

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on October 21, 2004, regarding Detailed Site Plan DSP-99046/01 for Bellefonte, Lots 34 and 142, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for a contractor's office with an outdoor storage yard in the I-1 Zone.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	I-1	I-1
Use(s)	Single-family residence	Contractor office with outdoor storage
Acreage	1.504	1.504
Number of lots	2	2
Gross Floor Area (square foot)	1,278	1,278
Building Height (foot)	17	17

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total number of parking spaces	3	3
Of which handicapped space	1	1
Loading space	NA	1

3. **Location:** The site is located on the south side of Delano Road, approximately 200 feet east of its intersection with Alexandria Ferry Road, in Planning Area 81A and Council District 9.
4. **Surroundings and Use:** The subject property is bounded to the north by Delano Road. To the east, west, and south of the site are properties in the I-1 Zone. The properties immediately surrounding the subject site are all used either as a contractor's office or a warehouse with outdoor storage yards.
5. **Previous Approvals:** The subject site was originally improved as a single-family detached

residence. In 1989, the property was rezoned from the R-R Zone to the I-1 Zone by Zoning Map Amendment Application No. A-9741-C. The site also has a valid Stormwater Management Concept Approval, #23181-2003-01.

6. **Design Features:** The subject site consists of Lots 34 and 142. There is an existing single-family detached house on Lot 34 and no structure on Lot 142. The application proposes to use the existing single-family detached house, which is a one-story frame building, on Lot 34 as a contractor's office, the existing concrete surface located in the rear of Lot 34 as an outdoor storage yard, and the entire site of Lot 142, which has a gravel surface, as a storage yard for heavy trucks. A 45-foot-wide access way off Delano Road to Lot 142 serves as a main entrance to the site. The existing driveway on Lot 34 serves as the secondary vehicular access to the subject site. Two linear groves of existing trees are located along the southeast boundary of Lot 42. A six-foot-high stockade fence surrounds most parts of site perimeter. The application does not propose any building improvements, but shows new parking improvements.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance No. 23-1989 (A-9741-C):** Zoning Ordinance No.23-1989 was adopted by the District Council on May 9, 1989, to approve Application No. A-9741-C to rezone approximately 21.19 acres of land located adjacent to the south side of Andrews Air Force Base, 200 feet east of Old Alexandria Ferry Road, on both sides of Poplar Hill Lane and Delano Road, from the R-R Zone to the I-1 Zone with one condition. The subject site is a portion of the rezoned property. The condition of approval reads:

“Any proposed development of the property shall be subject to detailed site plan review. Particular attention shall be given to buffering and screening of adjacent residential area, noise impacts, and building acoustics.”

Comment: The subject Detailed Site Plan application is for the purpose of fulfilling the above-noted condition. The site is bounded to the south by Delano Road and to the east, west, and north by properties in the I-1 Zone. All the adjacent properties are used either as a contractor's office or warehouse with outdoor storage yards. Finding 9 of this report has a detailed discussion of the application's compliance with the requirements of the *Landscape Manual* for buffering and screening.

As indicated in memoranda from both the Community Planning Division and the Environmental Planning Section, the subject site is located south of Andrews Air Force Base and is within the 70-to 75-dBA-noise contour associated with the flight path of aircraft. The site is also situated within the limits of Accident Potential Zone I (APZ I) for Andrews Air Force Base. The development of this site as a contractor's office with outdoor storage is consistent with the uses for APZ I according to Table 4-2 (Land-Use Compatibility) of the 1998 Andrews AFB AICUZ Study and the 1993 Subregion V master plan recommendations. According to the referral comments from the Environmental Planning

Section, no further action is needed regarding noise issues related to this Detailed Site Plan review.

8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the I-1 Zone and the site plan design guidelines of the *Zoning Ordinance*.

- a. The subject application is in conformance with the requirements of Section 27- 473(b), which governs permitted uses in industrial zones. The proposed contractor's office with outside storage yard is a permitted use in the I-1 Zone.

The total gross tract area of the site is only 1.5044 acre. Therefore this application is exempt from the requirements of Footnote 38, which requires a Special Exception for land that is ten acres or greater in size and located within 300 feet of any residentially zoned land and land owned by the Washington Metropolitan Area Transit Authority.

- b. The proposal is also in conformance with the requirements of Section 27-474, Regulations, regarding setbacks and green area in industrial zones.

9. **Landscape Manual:** The proposed development involves a change of use but no increase in the gross floor area (GFA) of the building. According to Section 1.1, Applicability, of the *Landscape Manual*, the application is exempt from the requirements of Section 4.2 Commercial and Industrial Landscaped Strip Requirements, but the landscape plan shows a Section 4.2 landscape strip along its frontage onto Delano Road, which is a ten-foot-wide landscape strip with 6 shade trees and 60 plant units.

The application involves a change of use from a less intense (residential) to a more intense use category (contractor's office with outdoor storage) as defined in Section 4.7. The application is subject to Section 4.7 of the *Landscape Manual*. Since the four properties surrounded the subject site are all zoned I-1 and used as either a contractor's office with outdoor storage yards or a warehouse, which are defined as the same intensity use as the proposed one in the subject DSP, there is no Section 4.7 bufferyard required. A six-foot-high stockade fence surrounds the rear and side yards of the subject property. A sight-tight fence has been noted along the front yard, but no details have been provided. A condition of approval has been proposed in the recommendation section of this report to require the fence details be provided for review and approval.

10. **Woodland Conservation Ordinance:** Detailed Site Plan DSP-99046 was not subject to the provisions of the *Prince George's County Woodland Conservation Ordinance* because the entire site was less than 40,000 square feet. But this application is subject to the *Prince George's County Woodland Conservation Ordinance* because the site of the subject DSP is 45,929.7 square feet in size and contains more than 10,000 square feet of woodland.

- a. A simplified Forest Stand Delineation showing the remaining wooded area on the site was submitted and was found to meet the requirements of the Woodland Conservation Ordinance. There are no priority preservation areas, as defined in the *Prince George's*

County Woodland Conservation and Tree Preservation Policy Document, on the site. No further action regarding the Forest Stand Delineation is needed as it relates to this Detailed Site Plan review.

- b. A Type II Tree Conservation Plan, TCPII/112/04, has been reviewed. The plan accounts for the clearing previously completed on Lot 142 and proposes clearing of the entire site. A review of the TCPII plans by the Environmental Planning Section indicates that the submittals are in general conformance with the requirements of the Woodland Conservation Ordinance subject to several conditions that have been incorporated into the Recommendation section of this report.

11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. In a memorandum dated December 17, 2003, the Community Planning Division found that the application is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier and conforms to the Employment area land use recommendations of the 1993 Subregion V master plan. The community planner also has made an additional comment on the status of the Bellefonte area in general, which is out of the purview of this detailed site plan review, as follows:

“A November 2003 site visit reveals that in spite of site plan review requirements for development and redevelopment of properties in this Employment area, the quality of development and redevelopment is poor. The public street has been allowed to deteriorate substantially. In addition to review of this application, a comprehensive code enforcement and public street improvement program should be recommended to the County Executive and County Council.”

- b. In a memorandum dated July 19, 2004, the Office of Engineering, Department of Public Works and Transportation (DPW&T) of Prince George’s County provided the standard referral comments on issues, such as road dedication, frontage improvement, sidewalks, street trees, and street lighting, storm drainage system, and soils investigation in accordance with requirements of DPW&T and the Department of Environmental Resources (DER).
- c. The Transportation Planning Section in a memorandum dated November 18, 2003, offered no comments on this application.

In a separate memorandum from the Transportation Planning Section dated November 24, 2003, on detailed site plan review for master plan trail compliance, the trails planner found that there are no master plan trails issues identified in the 1993 approved Subregion V master plan.

- d. In a memorandum dated April 20, 2004, the Subdivision Section staff provided brief

background information on the lots. The staff indicated that as long as less than 5,000 square feet of additional gross floor area is not proposed on Lot 34, the proposal is exempt from preliminary plan requirements.

Comment: The subject application does not involve any increase in gross floor area and thus is exempt from the requirements of the Subdivision Regulations.

- e. The Environmental Planning Section in a memorandum dated September 13, 2004, recommended approval of DSP-99046/01 and TCPII/112/04 subject to several conditions. The Environmental Planning Section confirms that even though the site is severely impacted by air traffic from Andrews Air Force Base, the proposed use as a contractor's office with outdoor storage is appropriate for this location.
 - f. The Permit Review Section in a memorandum dated November 7, 2003, provided two comments on the access to the loading space and the type of fence required. The comments have been addressed during the review process.
 - g. The subject application was also referred to the Planning Office at Andrews Air Force Base for information and review. In a memorandum dated October 8, 2004, the community planner indicated that the subject application has no significant impact on Andrews Air Force Base.
12. As required by Section 27-285(b), the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

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-99046/01, subject to the following conditions:

- 1. Prior to certificate approval of the Detailed Site Plan, the applicant shall
 - a. Revise TCPII/112/04 to clearly show the limit of disturbance, eliminate the proposed tree line, and remove note #18.
 - b. Have the plans signed and dated by the qualified professional who prepared the Type II Tree Conservation plans.
 - c. Provide the sight-tight fence details for the fence in the front yard to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.

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 Harley, seconded by Commissioner Squire, with Commissioners Harley, Squire, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Eley absent at its regular meeting held on Thursday, October 21, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of December 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:HZ:rmk