



Note: Staff reports can be accessed at www.mnccppc.org/pgco/planning/plan.htm.

Revision of Site Plan

ROSP-3580-02

Application	General Data	
Project Name: Starbucks Location: On the northwest corner of the intersection of Baltimore Avenue (US 1) and St. Mary's Street. Applicant/Address: Starbucks Coffee Company 7 Penn Plaza, 370 7 th Avenue 15 th Floor New York, NY 10001 Property Owner: Woondharm Wongananda RV TR 16200 Julie Lane Laurel MD 20707	Planning Board Hearing Date:	N/A
	Staff Report Date:	06/17/16
	Date Accepted:	04/29/16
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.57
	Zone:	C-S-C
	Gross Floor Area:	2,877 sq. ft.
	Lots:	N/A
	Parcels:	1
	Planning Area:	61
	Council District:	01
	Election District	01
	Municipality	N/A
	200-Scale Base Map:	214NE05

Purpose of Application	Notice Dates	
A minor revision of site plan to allow for exterior façade improvements to update an existing vacant eating and drinking establishment with drive-through services (previously Kentucky Fried Chicken).	Informational Mailing	N/A
	Acceptance Mailing:	N/A
	Sign Posting Deadline:	Waived

Staff Recommendation		Staff Reviewer: Edward Holley Phone Number: 301-952-3215 E-mail: Edward.Holley@ppd.mnccppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

PLANNING DIRECTOR DECISION

Limited Departures and Revisions to Approved Plans

Application No.: Revision of Site Plan ROSP-3580-02

Project Name: Starbucks@Beltsville

Reviewer's Name: Edward Holley, Senior Planning Technician

- A. **Nature of the Applicant's Request:** The applicant seeks a minor revision of site plan to allow for exterior façade improvements to update an existing vacant eating and drinking establishment with drive-through services (previously Kentucky Fried Chicken). The applicant proposes to relocate and replace the existing dumpster and enclosure, reface the existing freestanding sign, add new building signage, add a new menu board and directional signage, to restripe existing parking spaces, relocate existing light pole from Baltimore Avenue right-of-way and add necessary American's with Disabilities Acts (ADA) improvements.
- B. **Site Description:** The subject property consists of 0.57± acres in the C-S-C Zone (Commercial Shopping Center). The property is located on the northwest corner of Baltimore Avenue (US 1) and St. Mary's Street, known as 10906 Baltimore Avenue.

The neighborhood in which the property is located is described as Baltimore Avenue to the east and St. Mary's Street to the south. The neighborhood is predominately commercial, except to the north where the land use is primarily residential. The subject property is surrounded by land in the C-S-C Zone that is developed with other commercial businesses as well as land in the R-18 Zone developed with single-family homes. These boundaries were accepted by the District Council pursuant to the approval of the *Approved Master Plan and Sectional Map Amendment for Subregion 1 (Planning Areas 60, 61, 62, and 64)*.

- C. **History:** A fast-food restaurant (eating and drinking establishment with drive-through services) was first established on this site in 1985 pursuant to Special Exception SE-3580, which was approved by the District Council on April 11, 1985 along with a modification of the parking schedule. The Board of Appeals later approved a variance of 4 feet from the 10-foot-wide landscape strip requirement along the street lines in order to construct the structure on May 22, 1985. On February 26, 2005, the Planning Board approved a revision to the special exception to add a freezer addition and waiver of six parking spaces. The records in the file of ROSP-3580-01 indicate all previous conditions of approval were incorporated into the current approved site plan.
- D. **Required Findings:**

Section 27-325(c). Limited minor changes, Planning Director.

- (1) The Planning Director is authorized to approve minor changes administratively, without public hearing, in cases listed in (b), but only if the proposed minor changes are limited in scope and nature, including an increase in gross floor area or land covered by a structure other than a building up to ten percent (10%). The Director shall deny any administrative approval request proposing site plan changes which will have a significant impact on adjacent property.**
- (2) Before approving a minor change, the Director shall make all findings the Planning Board would be required to make, if it reviewed the application.**
- (3) The Director is not authorized to waive requirements in this Subtitle, grant variances, or modify conditions, considerations, or other requirements imposed by the Planning Board or District Council in any case.**
- (4) The applicant's property shall be posted within ten (10) days of the Director's acceptance of filing of the application. Posting shall be in accordance with Section 27-125.03. On and after the first day of posting, the application may not be amended.**
- (5) The Director may waive posting after determining, in writing, that the proposed minor change is so limited in scope and nature that it will have no appreciable impact on adjacent property.**
- (6) If posting is waived or a written request for public hearing is not submitted within the posted time period, then the Director may act on the application. The Director's approval concludes all proceedings.**
- (7) If the Director denies the application or a timely hearing request is submitted, then the application shall be treated as re-filed on the date of that event. The applicant, Director, and Technical Staff shall then follow the procedures for Planning Board review in (a) above.**

Comment: The proposed revision meets the criteria of Section 27-325(c) for a limited minor change approvable by the Planning Director. As noted previously, the proposed modifications involve updating exterior façade improvements to an existing vacant fast-food (eating and drinking establishment with drive-through services). The changes proposed will not increase the gross floor area of the Special Exception use and is, therefore, eligible for review by the Planning Director. The posting requirements for this application have been waived by the Planning Director because the proposed minor changes are so limited in scope and nature, and thus will have no appreciable impact on the adjacent properties which consist of similar commercial uses in the C-S-C Zone.

Section 27-325(i) Changes of drive-in and fast-food restaurant site plans.

- (1) Changes of a site plan for an approved drive-in or fast-food restaurant may be permitted under the site plan amendment procedures in Section 27-324. The Planning Board may permit the following modifications under the procedures in this Subsection and (a) and (c) above:**

- (A) The addition, relocation, or modification of a freezer on the sides or rear of the restaurant building;
- (B) The addition, relocation, or modification of gross floor area in order to provide rest rooms to serve the physically handicapped;
- (C) The addition, relocation, or modification of vestibules above and around points of access to the restaurant building;
- (D) The addition, relocation, or modification of a fence, storage area, or trash enclosure; or
- (E) Any amendment described in (b) above.

Comment: The proposed changes are permitted through this section of the Zoning Ordinance as amendments pursuant to Section 27-325(b).

Section 27-317. Required Findings

- (a) **Special Exception may be approved if:**
 - (1) The proposed use and site plan are in harmony with the purpose of this Subtitle;
 - (2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;
 - (3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;
 - (4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;
 - (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and
 - (6) The proposed site plan is in conformance with an approved Tree Conservation Plan; and
 - (7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

Comment: The proposed use and site plan as an eating and drinking establishment with drive-through services are both in harmony and in conformance with the purpose and meets the applicable requirements and regulations of this subtitle.

The application is consistent with the Plan Prince George's 2035 policies for established communities and conforms to the institutional land use recommendation for the subject property

in the 2010 *Approved Master Plan and Sectional Map Amendment for Subregion 1 (Planning Areas 60, 61, 62, and 64)* . The project promotes revitalization of an existing vacant eating and drinking establishment with drive-through services. The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.

The land use of the general neighborhood is primarily commercial. In a memorandum dated May 16, 2016, the Urban Design Section staff stated that a review of the architectural elevations submitted by the applicant found that the proposed exterior façade renovations that are will use quality materials resulting in a contemporary, well-articulated design which is compatible with existing development in the general neighborhood. The District Council, in approving the original site plan and subsequent revisions, found that the subject use met the above criteria. Staff believes these findings continue to be valid.

The site has an approved Natural Resource Inventory Plan (NRI-103-16), and is exempt from the requirements of the Woodland Wildlife Habitat Conservation Ordinance, per the Woodland Conservation Ordinance Equivalency Letter (SE-082-16), because the property is less than 40,000 square feet in size, and has less than 10,000 square feet of woodland on-site, and no previously approved tree conservation plan.

Section 27-454.–C-S-C Zone (Commercial Shopping Center).

(a) Purposes

(1) The purposes of the C-S-C Zone are:

- (A) To provide locations for predominantly retail commercial shopping facilities;**
- (B) To provide locations for compatible institutional, recreational, and service uses;**
- (C) To exclude uses incompatible with general retail shopping centers and institutions; and**
- (D) For the C-S-C Zone to the place of the C-1, C-2, C-C, and C-G Zones.**

(b) Landscaping and screening.

- (1) Landscaping and screening shall be provided in accordance with Section 27-450.**

(c) Uses.

- (1) The uses allowed in the C-O Zone are provided for in Table of Uses I (Division 3 of this Part).**

(d) Regulations.

- (1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the C-S-C Zone are as provided for in**

Divisions 1 and 5 of this Part, the Regulations Table (Division 4 of this Part), General (Part 2) Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.

Comment: The proposal is within the applicable development requirements and regulations set forth in the Zoning Ordinance and complies with all of the requirements of the C-S-C Zone.

The proposal is also subject to the following sections of the Prince George's County Zoning Ordinance:

Section 27-328.02(a) of the Zoning Ordinance, Landscaping, buffering and screening:

The site is subject to the 2010 *Prince George's County Landscape Manual* (Landscape Manual) Section 4.4, Screening Requirements. The submitted site plan does indicate revisions to the trash facility that would require screening under this section. However, the plan shows these requirements being met through the use of a six-foot-high masonry trash enclosure, painted to match the main building. The landscape plan should be revised to show landscaping that is also substantially in conformance with the previously approved Special Exception plan.

Section 27-461(b)—Uses Permitted in Commercial Zones, indicates that an eating and drinking establishment with drive-through services is a permitted use in the C-S-C Zone. However, Footnote 24 requires any fast-food restaurant operating pursuant to a special exception approved prior to 2005, may only be amended through the revision to special exception process.

Section 27-462—Regulations in Commercial Zones, the subject application meets all of the regulations for development in the commercial zone.

Section 27-613—Signs attached to a building or canopy, the proposed signage was reviewed as part of this application and found to be in conformance, however, sign details must be provided for all signage, in the form of a chart, on the sign sheet specifying the sign requirements required and provided.

Section 27-614—Freestanding Signs, Section 27-614(a)(4) of the Zoning Ordinance requires freestanding signs in all commercial zones and industrial zones (except the I-3 Zone) to be located at least ten feet behind the street line. The existing sign is shown to meet the required setback and is approximately fifteen feet high meeting the maximum height requirement for freestanding signs (25 feet high).

E. **Determinations:** The criteria for granting the revisions to Special Exception ROSP-3580-02 are met. The subject property, prior to its vacancy, served the community as an eating and drinking establishment with drive-through services for more than 20 years and is compatible with all of the adjacent uses and conforms to the previous approval. Therefore, the use will not adversely affect the health, safety, or welfare of residents or workers in the area, or be detrimental to the use or development of adjacent properties or the general neighborhood, as no increases in gross floor area (GFA) are being proposed at this time and the use will continue to function as a fast food (eating and drinking establishment with drive-through services) as it has since its initial construction in 1985. Moreover, staff finds that the proposed minor revisions are so limited in scope and nature that they will have no appreciable impact on either adjacent properties or the approved site plan.

F. **Recommendation:**

Based on the above findings, it is recommended that Revision of Site Plan ROSP-3580-02 be APPROVED with the following conditions:

1. Prior to the issuance of permits, the applicant must:
 - a. Add sign details and chart calculating (required and provided) sign requirements to the proposed plan.
 - b. Revise the landscape plan to show conformance with previously approved plan and have landscape plan signed and sealed by a licensed MD state landscape architect.
 - c. Add the plat reference (WWW 72-61) to the site information.
 - d. Add the building restriction line as depicted on the plat.
 - e. Correct the distance along the eastern property line on the drawing to resolve the discrepancy.

* * * * *

APPROVED BY AUTHORITY OF:
Fern V. Piret, Planning Director

Date: _____

By: _____
Jimi Jones, Zoning Supervisor