

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 September 4, 2014, regarding Detailed Site Plan DSP-13038 for Red Dirt Studio, the Planning Board finds:

- Request:** The subject proposal is for the conversion of a 9,671-square-foot existing building into a craftsman design and production shop use within the R-55 Zone and the D-D-O Zone of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (Sector Plan).

Detailed Site Plan (DSP) review and approval by the Prince George's County Planning Board is required for the subject site because the proposed use is a Special Permit Use in the Traditional Residential Neighborhood Character Area in the sector plan.

2. Development Data Summary:

|                         | EXISTING               | APPROVED                             |
|-------------------------|------------------------|--------------------------------------|
| Zone                    | R-55/D-D-O             | R-55/D-D-O                           |
| Use(s)                  | Volunteer Fire Station | Craftsman design and production shop |
| Acreage                 | 0.2984                 | 0.2984                               |
| Lots                    | 2                      | 2                                    |
| Total Square Feet (GFA) | 9,671                  | 9,671                                |

OTHER DEVELOPMENT DATA

Parking Spaces Required

|                                       |                 |
|---------------------------------------|-----------------|
| Artist Studio                         | 4 spaces        |
| 9,671 sq. ft. @ 1 space/2,500 sq. ft. |                 |
| <b>Total</b>                          | <b>4 spaces</b> |

Parking Spaces Approved

|                             |                 |
|-----------------------------|-----------------|
| Standard Spaces             | 3 spaces        |
| ADA Spaces (Van-Accessible) | 1 space         |
| <b>Total</b>                | <b>4 spaces</b> |

|                                |                 |
|--------------------------------|-----------------|
| <b>Loading Spaces Required</b> | <b>0 spaces</b> |
| <b>Loading Spaces Approved</b> | <b>0 spaces</b> |

3. **Location:** The address for the subject site is 4051 34<sup>th</sup> Street in Mount Rainier, Maryland. The 0.30-acre property is located on the east side of 34<sup>th</sup> Street, approximately 1,200 feet north of its intersection with Rhode Island Avenue.
4. **Surrounding Uses:** To the north, south, east beyond an alley, and west beyond the public right-of-way of 34<sup>th</sup> Street are single-family detached dwellings located in the R-55 and D-D-O Zones.
5. **Previous Approvals:** There are no previous approvals relevant to the subject review. The subject property, Lots 12 and 13, Block 1, was recorded in October, 1937, as Plat LIB A-5 in the County Land Records. The State of Maryland's real property data indicates that the existing building was built in approximately 1925, and expanded in approximately 1949 and 1970. A Special Exception, SE-2123, was approved, without conditions, for the subject property in 1969, stating specifically that it was for the purpose of a "Fire Station (Volunteer) (Addition to and Alteration of Existing Fire House)." An existing cellular monopole was permitted on the site in 1995.
6. **Design Features:** The subject property is comprised of two narrow, rectangular-shaped lots with frontage on 34<sup>th</sup> Street to the west and a rear alley to the east. The property is currently improved with a one-and-a-half-story, 9,671-square-foot, vacant brick building, which was a former volunteer fire station. The building is finished mostly in brownish brick and tan masonry blocks and has a flat roof. The front of the building facing 34<sup>th</sup> Street is one-story and has two existing, white garage doors, a glass pedestrian door and a large window. The northern and southern facades have minimal details or fenestration, while the rear, eastern façade is two-story and includes some windows along with another, white garage door. The remainder of the site is paved, including the area surrounding the existing, fenced, cellular monopole and generator at the southeast corner of the building.

The applicant intends to convert the building to a craftsman design and production shop use. No exterior renovations to the building or property are proposed; only interior work will be necessary to create an appropriate space for the use. The paved area at the front of the building, facing 34<sup>th</sup> Street, will be striped for the four required parking spaces.

7. **Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the R-55 Zone and the requirements of the Development District Overlay (D-D-O) Zone of the Zoning Ordinance, as applicable.
  - a. The development district standards contained in the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* replace all those contained in the Zoning Ordinance.
  - b. Section 27-548.25, Site Plan Approval, gives the following additional considerations for sites in development districts:

**Section 27-548.25(b)**

**In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.**

The subject application is exempt from the Development District Standards as discussed further in Finding 8 below.

8. **2004 Gateway Arts District Sector Plan and Sectional Map Amendment (SMA):** The subject property is located in the Traditional Residential Neighborhood (TRN) character area within the Gateway Arts District Development District Overlay Zone.

A DSP application is required because the craftsman design and production shop use is a Special Permit Use in the TRN Character Area. Since no physical changes are proposed to the subject property, or to the exterior of the building upon the subject property, this property is subject to the following exemptions from development district standards as listed on pages 140 and 141 of the Sector Plan:

“3. Legally Existing Development. Until a site plan is submitted, all buildings, structures and uses that were lawful or could be certified as a legal nonconforming use on the date of SMA approval are exempt from the development district standards and from site plan review and are not nonconforming. If expansion of the use on the existing site is proposed, a site plan would be required and all expansion would need to conform in order to meet the development standards.”

“9. Miscellaneous. The following are exempt from the development district standards and DSP review, if the existing or proposed use is permitted:

- a. Permits for alteration or rehabilitation, with no increase of the existing gross floor area, including existing porches or decks.”

The proposed use upon the subject property does not involve an expansion of the use. A detailed site plan is not required for this purpose, but rather because the use requires a special permit, and the proposed use will involve no increase in the existing gross floor area. Therefore, there are no design guidelines or development standards within the Gateway Arts District Sector Plan that are applicable to the subject DSP.

9. **2010 Prince George's County Landscape Manual:** The site plan is not subject to the *Prince George's County Landscape Manual* (Landscape Manual). The development district standards contained in the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* replace all those contained in the Landscape Manual.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is exempt from the requirements of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site is less than 40,000 square feet in size and has no previously

approved tree conservation plans. The site has a WCO Exemption Letter that expires on February 27, 2016.

11. **Prince George's County Tree Canopy Coverage Ordinance:** The subject proposal is exempt from the requirements of the Tree Canopy Coverage Ordinance as no site disturbance is proposed.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The comments are summarized as follows:
  - a. **Historic Preservation**—The subject property is located within the Mount Rainier National Register Historic District and will have no impacts on historic sites or resources.
  - b. **Community Planning**—This application is generally consistent with the goals and policies for Established Communities as part of the *Plan Prince George's 2035 Approved General Plan*. The proposed application is consistent with meeting the overall policy goals in the 2004 *Gateway Arts District Sector Plan and Sectional Map Amendment (SMA)* to help promote arts-related businesses in this area. The property at 4051 34<sup>th</sup> Street is not located in a Joint Base Andrews Interim Land Use Controls (ILUC) impact area.

The applicant, Red Dirt Studio, is proposing to renovate an existing vacant volunteer fire station building in the City of Mount Rainier to operate a craftsmen design and production shop on the second floor of the two-story building. The applicant is proposing interior renovations and will not alter either the exterior portion of the building or the property. The proposed project is exempt from the Development District Overlay Zone standards in the Gateway Arts District sector plan because it is a legally existing development and will not involve expansion of the use or gross floor area (GFA). Therefore, this analysis will only focus on whether the proposed use is consistent with the *Plan Prince George's 2035 Approved General Plan* and the 2004 *Gateway Arts District Sector Plan and Sectional Map Amendment (SMA)*. The *Plan Prince George's 2035 Approved General Plan* seeks to strengthen existing communities, such as the City of Mount Rainier, and encourage innovative expansion of cultural awareness and assets within Prince George's County. The *Plan Prince George's 2035 Approved General Plan* also includes policies to foster synergies among artists and arts-related business opportunities that promote the Gateway Arts District as a destination and economic generator in the county.

A primary vision of the *Plan Prince George's 2035 Approved General Plan* is to preserve and celebrate our cultural and historic resources and foster community character (page 11). The following policies and principles contained in the *Plan Prince George's 2035 Approved General Plan* are applicable to this application:

“Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.” (page 93)

“Promote cultural and arts awareness, exploration and expression in Prince George’s County.” (page 158)

“Stabilize existing communities and encourage revitalization and rehabilitation.” (page 142)

“Design sustainably to reduce energy use, improve community health, and protect environmental resources as well as to create a sense of place.” (page 155)

The arts and cultural policies of the *Plan Prince George’s 2035 Approved General Plan* seek to attract multiple artists in one setting to develop arts-related business opportunities in the Gateway Arts District. The proposed craftsmen design and production shop within a former vacant building would support the vision to foster a unique community character in the Gateway Arts District. The renovation of portions of an existing building into a craftsmen design and production shop would also reinforce a sustainably-designed project and adaptive reuse of a vacant, quasi-public building. A craftsman design and production shop would raise awareness of different artist’s crafts within the City of Mount Rainier.

An important goal of the 2004 *Gateway Arts District Sector Plan and Sectional Map Amendment* (SMA) is “to preserve single-family residential neighborhood character as anchor of the Arts District, while supporting artists who produce and teach from their homes” (page 26). The Traditional Residential Neighborhood Character Area seeks to support arts and handcraft home occupations within single-family neighborhoods. Though the subject property is not a residential use, it does serve to promote artist activities within the Gateway Arts District. This project is compatible with the overall goals to encourage arts and arts-related activity within the Gateway Arts District. The proposed craftsman design and production shop would encourage a variety of artists to do art design and production activities that would benefit the existing residential neighborhood. The expansion and promotion of arts and arts-related activities is consistent with the Gateway Arts District sector plan because it envisions the Arts District as a focal point for art activities of all types in this area. (page 135)

- c. **Subdivision Review**—The site is currently improved with 9,671 square feet of gross floor area (GFA) that was originally used for the Mount Rainier Fire Department. The purpose of this DSP is to renovate the existing building for use as a craftsman or artisan design and production shop, which will not involve an increase in gross floor area. The plan should indicate the disposition of the existing building as “to remain.”

Pursuant to Section 24-111(c)(3) of the Subdivision Regulations, a site is exempt from the requirement of filing a preliminary plan of subdivision if the proposed development is in addition to a development in existence prior to January 1, 1990, and does not exceed 5,000 square feet of gross floor area. Aerial photography from 1977 and 1984, via PG Atlas, indicates that this site was developed prior to this date, and the applicant is proposing no new gross floor area with this application.

The Subdivision conditions are as follows:

1. Prior to certification of the detailed site plan the following technical corrections shall be required:

- a. Indicate the disposition of the existing building as “to remain.”

Failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.

The condition has been included in this approval.

- d. **Permit Review**—The only D-D-O standards that would apply would be for fencing around trash areas and signage regulations. However, the applicant indicated that there will be no new signage or outside trash areas.
- e. **Department of Permitting, Inspections & Enforcement (DPIE)**—In a memorandum dated July 29, 2014, DPIE provided the following comments on the subject application:
  - (1) The site fronts on 34<sup>th</sup> Street which is maintained by the Town of Mount Rainier. Coordination with the Town of Mount Rainier is necessary. The site has no frontage on any county-maintained roadways.
  - (2) No exterior work is currently proposed on this site. Future proposed exterior work may require the approval of a Site Development Concept Plan.
  - (3) DPIE has no objection to the approval of the special permit, subject to the accuracy of the boundary, property lines, and provision of an accurate plat, sealed by a registered land surveyor that demonstrates that all improvements, fences and pavement are located on the subject property, with no encroachment into off-site areas.

The submitted application included a property survey plat, signed and sealed by a registered land surveyor, which demonstrates that all improvements are located on the subject property, with no encroachment into offsite areas.

- f. **Prince George’s County Police Department**—In a memorandum dated June 18, 2014, the Police Department indicated that they reviewed the DSP and would like to review the lighting plan showing the placement of proposed light fixtures.

The submitted DSP does not propose any changes to site or building lighting and it shows no existing lights on-site. However, photographs show that there is existing building-

mounted lighting. A condition has been included in this approval requiring these to be shown on the site plan.

- g. **Prince George's County Health Department**—In a memorandum dated July 16, 2014, the Prince George's County Health Department provided the following comment on the subject application:

- (1) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. Any proposed exterior light fixtures must be shielded and positioned so as to minimize light trespass caused by spill light. It is recommended that light levels at residential property lines should not exceed 0.05 footcandles.

The submitted DSP does not propose any changes to site or building lighting and it shows no existing light poles on-site.

- h. **City of Mount Rainier**—The City of Mount Rainier did not provide comments on the subject application.

- i. **Town of Bladensburg, Town of Brentwood, Town of Colmar Manor, Town of Cottage City, City of Hyattsville, Town of North Brentwood**—These municipalities did not return comment on the subject application.

13. Based on the foregoing and as required by Section 27-285(b)(1) 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. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a detailed site plan is as follows:

- (4) **The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.**

The subject property does not include any regulated environmental features.

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-13038, subject to the following conditions:

1. The following revisions shall be made to the detailed site plan prior to signature approval:

- a. Add a note to the site plan indicating that there will be no outdoor storage of materials or trash.
- b. Revise the site plan to show and label all existing building-mounted or site lights.
- c. Revise the plan to indicate the disposition of the existing building as "to remain."
- d. Revise General Note 18 on the site plan to note that "the property is located within the Mount Rainier National Register Historic District 68-013."

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, Shoaff, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, September 4, 2014, in Upper Marlboro, Maryland.

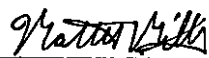
Adopted by the Prince George's County Planning Board this 11<sup>th</sup> day of September 2014.

Patricia Colihan Barney  
Executive Director

By   
Jessica Jones  
Planning Board Administrator

PCB:JJ:JK:arj

APPROVED AS TO LEGAL SUFFICIENCY.

  
M-NCPPC Legal Department  
Date 9/8/14