

PGCPB No. 15-112

File No. DSP-14040

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 15, 2015, regarding Detailed Site Plan DSP-14040 for Holladay Company's Addition to Brentwood, the Planning Board finds:

1. **Request:** The subject application is for the construction of a three-story mixed-use building which includes 19,067 square feet of fabrication/retail/office and residential development.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	U-L-I/D-D-O	U-L-I/D-D-O
Use(s)	Commercial	Commercial/Retail/Office Multifamily Residential
Acreage	29,398 sq. ft.	29,398 sq. ft.
Lots	8	8
Square Footage/GFA		
First Floor		
Granite Retail Showroom		1,038
Granite Slab Storage		2,600
Granite Fabrication		3,600
Kitchen and Bath Showroom		1,800
Common space (Trash rooms, restrooms, etc.)		1,100
First Floor Subtotal		10,138
Second Floor		
General Office		2,000
Apartments (2)		2,714
Second Floor Subtotal		4,714
Third Floor		
Apartments (4)		4,215
Total		19,067

*The applicant is requesting an amendment from the development district standards to allow "General Office" as a permitted use rather than a use requiring a special permit.

OTHER DEVELOPMENT DATA

Proposed Bedroom Unit Mix

Unit Type	Number of Units	Average Square Footage
1 Bedroom*	6	759

*One unit may have two bedrooms

Parking Requirements per Section 27-568(a)

Uses	Required*
Multifamily Apartments (6 DUs/1 space per DU)	6
Fabrication/Retail (1 space/500 sq. ft.)	21
Office	8
Total	35

*It is noted that a rooftop garden proposed on the first floor roof is not considered in the gross floor area calculation and, therefore, parking is not required for that use.

Parking Spaces Provided

Standard	11
Standard Parallel	2
Compact	4
Handicap (van-accessible)	1
Off-site (new, along Rhode Island Avenue)	6
Total Parking Spaces Provided	24*

*The applicant is requesting an amendment to the development standards to reduce by 50 percent the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance (see Finding 8d).

Loading Requirements per Section 27-582

	Required	Provided*
Manufacturing (3,600 sq. ft.)	1 space/2,000–25,000 GFA	1
Retail (Showroom) 2,838 sq. ft.	1 space/2,000–10,000 (GFA)	1
Multifamily Residential	N/A (under 100 units)	

*Loading is provided interior to the building.

3. **Location:** The subject property is located at 4406–4418 41st Street in Brentwood. The site has approximately 320 feet of frontage along the northwest side of 41st Street; 325 feet of frontage along the southeast side Rhode Island Avenue; and 66 feet of frontage along the southwest side of Webster Street. The site is located in the Arts Production and Entertainment (APE) character area of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (Gateway Arts District Sector Plan and SMA) where detailed site plan (DSP) review is required in accordance with the Development District Overlay Zone (D-D-O) standards.
4. **Surrounding Uses:** The site is bounded to the northeast by Webster Street, and beyond by an auto service and repair center zoned Urban Light Industrial (U-L-I); to the southeast by 41st Street and a religious institution, plumbing business, and single-family detached homes zoned U-L-I; to the immediate southwest by a single-family detached dwelling zoned U-L-I; and to the northwest, by Rhode Island Avenue, and beyond by a restaurant zoned U-L-I and an unidentified commercial business zoned Mixed Use–Infill (M-U-I).
5. **Previous Approvals:** The subject property was rezoned from the Commercial Shopping Center (C-S-C) and the General Commercial, Existing (C-2) Zones to the U-L-I Zone pursuant to the 1994 *Approved Master plan and Sectional Map Amendment for Planning Area 68*. The Gateway Arts District Sector Plan and SMA retained the property in the U-L-I Zone and placed the site in the APE character area.

Preliminary Plan of Subdivision 4-15002 was adopted on July 30, 2015, pursuant to PGCPB Resolution No. 15-70, with 23 conditions.

The project has an approved Stormwater Management Concept Plan (5346-2015), which was approved on February 23, 2015 and is valid until February 23, 2018.

6. **Design Features:** The proposed mixed-use building conforms to the site area, which is roughly triangular in shape. The site is surrounded by public rights-of way on three sides. Vehicular access to the site is provided by three driveways: one from Rhode Island Avenue and two from 41st Street. The applicant is requesting an amendment to the D-D-O Zone standards limiting access to two driveways, to allow a third driveway to access the lots.

The proposed building is three stories high (approximately 52 feet) at the front of the site along Webster Street. It appears that the building transitions to a one-story building along Rhode Island Avenue and 41st Street; however, the correct building heights should be shown on the site plan and elevations. The building design provides a contemporary front façade along Webster Street, with a more traditional commercial design along Rhode Island Avenue and 41st Street at the pedestrian level. Lots 8 and 9 of the property are identified as a “Gateway Arts District View Terminus Site,” and the applicant has appropriately designed this portion of the building as three stories with high-quality materials that reflect a unique visual identity. The façade along Webster Street is constructed primarily of glass panels on a low base of brick, forming a pedestrian-friendly storefront which is partially cantilevered and articulated with recessed

balconies. The Rhode Island Avenue façade features brick on the first level, with large glass windows that run along the length of the street, and includes a secondary entrance to the building. The 41st Street façade incorporates an open brick screen wall connected to the building on the first level, approximately 19 feet high, which encloses the loading area of the building and dumpsters. The long horizontal brick screen wall (approximately 160 feet long) is broken up with three vents, six shallow square indentations, and an opening to allow truck ingress from 41st Street and egress onto Rhode Island Avenue. The height of the truck loading doors within the screened walled area, which must be a minimum 15 feet high, should be shown on the elevation. The screening wall integrates well with the rear façade of the building along Volta Avenue when viewed from public sidewalks and streets. The Volta Avenue elevation is one-story brick with a glass tower and entrance to the rear showroom.

Along 41st Street and Rhode Island Avenue, the second and third floor apartments, which are an average unit size of 759 square feet, are faced in light-colored cementitious siding that complements the brick at the lower level, with headers above recessed Juliet balconies. The second floor office use along Rhode Island Avenue is faced with insulated glass panels, accented with aluminum mullions.

The first floor of the building will contain approximately 10,138 square feet, primarily occupied by the fabrication space, with the granite showroom and the kitchen/bath showrooms separated at either end of the building. A rooftop garden is proposed on the roof of the first story.

The second floor contains two apartments and 2,000 square feet of office space; the third floor contains four apartments and a small lobby and trash room. Access to the residential units is from 41st Street. The apartments may be accessed by either an internal elevator or stairs that are enclosed in a glass tower that has a view of the first-floor rooftop garden (above the retail/fabrication uses). The recessed entrance to the apartments is located on 41st Street near Webster Street. The apartment entrance is further enhanced with a glass and steel canopy.

All building material colors were not provided with the elevations. A condition is included requiring that the color of the proposed building materials approximate those shown on the elevations.

Surface parking is provided for both the residential and commercial uses at the north and south ends of the site.

One building-mounted sign and several door/window signs are shown on the building elevations for illustrative purposes only, since the tenant information has not yet been definitively ascertained. In anticipation of the future tenant, the applicant has requested an amendment from the height standard for one building-mounted sign. This is discussed in greater detail in Finding 8.

Sign dimensions are provided on the detail sheet and the applicant acknowledges that future permanent signage must be in conformance with the applicable D-D-O Zone standards and Section 27-613 of the Prince George's County Zoning Ordinance, as shown on the approved elevations.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the D-D-O and U-L-I Zones and the site design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-473, Uses Permitted, of the Zoning Ordinance. The proposed uses in this application are permitted uses in the U-L-I Zone and the Gateway Arts District. It is noted that an office use is permitted as an accessory use in the U-L-I and D-D-O Zones; however, the applicant is anticipating an individual office tenant, which requires a special permit. The applicant is requesting an amendment to permit the general office use without a special permit, but as part of this DSP.
 - b. The subject application is also in general conformance with the requirements of Section 27- 474.01, Regulation tables for the U-L-I Zone. No green area is required per this section.
 - c. The applicant is requesting an amendment to allow a building-mounted sign, as proposed in the plan. The remaining signage proposed in windows and doors is limited to 25 percent of the window area, which is shown on the illustrative sign details.
8. **The 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District and the standards of the Development District Overlay (D-D-O) Zone:** The 2004 Gateway Arts District Sector Plan and SMA defines long-range land use and development policies, detailed zoning changes, design standards, and a D-D-O Zone for the Gateway Arts District area. The land use concept of the sector plan divides the corridor into seven character areas for the purpose of defining the desired land use types, mixes, and character of development.

The subject site is within the Arts Production and Entertainment (APE) character area. The vision for the APE character area is to promote a mix of arts, entertainment, artist live/work space, artist heavy-production space, small-scale retail and commercial business, and entertainment uses which will primarily provide the production facilities for large-scale artistic endeavors within the Arts District and a location for noisier entertainment venues, and provide attractive residential loft space with small-scale retail on the first floor, especially on Rhode Island Avenue, and provide an enhanced first impression of the Arts District. The feel of the area should be functional/industrial

enhanced through the addition of trees and moderate landscaping. Safety should be enhanced through design that increases natural surveillance and reduces the potential for crime.

The proposed development of a mixed-use building with small-scale retail and a fabrication use at the street level, with apartments above, is consistent with the land use vision of the APE character area. A DSP is required for the following reasons:

- The portion of the subject property located at Webster Street and Rhode Island Avenue is a gateway and view terminus site.
- All of the development district standards cannot be met with the proposed development.
- Pursuant to Section 27-548(b)(13) of the Zoning Ordinance, a request to change one of the uses on the list of allowed uses for the subject property has been made as part of this DSP application.

Section 27-548.25(b) requires that the Planning Board find that the site plan meets the applicable development district standards in order to approve it. The development district standards are organized into three categories: Site Design, Building Design, and Public Space. However, in accordance with the D-D-O Zone review process, modification of the development district standards is permitted. In order to allow the plan to deviate from the development district standards, the Planning Board must find that the alternative development district standards will benefit the development and the development district and will not substantially impair implementation of the sector plan.

The applicant has requested the following amendments to the development district standards and use table:

- a. The applicant has requested an amendment to allow "General Office" as a use not requiring a special permit. It is noted that an office use is permitted in both in U-L-I Zone and the APE character area if it is ancillary to a permitted use. The Planning Board supports the amendment to allow General Office as a permitted use, as it will contribute to the diversity of uses in the proposed development and in the neighborhood which will help support the overall vision for the APE character area.
- b. **Site Design, Access and Circulation, Standard 5** (page 147)

There shall be a maximum of two access driveways per lot or parcel from a public street to parking.

The applicant's statement of justification argues that the retail, residential, office, and industrial components of the proposed development contribute to the diversity of land use that the Gateway Arts District Sector Plan aims to achieve, and that the segregation of these uses via three access driveways will minimize conflicts between the

residential/commercial and industrial uses and contribute to their sustainability and viability.

The three access driveways provide access to the main parking area from Rhode Island Avenue, the enclosed loading area along 41st Street, and the secondary parking area along Webster Street, which is accessed from 41st Street. The subject site currently has six access driveways; two on Rhode Island Avenue, one on Webster Street, and three on 41st Street. Reducing the existing number of access driveways by half allows for separation of the residential component of the proposed development from its commercial and light industrial components, and allows the provision of a parking area in proximity to the granite sales located in the portion of the building closest to Webster Street.

There is an additional need for, and benefit to, this segregation and driveway configuration. The proposed driveway layout accommodates the unique geometric configuration of the site. The two-way access proposed along 41st Street is proposed at an angle greater than 90 degrees. This minimizes the impact of truck traffic on 41st Street. The angled driveway will facilitate efficient access to the property and allow for an innovative compact design solution by reducing the surface area typically required for efficient maneuvering in a truck court. With two-way access from all driveways, effective ingress/egress is ensured for two of the three street frontages by providing drivers flexibility in how they enter/exit the development depending on their purpose for access. Because these various uses are within a narrow assemblage of lots, traffic generated by each building component would impede the site's ingress/egress if this driveway configuration were to be abandoned.

Moreover, it would be inefficient to consolidate site access into two driveways because of the range of uses proposed in the development. Access to the residential component of the development would be significantly impeded by truck access and loading if both uses were to share the same access driveway on 41st Street. Tenants for the six multifamily dwelling units have access to the building via Webster Street. This prevents traffic for the residential component of the building from conflicting with the building's other components. It is noted that the parking lot along Webster Street has only four spaces, but the overall parking counts accommodate the six apartment units. Delivery trucks will access the property via 41st Street in order to allow easy access to the screened loading area and they will exit via Rhode Island Avenue. In addition, traffic for the commercial/retail and office components located on the southern end of the site will gain access from Rhode Island Avenue.

In sum, the proposed access and circulation pattern reduces the number of existing driveways by half, will minimize truck traffic on 41st Street while maximizing access from Rhode Island Avenue, provides efficient on-site traffic circulation and maintains effective ingress/egress for the proposed development, minimizes conflicts between the residential and commercial/ industrial uses, and is in conformance with the Gateway Arts Districts' overall intent to provide "attractive residential loft space with small-scale retail on the

first floor” and an area with a “functional/industrial” character. The Planning Board finds the amendment request supportable.

c. **Site Design, Access and Circulation, Standard 7 (page 147)**

Access to Parking and the rear of the lot or parcel shall be located on a side street or alley and shall be a maximum of 18 feet wide.

The predominant access will be located on 41st Street, which is considered a side street, via two driveways. One proposed driveway on 41st Street, nearest to the intersection with Webster Street, is 22 feet in width and provides access to both the granite retail component and the apartments. The second driveway primarily provides ingress to the loading area for delivery vehicles. In order to provide an appropriate turning radius for delivery trucks, this driveway will need to be 32 feet in width, which is within the County’s standards for the width of commercial driveways.

A third access point is provided on Rhode Island Avenue to provide ingress/egress for the kitchen/bath showrooms use, the offices, and additional parking for the residential units as needed, as well as an egress driveway for delivery trucks. The applicant argues that this 34-foot-wide access point will provide for an effective separation of the trucks in the loading area from the retail and residential uses, and will minimize truck access from 41st Street. The location of the proposed driveway along Rhode Island Avenue is slightly to the west of its original position and is slightly narrower than what exists. Further, the location of this access point provides the appropriate sight distance for an ingress/egress driveway. The 34-foot-wide access driveway on Rhode Island Avenue is within the Maryland State Highway Administration (SHA) standard range of 25 to 35 feet wide, with a turning radius of 30 feet.

At the Planning Board hearing, the Transportation Planning Section noted that they did not object to three access points if the Rhode Island Avenue access point is narrowed to enhance pedestrian safety.

The site plan shows a hatched out area at the site access point on Rhode Island Avenue, reducing the width of the driveway entrance to 27 feet although, from curb to curb, the width is 34 feet wide. A submitted turning radius study for 30-foot trucks shows that this is acceptable. The applicant testified at the hearing that 30-foot trucks servicing the fabrication use would be accessing the site and that the additional width would facilitate ingress/egress. The Planning Board recognizes that final approval of the driveway configuration is the jurisdiction of SHA, and conformance is required to the access permit. Therefore, the applicant shall show a driveway width ranging between 27 and 34 feet wide, to be determined by SHA.

Rhode Island Avenue	27-34 feet
41st Street	32 feet
41st Street	22 feet

d. **Site Design, Parking and Loading, Standard 7 (page 148)**

If a parking district(s) is established for the Arts District or individual municipalities, the minimum number of off-street surface parking spaces for uses other than artist studio, residential, and live/work shall be reduced 50 percent from the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance. If off-site shared parking is utilized in accordance with off-site shared parking requirements below, then this minimum for on-site surface parking may be waived. The minimum number of off-street surface parking spaces permitted for each land use type shall comply with Section 27-568(a) of the Zoning Ordinance. Departure from the provisions of Section 27-568(a) requires a Detailed Site Plan review.

Section 27-568(a) of the Zoning Ordinance requires a total of 35 parking spaces for the proposed uses. The applicant is proposing 18 parking spaces on-site. In addition, six on-street parking spaces will be provided on Rhode Island Avenue and 13 existing on-street parking spaces are available adjacent to the subject property along 41st Street and Webster Street, for a total of 37 spaces. However, the 19 on-street parking spaces will not be exclusive to the proposed development.

The applicant argues that the development, as proposed, warrants the reduction of the parking required on-site by Section 27-568(a) so that only 50 percent of the required 35 parking spaces are provided on-site because of the availability of public transportation (a bus stop is located at the corner of Webster Street and Rhode Island Avenue), the low trip generation of the commercial uses, and the addition of six new parking spaces on Rhode Island Avenue. The proposed parking is in conformance with the sector plan's intent to reduce the amount of parking provided, as required by Section 27-568(a).

The Planning Board notes that the Gateway Arts District Sector Plan envisioned parallel parking on both sides of Rhode Island Avenue; however, this roadway is maintained by SHA and they must provide approval to allow parallel parking. The provision of on-street parallel parking on Rhode Island Avenue will contribute to the viability of the neighborhood businesses and enhance the overall revitalization of this area. In consideration of the location of the site in the APE character area, the availability of public transportation, and the availability of on-street parking and proposed bike parking, the Planning Board finds that the parking proposed for the mixed-use development meets the intent of the development standards and the revitalization goals of the Gateway Arts District. Therefore, the amendment request is supportable.

- e. **Site Design, Dumpsters, Services, Utilities, Outdoor Storage, and Stormwater Management, Standard 2 (page 150)**

Dumpsters, outdoor storage, utility boxes, and HVAC units shall be screened by an opaque material similar in color and material to that of the main building so they are not visible from the public sidewalks or streets.

The applicant is proposing a screening wall to enclose the loading area and dumpsters as required. The screening wall is designed to enclose the dumpsters and loading areas so that they will not be visible from the street.

Per discussions with the Potomac Electric Power Company (PEPCO), a transformer will be placed on an eight-foot by eight-foot pad at the southwestern end of the site along Rhode Island Avenue. This location was dictated by PEPCO in their review of the DSP. Although the transformer will be screened by the proposed six-foot-tall composite fence along the southern property line and by low-growing shrubs to the north and east, it will be visible from a public street and sidewalk. The western side must remain open to provide access to PEPCO. Based on the above, and recognizing that the applicant must abide by the public utility, the Planning Board finds the amendment request supportable.

- f. **Building Design, Building Height, Standard 1 (page 151)**

Buildings adjacent to a one-family residential dwelling or a historic landmark shall have a maximum height of 42 feet. Buildings adjacent to a historic landmark shall have a height that is architecturally compatible with that landmark.

The subject property abuts a residential property to the south on Lot 16. The proposed structure is approximately 72 feet from the property line on the other side of the parking lot accessed from Rhode Island Avenue, which is screened from the adjoining residential lot. The proposed structure is approximately 33 feet tall at the point closest to the abutting single-family home, and the majority of the proposed building meets the above requirement. Only a limited portion of the building along the Webster Street frontage has a height of approximately 52 feet. The portion of the building that exceeds the 42-foot maximum standard occurs at a distance approximately 186 feet from the property line of Lot 16. The majority of the building frontage is in compliance with the above height standard. The additional height does not overwhelm the adjacent property and is compatible with the other uses that the Gateway Arts District is intended to attract to the corridor. Because the vast majority of the building is in conformance with this standard, and the portion of the building over 42 feet is located on the opposite end of the development from the single-family home, the Planning Board finds the requested amendment supportable.

g. **Building Design, Signage, Standard 9 (pg. 154)**

Sign area shall not exceed the regulations of Sections 27-613(c), (f), and 27-107.01 of the Zoning Ordinance.

The proposed development will have only one building-mounted sign, along the façade of Webster Street, above the apartments ("Garnet Marble and Granite"). The Sections referenced above state that, in the U-L-I Zone, the area of all signs shall be in accordance with Section 27-474.01(g), Signs. The sign does not strictly meet the requirements of the applicable sign standards in the U-L-I Zone; specifically, Section 27-474.01(g)(1)(A)(i) for the sign band location or Section 27-474.01(g)(1)(B)(i) for sign height, as stated below:

Section 27-474.01(g)(1)(A) Location.

- (i) **Signs must be located on the front wall of the building in a band not less than eight (8) feet and no more than fourteen (14) feet high. In no case shall the band be higher than the lowest point of the roof of the building.**

Section 27-474.01(g)(1)(B) Height.

- (i) **Signs shall not exceed eighteen (18) inches in height.**

The strip of cement board lap siding to which the proposed sign will be mounted can be interpreted as the "band" mentioned in this standard, and it is located above the apartments on the third story of the building, which is significantly higher than 14 feet. The signage band is not higher than the lowest point of the roof of the building, as the building is multi-storied as described earlier in this report. The sign is proposed to have two rows of lettering. In the illustrative rendering "Garnet" is above "Marble and Granite." The exact name of the company has not been determined, which is why the detail is illustrative. Only the portion of the sign that has "Garnet" above the bottom row of lettering (which is 15 inches high) exceeds the 18-inch restriction. The "Garnet" lettering is proposed to be between 22 and 27 inches high, for a total of 42 inches in height.

Because the proposed signage deviates from Section 27-474.01(g)(1)(A) and (B), the applicant requests that the alternative development technique detailed in Section 27-475.07 be applied, or that the Planning board approve an amendment from Building Design, Signage, Standard 9, to allow the signage as proposed.

Section 27-475.07

- (d) **An Alternative Development Technique application may be approved by the Planning Director upon a determination that:**

(1) Strict application of development regulations is unreasonable given the nature of existing development;

The strict application of the development regulations are unreasonable in this case, because the U-L-I Zone was approved in 1994, prior to the adoption of the Gateway Arts District Sector Plan and the vision for the area found therein. It is clear that the U-L-I Zone did not anticipate the type of development envisioned in the sector plan, since it limits the height of the "band area" to a height of no more than 14 feet on the building, which may be reasonable in a traditional light industrial area. However, for the applicant to comply with the sector plan and the desired mix of uses in the APE character area, the structure would arguably have to be taller than 14 feet in height. Furthermore, for a sign to be legible from the street at the higher elevation, it is reasonable to assume that the sign area would have to be greater than 18 inches in height.

The sign lettering, at its proposed height of 42 inches, is in scale with a three-story building. Although it exceeds the height requirements of the standard by two feet, the surface area it occupies on the Webster Street façade is proportional to the façade's frontage.

(2) The Alternative Development Technique regulations allow for a compatible development alternative that supports the purposes of the U-L-I Zone;

The Alternative Development Technique regulations allow for a compatible development alternative that supports the purposes of the zone which are:

- (A) To attract and retain a variety of small-scale light industrial uses in older, mostly developed industrial areas, developed with structures lacking state-of-the-art mechanical features, and located close to established residential communities;**
- (B) To create an urban light industrial character, setting it apart from both the more intense industrial zones and the high-traffic-generating commercial zones which will encourage a mix of small-scale industrial uses that are more appropriate for the small, older industrial areas;**
- (C) To encourage the location of small-scale "clean industries" (e.g., electronic, assembly of precision laboratory equipment, etc.) and new "incubator" or "cottage businesses";**

- (D) To apply appropriate physical site development standards or guidelines to new and existing uses or structures which will foster an attractive and viable light industrial employment area. The standards will also promote functional and visual compatibility with adjacent or nearby residential areas;
- (E) To encourage cooperative property management techniques such as parking, loading, screening, lighting, and security among the various industrial uses;
- (F) To establish a flexible regulatory process with appropriate standards that will promote reinvestment in, and appropriate redevelopment of, older urban industrial areas as employment centers.

The requested amendment from signage requirements will allow the applicant to develop the property in a manner that will support the purposes of the zone.

(3) The proposed use satisfies the U-L-I Zone Design Guidelines;

Section 27-472.01(f)(3) of the Zoning Ordinance states that in making decisions on development proposals, "these Guidelines shall be liberally construed" and allows for modification of the guidelines. Notwithstanding the above, the signage, as proposed by the applicant, is in compliance with the guidelines established pursuant to Prince George's County Council Resolution CR-30-1994, as they relate specifically to signage:

- (11) Signs should reduce visual clutter and improve visibility by minimizing the number of words or symbols, and by using the fewest number of colors, fonts, and font sizes;
- (12) Signs should generally be above window or door openings, not mask architectural detail, or project above the roof; and
- (13) The size of the sign should be in scale with the building, and be located in a consistent location on buildings.

The applicant is proposing a single building-mounted sign on the third story of the building that reduces visual clutter, with minimal text in two colors that does not mask any architectural details or project above the roof, and which is in scale with the building.

- (4) The site plan proposes adequate protection for adjacent residential properties;

The site plan shows adequate screening and buffering between the adjacent residential property to the south and the proposed development and is, therefore, in compliance with this requirement.

- (5) **The proposed use and site plan conform with any specific design elements recommended in an approved Master Plan;**

The proposed mixed-use development is in general compliance with the sector plan and the specific design elements (development standards) that are applicable to the site, with the exception of the amendments requested within this Finding.

- (6) **Any additional sign(s) or sign area is the minimum necessary to assure advertising sufficient to identify tenants and safe ingress to the site; and**

The applicant is proposing only one building-mounted sign for the entire project. The total sign area, as proposed, is approximately 23 square feet, which is less than the 72 square feet that is allowed per Part 12 of the Zoning Ordinance. The letter height is proposed to be three and one-half feet high, rather than 18 inches high. The additional proposed letter height requested will fit within the total sign area allowed. The Planning Board finds that this is the minimum letter height necessary to identify the tenant from the street level.

- (7) **The proposed design solution adequately weighs the public benefit with the potential expenses to assure that revitalization interests are supported and any required improvements will not cause an undue financial burden on the applicant.**

The applicant's proposed design solution adequately weighs the public benefit with potential expenses, to ensure that revitalization interests are supported.

Based on the above, the Planning Board supports the applicant's request for the alternative design technique and the amendment request to allow a total sign area with lettering of 42 inches maximum height and to approve the location of the sign, as proposed.

9. **Preliminary Plan of Subdivision 4-15002:** The site is the subject of Preliminary Plan of Subdivision 4-15002, Holladay Company's Addition to Brentwood. The Planning Board approved the preliminary plan with 23 conditions (PGCPB Resolution No. 15-70). That approval is valid for two years and ends on July 30, 2017. The following conditions are pertinent to the review of the DSP, as discussed below:

2. **Development of this site shall be in conformance with Stormwater Management Concept Plan 5346-2015-00 and any subsequent revisions.**

The stormwater management concept plan number and approval date are provided in General Note 13 of the plan.

3. **At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement (PUE) along all public streets, or a PUE acceptable to the applicable public utility providers, as reflected on the approved detailed site plan.**
4. **Prior to signature approval of the detailed site plan (DSP), the applicant shall provide documentation of concurrence to the public utility easement (PUE) layout shown on the DSP from the applicable utility providers, or provide a PUE in conformance with Section 24-122(a) of the Subdivision Regulations, and reflect that adjustment on the DSP.**

The applicant has provided confirmation from Verizon that an alternative public utility easement (PUE) would be acceptable prior to approval of the DSP. The applicant should also provide confirmation from PEPCO and Washington Gas to confirm to this condition. The PUE reflected on the final plat will be based on the PUE provided on the approved DSP.

6. **Total development within the area of this subdivision shall be limited to uses that would generate no more than 19 AM and 19 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The total development proposed is within the trip cap of 19 AM and 19 PM peak-hour vehicle trips.

7. **In conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* and the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*, the Detailed Site Plan shall depict a twelve-foot-wide sidewalk which may include a strip containing street trees, landscaping and pedestrian amenities along the subject site's entire frontage of Rhode Island Avenue (US 1), unless modified either in the Detailed Site Plan review or by the Maryland State Highway Administration (SHA).**

The site plan does not include a 12-foot-wide sidewalk along the entire frontage of Rhode Island Avenue; however, landscaping and pedestrian amenities are shown within the public right-of-way, in conformance with the development district standard.

10. **2010 Prince George's County Landscape Manual and the Prince George's County Tree Canopy Coverage Ordinance:** The 2004 Gateway Arts District Sector Plan and SMA and the standards of the D-D-O Zone have modified the applicable sections of the 2010 *Prince George's*

County Landscape Manual (Landscape Manual); therefore, conformance with the Landscape Manual is not required. The site plan is in conformance with the landscaping requirements of the development district standards. The applicant has provided a Tree Canopy Coverage (TCC) schedule that indicates conformance with the ten percent planting requirement in the U-L-I Zone. The TCC schedule should be revised to indicate that the site is in the U-L-I Zone.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance because the site contains less than 10,000 square feet of existing woodland and has no previous tree conservation plan approval. The exemption letter is valid until February 10, 2017. A Natural Resources Inventory (NRI) equivalency letter has been issued based on the standard woodland conservation exemption and that no regulated environmental features are located on-site. The NRI equivalency letter is valid until February 10, 2020.

12. **Further Planning Board Findings and Comments from Other Entities:**

- a. **Community Planning**—The proposed project conforms to the Plan Prince George's 2035 vision to support business growth in this designated employment area of the County. In addition to implementing the growth policy recommendations for this site, the proposed development also supports a number of other goals in Plan Prince George's 2035. The proposed granite commercial business, office, and residential uses will improve the economic vitality of Brentwood and the Gateway Arts District by promoting small entrepreneurship and employing workers in the proposed office and retail portion of the granite fabrication business.

The proposed use also conforms to the land use recommendations in the Gateway Arts Sector Plan for small-scale retail and residential along Rhode Island Avenue in the APE character area. The proposed multifamily residential and granite fabrication commercial business conforms to the land use recommendation in the sector plan for small-scale retail and residential along Rhode Island Avenue. There is a need for this type of development particularly along Rhode Island Avenue within the Gateway Arts District to trigger interest in additional development opportunities in Brentwood.

It is noted that the proposed use will support the employment area vision for this area. According to the sector plan, new buildings on signature view terminus sites should incorporate designs that portray the unique identity of the Gateway Arts District and exhibit the highest quality in design or materials. The architectural design of this project will provide a strong first impression to residents, visitors, and businesses in the area and conforms to the intent of this view terminus site. Given the awkward triangular shape of the property, this view terminus site offers a unique opportunity to draw the visual interest and attraction of people from many different directions.

The sector plan requires conformance to all of the development district standards. The following amendments to the sector plan are requested by the applicant as part of this DSP application:

- (1) Amendment to the permitted use table to allow general office land uses to be a permitted use instead of a special permitted use. The general office land use is supported as a permitted use for this application because it will help support the overall vision for the APE character area in the sector plan and employment area per Plan Prince George's 2035. Without this amendment, the applicant would be required to file a special permit application, causing more processing of applications which is both time consuming and costly.
- (2) Amendment to request three proposed access driveways instead of the maximum permitted two driveways from a public street for parking, as stipulated in the sector plan. The additional access driveway will permit stronger ingress/egress automobile movements on the mixed-use development site for customers, residents, and delivery operators.
- (3) Amendment for access from the rear lot to a side street or alley. Given this site's awkward triangular shape and frontage on three streets, direct access to 41st Street is supportable.
- (4) Amendment to request a portion of the building to exceed the 42 feet maximum building height. Given the vision and intent of the APE character area and the proposed mixed-use development, granting an amendment to the maximum building height limits to allow the building to be built to a height of 52 feet, for a limited portion of the building, will provide an attractive visual quality to this view terminus site.

Other Issues

The proposed mixed-use development is adjacent to a single-family neighborhood. The Gateway Arts District Sector Plan requires the applicant to submit photographs of locations of properties within 150 feet when the subject site is adjacent to a single-family neighborhood. The required sheet(s) of photographs have been provided.

The architectural elevations in this DSP application show signage on the windows and a possible mounted sign on the building. However, there appears to be some discrepancies from what is shown in the elevation plans and what is noted in the applicant's justification statement. For clarification, the applicant has provided illustrative signage for both building-mounted signage and window/door signage, with dimensions. An amendment was requested from the D-D-O Zone height and area standards for building-mounted signage.

- b. **Subdivision Review**—The property is the subject of Preliminary Plan of Subdivision 4-15002. See Finding 9 above for a detailed discussion of conformance with the preliminary plan conditions.

Detailed Site Plan DSP-14040 is in substantial conformance with approved Preliminary Plan 4-15002, subject to technical revisions that are included as conditions of approval. 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.

- c. **Environmental Planning**—The site plan is exempt from tree conservation plan requirements. An approved Stormwater Management Concept Plan and Letter (5346-2015-00) were submitted that shows water quality control requirements being met with sand filters and quantity control requirements being met with an underground storage pipe. The site is not located in the vicinity of any roadway regulated for noise, and the proposal is not expected to be a noise generator. The site does not front on any designated scenic or historic roadway. No other environmental requirements have been identified for this application.
- d. **Transportation**—For a review of the transportation-related preliminary plan conditions and the proposed amendments to the number and width of access points, see Finding 8b and c.
- e. **Historic Preservation**—The North Brentwood National Register Historic District (68-061) is located north and west of the subject property. The subject property was extensively graded in the past. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources, or known archeological sites.
- f. **Trails**—The proposal will not conflict with the area sector plan, which recommends improving pedestrian, bicycle, and transit accessibility and circulation along major roadways and local streets. The sector plan recommends improving streetscapes and crosswalks for a safe and attractive pedestrian network.

Frontage improvements are proposed by the applicant, including 12-foot-wide sidewalks and tree planting areas along Rhode Island Avenue. The applicant proposes frontage improvements, including sidewalks on Webster Street and 41st Street. These streets will contain sidewalks and other amenities.

Rhode Island Avenue is recommended to contain bicycle lanes in the sector and functional master plans. SHA has implemented bikeways along the corridor, with signage and striping where appropriate. Narrow bicycle lanes exist on Rhode Island Avenue along the subject property and within one-half mile of the property.

- g. **Permits**—Comments were provided that have either been addressed by revised plans or in conditions.
- h. **Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated September 22, 2015, DPIE provided comments regarding required reports and stormwater management.
- i. **Prince George's County Health Department**—In a memorandum dated July 27, 2015, the Health Department provided the following comments:
 - (1) Health Department permit records indicate there are less than five existing carry-out/convenience store food facilities and no markets/grocery stores within a ½ 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. The applicant should consider setting aside retail space for a tenant that would provide access to healthy food choices in the area.

A number of uses are proposed in a compact development on a site that is challenging due to its configuration and frontage along three roadways. There is no available space for another retail tenant.

- (2) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. Indicate that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.

The plan details indicate that full cut-off fixtures are proposed.

- (3) Scientific research has demonstrated that a high quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. Future plans should include details indicating how development of the site will provide for safe pedestrian access to amenities within the community.

The elimination of three existing driveways into the site, the conscientious design of the three proposed driveways, the separation of loading from the pedestrian realm, and the provision of sidewalks will all ensure safe pedestrian access.

- (4) Any underground storage tanks encountered during the site development phase of the proposed project must be properly removed; contact the Maryland Department of the Environment, Oil Control Program for further information.

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

Notes shall be added to the DSP indicating conformance to the above requirements.

- j. **Prince George's County Fire/EMS Department**—No response to the referral request was received at the time this report was written, however, the applicant will be required to comply with the standard requirements for emergency equipment access, the location of fire hydrants, etc.
- k. **Prince George's County Police Department**—The Police Department provided comments during the Subdivision and Development Review Committee (SDRC) meeting requesting that lighting and landscaping be located so as not to interfere with each other.
- l. **Maryland State Highway Administration (SHA)**—In an e-mail dated August 31, 2015, SHA noted they had no objection to the proposed development moving forward. Any work within SHA rights-of-way will require compliance with the conditions of an access permit.
- m. **Washington Suburban Sanitary Commission (WSSC)**—In an e-mail received September 11, 2015, standard comments were provided in addition to those relating to coordination with other utilities, activation of existing connections, and additional information that should be shown on the plans.
- n. **Verizon**—Verizon had not responded to the referral request at the time this report was written; however, at the time of preliminary plan review for this development, Verizon indicated they were agreeable to a waiver of the PUE with the provision of a transformer, which is shown on the DSP.
- o. **Potomac Electric Power Company (PEPCO)**—In a memorandum dated July 17, 2015, PEPCO noted concern with inadequate space allocation for electrical utilities, and requests that a PUE be granted along Rhode Island Avenue, as well as along the existing residential property. However, in discussions with the applicant and in an e-mail to the Subdivision Review Section dated September 10, 2015, PEPCO indicated that a PUE along Rhode Island Avenue would not be required as long as revisions to the site plan were made to accommodate their needed facilities.

As noted in Finding 9, in accordance with Preliminary Plan 4-15002, Conditions 3 and 4, the applicant is required to provide confirmation from all utilities as to the provision of an alternative PUE.

- p. The following municipalities had not yet responded to the referral request: the Town of North Brentwood, the Town of Bladensburg, the Town of Edmonston, the City Hyattsville, the City of Mount Rainier, the Town of Cottage City, and the Town of Colmar Manor.

At the public hearing, the Town of Brentwood presented a letter dated October 15, 2015 indicating support of the proposed development.

15. As required by Section 27-285(b) of the Zoning Ordinance, the DSP 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. However, the DSP does not comply with some of the D-D-O Zone standards of the 2004 Gateway Arts District Sector Plan and SMA. Specifically, the DSP is not in complete conformance with several D-D-O Zone standards including those for the access driveways, parking, screening, building height, and signage.

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-14040, subject to the following conditions:

- A. The Planning Board recommends APPROVAL to allow General Office as a use not requiring a special permit.
- B. The Planning Board recommends APPROVAL of the following development design standards:
1. **Site Design, Access and Circulation, Standard 5**—To allow three access driveways from a public street to parking.
 2. **Site Design, Access and Circulation, Standard 7**—To allow access to parking and the rear of the lot or parcel located on a side street or alley to be a maximum of 27 feet wide, subject to Condition 1k.
 3. **Site Design, Parking and Loading, Standard 7**—To allow the reduction of the parking required on-site by Section 27-568(a) of the Prince George's County Zoning Ordinance so that only 50 percent of the required 35 parking spaces are provided on-site, for a total of 18 on-site parking spaces.

4. **Site Design, Dumpsters, Services, Utilities, Outdoor Storage, and Stormwater Management, Standard 2**—To allow the western side of the transformer to remain visible from the public realm to provide access to Potomac Electric Power Company (PEPCO).
5. **Building Design, Building Height, Standard 1**—To allow a maximum building height of approximately 52 feet at the Webster Street end of the building.
6. **Building Design, Signage, Standard 9**—To approve the building-mounted sign location as proposed and two rows of letters a total of 42 inches in height.

C. APPROVAL of Detailed Site Plan DSP-14040 Holladay Company's Addition to Brentwood, Lots 8-15, Block 13, subject to the following conditions:

1. Prior to certification of the DSP, the following revisions shall be made or information shall be provided:
 - a. The following revisions shall be made to the general notes:
 - (1) General Note 8 shall specify that 6,929 square feet of the proposed gross floor area is for six multifamily dwelling units.
 - (2) General Note 15 shall state that the variation from Section 24-122(a) of the Subdivision Regulations was approved.
 - (3) Provide the preliminary plan of subdivision number and the Prince George's County Planning Board resolution number.
 - (4) Add a general note that all window and door signage will be in compliance with the 25 percent area restriction.
 - (5) Add a general note indicating the development standard amendments approved.
 - (6) Add notes indicating conformance to the construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code and to the construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
 - (7) Add a note indicating that any underground storage tanks encountered during the site development phase of the proposed project must be properly removed.

- b. Revise the labels for Rhode Island Avenue to state "US 1" instead of "RTE. 1."
- c. Add retaining wall spot elevation figures (TW/BW).
- d. The correct floor heights shall be shown on the site plan and elevations.
- e. The height of the truck loading doors within the screened walled area shall be provided on the elevations.
- f. The colors of the proposed building materials shall approximate those shown on the illustrative elevations.
- g. Provide a detail of the loading area security gates.
- h. Revise the Tree Canopy Coverage schedule to indicate that the subject property is in the U-L-I Zone.
- i. The applicant shall provide documentation of concurrence to the alternative public utility easement from Verizon and Washington Gas/Potomac Electric Power Company (PEPCO).
- j. Lighting and landscaping shall be located so as not to interfere with one another.
- k. Show the width of the proposed commercial driveway on Rhode Island Avenue within a range of 27 to 34 feet and provide six on-street parking spaces along Rhode Island Avenue, subject to Maryland State Highway Administration (SHA) approval.

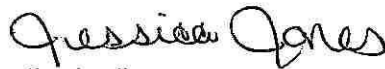
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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, and Hewlett voting in favor of the motion, and with Commissioner Shoaff absent at its regular meeting held on Thursday, October 15, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of November 2015.

Patricia Colihan Barney
Executive Director



By Jessica Jones
Planning Board Administrator

PCB:JJ:CF:rpg

APPROVED AS TO LEGAL SUFFICIENCY


M-NOFPC Legal Department

Date 10/20/15