

R E S O L U T I O N

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 26, 2018, regarding Detailed Site Plan DSP-17041 for 5200 Auth Road Retail, the Planning Board finds:

1. **Request:** This detailed site plan (DSP) application involves a three-part request:
  - (1) To change the underlying zoning of the subject property from the Commercial Office (C-O) Zone to the C-S-C Zone;
  - (2) To amend the use list approved with the D-D-O Zone of the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* (Southern Green Line Station Area Sector Plan and SMA) to allow an eating and drinking establishment, with drive-through service, a gas station, and a food and beverage store, in combination with a gas station, on the subject property; and
  - (3) To construct a 4,649 square-foot food and beverage store and gas station with 14 gas pumps (Royal Farms), a 3,000 square-foot eating and drinking establishment, with drive-through service, and a 9,700 square-foot multi-tenant retail building, with amendments to development district standards, as needed.
2. **Development Data Summary:**

|                                   | <b>EXISTING</b> | <b>APPROVED</b>   |
|-----------------------------------|-----------------|-------------------|
| Zone(s)                           | C-O/D-D-O       | C-S-C/D-D-O       |
| Use(s)                            | Office          | Commercial/retail |
| Acreage                           | 3.84            | 3.84              |
| Lots                              | 1               | 1                 |
| Gross Floor Area (sq. ft.)        | 141,512         | 17,349            |
| Of which Food and beverage store  | -               | 4,649             |
| Eating and drinking establishment | -               | 3,000             |
| Multi-tenant retail building      | -               | 9,700             |

## OTHER DEVELOPMENT DATA

### Parking Requirements

| Uses                                                 | Required                                    | Provided   |
|------------------------------------------------------|---------------------------------------------|------------|
| <b>Building A (3,000 GFA)</b>                        | <b>62</b>                                   | <b>62</b>  |
| Eating and drinking establishment with drive-through | 1/per 3 seats=48<br>1/per 50 sq. ft=14      |            |
| <b>Building B-Multitenant (9,700 GFA)</b>            | <b>54</b>                                   | <b>54</b>  |
|                                                      | 1/per 150 sq. ft =20<br>1/per 200 sq. ft=34 |            |
| <b>Building C-Royal Farm (4,649 GFA)</b>             | <b>46</b>                                   | <b>46</b>  |
| Retail                                               | 1/per 150 sq. ft =20<br>1/per 200 sq. ft=8  |            |
| Gas Station -8 employees                             | 8                                           |            |
| Eating and drinking establishment with drive-thru    | 1/3 per seats                               |            |
| <b>Total (17,349 GFA)</b>                            | <b>162</b>                                  | <b>162</b> |
| of which spaces for the physically handicapped       | 6                                           | 9          |

|                                                 | Required | Provided        |
|-------------------------------------------------|----------|-----------------|
| <b>Loading Requirements</b>                     | <b>2</b> | <b>2</b>        |
| 2 loading spaces per GFA 10,000-100,000 sq. ft  |          |                 |
| Bicycle Parking for non-residential development | 12       | 12<br>(6 racks) |

3. **Location:** The subject property is located on the north side of Auth Road, in the northeast quadrant of its intersection with Auth Place, in Planning Area 76A, Council District 8. The site is also within the Development District Overlay (D-D-O) Zone designated by the Southern Green Line Station Area Sector Plan and SMA, as adopted in Prince George's County Council Resolution CR-10-2014.
4. **Surrounding Uses:** The subject site is bounded on the south and west sides by the rights-of-way of Auth Road and Auth Place respectively. Across Auth Road to the south, are developed properties in the C-M (Commercial Miscellaneous)/D-D-O and C-O/D-D-O Zones, and across Auth Place to the west are developed properties in the C-M/D-D-O Zone. To the north of the property is an existing stormwater management pond in the C-S-C/D-D-O Zones and the recently constructed Woods Way and to the east are a developed site in the C-O/D-D-O Zones and a vacant property in the I-3 (Planned Industrial/Employment Park) /D-D-O Zone.

5. **Previous Approvals:** The 3.84-acre property is currently developed with a vacant office building constructed in 1974 when the property was zoned C-O. The existing office building is to be razed. The Southern Green Line Station Area Sector Plan and SMA retained the underlying C-O Zone, in recognition of the existing development, but established a D-D-O Zone over the entire sector plan boundary. The site also has an approved Stormwater Management Concept Plan (46653-2017), which is valid through 2021.
6. **Design Features:** The subject site plan proposes to raze an existing vacant commercial office building and redevelop the site into a new commercial/retail development.

**Site Layout:** This application proposes one phase of construction including four structures and associated parking, walkways, and landscaping. The uses proposed in three buildings and one gas station canopy include (1) an eating and drinking establishment, with drive-through (2) a multitenant retail building, with drive-through, and (3) a food and beverage store in combination with a gas station. Two vehicular access points have been provided to the site from existing surrounding roadways, including Auth Road and Auth Place. The entrance from Auth Place leads to a main driveway through the center of the site, connecting the four structures. A pedestrian walk parallels the main driveway also providing interconnectivity and a connection to the public sidewalk located on Auth Place. The proposed gas station canopy is oriented toward Auth Road, with the food and beverage store located behind it. The eating and drinking establishment building is located to the north, behind the food and beverage store, and the multi-tenant retail building is located in the northeastern corner of the site. All buildings are surrounded by surface parking and drive aisles on all sides. The location of the retail building will also be visible from Woods Way, which is a roadway that touches the northeastern property line and directly connects to the Branch Avenue Metro Station. A retaining wall with railing runs along the majority of the northern and eastern property lines and a low screen wall is provided along part of the Auth Road frontage.

### **Architecture**

Building 'A' an eating and drinking establishment, with a drive-through, is a single-story outbuilding on the site fronting Auth Place. The 3,000 square-foot building is served by 62 parking spaces. The southeast and southwest elevations consist of aluminum storefront, grey brick with dark grey accent watertable and cap, a "cedar" fiber cement paneling siding as accent and a silver fiber cement paneling siding fascia and cornice. The northwest façade is primarily grey brick and dark grey brick accent watertable and cap with limited storefront and "cedar" fiber cement paneling siding accent. The silver fiber cement paneling siding continues around the top of the wall as fascia and cornice. The northeast façade, facing the interior of the parcel, is grey brick with a dark grey brick accent watertable and cap and silver fiber cement paneling siding carried around as fascia and cornice.

Building B is a single-story, 9,700-square-foot building slated to be broken into five retail tenant spaces and contains a drive-through component on north side. It is served by 54 parking spaces. The southwest front façade consists of aluminum storefront, grey brick with dark grey accent watertable and cap, a "cedar" fiber cement paneling siding as accent and a silver fiber cement paneling siding fascia and cornice. The cornice of the center three bays is elevated to provide focus

and break up the horizontal expanse of the façade. The north elevation, where the drive-through is located, is primarily grey brick and dark grey brick accent watertable and cap with “cedar” fiber cement paneling siding accent. The silver fiber cement paneling siding continues around the top of the wall as fascia and cornice. The southeast and northeast elevations are primarily grey brick and dark grey brick accent watertable and cap with silver fiber cement paneling siding continuing around the top of the wall as fascia and cornice.

The architecture of the Royal Farms food and beverage store, Building C, is a one-story, 21-foot, 9-inch tall, 4,649 square-foot building fronting on Auth Road. It incorporates a band of cementitious siding at the top portion of the building, brick veneer in the middle, and stone veneer at the base of the building. The main entrance, with a high-profile pitched roof, projects from the rest of the building. The front elevation is accented with a gabled roof with cupola over the main entrance, supported by stone veneer and painted steel columns. Over-sized windows help break up the horizontal mass of the building. The rear elevation presents long uninterrupted bands of the composite siding, red brick, and stone veneer. The applicant has used durable quality materials including stone, brick, and composite siding. Canvas accent awnings on all four sides add interest to the store.

A 19-foot tall, 5,376 square-foot fuel canopy stands between the store and Auth Road. White steel columns support a flat roof featuring white fascia with a red accent band around the top. The corner columns are provided with decorative trusses and stone veneer to match the store.

An 8-foot tall enclosure with composite gates and brick veneer walls serves to hide the dumpsters from view while complementing the aesthetics of the food and beverage store.

**Green Building and Sustainable Site Development Techniques:** The applicant has incorporated energy- and water-efficient green building features into the project and may seek Leadership in Energy and Environmental Design (LEED) certification for the building. Examples of these green building and sustainable techniques include that all the vegetable oil used to prepare Royal Farms’ signature chicken will be converted into biofuel, the majority of the materials will be purchased locally, and over 85 percent of all waste from construction will be recycled or repurposed.

**Signage:** The proposed sign plan consists of one monument sign and two pylon signs, as well as, building-mounted signage proposed on the south, southwest and west elevations of Buildings A, B, and C as shown on the signage plans submitted with the DSP package. The signage shown on the three elevations is the same primary identification sign with varied formats. Wayfinding signs and directional signs are also provided with the DSP. The size, color, design, and materials for all of the signage is provided on a comprehensive sign plan.

The DSP proposes two 25-foot pylon signs which will be lit internally with environmentally sensitive low-emitting diode (LED) illumination. The upper portion of one of the signs is devoted to the traditional “Royal Farms” sign with gas prices on the lower portion. The base of the sign is composed of stone veneer with a concrete cap. The second pylon sign will contain the shopping

center name and tenants' names and will be finished with grey brick. The one grey-brick monument sign will act as a gateway feature to the Auth Road area.

However, the proposed pylon sign of the Royal Farm is totally different from the monumental sign of the shopping center. The two signs should be coordinated to reflect a uniform development. The applicant should revise the signs to be consistent in terms of design, materials and color to be reviewed and approved by the Urban Design Section as the designee of the Prince George's County Planning Board, prior to certification of this DSP. The applicant should also provide a summary table for all building-mounted signs and list the required and provided sign face area calculation. A condition has been included in this resolution requiring these plan revisions.

**Exterior Lighting Fixtures:** The primary light fixture for the site is a 17-foot high LED Small Viper Luminaire (PL1) mounted on a two-foot concrete base. The PL1 fixture is located throughout the project and is intended to illuminate the parking, drive zones, entrances and sidewalks. Additional building mounted light fixtures are also provided. All lighting fixtures are full cut-off type. A full site photometric plan has been provided illustrating minimum lights levels provided by the fixtures. Specialty night lighting is intended to highlight the most attractive portions of the façade of the proposed buildings.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **2014 Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment and D-D-O Zone standards:** The Southern Green Line Station Area Sector Plan and SMA defines long-range land use and development policies, detailed zoning changes, design standards, and superimposes a development overlay zone on the area within a quarter mile of the Branch Avenue Metro Station, with the intent that the D-D-O Zone design standards advance the County and sector plan's vision of Branch Avenue as a priority area for transit-oriented development.

Section 27-548.26(b) states:

**(b) Property Owner.**

- (1) Notwithstanding the provisions of subsection (a), above, a property owner may request that the District Council amend development requirements for the owner's property, as follows:**

- (A) An owner of property in, adjoining, or separated only by a right-of-way from the Development District may request changes to the boundary of the approved D-D-O Zone.**

- (B) **An owner of property in the Development District may request changes to the underlying zones or the list of allowed uses, as modified by the Development District Standards.**
- (2) **The owner's application shall include:**
  - (A) **A statement showing that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan; and**
  - (B) **A site plan, either the Detailed Site Plan required by Section 27-548.25 or a Conceptual Site Plan.**

This applicant filed the subject DSP to request the change of the underlying zone from the C-O Zone to the C-S-C Zone, to change the list of allowed uses, in accordance with Section 27-548.26(b)(1)(B), and to amend various development district standards. The applicant provided an extensive statement of justification, which is quoted herein as necessary. The following discussion is offered regarding this three-part request:

- a. **Rezoning from the C-O Zone to the C-S-C Zone:** The applicant provides justification to rezone the subject site, as follows:

**Applicant Request/Comment/Justification:**

“The Detailed Site Plan for the subject property proposes a change in the underlying zone of the subject property from the C-O Zone to the C-S-C Zone and a change in the list of permitted uses to allow all of the uses listed in the use list adopted with the DDOZ applicable to the ‘C-S-C Zone in the DDOZ’, which is set forth in CR-10-2014. Section 27-548.26(b)(2) provides that any application for such a change must include ‘a statement showing that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment or Sector Plan.’ and ‘a site plan, either the Detailed Site Plan required by Section 27-548.25 or a Conceptual Site Plan.’ The application submitted herewith includes a Detailed Site Plan. Set forth below is an analysis for conformance with the purposes and recommendations for the Development District as stated in the Southern Green Line Sector Plan.

“The Subject Property is improved with an existing vacant office building. The property was for sale for several years and was evaluated for refurbishment as an office building and for conversion to residential use. However, the age and condition of the existing building prevented re-use of the structure. The Applicant proposes to now provide infill retail development, which would serve existing and

future residents of the area immediately surrounding the Metro, as well as commuters utilizing the Metro station.

“The Metro Station relies on surface parking and has the most parking spaces and highest ridership of any of the other Green Line Stations, with 65 percent of the riders driving 5 to 25 miles to get to the station. As commuters would pass by the subject property, they would either be ending or beginning a lengthy drive.

“As the Sector Plan also notes, the historic development pattern of the Branch Avenue Metro Station resulted in limited points of access into the Station. Although abutted by Suitland Parkway and close to Suitland Road, the station cannot be accessed by these roads. Access to the station comes from Auth Road and Branch Avenue. In addition, the development of the station has resulted in ample open space north of the Metro, including 30 acres that WMATA owns which the Sector Plan identifies as ‘a key opportunity for TOD’. The Sector Plan also notes, that within a quarter mile of the Metro station the land use is dominated by the metro commuter parking lot and, to the northeast, large, undeveloped parcels. The zoning within the sector plan reflects this, with the densest M-X-T zoning being placed within a quarter mile of the station and to the north and east of the station where the TOD opportunities exist. Finally, the Sector Plan notes that as one moves west from the station along Auth Road and Auth Way, the zoning steps down to general commercial, allowing uses that are served by the highways.

“The subject property lies in the western edge of the Branch Avenue station area outside of both the quarter mile and half mile walk distances. As discussed above, and as stated in the plan, it is located at a key access point as vehicles approach the Metro, easily accessible from the Beltway, Auth Road and Woods Way. At the time the Sector Plan was adopted, the property was zoned C-O and developed with an office building. As such, it was not identified as either an existing opportunity site or potential redevelopment site in the Sector Plan. Rather, the existing C-O zoning was retained and, as stated in the Sector Plan, it was not anticipated that a change of land use would occur for 20 years. The redevelopment of the office building thus provides an opportunity for the District Council to take a fresh look at the Subject Property and identify the appropriate zoning category and permitted uses without having any impact on the TOD recommendations in the Sector Plan. The proposed use will provide much needed retail services to existing and future residents in the Metro station area, existing and future employees working in the offices, hotel guests, and commuters who rely on this terminus station for access to Washington D.C.

“The Applicant submits that the C-S-C Zone and retail commercial uses are appropriate for the Subject Property and conform to the purposes and recommendations in the plan. As noted above, the site was not specifically

identified in the Sector Plan. Thus, the general recommendation in the plan need to be evaluated to determine an appropriate use. In the Branch Avenue Strategic Area Plan, the subject property is identified as being in the Woods Way neighborhood. This area was viewed as mostly a residential development opportunity, with up to 500 units projected, none on the subject property. As noted in the Sector Plan:

‘The new frontage along Woods Way opens up great addresses for either residential infill, or office, or retail if the market supports those uses. This is a transition zone between the car dealerships along MD 5, older office buildings on the east side of Auth Place, and new development focused on the station. Additional four and five story apartment buildings help to extend the influence of the station out toward the highway.’

“The Sector Plan recognizes this area as being a transition zone and a great address for retail if the market supports the use. Redeveloping the Subject Property is difficult. As noted in the Sector Plan (p. 72), the standard office floor plate is 25,000 square feet, much larger than the existing building. The size of the Subject Property does not support the development of a new office building and would take away from the stated preference that such development be focused on Old Soper Road in the early phases of the plan. Residential development is also not preferred for the site. Such development would be oriented toward the car dealerships and auto repair uses which are across Auth Road and Auth Place and are not with the actual half-mile walk distance. Also, constructing such a development now would not conform to the Sector Plan phasing recommendations.

“When considering the recommendations of the plan and the access patterns into the Metro station, retail use of the property is appropriate. In discussing the transportation system serving the Branch Avenue Metro, the Sector Plan notes that ‘travelling from the north on the inner loop of the Beltway, the exit to Auth Road aligns with Auth Place.’ The subject property is at Auth Road and Auth Place. From the outer loop the exit is to MD 5. At the time the Sector Plan was adopted, Auth Road and Auth Way were the only connections from the station to the outside. But the Sector Plan notes that Woods Way was nearing construction by SHA. However, as the plan states, ‘this road will only add a third rout from the same direction.’ The construction of Woods Way allowed for the traffic signal at Md 5 and Auth Road to be eliminated, but traffic accessing the Metro station from Woods Way now invariably travel past the subject property. Thus, most of the traffic to the Metro Station must travel by the subject property, making a perfect location for the types of commercial uses proposed. Finally, changing the underlying zoning to the C-S-C zone would be compatible with surrounding properties.

“There is C-M zoned land to the west and south. The property across Woods Way is zoned C-S-C and the property to the east is zoned C-O with an existing office building. The property to the west, as noted above, is identified in the Sector Plan as the ‘MD 5 Commercial Corridor’. This area is predominantly occupied by car dealerships. As the Sector Plan states, these uses benefit from great visibility from MD 5 and are viable uses. For all of these reasons, the subject property is an appropriate location for retail infill uses which serve the residents and commuters due to easy visibility and access for those travelling to the metro station. The site, given its size and walking distance from the Metro, is not a prime location for dense TOD development.

“Based on the above, the Applicant submits that the C-S-C zone is consistent with and fulfills the goals of the Sector Plan and the DDOZ.”

The Planning Board took no position on the applicant’s request to rezone the site to the C-S-C Zone or allow any uses prohibited by the D-D-O Zone. Based on the future land use and zoning maps, the sector plan recommends office use and C-O zoning for the subject property. The proposed development concept and program for land use in the Woods Way Central District includes mixed-use, residential, office, hotels, and retail. The applicant relied upon the development concept and flexibility described within as justification for redeveloping the subject property to the proposed suburban auto-oriented uses and zoning. However, the intent of the sector plan was to encourage flexibility within the context of transit-oriented, pedestrian-friendly development within the Branch Avenue Metro Station Area. The amendments to change the allowable uses and existing C-O zoning to C-S-C zoning to support automobile-oriented uses does not conform with the purposes and recommendations of sector plan.

- b. **Amendment to Table of Uses:** Regarding the request to allow certain uses on the subject property, the applicant’s justification and the Planning Board’s discussion are provided, as follows:

**Applicant Justification:**

“Regarding the requested change in permitted uses, the Applicant adopts the Statement of Conformance set forth above, and notes that there is a Commercial Use Table included with the adoption of the D-D-O Zone. This use table lists the uses normally permitted in the C-S-C Zone, the uses permitted in the C-S-C Zone in the D-D-O Zone, and the uses permitted within one-half mile of the Metro. Based purely on a radius distance, the Subject Property would be subject to the use table applicable to properties within one-half mile of the Metro. As discussed at length herein, however, the Sector Plan vision is focused on TOD development which is clearly identified in the Sector Plan and does not include the Subject Property. Given this, and the location of the property outside the actual half mile walk distance, the Applicant proposes that the use list appropriate for the Subject

Property is the use list applicable to the C-S-C Zone in the D-D-O Zone, with certain minor modifications, discussed below.

“As shown on the Detailed Site Plan, the Applicant proposes a gas station in conjunction with a food and beverage store. The gas station is permitted in the C-S-C zone subject to conformance with Section 27-317(a) (1) (4) (5) and (6) and conforms to the Sector Plan. [Footnote 2] A food and beverage store in combination with a gas station is not permitted. The Applicant is requesting that a food and beverage store be permitted in combination with a gas station pursuant to the same criteria as for the gas station. Section 27-317 (a) (1) (4) (5) and (6) provide as follows:

- “(1) The proposed use and site plan are in harmony with the purposes of this Subtitle;
- “(4) The proposed use will not adversely affect the health, safety and welfare of residents or workers in the area;
- “(5) The proposed use will not be detrimental to the use or development of adjacent proper-ties or the general neighborhood; and
- “(6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan;”

The Planning Board took no position on the requested use change. The D-D-O/C-S-C Zones within one-half mile of either entrance of the Branch Avenue Metro Station prohibits eating and drinking establishments with drive-throughs, food and beverage stores with gas stations, and stand-alone gas stations. The applicant also presents “P” as the applicable requirements to allow a gas station in the C-S-C Zone. However, this does not apply, because Footnote IV prohibits gas stations in the C-S-C/D-D-O Zones within one-half mile of the Branch Avenue Metro.

Additionally, the proposed application fails to meet the recommendations of the sector plan and the *Plan Prince George’s 2035 Approved General Plan* (Plan 2035). Specifically, it does not implement Plan 2035’s recommendation to create medium- to high-density development with a mix of complementary uses, provide for a range of transportation options, including bicycle and walkability, or foster multimodal travel for pedestrians, cyclists, transit, and other alternatives to the automobile.

- c. **Amendment to the D-D-O Zone standards:** Section 27-548.25(b) of the Zoning Ordinance 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 nine parts. However, under Part VIII, Detailed Site Plan Review (CR-10-2014), the approved sector plan specifically notes the following:

**At site plan review, the Planning Board and District Council shall apply development standards and requirements that comply and are consistent with the DDOZ standards, restrictions, and requirements contained herein and not alternate standards pursuant to Section 27-548.25 (c) that differ with those prescribed in this DDOZ.**

The applicant requests amendments, in accordance with Section 27-548.26(b), to the following standards:

- Design requirement II.1.(A), if deemed a requirement applicable to property;
- Design requirement II.1.(B), if deemed a requirement applicable to property;
- Design requirement II.1.(C);
- Design requirement II.1.(E), to the extent applicable;
- Design requirement II.1.(F), if proposed development deemed “strip commercial”;
- Design requirement II.1.(G);
- Use restriction waiver requested to permit gas station;
- Street design standard to allow newly installed sidewalk to remain;
- Building Location Standard V: Build-to Zone and Build-To Line;
- Building height, GFA, FAR and Density standards to reduce building height and FAR.
- Parking standards to allow surface parking between building façade and street, for the proposed screening to be deemed adequate, and to allow a parking ratio higher than 2.75 spaces per 1000 gross square feet.

## **II. Design requirements and limitations; Use Restrictions**

### **1. Design requirements and limitations**

**Any development project, except as provided herein, for which Detailed Site Plan approval is sought, regardless of underlying zoning approvals, located in the Branch Avenue Metro Station Area, shall:**

- (A) **Encourage a mix of moderate and high-density development within walking distance of the transit station in order to increase transit ridership, with generally the most intense density and highest building heights in closest proximity to the transit station.**

**Applicant Justification:**

“As noted above, the subject property, while within a half mile radius of one of the entrances to the Metro Station as the crow flies, is not within the actual half mile walk distance as depicted on Figure 26 of the Sector Plan. This design requirement is clearly intended to apply to development ‘within walking distance of the transit station’ and, as such, would not be applicable to the proposed development.”

The Planning Board took no position on the requested amendment to permit low-density uses within walking distance of the Metro Station. Despite its close proximity to the Branch Avenue Metro Station, the proposed car-centric single-story uses will not promote transit ridership. The referenced Figure 26 from the sector plan shows this property outside of the actual half-mile walk distance to the metro station; however, that was created prior to the construction of Woods Way, to the north of the property, which now puts this property within a one-half mile walk distance. Therefore, higher density development is desired on the subject property and is subject to the Development District Standards specific to the Branch Avenue Metro Station Area.

- (B) **Promote the reduction of automobile dependency and road congestion by:**
- (i) **locating multiple destinations and trip purposes within walking distance of one another in conjunction with other existing and planned (in an approved master plan or sector plan) uses in the Branch Avenue Metro Station Area;**
  - (ii) **creating a high-quality, active streetscape to encourage walking and transit use;**

- (iii) **minimizing surface parking; and**
- (iv) **providing facilities to encourage alternative transportation options to single-occupancy vehicles, like walking, bicycling, or public transportation use:**

**Applicant Justification:**

“As discussed above, the subject property is well located to provide services to those traveling to the Metro Station by automobile since it is easily accessible to most people using the Metro and is not within a half mile walk from the station. Notwithstanding, the proposed development does locate multiple destinations and trip purposes within walking distance of one another. The retail and service commercial uses proposed for the Subject Property will be directly targeted to those that live around or commute to the Metro or the offices surrounding it. This will provide an invaluable asset which will eliminate the need to go outside the Branch Avenue Metro Station Area to find similar services. In addition, such uses would not be appropriate in the Metro core or in places within the actual half mile walking distance to the Metro. As demonstrated on the DSP, the proposed use will create a high quality, attractive streetscape. There will be sidewalks along all street frontages and visitors to the site will be able to walk between the multiple tenants. Parking is minimized to the minimum necessary to serve the actual needs of the proposed uses and the patrons which will frequent them.”

The Planning Board took no position on the requested amendment. The Planning Board concurs that the development will provide multiple destinations and trip purposes in the Branch Avenue Metro Station Area. However, the design and proposed uses will not create an active streetscape, minimize surface parking or encourage alternative transportation options.

**(C) Minimize building setbacks from the street**

**Applicant Justification:**

“Given the nature of the proposed uses, the buildings are located on the site the appropriate distance from the street. It is also evident from a review of the site plan that while the Subject Property fronts on Woods Way, there is a substantial stormwater management facility between the actual travel way and the Subject Property. This prevents the buildings from fronting on the road. The applicant contends that for the uses proposed, the setbacks are appropriate. While the Subject Property fronts on Woods Way, there is a substantial stormwater management facility between the actual travel way and the Subject Property. This prevents the buildings from fronting on the road. The applicant contends that for the uses proposed, the setbacks are appropriate.”

The Planning Board took no position on the requested amendment. The DSP places parking between the street and the buildings; this maximizes setbacks as opposed to minimizing them, which does not contribute to the walkability of the development district.

**(E) Incorporate the design standards of Section 27A-209 of the Code to the extent deemed practicable by the District Council**

**Section 27A-209**

- (a) Building Façades should be aligned and close to the Street. Buildings form the space of the Street.**
- (c) Multimodal, complete Streets incorporating well-designed pedestrian, bicycle, transit, and auto facilities are essential elements of the Urban Centers and Corridor Nodes.**
- (f) Buildings oversee the Street-Space with active fronts. This overview of the Street-Space contributes to safe and vital public spaces.**

- (h) Buildings are designed for neighborhoods, towns, and cities. Rather than being simply pushed closer together, buildings should be designed for the urban situation within towns and cities. Views are directed to the Street-Space and interior gardens or courtyards to highlight these key amenities for the community and reinforce visual surveillance and sense of communal ownership of these spaces.**
- (i) Vehicle storage and parking (excluding on-Street parking) ...are kept away from the Street-Space.**

**Applicant Justification:**

“Section 27A-209 sets forth general design principles of Urban Centers and Corridor Nodes. These design principles are appropriate for development in the core of a transit district, but not for a development such as that proposed in this Detailed Site plan which is intended to be targeted more to the commuter market and future residents/employees in the core that require the types of services proposed. In addition, the property is not conducive to the design standards contained in this section. For example, Section 27A-209 encourages buildings to be aligned and close to the street. The subject property is a through lot, with roads on three sides of the property. The northern property boundary, which abuts Woods Way, is separated by a substantial stormwater management facility, preventing the type of urban streetscape which is promoted by the general design principles. Thus, implementation of the general design standards outlined in Section 27A-209 is not practicable in this instance.”

The Planning Board took no position on the requested amendment to the guidelines as proposed by the DSP. The proposed development application fails to include many of the of 27A-209 design guidelines. The applicant states that these are not standards but are only guidelines. However, the D-D-O Zone states that these guidelines shall be followed to the extent possible based on District Council review. Specifically, the site application does not align the buildings with the street and fails to incorporate pedestrian facilities, urban-style site design, and interior gardens or courtyards per Section 27A-209.

- (F) **Not include strip commercial development (in this DDOZ, "Strip commercial development" means commercial development characterized by a low density, linear development pattern usually one lot in depth, organized around a common surface parking lot between the building entrance and the street and lacking a defined pedestrian system);**
- (G) **Not include any automobile drive-through or drive-up service; and**

**Applicant Justification:**

“The type of strip commercial development described above would not be appropriate within the core of a TOD and is not recommended by the Sector Plan for the identified TOD areas. In the area in which the Subject Property is located, however, the Sector Plan recommends a "flexible approach to future land use", with the understanding that the future could be 20 or more years away. The location of the Subject Property outside the core TOD area, the condition of the existing building, the vehicular circulation patterns around the Subject Property and the immediate need for retail uses of the type proposed all demonstrate that this Design Requirement is not violated by rezoning the Subject Property and permitting the uses as requested by the Applicant. The subject property is a redevelopment of a dilapidated, vacant office building. The property is not within a reasonable walking distance of the Metro and is perfectly suited to serve the retail and service commercial needs of commuters and local residents. The size and orientation of the subject property prevent a single strip of commercial uses. With a property fronting on three separate roadways, the uses are designed to be visible and accessible. The parking is spread throughout the site in order to encourage visitors to walk between the uses. The site will encourage multiple trips and reduce the need to stop elsewhere.

“Again, this is an appropriate restriction for development within the core of a TOD. The changes to the list of allowed uses requested by the Applicant, in this limited

location, provide services within the Metro Station Area without negatively impacting any of the TOD recommendations in the Sector Plan. As designed, the applicant anticipates a coffee shop with a drive through as one of the retail uses in the multi-tenant building. In addition, a second drive through has been shown for the pad site facing Auth Place, which is anticipated to be a bank or eating and drinking establishment. Currently within the Branch Avenue Metro Station Area, there are limited opportunities for eating and drinking establishments and other uses of this type which will serve the patrons which pass by this site on a daily basis. While new opportunities will be created in a more urban, pedestrian oriented setting as development closer to the Metro Station occurs, some opportunities should be provided for such uses in recognition of the commuter nature of this metro station. The Applicant submits that this is an appropriate location for this use and strict application of this requirement would essentially prohibit such uses anywhere that is accessible to commuters entering the station area, given the limited means of access.”

The Planning Board took no position on the requested amendment. The property is located within the Southern Green Line Station Area D-D-O Zone, Branch Avenue Metro Station Subarea (within one-half mile of either entrance of the Branch Avenue Metro Station). As shown above, the text of the D-D-O Zone prohibits gas stations, strip commercial development (described as low-density, linear development pattern usually one lot in depth, organized around a common surface parking lot between the building entrance and the street and lacking a defined pedestrian system), and drive-through services within one-half mile of either entrance of the Metro Station. The applicant has requested amendment in accordance with Section 27-548.26 (b).

## 2. Use Restrictions.

**The following uses, except as provided herein, as defined in Section 27A-106 or, if not defined in Section 27A-106, as otherwise defined in Subtitle 27 (or, if not defined in Subtitle 27, the normal dictionary meaning), are not allowed uses in the Branch Avenue Metro Station Area:**

- (A) **Adult entertainment;**
- (B) **Check cashing business;**
- (C) **Pawnshop or Pawn Dealer;**
- (D) **Cemetery;**
- (E) **Vehicle and vehicular equipment sales and services (also includes gas station, car wash, towing services, RV mobile home sales, and boat sales);**
- (F) **Wholesale trade, warehouse and distribution, or storage (also includes self-service storage, mini-storage, and any storage or salvage yards);**
- (G) **Amusement park;**
- (H) **Sale, rental, or repair of industrial or heavy equipment;**
- (I) **Secondhand business (in this DDOZ, a "secondhand business" is an establishment whose regular business includes the sale (including retail and non-retail sale or resale) or rental of tangible personal property (excluding motor vehicles) previously used, rented, owned or leased);**
- (J) **Nail salon and similar uses designated as North American Industry Classification System (NAICS) No. 812113, except as an ancillary or accessory use;**
- (K) **Beauty supply and accessories store (in this DDOZ, a "Beauty supply and accessories store" is a cosmetology, beauty, or barbering supply establishment engaged in the sale of related goods and materials wholesale and/or retail), except as an ancillary or accessory use;**
- (L) **Banquet hall, unless ancillary or accessory to a restaurant, tavern, hotel, or convention center (in this DDOZ, a Banquet Hall" is an establishment that is used regularly for serving food or beverages to groups that, in advance of the event, have reserved the facility for banquets or meetings, to which the general public is not admitted, and for which no**

**admission charge is imposed at the door. A Banquet Hall" is not a night club or dance hall); and**

**(M) Tattoo parlor.**

**Applicant Justification:**

“The only use included in the prohibited use list which is proposed on the subject property is the gas station. The applicant is seeking an amendment of the use list as permitted by Section 27-548.26 to permit this use, as more fully detailed above. The applicant is not proposing any of these other uses.”

The Planning Board concurs that the only prohibited use in the above list is a gas station. However, the table of uses, provides further restrictions as outlined in the previous sections. The Planning Board took no position on the change in uses.

**III. Street Design Standards**

- 1. Pedestrian access ways and greenways shall be incorporated within the development plan to connect parking lots, adjoin properties, the Metro station and supplement the identified pedestrian access routes along publicly dedicated roadways.**
- 3. Wide sidewalks shall be provided within the areas covered by the DDOZ Branch Avenue Urban Design Standards Subarea, with 6 to 8-foot wide sidewalks provided in residential areas, 8 to 10-foot wide sidewalks provided in nonresidential areas, and 15-foot minimum sidewalks provided in the Shopfront Area along Old Soper Road.**

**Applicant Justification:**

“The Sector Plan sets forth recommendations for the creation of a grid of streets within the Branch Avenue Metro station area. These recommendations include six required primary or secondary street connections. None of these proposed street connections impacts the Subject Property. In addition, there are standards for Right of Way design, Intersections and Pedestrian Facilities. The sidewalk network and pedestrian crosswalks turning movements have been upgraded along the property frontage on Auth Road and Auth Place with the construction of Woods Way. The proposed development will not negatively impact any of these improvements but will be designed to tie into them.”

The Planning Board concurs that the majority of the street design standards do not apply to the subject property. However, in regard to pedestrian facilities, the proposed development does not include a pathway between the adjacent property or its parking lot. There are few pedestrian access points connecting the public rights-of-way to the building entrance, and the current sidewalks recently installed by the State Highway Administration measure approximately six feet, as opposed to eight to 12 feet.

#### **IV. Block Standards**

##### **Applicant Justification:**

“The Development Standards recommend smaller blocks to create a walkable grid of streets. Although the subject property is not within the actual half mile walk distance, the block within which the subject property is located conforms with the smaller block lengths recommended by the DDOZ.”

The Planning Board concurs that this standard has been met.

#### **V. Building Location: Build-to Zone and Build-to Line**

**The space between the street curb and building is regulated by minimum sidewalk and landscape buffer widths as previously stated and the location of the building. In order to create consistent street frontage all buildings should be located to meet a build-to line established within a build to zone set by a minimum and maximum distance from the street curb. The front build-to line governs the placement of buildings along streets and shall be measured from the street curb to the edge of the building at the ground floor. The build-to zone for all development types and uses within the Branch Avenue Urban Design Standards Subarea shall be a minimum of 15 feet and maximum of 30 feet from the curb. The entire building façade, including primary façade and any secondary facades, shall be built within the build-to zone.**

##### **Applicant Justification:**

“The DDOZ Development standards establishes a front build-to zone within which all buildings subject to the Branch Avenue Urban Design Standards are to conform. In this case, the build-to zone establishes a minimum of 15 feet and a maximum of 30 feet from the face of the curb. All building facades are to be built within this build-to zone. The nature of the uses which the applicant is requesting that the District Council approve could not satisfy this requirement. As noted above, establishing a

strict build-to zone is not practicable for the subject property. The east and south are automotive uses (gas station, car dealerships and car repair) which establish an entirely different character that the Sector Plan recognizes will remain for many years. Along the northern property line, the build-to zone required is not achievable due to the stormwater management facility constructed along Woods Way. As a through lot located at the primary point of access entering the Branch Avenue Metro environs, and along the fringe of the Metro core outside of the actual half mile walking range, strict application of this design standard cannot be achieved for any type of development. Amending the development requirements to allow the uses requests pursuant to Section 27-548.26 supports the continued development of the Metro Station Area in several ways. First, it eliminates a growing eyesore in the form of a vacant office building. Second, it introduces additional retail service uses which are currently needed in the Metro Station Area and which will serve the growing daytime and nighttime population. Third, the development recommended by the Sector Plan is not impacted by the development of the Subject Property. Finally, developing the Subject Property now with residential or office uses is not consistent with the recommendations of the Sector Plan, which promote development proximate to the Metro Station before other competing forms of development or redevelopment are pursued. The proposed development retains the integrity of the core area and does not in any way diminish the recommendations of the Sector Plan. The subject property, given its unique location, is the perfect opportunity to provide the type of uses proposed, which will serve Metro area patrons, residents and employees. Such uses are appropriate provided that they do not detract from the development goals of the TOD core. The proposed development will not detract from the development goals of the TOD core.”

The Planning Board did not take action on the requested amendment. The proposed development has setbacks as great as 60 feet with parking separating the buildings from the sidewalk and street. These setbacks do not contribute to the vibrancy or walkability of the D-D-O Zone. All other standards in this section have been met.

**VI. Building Height, Gross Floor Area (GFA), Floor Area Ratio (FAR), and Density Standards.**

- A. Height and floor area ratio minimums**  
**The height of any buildings (including structured parking) for which Detailed Site Plan approval is sought shall be equal to or greater than the lesser of 5 stories or an average height of 55 feet (above**

**grade) if located wholly or partially within a ¼ mile radius from either entrance to Branch Avenue Metro Station and the lesser of 4 floors or an average height of 45 feet (above grade) if located wholly or partially within a ½ mile radius (but entirely outside of ¼ mile radius) from either entrance to Branch Avenue Metro Station. A development project located in the Branch Avenue Metro Station Area, for which Detailed Site Plan approval is sought, shall have a building floor area ratio of 1.0 or greater as applied to the net lot area that is the subject of the Detailed Site Plan (gross floor area from structured parking shall be included in calculating building floor area ratio for the purposes of satisfying the minimum FAR requirement of this subsection).**

**Applicant Justification:**

“Also included in the Branch Avenue Metro Station Area are height and floor area ratio minimums and maximums. For properties located wholly or partially within a one-half mile radius from either access to the Branch Avenue Metro Station, all buildings must be a minimum of 4 floors or an average height of 45 feet, whichever is less. In addition, all development for which a Detailed Site Plan is sought must have a building floor area ratio of 1.0 or greater. The development proposed in this DSP does not satisfy the height or FAR minimums. However, the Development District Standards provides that ‘may be waived in whole or in part at Detailed Site Plan Review by the District Council if the strict application of the requirements would cause undue or unreasonable economic hardship.’

“The applicant submits that the strict application of the height and FAR requirements would cause an undue or unreasonable economic hardship on the applicant. The Applicant has invested substantial sums in acquiring the Subject Property and has the means and market interest to construct a development which would add to the tax base with no drain on public services. The development would remove an eyesore and provide needed uses to the area in a manner which does not impede development of any uses recommended by the Sector Plan. To require the Applicant to maintain an obsolete building, or incur the cost to remove it, with no reasonable use to replace it, imposes undue and unreasonable economic hardship.

“The applicant’s contention that there is no other reasonable use to replace the existing use is supported by the Sector Plan. As noted multiple times herein, the Sector Plan specifically recommends and encourages dense transit-oriented development on properties near the Metro Station and in areas north and east of the Metro. These areas are specifically

identified and do not include the Subject Property. The Sector Plan also identifies other opportunity sites for development or redevelopment. The subject property is not one of those sites. The Sector Plan further identifies those areas which are within a walkable distance from the Metro Station (defined as being within an actual one-half mile distance). The Subject Property is not one of those properties. The Sector Plan acknowledges that the Metro attracts commuters from long distances and notes that the traffic is funneled to the Metro Station such that most visitors pass directly by the subject property. Finally, the Sector Plan did not anticipate that existing uses would redevelop for at least 20 years. Had the District Council been aware of the condition of the existing building, anticipated its redevelopment and made specific recommendations for such, a different development proposal may be appropriate. But given the current status, there is nothing in the Sector Plan which would discourage the type of redevelopment proposed in this application. Finally, the subject property is occupied by a vacant office building. Any office development should be focused on a site in the Metro core area, not in a fringe area less accessible to the Metro Station. The only type of development which could reasonably be attracted to the subject property other than that proposed, and which could satisfy the height and FAR requirements would be additional residential development. However, all of the sites identified in the Sector Plan as appropriate for residential development are within the actual ½ mile walking distance. For these reasons, the Applicant submits that the minimum height requirements and FAR requirements should be waived by the District Council.”

The Planning Board took no position on the requested amendment. The proposed development consists of single-story, approximately 20- to 30-feet-high, buildings totaling 17,349 square feet on a lot of 3.84 acres, or an FAR of approximately 0.10. The proposed project does not meet the height or the FAR requirements within the immediate Metro station area. The applicant points to the fact that the subject property is not within a walkable distance from the metro station, which is incorrect. With the recent construction of Woods Way, the property is less than one-half mile, and therefore is within walking distance to the Metro station.

## **VII. Parking Standards**

- 1. No surface parking lot is allowed between a building façade and the curb.**
- 2. Any surface parking along a public right of way will be screened by landscaping or a decorative fence following the standards of the landscape manual.**

3. **There is no minimum off-street parking space requirement.**
4. **Maximum surface parking ratios are as follows:  
Retail Commercial, stand-alone development=  
2.75 spaces per 1,000 square feet.**
7. **Off-site surface parking lots may be allowed with Planning Board approval in order to encourage a district wide parking supply strategy and a denser development pattern near the transit station.**

**Applicant Justification:**

“These parking standards clearly are targeted to TOD development in the dense Metro core areas and would not allow the type of development sought by the Applicant, should the District Council elect to approve it. In meetings with community representatives, providing adequate off-street parking for these uses has been an important consideration. If the District Council is going to provide an opportunity for the type of development proposed outside the Metro core, it must also ensure that it provides the amount of parking required to attract the uses proposed. If the parking ratio set forth above were applied, the uses proposed would not locate at this location. Thus, to implement the proposed changes to the list of allowed uses, the amended development requirements are necessary and appropriate. The Applicant requests that the parking ratios proposed be approved as the minimum necessary to allow the uses proposed.”

The Planning Board does not support the requested amendment. The proposed development includes parking located between the street and buildings. The parking standard allows a maximum of 47 parking spaces. The proposed development includes 162 parking spaces, or 115 more parking spaces than allowed. All other standards in this section have been met. This surplus of parking spaces is in contradiction to the FAR and building height requirements and thus does not support the sector plan’s intent to increase development intensity within a walkable one-half mile radius of the Branch Avenue Metro Station, such as the subject property.

**Conclusion**

The subject application proposes a development that does not further the land use goals and recommendations in the Southern Green Line Station Area Sector Plan and SMA and its concurrent sectional map amendment, which placed the property in the D-D-O/C-O Zones consistent with recommendations for transit-oriented office development on the subject property. By requesting amendments to nearly all of the relevant development district standards, this application is, in effect, asking for an entirely different set of zoning regulations and planning

recommendations than those found not only in the Branch Avenue Metro Station Subarea, but in the entire Southern Green Line Station Area development district.

The District Council specifically and intentionally prohibited the proposed uses from all properties within the Branch Avenue Metro Station Subarea. While use changes pursuant to Section 27-548.26(b)(1)(B) of the Zoning Ordinance are often approved because a use was not envisioned at the time the D-D-O Zone was created, the proposed uses have not evolved significantly from the time this sector plan was adopted in 2014. The proposed development is an auto-oriented mix of suburban uses that represents a type of development that is counter to the vision of the sector plan. The development would negatively impact pedestrian activity and underutilize a prime location for future walkable urban development.

Lastly, the sector plan provides a 20-year vision for the area and presumes that change will occur incrementally. With this in consideration, each development project should be viewed as an opportunity to implement the vision of the sector plan. The vision primarily focuses on incorporating transit-oriented development principles to encourage an active pedestrian environment within one-half mile from the Branch Avenue Metro Station. The subject property is approximately 0.33 mile from the station and the standards for the Branch Avenue Metro Station Subarea clearly prohibits eating and drinking establishments with drive-through service, gas stations, and food and beverage stores with gas stations. Construction of the proposed uses and development impairs the intent of the sector plan and Plan 2035 to redevelop the Branch Avenue Station Area as a walkable, transit-supportive development. The proposed amendments in this DSP require the approval of the District Council. The Planning Board took no action on the requested change in underlying zone, changes to the list of allowed uses, or amendments to the development district standards.

8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the C-S-C, D-D-O Zones and site design guidelines of the Zoning Ordinance.
  - a. Section 27-548.25(b) of the Zoning Ordinance requires that the Planning Board will find that the site plan meets applicable development district standards in order to approve a DSP. As discussed in Finding 7, this DSP complies with applicable D-D-O Zone standards, with the exception of those standards for which amendments are requested.
  - b. **Site design guidelines:** The site design guidelines are set forth in Sections 27-283 and 27-274 of the Zoning Ordinance. Section 27-283 applies to DSPs, and states that the site design guidelines are the same as those required for a conceptual site plan, which are contained in Section 27-274. However, the guidelines shall only be used in keeping with the character and purpose of the proposed type of development.

The site design guidelines address general matters, parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, architecture and townhouses. The specific purposes, as set forth in Section 27-274, are addressed below.

**Section 27-274(a)(2) Parking, Loading and circulation**—Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation for the site. The proposed parking lot does this. Given the grouping of uses on the site, the parking is located to be convenient to the proposed buildings. Given the nature of the proposed uses and the number of buildings, providing parking only to the rear or sides of structures is not possible, but the parking spaces have been spread throughout the site so as not to give the impression of a large, uninterrupted expanse of pavement. Also, driveway aisles have been oriented to minimize the number of parking lanes to be crossed by pedestrians. The proposed drive-through establishments on site are designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access. Also, loading areas are provided in areas that are visually unobtrusive.

**Section 27-274(a)(3) Lighting**—A photometric plan is included with the DSP and ensures that the lighting provided will illuminate important on-site elements, such as the parking areas, entrances, and pedestrian pathways.

**Section 27-274(a)(4) Views**—The guidelines encourage creating scenic views from public areas. As currently developed, there are no scenic views from public areas. However, the proposed development will provide tree canopy coverage in accordance with the current regulations and on-site landscaping in conformance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

**Section 27-274(a)(5) Green Area**—Green area will be provided on-site in accordance with the Landscape Manual which will represent an improvement over the existing condition of the subject property.

**Section 27-274(a)(6) Site and streetscape amenities**—Site and streetscape amenities are addressed in the DSP. The abutting roadways and sidewalks have been recently upgraded. There is adequate lighting and pedestrian circulation around the site. On-site lighting fixtures and seating will be coordinated to be attractive.

**Section 27-274(a)(7) Grading**—The site was fully graded at the time that the building was constructed and is flat. There are no steep slopes or natural features which could be impacted by redevelopment of the site.

**Section 27-274(a)(8) Service areas**—Trash dumpsters are provided in two locations. One is along the eastern property line abutting the existing office building. The second is also located along the eastern property line behind the proposed retail stores. These service

areas are accessible, but not obtrusive. They will be adequately screened, and the screening details are included on the DSP.

**Section 27-274(a)(9) Public spaces**—Given the small size and location of the site, no public spaces are proposed.

**Section 27-274(a)(10) Architecture**—The architecture of the proposed retail buildings is attractive, with high-quality materials being incorporated into all of the buildings. The food and beverage store utilizes Royal Farms standard architecture, which is high-quality and visually pleasing.

9. **2010 Prince George's County Landscape Manual:** The proposed development of the specific commercial uses are subject to the requirements of the Landscape Manual. Specifically, the proposed development is subject to the requirements of Section 4.2, Requirements for Landscape Strip Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements.

- a. **Section 4.2, Requirements for Landscape Strip Along Streets**—For all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. The landscape strip may not include any paved area, except pedestrian sidewalks or trails that cross the landscape strip. The DSP has a total of 280 linear feet of street frontage on Auth Road and 362 linear feet on Auth Place.

For the Auth Road frontage, the applicant chooses Option 4 to provide a three-foot-high brick wall along with the minimum four-foot-wide landscape strip with planting of one shade tree per 35 linear feet of frontage, excluding driveway openings. The landscape plan shows the required landscape schedule but does not demonstrate conformance to the number of shade trees required or extend the proposed wall for the entirety of the frontage. Therefore, a condition is included in this resolution requiring the plan to be revised to demonstrate conformance to the requirements of this section.

For the Auth Place frontage, the applicant chose Option 1 by providing a minimum ten-foot-wide landscape strip planted with one shade tree and ten shrubs per thirty-five (35) linear feet of frontage, excluding driveway openings. The landscape plan shows the required landscape schedule, which states the planting requirement has been met. However, the shade tree requirement is not met within the Section 4.2 landscape strip. Therefore, a condition is included in this resolution requiring the plan to be revised to demonstrate conformance to the requirements of this section.

- b. **Section 4.3 Parking Lot Requirements**—Section 4.3(c)(1) requires a perimeter landscape strip between the parking lot and any adjacent property line. In this DSP, the parking lot along the northern and eastern edges is subject to this requirement. The

applicant has chosen a combination of Options 1 and 2 with an average landscape strip width of nine feet and meet this requirement. However, the landscape plan does not clearly indicate where this is being provided or if it is met along both applicable property lines. Therefore, a condition is included in this resolution requiring the plan to be revised to demonstrate conformance to the requirements of this section.

Section 4.3(c)(2) requires that any parking lot of 7,000 square feet or larger must provide a certain percentage of interior planting area to be planted with one shade tree per each 300 square feet. This DSP shows the parking lot of 95,100 square feet, a minimum 10 percent of the parking lot should be the interior planting area to be planted with 32 shade trees. The landscape plan provides 10.8 percent of the interior planting area and 34 shade trees that meets the interior planting requirements.

- c. **Section 4.4 Screening Requirements**—All dumpsters, trash pads, and storage areas, including recycling facilities, should be carefully located and oriented on the site to be as inconspicuous as possible. Such facilities should be screened from all adjoining properties with some exceptions. This DSP proposes trash receptacles that have been property screened.
- d. **Section 4.7, Buffering Incompatible Uses**—Per the Applicability and Administration section of CR-10-2014, which established the D-D-O Zone, the provisions of the Landscape Manual regarding buffering incompatible uses do not apply within the development district. Therefore, the schedule and references to Section 4.7 on the landscape plan should be removed and a condition is included in this resolution requiring this to be done prior to certification.
- e. **Section 4.9, Sustainable Landscaping Requirements**—Section 4.9 requires that a certain percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs) be native species (or the cultivars of native species). The minimum percentage of each plant type required to be native species and/or native species cultivars and the percentage to be provided with this application are specified below:

| Tree type        | Required | Provided |
|------------------|----------|----------|
| Shade trees      | 50%      | 100%     |
| Ornamental trees | 50%      | 67%      |
| Evergreen trees, | 30%      | 100%     |
| Shrubs           | 30%      | 65%      |

The landscape plan demonstrates conformance with the requirements of Section 4.9.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is not subject to the Woodland and Wildlife Habitat Conservation Ordinance because it has no previously approved tree conservation plan and the site has a Standard Letter of Exemption (S-193-17).

11. **Prince George's County Tree Canopy Coverage Ordinance:** A ten percent tree canopy coverage (TCC) requirement applies to sites zoned C-O or C-S-C, in accordance with the Tree Canopy Coverage Ordinance. This amounts to approximately 0.38 acre, or approximately 16,727 square feet, for this 3.84-acre site. The subject application provides a schedule showing that 17,100 square feet has been provided through the proposed on-site tree plantings. The TCC requirement has been met.

12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Community Planning**—The Planning Board found that, pursuant to Section 27-548.25(b) of the Zoning Ordinance, this DSP does not meet the applicable standards of the Southern Green Line Station Area D-D-O Zone because the requested amendments do not meet the vision and goals of the Southern Green Line Station Area D-D-O Zone nor Plan 2035.

The Planning Board further noted that, pursuant to Section 27-548.26(b)(2)(A) and (b)(5), the proposed amendments to the Southern Green Line D-D-O Zone do not conform with the purposes and recommendations for the development district, as stated in the Southern Green Line Station Area Sector Plan and SMA.

- b. **Subdivision Review**—The Planning Board provided the comments on this DSP as follows:

The property is the subject of Preliminary Plan of Subdivision 12-2525 for which we have no records available. Part of Parcel F was legally divided by deed prior to 1982 and incorporated into Parcel O in the Auth Road Center subdivision recorded in Plat Book NLP 109-66. Part of Parcel F was also conveyed to Prince George's County and the State of Maryland by deeds recorded in Liber 18189 at folio 172 and Liber 36607 at folio 454, respectively, both being legal divisions pursuant to Section 24-107(c)(5). The remainder of Parcel F is no longer the subject of a record plat based on the legal divisions by deed previously cited.

The property is currently improved with an office building containing 141,512 square feet which comprises more than 10 percent of the site and was built in 1974 according to SDAT records. The existing building will need to remain until building permits are pulled for the proposed commercial uses. The site is exempt from requiring a preliminary plan of subdivision pursuant to Section 24-107(c)(7)(C).

- c. **Environmental Planning**—The Planning Board found that this DSP has an approved Natural Resource Inventory Exemption Letter (NRI-203-2017) and a Standard Exemption Letter (S-193-17).
- d. **Transportation Planning**—The Planning Board found that:

There is no evidence that the subject property was ever tested for transportation adequacy. Using trip generation rates from the “Transportation Review Guidelines, Part 1,” the existing building is currently generating 283 AM peak-hour trips and 262 PM peak-hour trips during the weekdays. Table 1 below illustrates the breakdown of existing trips as well as those being proposed.

|                                    |                      | AM Peak   |           |            | PM Peak   |           |            |
|------------------------------------|----------------------|-----------|-----------|------------|-----------|-----------|------------|
|                                    |                      | In        | Out       | Total      | In        | Out       | Total      |
| General Office (existing)          | 141,512 Sq. ft.      | 255       | 28        | 283        | 50        | 212       | 262        |
|                                    |                      |           |           |            |           |           |            |
| Convenience store/Gas station      | 14 Fueling positions | 145       | 146       | 291        | 160       | 161       | 321        |
| <i>Less pass-by 63% AM, 66% PM</i> |                      | -91       | -92       | -183       | -101      | -101      | -202       |
|                                    |                      |           |           |            |           |           |            |
| Shopping Center/Retail (ITE)       | 12,700 Sq. ft.       | 98        | 60        | 158        | 57        | 61        | 118        |
| <i>Less pass-by 60%</i>            |                      | -59       | -36       | -95        | -34       | -37       | -71        |
|                                    |                      |           |           |            |           |           |            |
| <b>Total new trips (proposed)</b>  |                      | <b>93</b> | <b>78</b> | <b>171</b> | <b>82</b> | <b>84</b> | <b>166</b> |

The results in Table 1 show that the proposed development will generate fewer trips than the existing development.

#### Master Plan and Review Comments

The property is located in an area where the development policies are governed by the Southern Green Line Station Area Sector Plan and SMA, as well as the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The property fronts on Auth Place, a master planned collector (C-706) and Auth Road, also a master planned collector road (C-705). Both roads are currently built to their ultimate master plan cross-section, and consequently, no additional rights-of-way will be required.

The plan proposes 162 parking spaces, which represent the total number of spaces that are required by code. In terms of on-site circulation, the Planning Board finds no issue with the site plan as currently proposed.

Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a DSP.

e. **Trails**—The Planning Board found that:

The subject application is located at the northeast quadrant of the Auth Road and Auth Place intersection. The site is covered by the MPOT and the Southern Green Line Station Area Sector Plan and SMA (area master plan).

The MPOT includes two master plan bikeway recommendations that impact the subject site, with both Auth Road and Auth Place designated as shared use roadways. The area master plan includes the following text regarding these improvements.

Auth Place: Add shared lane markings (sharrows) (page 90).

Auth Road, MD 5 to Old Soper Rd: Add shared lane markings (sharrows) (page 90).

Pavement markings for shared lane markings can be considered by the Prince George's County Department of Public Works and Transportation (DPW&T) at the time of road resurfacing or improvement. Shared lane markings are not appropriate along just the limited frontage of the subject site but are more appropriately implemented comprehensively for the entire corridor via road resurfacing or a Capital Improvement Project. It should be noted that Woods Way (just to the north of the subject site) includes designated bike lanes which provide direct access from Branch Avenue to the Metro Station.

The MPOT also contains a section on Complete Streets which provides guidance on accommodating all modes of transportation as new roads are constructed or frontage improvements are made. It also includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

**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.**

Sidewalks currently exist along the site's frontages of both Auth Place and Auth Road. However, they are narrow, immediately behind the curb and may not meet current Americans with Disabilities Act standards or DPW&T specifications. The Planning Board requires that the frontages be reconstructed to meet current requirements, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).

The internal sidewalk network is comprehensive and provides access from the public right-of-way (Auth Place) to each of the proposed pad sites. Sidewalks and striped crosswalks are also provided between the proposed uses on-site. No additional pedestrian connections are recommended, although a small amount of bike parking is recommended at each of the pad sites. The detail for the bike parking is included with the plans. The locations in front of the restaurant and retail space appears to be indicated but is not labeled on the DSP. The locations of the bike parking should be clearly labeled on the site plan.

- f. **Historic Preservation**—The Planning Board stated that the current office building on the subject site was constructed in 1974 and was last occupied by the National Oceanic and Atmospheric Administration. The building should be photo documented by Historic Preservation Section, with permission of the applicant, prior to demolition or any grading. The documentation should include representative floor plans and interior and exterior photographs.

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. The subject property does not contain and is not adjacent to any Prince George's County Historic Sites or Resources. This proposal will not impact any historic sites, historic resources or known archeological sites. Phase I archeology survey is not recommended.

The Planning Board recommends proper documentation of the existing office building, prior to demolition, that has been included as a condition in this resolution.

- g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of this resolution, DPIE did not offer official comments on the subject application.
  - h. **Prince George's County Health Department**—At the time of this resolution, the Health Department did not offer official comments on the subject application.
  - j. **Prince George's County Police Department**—At the time of this resolution, the Police Department did not offer official comments on the subject application.
  - l. **Maryland State Highway Administration (SHA)**—At the time of this resolution, SHA had not offered official comments on the subject application.
13. The subject application does not adequately take into consideration the requirements of the D-D-O Zone and the Southern Green Line Station Area Sector Plan and SMA. Per County Resolution CR-10-2014, the Planning Board shall apply development standards and requirements that comply, and are consistent with, the D-D-O Zone standards, restrictions, and requirements and not alternate standards pursuant to Section 27-548.25(c) of the Zoning Ordinance. Therefore, the

Planning Board cannot support amendments to the development district standards required for this development, and the above analysis is provided for the benefit of the decision makers. Therefore, the Planning Board takes no position on the amendment requests.

14. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP will represent 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.

The DSP, as an independent application for proposed site improvements, has been analyzed for conformance to the site design guidelines. However, the applicant's ability to proceed with the DSP approval is dependent on the District Council's action in relation to the change to the underlying zone, change to allowed uses, and requested amendments to development district standards required for the specified site improvements.

15. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP 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 in accordance with the requirements of Subtitle 24-130(b)(15).**

Since there are no regulated environmental features on the subject property, this finding is not applicable to the subject development.

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 this application, as follows:

- A. NO POSITION on the change of the underlying zone on the subject property from the Commercial Office (C-O) Zone to the Commercial Shopping Center (C-S-C) Zone.
- B. NO POSITION on the change to the list of permitted uses of the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* to allow an eating and drinking establishment, with drive-through service, a gas station, and a food and beverage store, in combination with a gas station, on the subject property.
- C. NO POSITION on all of the alternative development district standards.
- D. APPROVAL of Detailed Site Plan DSP-17041 for 5200 Auth Road Retail, subject to the following conditions:
  1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made, or information be submitted:

- a. Label the locations of the bicycle parking.
- b. Clearly label the bearings and distances.
- c. Revise the landscape plan as follows:
  - (1) Extend the proposed wall for the entirety of the Section 4.2 landscape strip, excluding driveway openings, along the Auth Road frontage and provide the full number of required shade trees, or obtain alternative compliance.
  - (2) Provide the full number of required shade trees within the Section 4.2 landscape strip along the Auth Place frontage, or obtain alternative compliance.
  - (3) Demonstrate conformance to Section 4.3, Parking Lot Perimeter Landscape Strip, along the applicable portions of the northern and eastern property lines.
  - (4) Remove all Section 4.7 related information.
- d. Provide a summary table on Sheet A5.1.1 to show information of the required and provided sign face area calculation for all proposed tenant signs.
- e. Provide site plan notes as follows:
  - (1) During the demolition/construction phases of this project, no dust shall 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.
  - (2) During the demolition/construction phases of this project, noise shall not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
  - (3) All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association (NFPA) Standard 13 and all applicable County laws.

- f. Coordinate all free-standing sign design to be consistent in style and materials, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
  - g. Provide eight-foot-wide sidewalks along the subject site's entire frontages of Auth Road and Auth Place, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, the Prince George's County Department of Public Works and Transportation and subject to the approval by affected utilities for any required encroachments in the PUE.
  - h. Explore providing a pedestrian connection between the property and the sidewalk along Woods Way.
  - i. Provide a 22-foot-wide drive aisle connection to all loading spaces.
2. Prior to the approval of a demolition permit for 5200 Auth Road, the applicant shall work with the Historic Preservation Section to properly document the structure of the existing office building. The documentation shall include representative floor plans and interior and exterior photographs.

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 Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 26, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of July 2018.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

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