivision Review**—The Planning Board adopts the following:

(1) The property is known as Lots 2 and 3, Block A, located on Tax Map 51 in Grid F-1, zoned M-X-T, and is 12,730 square feet. Lots 2 and 3 were recorded in Plat Book BB 6-27 and approved on January 21, 1938. The property is improved with a 1,515-square-foot restaurant, Dunkin' Donuts. The applicant has submitted a DSP to construct a 304-square-foot addition for a Baskin Robbins, which will result in a total gross floor area of development of 1,819 square feet for the subject site.

(2) Section 24-111 of the Subdivision Regulations provides for exemptions from the requirement of filing a preliminary plan of subdivision for parcels with a record plat. Specifically, in this instance, Parcel A is subject to Section 24-111(c)(4) which provides:

> **(c) A final plat of subdivision approved prior to October 27, 1970, shall be resubdivided prior to the issuance of a building permit unless:**
>
> **(4) The development of more than five thousand (5,000) square feet of gross floor area, which constitutes at least ten percent (10%) of the total area of the site, has been constructed pursuant to a building permit issued on or before December 31, 1991.**

Lots 2 and 3 are the subject of a record plat approved in 1938. The total site area is 12,730 square feet (Lots 2 and 3) and the existing gross floor area on the property is 1,484 square feet or 11.65 percent of the total land area of the subject site. Based on available aerial photographs (PGAtlas), the existing development was built before 1977. The site is exempt from the requirement of filing a

preliminary plan of subdivision pursuant to Section 24-111(c)(4) of the Subdivision Regulations for Lots 2 and 3 based on the existing conditions of the site.

e. **Environmental Planning**—The Planning Board adopts the following:

(1) The project is not subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site is less than 40,000 square feet in size and has no previous tree conservation plans. A standard letter of exemption has been issued and is valid until October 19, 2014.

(2) A natural resources inventory (NRI) equivalency letter was issued for the site. The NRI equivalency letter is valid until February 19, 2018. No regulated environmental features exist on the site.

f. **Historic Preservation**—The Planning Board finds that the subject application will have no effect on identified historic sites, resources, or districts.

g. **Permit Review**—The New Carrollton Transit District Development Plan use list strictly prohibits the drive-through or a fast-food restaurant **as a new use** that is not located within a shopping mall or an integrated shopping center, an office building, or a hotel. The subject fast-food restaurant with drive-through is not a new use. It is an existing use, is permitted as an existing use, and is not nonconforming. An amendment to the use list in the TDDP is not required. A DSP is required to evaluate the site plan and building expansion for conformance with TDDP standards.

h. **Prince George's County Health Department**—In a memorandum dated April 6, 2013 (Wise to Fields), the Health Department stated that the Environmental Engineering Program of the Prince George's County Health Department had completed a health impact assessment review of the subject DSP and had the following recommendations:

(1) There are 12 existing carry-out/convenience store food facilities and one market/grocery store within a 0.5 mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores, compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes.

(2) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

(3) During the demolition/construction phases of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

Plan notes shall be provided that indicate the applicant intends to conform to the above recommendations provided by the Health Department.

i. **Prince George's County Police Department**—In a memorandum dated May 10, 2013, (Schnitzenbaumer to Fields), the Prince George's County Police Department completed a review that included analysis of crime prevention through environmental design (CPTED) principles. The Police Department stated the following:

"After visiting the site and reviewing the plans there are a few CPTED related issues for recommendation at this time. I believe that the size of the lot and the amount of traffic flowing through the parking lot during peak hours causes several traffic related concerns. I have watched the traffic on site and have seen vehicles backed up onto Annapolis Road waiting for the drive through and for other vehicles to exit though the ingress/egress on the west side of the building. I recommend that the west side ingress be a designated entrance only forcing the traffic to drive around the Dunkin' Donuts and exit through the designated egress on the east side of the building.

"In order to accommodate two lanes of traffic to the rear of the Dunkin' Donuts, I recommend removing the parking spot on the southwest corner of the building and narrowing the drive though lane in the rear. After studying the traffic flow to the rear of the Dunkin' Donuts, it appears that two large SUV's could easily pass each other without effecting traffic flow.

"To replace the previously listed parking space on the southwest corner I recommend turning the dumpster, having it face west, to allow for an additional parking space next to it.

"To assist with traffic control I would use different signage at the ingress, egress and drive through lane. At the ingress I would use a sign stating 'Entrance Only' and use two arrows painted on the ground. I would also paint the words 'Drive Through' on the lane designated for the drive through. At the two egresses' I would place an 'Exit Only' sign along with arrows painted on the ground. Also, to prevent vehicles from parking along the rear fence I would place 'No Parking' signs on the fence.

"I found one discrepancy between the site plans and the physical site. The site plan has six parking spots along the west fence of the property where in actuality there are only five parking spots. The spot closest to the rear of the fence is actually blocked by the concrete base of the light post.

"After visiting the site at night there are a few CPTED related issues for recommendation. I believe the lighting to the rear of the location is inadequate and creates a safety issue during the night time hours. Currently there is only one, inadequate light, on the southwest corner of the building to light up the drive through area. I recommend that lights, which project out and at a downward angle be placed at the top of the southwest corner, the center of the building to the rear and on the southeast corner of the building to provide sufficient lighting for the drive through and the traffic driving behind the building. I also recommend that a light attached to a pole (same as the three already in place) be placed in the far southeast corner of the property to light the area around the dumpster and the rear parking lot."

The site plan has been revised to address each of the Police Department's recommendations. The parking lot will be reconfigured to create one-directional traffic flow. Two additional lamp posts are also proposed at the rear of the property.

j. **The Department of Public Works and Transportation (DPW&T)**—In a referral dated April 25, 2013, DPW&T provided an evaluation of the subject proposal, summarized as follows:

(1) The property is located on the south side of Annapolis Road (MD 450), approximately 250 feet east of its intersection with West Lanham Drive. Annapolis Road is a state-maintained roadway; therefore, coordination with the Maryland State Highway Administration (SHA) is required.

(2) The site development has a Stormwater Management Concept Plan, 39869-2012. The concept letter indicates that, since less than 5,000 square feet of development is proposed, the site is exempt from stormwater management requirements.

k. **State Highway Administration (SHA)**—In a memorandum dated June 10, 2013, SHA provided comment on the subject proposal, summarized as follows:

(1) An access permit will be required for the proposed entrance reconfiguration at the west driveway location.

(2) The following improvements along the property frontage will generally be required by SHA:

- The modified west entrance must have a width of at least 17 feet, delineated with appropriate pavement markings.

- The sidewalk along the Annapolis Road (MD 450) frontage should be five feet wide.

- Appropriate cross slopes for the sidewalk and ADA (Americans with Disability Act) access should be provided.

Improvements ultimately provided are subject to modification by SHA. The site plan delineates the western access point as 17 feet wide, which is consistent with SHA's request. The width of the existing sidewalk shall be labeled on the plan. It appears that the existing sidewalk is at least five feet in width.

1. **Fire Department**—In comments dated April 24, 2013, the Project Coordinator with the Fire Prevention Division indicated no issues with the proposal.

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-12019, subject to the following conditions:

A. APPROVAL of the alternative development district standards for:

1. **Annapolis Road Neighborhood Standard 1:** To permit a one-story building.

2. **Annapolis Road Neighborhood Standard 2:** To permit a build-to line approximately 14 feet from the property line.

3. **Annapolis Road Neighborhood Standard 3:** To permit a building coverage of approximately 13 percent of the lot and 54 percent of the street frontage.

4. **Annapolis Road Neighborhood Standard 5:** To permit existing surface parking lots along the side of the building.

5. **Building Form and Scale, Building Façade Treatments Standard 3:** To permit less than 70 percent store front glass.

6. **Building Form and Scale, Signage, Standard 9:** To permit building-mounted signage with interior lighting to the extent this amendment is necessary.

B. APPROVAL of Detailed Site Plan DSP-12019, Dunkin' Donuts, Lanham, with the following conditions:

1. Prior to certificate of approval of the detailed site plan (DSP), the following revisions shall be made, or information shall be provided:

   a. The revisions to the westernmost access shall be defined by additional curbing and excess asphalt shall be removed and replaced with green area, subject to modification by the State Highway Administration (SHA).

b. Restriped parking spaces shall demonstrate adequate back-up distance on the subject property without movement into the right-of-way.

c. The setback of the proposed building addition to the right-of-way shall be reflected on the plan.

d. The architectural elevations shall be revised to indicate the use of natural brick veneers in the desired colors instead of painted brick.

e. The architectural elevations shall be revised to indicate decorative brick detailing along the top of all sides of the building for visual interest. This shall be accomplished by changing the pattern of the brick, or modifying the projection of one or two rows of brick, and not by introducing new high-contrast brick colors. The final treatment shall be approved by the Urban Design Section as designee of the Planning Board.

f. A note shall be placed on the DSP indicating that all proposed brick veneers shall be genuine brick.

g. The canopy graphics area shall be reduced and the total building-mounted sign area shall not exceed 94 feet.

h. The existing freestanding pylon sign and existing Dunkin' Donuts drive-through sign along the site's frontage shall be indicated to be removed.

i. Indicate the project's floor area ratio in a plan note.

j. The DSP shall be modified to include an outdoor seating area. This area shall be provided along the front of the building or at another location deemed appropriate by the Urban Design Section as designee of the Planning Board. Details of coordinated outdoor furniture, such as a bench, seat wall, or table, and a trash receptacle shall be provided for this space.

k. Plan notes referencing a concrete masonry wall shall be removed.

l. Proposed full cut-off light fixtures shall be positioned as to not direct glare onto adjacent properties. A note to this effect shall be placed on the DSP.

m. A detail of an attractive masonry dumpster enclosure shall be provided. The design of the dumpster enclosure shall be coordinated with the building and include brick, or brick veneer. The final design shall be approved by the Urban Design Section as designee of the Planning Board.

2. The following notes shall be placed on the plan:

   a. During the demolition/construction phases of the project, the project shall conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control;

   b. During the demolition/construction phases of the project, the project shall conform to construction activity noise control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

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 Bailey, seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo and Hewlett voting in favor of the motion, and with Commissioners Shoaff and Washington absent at its regular meeting held on Thursday, October 17, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of November 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj

APPROVED AS TO LEGAL SUFFICIENCY
M-NCPPC Legal Department
Date 10/28/13