



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 16-103

File No. DSP-15043

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 July 28, 2016, regarding Detailed Site Plan DSP-15043 for 4100 Laurel Road (Hidden Village), the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) application requests approval of a one-story 246-square-foot office with associated parking and landscaping, and a 720-square-foot future garage to be used for the maintenance of company vehicles.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	I-1	I-1
Use	Storage Yard	Towing Company Office w/Storage Yard
Acreage	0.896	0.896
Lot	1	1
Gross Floor Area (GFA)	246	246

OTHER DEVELOPMENT DATA

	Required	Provided
Green Area	10% (0.09 acres)	42%

Parking Schedule

PARKING REQUIRED

1 space

Trailer/Office Building
(1 space/250 of the first 2,000 sq. ft. of GFA) @ 246 GFA

PARKING PROVIDED

4 Spaces

Regular Parking Spaces (9.5 ft. x 19 ft.)	2 spaces
Parking Spaces for the physically handicapped	2 spaces

3. **Location:** The subject property is located at the north end of Laurel Road, approximately 340 feet north of its intersection with Beech Road. More specifically, the site is located at 4100 Laurel Road in Temple Hills, Maryland, in Planning Area 76A and Council District 7, and is also part of the Hidden Valley Subdivision.
4. **Surrounding Uses:** The site is bounded to the north by R-R (Rural-Residential) zoned property developed with single-family detached homes; to the south is I-1 (Light-Industrial) zoned property developed as a parking lot; to the east by undeveloped and wooded land also in the I-1 Zone; and to the west by additional R-R zoned property developed with one single-family detached home.
5. **Previous Approvals:** The property is located in the Established Communities area of the Prince George's County Growth Policy Map in the *Plan Prince George's 2035 Approved General Plan*. A Preliminary Plan of Subdivision, 4-87224, was approved on June 30, 1988 and recorded as Record Plat Book NLP 139-65. A permit, 15834-2011-CE was approved on July 5, 2011 to allow for a six-foot high, sight-tight fence to be built around the boundaries of the property. The site has a Stormwater Management approval, 56647-2015-00, which was granted by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on January 13, 2016 and will expire on January 13, 2019. The existing structure being used as an office did not obtain proper permits for the structure but did receive a Use and Occupancy Permit, 377-2010-00, approved on March 29, 2010 to use the property as an Auto Towing Station, Storage Yard.
6. **Design Features:** The subject site is roughly 0.9 acres and somewhat square in shape with the north and west sides adjacent to residentially-zoned property occupied by single-family homes. With undeveloped and wooded land along the eastern edge of the property, the site fronts approximately 340 feet of Beech Road, with one vehicular-access point located at the north end of Laurel Road. Adjacent I-1 zoned properties are located just south and southeast of the main entrance into the site.

The subject application proposes to validate existing site conditions including relocation of an existing office shed, (which did not obtain proper permits) from its current location near the entrance of the site to the rear of the property. Additionally, construction of associated four parking spaces, landscaping to meet buffer requirements, and proposal of a 720-square-foot future garage to be used for the maintenance of company vehicles are also included with the request. However, the Planning Board found that the information submitted with this application was insufficient for review and therefore found that the garage should be removed from the plan. An amended DSP should be submitted in the future once the applicant has obtained appropriate architectural elevations for any proposed structures on the sight.

Existing conditions of the property include a six-foot tall chain-linked fence with slates and barbed wire along the top. The fence and accompanying slates are installed along the entire parameter of the 0.9-acre site in an effort to create privacy between adjoining properties. Towed and company vehicles are currently organized around the parameter of the site with no designated or delineated parking spaces or drive isles. Asphalt and gravel piles are also located in various locations on the site.

The architecture of the existing one-story ten-foot-tall office structure (shed) is a wood framed, red and beige pre-fabricated building, with black-shingle roofing. The office shed currently houses four employees. Four portable potties are located at the rear of the building along the western edge of the property, and another is located at the rear of the site.

Signage that currently exists on the site consists of one sign of 40.5 square feet attached to the chain-linked fence and located at the entrance of the site. The sign displays the name "TCL Towing and Recovery, Inc." in red and white letters on a dark background along with the address, telephone number, and services provided by the company. Staff has been unable to locate a valid sign permit.

There is existing woodland on the site which occupies the majority of the required 40-foot landscape buffer along the northern edge of the property and extends along both the eastern and western edges. However, the Planning Board found that the existing buffer along the northern edge of the property to be inadequate and therefore, additional trees shall be planted. The majority of the site is covered with gravel, but the applicant proposes to appropriately remove gravel within the bufferyards and add an additional 4,600 square feet of landscaping in various locations along the parameter of the site to meet and address buffering requirements. The additional proposed landscaping will consist of evergreen trees, shrubs, and grass.

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the I-1 Zone and the site plan guidelines of the Zoning Ordinance as follows:

- a. The subject application proposes to validate the site development as it exists today and to relocate the existing office shed located at the front of the property to the rear. The Planning found that the associated site plan is in general conformance with the requirements of Section 27-473(b) of the Zoning Ordinance which governs permitted uses in the industrial zones and that the vehicle towing company office and vehicle storage yard is a permitted use in the I-1 Zone.

The associated site plan is in general conformance with the requirements of Section 27-473(b) of the Zoning Ordinance which governs permitted uses in the industrial zones that proposed vehicle towing company office and vehicle storage yard is a permitted use in the I-1 Zone.

- b. In accordance with Section 27-474(b), Regulations, the Planning Board found that the proposal meets the setback and green area standards of the I-1 Zone. The Landscape Manual requires additional setbacks for structures. The proposed building is required to be set back 50 feet from single-family dwellings and a minimum of a 40-foot landscape bufferyard is required.
- c. In accordance with Section 27-475, Mobile Home or Trailers, building permits are required for mobile homes or trailers that are intended for human occupancy and used for business purposes. The Planning Board finds that the office shed serves the same purpose of a mobile home or trailer intended for human occupancy for business use and thus falls within this category.

The existing building located on-site was not previously permitted. The applicant is in the process of obtaining the proper permit for the building and its proposed relocation. The preliminary plan of subdivision conditioned that prior to the issuance of a building permit, a limited site plan shall be approved by the Planning Board. The Planning Board found that approval of the subject plan would comply with the conditions of the Preliminary Plan and requirements of the underlying building permit application.

- d. The project is also subject to Section 27-469(e), Regulations; Divisions 1 and 5 of Part 7 (Industrial Zones); the Regulations Tables (Division 4 of Part 7); General Regulations (Part 2); Off-Street Parking and Loading (Part 11); Signs (Part 12); and the 2010 *Prince George's County Landscape Manual*, (Landscape Manual). See Finding 9 of this report for a full discussion of the project's conformance with the requirements of the Landscape Manual.
- e. The Planning Board found that the DSP shows a site layout that is consistent with Section 27-274, Site Design Guidelines and is designed in accordance with the Zoning Ordinance requirements mentioned above, except with respect to Signs (Part 12), specifically Section 27-596, Application. Signs shall not to be displayed unless a permit has been issued.

A sign is shown on the plan and has existed on the site without proper permit. The Planning Board conditioned that the required permit be obtained for the plan and that the details of the sign be placed on the plan in conformance to Part 12, Signs, prior to certification.

- 8. **Preliminary Plan of Subdivision 4-87224:** On February 18, 1988, the Planning Board approved Preliminary Plan of Subdivision 4-87224 (PGCPB Resolution No. 88-62) for Lots 39 and 40, Outlot A, Block 2. The resolution contains four conditions and the following condition in [boldface] text relate to the review of this application.

- 4. **A limited site plan shall be approved by the Planning Board prior to the building permit. The site plan shall ensure that there is adequate buffering between the development and the adjacent residential uses.**

The subject DSP was submitted in conformance with this requirement and addresses the issue of providing the appropriate buffer between the subject development and the adjacent residential uses. Further discussion and specification of the provided buffer are discussed in Finding 9 below and relevant conditions can be found in the Recommendation section of this staff report.

9. **2010 Prince George's County Landscape Manual:** The DSP for the validation of the existing towing company office is subject to Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3 Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).
 - a. **Section 4.2, Requirements for Landscaped Strips along Streets**—Section 4.2(c)(2) requires that all nonresidential uses in any zone and for all parking lots provide a landscape strip on the property abutting all public and private streets. The landscape strip should not include any paved area except pedestrian sidewalks or trails that cross the landscape stripe. The Planning Board found that this section applies to the subject application, along its frontage on Laurel Road. The submitted plans provide schedules and notes demonstrating conformance with this section by proposing an ample addition of shade trees and shrubs as required by the landscape manual. However, the landscape schedule shall be revised to provide the correct length of street frontage, excluding the driveway. A condition of approval is added to address this correction.
 - b. **Section 4.3, Parking Lot Requirements**—Section 4.3 requires a percentage of the parking lot, determined by the size of the lot, to be interior planting area and a perimeter landscape strip along all adjacent properties. The subject application, as it is currently presented, is exempt from this section of the Landscape Manual as the area of the proposed parking lot shown on the plan is less than 1,000 square feet. However, the Planning Board found that the note shown on the plan in reference to this exemption does not reflect the correct value of the area of the proposed parking lot and conditioned that the correct value is noted on the plan.
 - c. **Section 4.4, Screening Requirements**—Section 4.4 requires screening of loading spaces, trash facilities and mechanical equipment. More specifically, Section 4.4 (6) addresses screening associated with Vehicle-Related Uses and requires that all vehicle repair facilities, vehicle towing stations, and vehicle storage yards be completely screened from any adjoining existing residential use, land in any residential zone, or land in any other zone proposed to be used for residential purposes. Section 27-469(b)(3) of the Zoning Ordinance requires unless an adjoining property is used for a vehicle towing station or a vehicle storage yard, a vehicle towing station permitted in the I-1 Zone shall be screened by at least a six-foot-high, sight-tight fence or wall, by an evergreen screen, or a combination of both. A previous permit, 15834-2011-CE was approved for a six-foot-high sight-tight fence on July 7, 2011, to prevent dumping on the site. However, the submitted

plan indicates that a six-foot-tall, sight-tight, chain-link fence with barbed wire currently exists on the site. Photos provided by the applicant show that the material of the fence was not built as approved. As the use of chain link is prohibited per Section 4.4(c)(1) of the Landscape Manual, Material Requirements, the Planning Board conditioned that the barbed wire be removed and the plan be revised to provide a true sight-sight fence and associated details on the plan to be approved by the Urban Design Section as the designee of the Planning Board prior to certification.

- d. **Section 4.7, Buffering Incompatible Uses**—Section 4.7 requires a buffer between adjacent incompatible land uses with the intent to promote consistent buffering that provides comprehensive transitioning between moderately incompatible uses. This section applies to the subject application because it is adjacent to residential property along both the northern and western property lines and adjacent to a parking lot along the southern property line. The Planning Board found that the submitted plan provides the appropriate schedules meeting this requirement. However, the plan shall be revised to include additional evergreen trees along the buffer of the northern edge of the property to provide a more substantial buffer between the subject property and adjoining residential properties.
 - e. **Section 4.9, Sustainable Landscaping Requirements**—The site is subject to Section 4.9, which prohibits invasive plants and requires that a certain percentage of the proposed plants within each type (including shade trees, ornamental trees, evergreen trees, and shrubs) to be native species (or cultivars of native species). Additionally, this section requires that plants should not be situated on slopes steeper than three-to-one. The submitted plan provides the required schedules and notes showing the requirements of this section being met. However, the Planning Board found that the associated schedule nor the plants list indicate that existing trees have been included and accounted for. Therefore, the plan shall be revised to update the plant list and associated schedule accordingly.
- 10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** This application exempt from the Woodland and Wildlife Habitat Conservation Ordinance because the gross tract area is less than 40,000 square feet in the area and there is no previously approved Tree Conservation Plan on the subject site.
 - 11. **Prince George's County Tree Canopy Coverage Ordinance (TCC):** This application is not subject to the Tree Canopy Coverage Ordinance (TCC) as it does not propose disturbance of 5,000 square feet or greater.
 - 12. **Further Planning Board Findings and Comments from Other Entities:** The subject approval was referred to the concerned agencies and divisions for comments. The referral comments are summarized as follows:
 - a. **Community Planning**—The application is consistent with the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035). More particularly, the subject

property is located in the Established Communities are of Prince George's County Growth Policy Map and the vision for Established Communities is to have context-sensitive infill and low to medium-density development. As the property is located in an established industrial area, the proposed use is the context-sensitive development that Plan Prince George's 2035 encourages.

The development application is consistent with the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (SMA)*.

The application is consistent with the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* which recommends retaining the light industrial use on the property. There is a bicycle-design lane planned for Beech Road. The property is not located in one of the six focus areas of the plan. The Community Planning Division further concludes that there are no planning issues.

- b. **Transportation Planning**—The site encompasses Lot 39 of Hidden Village, and a plat was recorded in 1988 pursuant to Preliminary Plan of Subdivision 4-87224. Approximately 1,000 square feet of office and garage space are proposed. The proposal would not generate sufficient traffic to violate any presumed trip cap on the subdivision.

The site is at the end of Laurel Road. Access is acceptable. While the lot was platted with no intention of extending Laurel Road, no cul-de-sac bulb or other end treatment was platted either. It is strongly advised to confirm with the County Department of Permitting, Inspections, and Enforcement (DPIE) the requirements for gaining access to Laurel Drive. On-site parking and circulation is adequate. There are no master plan roadways immediately adjacent to the site.

In conclusion, the Planning Board found that from the standpoint of transportation, it is determined that the plan is acceptable and meets the findings required for a DSP, as described in Section 27-285 of the Zoning Ordinance.

- c. **Subdivision**—The subject property is known as Lot 39, Block 2, Hidden Village, and was recorded in Plat Book NLP 139-65 on June 30, 1988. Lot 39 is 39,031 square feet and is zoned I-1. The bearings, distances and lot size as reflected on the site plan are consistent with the record plat. The record plat contains one note which requires approval of a DSP prior to issuance of building permits limited to addressing buffering between the development and the adjacent residential uses.

Preliminary Plan of Subdivision (PPS) 4-87224 was approved with the finding that the development of this site should not significantly impact existing transportation facilities serving the development. Any development over 5,000 square feet will require approval of a new PPS to address adequate public facilities. Development of less than 5,000 square feet is *de minimis* pursuant to the "Transportation Review Guidelines Part 1, 2012."

The Subdivision Section conditions are as follows:

- (1) The site plan shows a proposed future garage which should be removed as it is not part of this application.

The Planning Board found that the garage should be removed from the plan.

- d. **Trails**—In a memorandum dated July 8, 2016, the Transportation Planning Section provided an analysis of the subject site plan's conformance with 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (Sector Plan).

There are no master plan trail recommendations that directly impact the subject site. There is one MPOT recommendation in the vicinity of the subject site; bicycle lanes along Beech Road. The MPOT provides several policies related to active transportation access and the provision of sidewalks, including (MPOT, page 9):

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the developed and developing tiers.

POLICY 2: All road frontage improvements and road capital improvement projects within the developed and developing tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

2013 Approved Central Branch Avenue Corridor Revitalization Sector Plan

The subject site is located in the Beech Road Focus Area in the Sector Plan. The Sector Plan has several recommendations for the development program for the Beech Road focus area, including (Sector Plan, page 56):

Identify and prioritize infrastructure improvements including roads, stormwater management, and sidewalks.

The sector plan does not recommend any trail facilities that directly impact the subject site. There is one trail recommendation in the vicinity of the subject site; bicycle lanes along Beech Road.

The missing sidewalks segments along Laurel Road are not on the subject site property. The provision of sidewalks should be considered during future development of adjacent properties or as a future capital improvement project implemented by the Department of Public Works & Transportation (DPW&T). Similarly, a bicycle lane along Beech Road can be implemented by DPW&T as a future road improvement project.

The Transportation Planning Section recommends approval of this DSP.

- e. **Permit Review**—The Permit Review comments have been addressed by revisions to the plans or are addressed in conditions of approval.
- f. **Environmental Planning**—The application is for a 0.896 acre parcel, which is zoned I-1 and wants to relocate a 246-square-foot structure on-site. No tree or woodland disturbance impacts are proposed.

Woodlands: The site is exempt from the Prince George's County Woodland Conservation Ordinance, because the site has less than 10,000 square feet of woodland and no previously approved tree conservation plans. The site has an approved WCO-Ex (S-003-16).

Specimen Trees: No Specimen Trees located on-site.

Wetlands/Streams: Not found on-site. The site is exempt from the Prince George's County Woodland Conservation Ordinance, because the site has less than 10,000 square feet of woodland shows the proposed development plan shows that no regulated environmental features are located on the subject property. The site has an approved NRI EL (NRI-251-2015).

100-Year Floodplain: Not found on-site.

PMA Impacts: No PMA on-site and no PMA impacts

Chesapeake Bay Critical Area: No CBCA on-site.

Green Infrastructure Plan: No GIP areas are shown on the subject property.

Noise: Laurel Road is not identified as being a master plan roadway nor are there any adjacent roadways that could affect the subject property.

Scenic Historic Roadway: No Historic or Scenic Roads adjacent to the site

Marlboro Clay Soils: Not found on-site

TDOZ: No Issue – not within a TDOZ

DDOZ: No Issue- not in a DDOZ

There are no issues or comments for the proposed site improvements.

- g. **Prince George's County Fire/EMS Department**—The Fire Department has not offered comments on the subject application.

- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE has not offered comments on the subject application.
 - i. **Prince George's County Police Department**—The Police Department has not offered comments on the subject application.
 - j. **Prince George's County Health Department**—The Health Department has not offered comments on the subject application.
 - k. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum/e-mail dated June 3, 2016, WSSC stated that after reviewing the DSP, they had no comments to offer 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, if approved with the proposed conditions below, 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. As required by Section 27-285(b)(4) of the Zoning Ordinance, the detailed site plan shall also demonstrate that regulated environmental features have been preserved and/or restored to the fullest extent possible. In accordance with the review by the Environmental Planning Section, there is no regulated environmental features on this site.

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-15043, subject to the following conditions:

- 1. Prior to certification, the applicant shall revise the detailed site plan (DSP) as follows or provide the specified documentation:
 - a. Revise the plans to include the new Maryland-National Capital Park and Planning Commission (M-NCPPC) approval block on all plan sheets. Approval blocks shall be filled in with the appropriate information regarding the project name and number.
 - b. Remove all schedules, details, etc. from the approval sheet with the exception of inclusion of the M-NCPPC approval block. This page shall be left blank for the placement of all approvals.
 - c. Revise the plan to indicate the correct "Use" and "Impact" of each adjoining property.

- d. Revise the plan to include an additional note along the southern edge of the property indicating the removal of gravel in the landscape buffer.
- e. Revise the Green Space data to include the value of green space "provided" for the site.
- f. Revise the Parking Schedule and associated calculation to indicate the correct parking requirements associated with the office.
- g. Revise the note in the Parking Schedule to correct the area of the proposed parking lot.
- h. Revise the length and dimensions shown on the Parking Schedule for van-accessible spaces to read eight feet by 19 feet rather than 16 feet by 19 feet.
- i. Revise the plan to note the correct area of the Limit of Disturbance for the site.
- j. Revise the plan to remove the proposed future garage.
- k. The proposed structure (office shed) shall be moved to the southeast portion of the site. Appropriate guidelines for the setbacks shall be adhered to.
- l. Revise the landscape plan and appropriate schedules to account for all existing trees and shrubs.
- m. Revise the 4.2 schedule to show the correct value for linear footage of street frontage along the southern edge of the property, excluding the driveway entrance.
- n. Provide appropriate stabilization for proposed landscaping.
- o. Revise the plan to add additional evergreen trees along the bufferyard at the north property to provide a more substantial buffer between the site and adjoining residential properties. Revise associated landscape schedules and charts accordingly.
- p. Revise the plan to replace the chain-link fence and barbed wire with a true sight-tight fence and provide associated details on the plan. The new fence shall be a minimum of six feet as previously approved.
- q. Revise the plan to show a detail and associated sign face calculations of the sign shown on the plan. The proper permits shall be obtained for a sign in conformance with the Zoning Ordinance.
- r. Revise the plan to include architecture of the office shed. Architecture shall include front, rear, and side elevations, including height, width, and materials.

- s. Revise the plans to show the location of portable potties on the site properly sized and dimensioned.
- t. An amended detailed site plan shall be submitted subject to the review by the Planning Board once the applicant has obtained the appropriate architectural elevations. The elevations shall include front, rear, and side elevations, including height, width and materials.

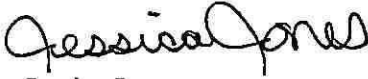
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Shoaff absent at its regular meeting held on Thursday, July 28, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of September 2016.

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:AB:ydw

APPROVED AS TO LEGAL SUFFICIENCY

M-NCP&C Legal Department
Date 8/11/16