



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 13-21

File No. DSP-12031

## 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 March 7, 2013, regarding Detailed Site Plan DSP-12031 for Enterprise Holdings, the Planning Board finds:

1. **Request:** The subject application requests approval of a car rental operation in an existing building.
2. **Development Data Summary:**

|                                    | EXISTING    | APPROVED             |
|------------------------------------|-------------|----------------------|
| <b>Zone</b>                        | C-S-C/D-D-O | C-S-C/D-D-O          |
| <b>Use(s)</b>                      | Vacant      | Rental Car Operation |
| <b>Acreage</b>                     | 0.408       | 0.408                |
| <b>Building Square Footage/GFA</b> | 1,910       | 1,910                |

### **Parking**

|         | REQUIRED | APPROVED |
|---------|----------|----------|
| Parking | 9        | 9        |
| Loading | 0        | 0        |

3. **Location:** The subject site is located on the southern side of Annapolis Road (MD 450), approximately 200 feet west of its intersection with Cooper Lane.
4. **Surrounding Uses:** The site is bounded to the north by the right-of-way of Annapolis Road (MD 450); to the east by a gas station in the C-S-C Zone; to the south by open space in the Townhouse (R-T) Zone and part of the land owned by the Coopers Landing Community Association for the Landover Mews development, and by a health clinic in the Commercial Shopping Center (C-S-C) Zone; and to the west exclusively by the health clinic in the C-S-C Zone.
5. **Previous Approvals:** Special Exception SE-3812 was approved for a gas station on the property on February 1, 1989.
6. **Design Features:** The subject site is accessed at two points along its Annapolis Road (MD 450) frontage by asphalt, two-way driveways, which lead into a parking lot. Display area for the rental vehicles is indicated both in a 360-square-foot area between the two driveways along the

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Annapolis Road (MD-450) frontage and in a second 600-square-foot display area adjacent to the westernmost corner of the building which provides office space for the car rental operation. There is also an existing ten-foot by twenty-foot (200-square-foot) carport structure on the northeastern side of the subject building which will be utilized to wash rental cars. There are three parking spaces proximate to each side property line and three additional parking spaces at the front of the building. A concrete sidewalk surrounds the 15-foot-tall, one-story building composed of a combination of metal, block, glass, and stucco. A six-foot-tall fence is specified on the plans as a durable, non-white, non-wood, low-sheen material and as board-on-board. As this fence is only intended to be placed along the northeastern property line shared with the gas station, a condition of this approval requires that the plans be revised prior to signature approval to correct the note under the fence elevation detail to specify that the new board-on-board, durable, non-white, non-wood, low-sheen fence will be utilized solely along the northeastern property line (not the periphery) of the subject site. Also, the currently unidentified off-site existing chain-link fence shall by condition of this approval be so indicated along the subject site's southeastern and southwestern property lines. General Note 17 on the plans specifies that:

"The display for rental purposes of motor vehicles (except dump trucks), trailers, boats, camping trailers, or other vehicles is permitted, subject to the following:

- "(A) Rental vehicles shall be parked on a hard surface area, which is resistant to erosion and adequately treated to prevent dust emission, and
- "(B) The gross weight of trucks shall not exceed twenty thousand (20,000) pounds each."

The front of the existing building has balanced fenestration providing natural light for the proposed interior office space. Storefront glass occupies the area of two oversized former doorways that most probably allowed access for vehicles when the site was previously utilized as a gas station. The building material appears to be basic masonry and the sides and rear of the building are unremarkable, with minimal fenestration only on the sides.

The Planning Board requires elimination of the proposed display area proximate to the Annapolis Road (MD 450) frontage as it would contribute to visual clutter along the right-of-way in an area normally beautified by required plantings in a Section 4.2 landscape strip required for most projects located along road frontages. The Planning Board is further concerned with General Note 17 referenced above which would allow not only automobiles, but trailers, boats, campers, and any other vehicles to be displayed or stored in that area. Because the site is quite small and the display area is very limited, it is not realistic to rent vehicles other than automobiles and small trucks from this property. A condition of this approval requires that both the display/storage area referenced above and General Note 17 be removed from the plan set prior to signature approval. Lastly, the Planning Board requires that the fence included in the project be specified to be composed of a durable, non-white, board-on-board style, non-wood, low-sheen material.

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A single wall sign is included for the project and appears to have been prematurely installed on the left side of the front façade of the building. It appears to be a standard, internally-lit box sign advertising the "Enterprise" rental car operation proposed in this application to be operated from the premises.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance.
  - a. The subject application is in conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in commercial zones. The proposed car rental operation is permitted in the C-S-C Zone.
  - b. The DSP shows a site layout that is consistent with Section 27-462, regulations regarding building setbacks, of the Zoning Ordinance.
  - 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 2010 Approved Central Annapolis Road Sector Plan and Sectional Map Amendment (SMA):** The 2010 *Approved Central Annapolis Road Sector Plan and Sectional Map Amendment (SMA)*, in its discussion of the applicability and administration of the development standards on page 137 states that:

**Development in the Central Annapolis Corridor DDOZ is subject to development district standards...All new development and redevelopment of existing structures within the DDOZ shall comply with the intent and the development district standards and the Central Annapolis Road sector plan. Development must show compliance during the detailed site plan process.**

However, the approved Central Annapolis Road sector plan defines development on page 138 as:

**Under the Zoning Ordinance, and for the purposes of the Development District Overlay Zone, development is any activity that materially affects the condition or use of land or a structure. Redevelopment, rehabilitation, and renovation of existing structures are all forms of development. A change from a lower-intensity impact use to a higher-intensity impact use, as indicated in the Prince George's County Landscape Manual, is also a form of development.**

In the subject case the change in use is from a gas station or carpet store to a car rental establishment. The gas station use is a high intensity use and the other two uses are classified as

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“medium” intensity uses; therefore, the change in use is not considered development by the Central Annapolis Road SMA sector plan and the site is therefore exempt from a requirement that it conform to its development district standards.

9. **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 reached the following conclusions:

As the subject project does not involve an increase in floor area or parking and loading facilities, it is exempt from all sections of the Landscape Manual except Section 4.4 regarding needed screening of dumpsters, loading spaces, and mechanical equipment. As the subject project, however, does not include any of the items referenced, Section 4.4 is inapplicable to the subject project.

10. **The Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** As the applicant has a WCO standard exemption letter which is valid until August 30, 2014, the subject project is exempt from the requirements of the WCO.
11. **The Prince George’s County Tree Canopy Coverage Ordinance:** The subject project is exempt from the requirements of the Tree Canopy Coverage Ordinance as it does not propose greater than 1,500 square feet of site disturbance.
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. **Historic Preservation**—The subject project would have no effect on identified historic sites, resources, or districts.
  - b. **Archeological Review**—A Phase I archeological survey is not recommended for the subject site as a search of current and historic photographs, topographic and historic maps, the fact that the property was already developed with a gas station, and knowledge of the locations of currently known archeological sites indicates that the probability of finding archeological sites within the subject property was low. The subject project will not affect any historic sites or resources, documented properties, or known archeological sites.
  - c. **Community Planning**—The subject DSP is consistent with the 2002 *Prince George’s County Approved General Plan* Development Pattern policies for the Developing Tier. Approval of the subject application will not violate the General Plan Growth Policy Update. As a planning issue, noting that the proposed commercial use is compatible with the land use recommendations of the 2010 *Approved Central Annapolis Road Sector Plan and Sectional Map Amendment* (SMA), the Planning Board stated that the approved Central Annapolis Road sector plan SMA places the subject property within its Retail Town Center character area. Further, they stated that façade improvements are encouraged

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for commercial uses along the southern side of Annapolis Road (MD 450), where this project is situated. Specifically, the Planning Board cites from page 181 of the above plan which states that building and canopy signs should be lit externally from the front, except for individually-mounted letters or numbers and that panelized back-lit and box signs are discouraged. Further, they noted that a site visit revealed that a building-mounted sign had already been installed for the proposed use and that it does not conform to the standard that signs should be externally lit. As the project is, however, exempt from the development district standards, the Planning Board does not herein impose a condition on the subject approval that requires that the subject sign be replaced by one that conforms to the recommendation of the plan.

- d. **Transportation Planning**—The existing building measures 1,710 square feet and will be served by two existing commercial driveways, shown on the site plan as two-way driveways. Ingress and egress as shown on the plans for the project are acceptable. No issues with on-site circulation are identified. The parking spaces and display areas on-site are proposed to be restriped.

The Central Annapolis Road Sector Plan and SMA, page 138, contains an exemption from development district standards if the existing or proposed use is for an alternation or rehabilitation, with no increase of the existing gross floor area. The submitted site plan and proposed use meets this exemption.

The site has frontage on Annapolis Road (MD 450), which is a master plan arterial roadway. This portion of Annapolis Road is a divided six-lane facility. The right-of-way is shown as variable width on the site plan. The existing right-of-way is consistent with the short to medium-term vision for MD 450 in the sector plan. The long-term ultimate roadway section is dependent upon an overall redevelopment of the site.

As noted above, no traffic-related (or adequacy-related) findings are associated with detailed site plan approval.

- e. **Subdivision Review**—The property is known as Parcel 99 and is located on Tax Map 51 in Grid B-3. The site is 17,772 square feet and is located in the C-S-C Zone. Parcel 99 is a legal acreage parcel never having been the subject of a preliminary plan of subdivision. The property boundary on the site plan is as reflected on the current tax map. The site is currently improved with a 1,710-square-foot building and a 200-square-foot shed. The subject approval is to convert the existing building into a car rental operation. The approval involves no change or increase of existing floor area to the building.

Pursuant to Section 24-107(c)(7)(B) of the Subdivision Regulations, the site is exempt from the requirement of filing a preliminary plan of subdivision because the total gross floor area of proposed development does not exceed 5,000 square feet. The site plan shall by condition of this approval note the date of the original building construction on-site and then the cumulative total gross floor area of development after 1991. If the total gross floor

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area of development on-site is more than 5,000 square feet after 1991, a preliminary plan of subdivision would be required at that time.

A condition of this approval requires the applicant include the building's construction date on the site plan and the total gross floor area of development on-site after 1991.

- f. **Trails**—The subject Detailed Site Plan, DSP-12031, for Enterprise Holdings was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and/or the appropriate area master plan in order to provide the master plan trails.

The Maryland State Highway Administration (SHA) right-of-way and sidewalks are involved in the project.

The Planning Board has reviewed the detailed site plan application referenced above for conformance with the MPOT and the 2010 *Approved Central Annapolis Road Sector Plan and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements.

The existing structure will be used for an Enterprise Rental Car office. The site includes an existing standard sidewalk along Annapolis Road (MD 450). The area master plan proposes a "multiway boulevard" along MD 450 in the vicinity of the subject site. This long-term recommendation will involve reconstructing the roadway to accommodate all modes of transportation, including bicycles and pedestrians. The subject site is located on the segment of MD 450 between Cooper Lane and 65th Avenue, which is planned as a multiway boulevard. This cross section will ultimately include a road section width of 210 feet, seven lanes, wide sidewalks, and a cycle track (or buffered bike lane) (area master plan, page 48). The multiway boulevard is a long-term recommendation that can only be achieved as redevelopment occurs. The area master plan includes short-, mid-, and long-term recommendations for MD 450 in the vicinity of the subject site directed primarily at improving bicycle facilities along the corridor over time.

The subject approval does not preclude implementation of the long-term vision for the corridor as recommended in the area master plan. The existing sidewalk along MD 450 in the vicinity of the subject site will accommodate pedestrians until further planned improvements can be implemented.

- g. **Permit Review**—Permit Review comments have been addressed by revisions to the plans or by conditions of this approval. Previously approved Permit 16154-2012-U included a ten-foot by twenty-foot shed on a concrete pad, which has been substantiated by an aerial photograph. Therefore, a condition of this approval requires that the current indication of a ten-foot by twenty-foot free-standing awning on a concrete pad be replaced with the correct nomenclature.

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- h. **Environmental Planning**—The site has a Woodland Conservation Ordinance standard exemption letter which is valid until August 30, 2014. There are no environmental issues connected with wetlands or streams, 100-year floodplain, the 2005 *Approved Countywide Green Infrastructure Plan*, noise, scenic or historic roadways, or Marlboro clay soils in connection with the subject project.
- i. **Prince George's County Fire/EMS Department**—The Fire/EMS Department offered comment on needed accessibility, private road design, and the location and performance of fire hydrants.
- j. **Department of Public Works and Transportation (DPW&T)**—DPW&T stated that the property is located on the southern side of Annapolis Road (MD 450), approximately 340 feet west of its intersection with Cooper Lane. Further, they stated that because MD 450 is a state-maintained roadway, coordination with the Maryland State Highway Administration (SHA) is necessary. Stating that the subject project does not directly impact any county-maintained roadways, DPW&T suggested that the on-site drive aisles should be consistent with the revised SHA entrance configurations. Additionally, DPW&T stated that the site has an approved Stormwater Management Concept Plan, 32429-2012, dated November 5, 2012 and that a pollution prevention plan would be required for the site because it includes a minor car wash.
- k. **Prince George's County Health Department**—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 detailed site plan submission for Enterprisc Holdings and had the following comments/recommendations:
  - (1) Review of the August 2009 Phase I Environmental Site Assessment report and September 2009 addendum regarding the property has confirmed the Maryland Department of the Environment issuance of a Notice of Compliance and closure of the prior oil control program case for this property. Additionally, copies of the missing monitoring well abandonment reports were included in Appendix 10 of the initial Phase I document. As such, all health impact assessment concerns specified in the comment memorandum for DSP-12301, dated December 21, 2012 have been addressed.
  - (2) Consideration should be given to the most effective means of documenting the existence of a "historic recognized environmental condition" on the property through the following advisory statement, as recommended by Apex Companies, LLC:

"In the event of any future development or excavation activities on the subject property, petroleum contamination will likely be encountered in soil and groundwater, and should be removed, disposed of, and managed in accordance with all regulations."

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A condition of this approval requires that the above information be included as a general note on the site plan.

- I. **Maryland State Highway Administration (SHA)**—In a letter dated December 11, 2012, SHA stated that they had no objection to the approval of Enterprise Holdings, Detailed Site Plan DSP-12031. They asked, however, that the applicant utilize the SHA tracking number of “12APPG043XX” on any further communication with SHA.

The applicant has been made aware of SHA’s request in this regard.

13. 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.
14. Since the site contains no regulated environmental features, the finding required by Section 27-285(b)(4) need not be made in this case.

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-12031, 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. Place the following as a general note on the detailed site plan:

“In the event of any future development or excavation activities on the subject property, petroleum contamination will likely be encountered in soil and groundwater, and should be removed, disposed of, and managed in accordance with all regulations.”
  - b. Notation on the site plan for “an existing 10-foot by 20-foot freestanding awning on a concrete pad” should be replaced with “an existing 10-foot by 20-foot carport structure to be utilized to wash rental cars.”
  - c. Fence detail shall be revised to indicate a non-white, board-on-board style, non-wood, durable, low sheen product and shall comport with any photographs of the same offered in the project plans unless equivalent fence style and design are proposed and agreed to by the Planning Board or its designee.



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- d. A note shall be added to the plans specifying the date the building on-site was constructed and the amount of gross floor area constructed since 1991.
  - e. Plans for the project shall be revised to eliminate the 360-square-foot rental vehicle and display area proximate to the Annapolis Road (MD 450) right-of-way, between the two accesses to the subject site.
  - f. Note 17 shall be eliminated from the detailed site plan (DSP).
2. Prior to issuance of a building permit for the project, a pollution prevention plan shall be approved, if deemed necessary by the Department of Public Works and Transportation.

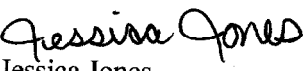
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Geraldo, Shoaff and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 7, 2013, in Upper Marlboro, Maryland.

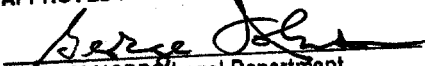
Adopted by the Prince George's County Planning Board this 21<sup>st</sup> day of March 2013.

Patricia Colihan Barney  
Executive Director

By   
Jessica Jones  
Planning Board Administrator

PCB:JJ:RG:arj

APPROVED AS TO LEGAL SUFFICIENCY.

  
M-NCPPC Legal Department

Date 3/12/13