



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

DETAILED SITE PLAN VARIANCE

DSP-00010/01
VD-00010/01

Application	General Data	
Project Name WALKER MILL BUSINESS PARK, LOT 11 Location NORTHWEST OF INTERSECTION OF ROCHELL AVENUE AND HAZELWOOD DRIVE Applicant/Address CHARLES AND ALBA FLESHMAN 10910 NEW ENGLAND DRIVE CLINTON, MD 20735	Accepted	04/19/2002
	Planning Board Action Limit	06/28/2002
	Creation	1
		I-1
	Height Units	NA
	Footage	NA
	Height Area	75B
	Height District	07
	Heightality	Capital Heights
	Height Base Map	203SE06

Purpose of Application	Notice Dates	
SP-00010/01 - To change the use of the property to a trash truck storage facility VD-00010/01 - To reduce the requirement of a minimum distance of 1,000 feet from residential property to 400 feet	Heighting Property Owners (CB-15-1998)	04/05/02
	Heighting Parties of Record (CB-13-1997)	05/20/02
	Posted on Site	06/07/02
	Height(s): Adjoining Property Owners	04/05/02

Staff Recommendation			Staff Reviewer: SRINIVAS, LAXMI
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

June 18, 2002

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Laxmi Srinivas, Senior Planner

SUBJECT: Detailed Site Plan DSP-00010/01 and VD-00010/01
Santos Concrete - Walker Mill Business Park - Lot 11

The Urban Design staff has reviewed the site development plans for the subject proposal and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions.

EVALUATION

This Detailed Site Plan was reviewed and evaluated for compliance with the following criteria:

- a. Preliminary Plat 4-89052
- b. The requirements of the following sections of the Zoning Ordinance:
 - Section 27-473 governing permitted uses in the I-1 Zone
 - Section 27-469 regarding the I-1 Zone (Light Industrial)
 - Section 27-568 regarding minimum parking requirements
 - Section 27-582 regarding minimum loading requirements
 - Section 27-475.06 regarding trash removal services
 - Section 27-230 regarding Variances
- c. The requirements of the *Landscape Manual*
- d. Referrals

FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. The subject site (Lot 11), consisting of approximately 1.004 acres, is located on the north side of Rochelle Avenue, a cul-de-sac street in the Walker Mill Business Park. The adjacent properties to the north, east and west are zoned I-1 and are vacant.
2. A Detailed Site Plan, DSP-00010, was approved for outdoor storage of heavy motorized equipment by the Planning Board on October 26, 2000 (PGCPB No.00-186). The District Council affirmed the Planning Board's decision on March 26, 2001. The subject revision to Detailed Site Plan DSP-00010/01 is for changing the use of the property to an outdoor storage yard for trash removal trucks. No refuse will be stored on the property. No other changes are proposed to the approved Detailed Site Plan.

The storage of trash removal trucks is a permitted use in the I-1 Zone subject to the requirements of Section 27-475.06, Trash Removal Services, of the Zoning Ordinance. The applicant has submitted a variance application, VD-00010/01, for the minimum 1,000-foot distance from residentially zoned properties of Section 27-475.06. Finding 13 addresses the variance application.

3. A Preliminary Subdivision Plan, 4-89052, was approved on July 23, 1989 (PGCPB No. 89-345) for 5 lots, 4 parcels and 1 outlot on 55.07 acres of land known as Walker Mill Business Park. Note 2 of Record Plat NLP 152@47, Walker Mill Business Park, recorded in October 1989, reads as follows:

Detailed Site Plans for individual lots must be approved by the Prince George's County Planning Board prior to issuance of building permits. Development shall be limited to 580,873 square feet per Resolution No. 89-345 (4-89052).

A previous Preliminary Subdivision Plan, 4-87194, was approved on January 7, 1988 (PGCPB No. 88-06) for 43 lots and 1 parcel on a 74.4-acre parcel of land known as Walker Mill Business Park. Condition 3 of Preliminary Plan 4-87194 reads as follows:

Detailed Site Plans for individual lots shall be approved by the Planning Board prior to building permits. These site plan reviews shall address, but not be limited to, the items listed in the Area Planning Division's memorandum dated September 16, 1987.

The design guidelines listed in the above Condition 3 do not technically apply to the subject lot because the subject lot is required to comply with the requirements of Preliminary Plan 4-89052. However, since the subject lot is a part of the Walker Mill Business Park, these guidelines were applied as general design guidelines during the Detailed Site Plan review for DSP-00010.

The master plan approval, CR-147-1985, which set forth guidelines for development of the subject property, also adopted language identical to that of the above-referenced Area Planning memorandum that was specifically for the purpose of providing criteria for review of any proposed development within Walker Mill Business Park. Finding 3 of the resolution approving DSP-00010 (PGCPB No. 00-186) found that the Detailed Site Plan was consistent with the above design criteria. Finding 5 found that the Detailed Site Plan was consistent with the requirements of the I-1 Zone. Finding 6 found that the Detailed Site Plan was consistent with the requirements of the *Landscape Manual*. DSP-00010 was approved with three conditions regarding landscaping and screening of the property along Rochelle Avenue. The conditions of approval are being carried forward to the subject revision to the Detailed Site Plan.

4. Section 27-475.06, Trash Removal Services, establishes the following parameters for landscaping, screening and buffering of development in the I-1 Zone:

(1) **Requirements.**

- (A) *Trash collected by this business shall not be brought to or stored upon the property.*

The applicant has indicated that the trash collected by this business will not be stored on the property. A condition of approval has been added to the site/grading plans stating the same.

- (B) *The subject property shall be more than one thousand (1,000) feet from any land in a Residential Zone, or land that is used for residential purposes or proposed to be used for residential purposes on an approved Basic Plan, Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan.*

The applicant has submitted a variance application for the above requirement. Finding 13 addresses the variance application.

- (C) *The subject property shall not be adjacent to, or across an industrial right-of-way from, an office building consisting of at least ten thousand (10,000) square feet, and which is occupied by at least three (3) unrelated tenants.*

The subject property is surrounded by industrial-zoned properties that have industrial uses like outdoor storage yards, warehouses, etc. There are no office buildings consisting of at least 10,000 square feet, and occupied by 3 unrelated tenants adjacent to or across from the subject property.

(2) **Site Plan.**

- (A) *A Detailed Site Plan shall be approved for the use, in accordance with Part 3, Division 9, of this Subtitle, to insure compliance with the provisions of this section.*

The applicant has submitted the subject revision to the Detailed Site Plan application to comply with this requirement.

- (B) *In addition to the requirements of Part 3, Division 9, the following requirements shall be complied with:*

- (i) *Driveways for ingress and egress shall be identified on the site plan, and shall be located so as not to endanger pedestrians or create traffic hazards;*

The applicant has shown a driveway on the site plan that is adequate for ingress and egress and will not endanger pedestrians or create traffic hazards.

- (ii) *The applicant shall identify measures that will be taken to control noxious and offensive odors;*

A condition of approval is being added to require the applicant to add notes to the site plan regarding measures that will be taken to control noxious and offensive odors.

- (iii) *The Planning Board shall find that:*

- (aa) *The proposed hours of operation and anticipated traffic, odor, and noise levels will not be detrimental to the use of adjacent properties and in the general neighborhood; and*

The property is located in an industrial zone surrounded by industrial uses like storage yards, warehouses, etc. The proposed use does not include the storage of refuse. Conditions of approval have been added regarding measures taken to control noxious and offensive odors. Since the proposed use is a permitted use, the traffic generated by the use will not adversely impact the adjacent properties. A condition of approval has been added to require a note on the proposed hours of operation. Since the surrounding uses are industrial in nature, any proposed hours of operation will not impact the adjacent uses. With the proposed conditions of approval, the proposed hours of operation and anticipated traffic, odor, and noise levels will not be detrimental to the use of adjacent properties and the general neighborhood.

- (bb) *The location of the proposed use is appropriate, given the nature of development and uses on adjoining properties and in the general neighborhood.*

The subject property is located in the I-1 Zone in Walker Mill Business Park. The adjacent properties are industrial-zoned properties that have industrial uses like storage yards and warehouses. The proposed use is compatible with the industrial uses of the adjoining properties and the general neighborhood. Therefore, the location of the proposed use is appropriate, given the nature of development and uses on adjoining properties and in the general neighborhood.

Referral Comments

5. The Permit Review Section (Gallagher to Srinivas, May 15, 2002) has requested minor changes to the site and landscape plans. Conditions of approval have been added to require the same.
6. The Community Planning Division (Osei to Srinivas, May 29, 2002) has stated that the proposal must meet the design criteria listed in the conditions of approval for DSP-00010 requiring landscaping and screening along the streets. The conditions of approval help provide an upscale business park appearance for the entire business park.
7. The Transportation Planning Division (Masog to Srinivas, May 31, 2002) has no comments regarding this proposal.
8. The Department of Environmental Resources (De Guzman to Srinivas, May 10, 2002) has stated that the site plan is consistent with the approved stormwater management concept plan # 7964-2001.
9. The Department of Public Works and Transportation (Asghari to Srinivas, June 3, 2002) has stated that improvements within the public right-of-way and the street lighting and street tree standards must meet DPW&T requirements and specifications.
10. A referral was sent to the Town of Capitol Heights. No comments have been received as of this date.
11. The Environmental Planning Section had previously determined that although the site is normally subject to the requirements of the county Woodland Ordinance because it is more than 40,000 square feet in size, the amount of encroachment into the woodlands is less than 5,000 square feet in size.

Therefore, a letter of exemption can be obtained from the Environmental Planning Section at any time. The applicant has obtained a letter of exemption from the requirements of the Woodland Conservation Ordinance.

12. With the proposed conditions, Detailed Site Plan DSP-00010/01 is found to represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

Variance

13. Section 27-230 of the Zoning Ordinance requires the Planning Board to make the following findings prior to approving an application for a variance:

- (1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;*

The subject property is in the I-1 Zone in Walker Mill Business Park. It is surrounded by industrial-zoned properties with industrial uses like storage yards and warehouses. The nearest residential property is approximately 400 feet to the west of this property. Other residential properties are located approximately 700 to 1,000 feet to the south of the subject property. The subject property is not in the immediate vicinity of residential properties and is not visible from the residential properties. The proposed use will not include the storage of refuse and will be compatible with the surrounding properties. The subject site is located along a cul-de-sac street and is not visible from a major street like Walker Mill Road. The interior location of the subject site is suitable for the proposed use of the property as a storage yard for trash removal trucks because the subject site is located in what is generally a heavy industrial area. Although it is located approximately 400 feet from a residential property, it will not adversely impact the residential property.

- (2) The strict application of this Subtitle will result in peculiar or unusual practical difficulties to, or exceptional or undue hardship upon the owner of the property; and*

Section 27-475.06(B) states that the subject property shall be more than 1,000 feet from any land in a residential zone, or land that is used for residential purposes or proposed to be used for residential purposes on an approved Basic Plan, Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan.

The subject site is located approximately 400 feet from the nearest residentially zoned property. Although the subject property is located 400 feet from a residential property, it will not have any adverse noise, odor or visual impacts on the residential property because it is not immediately adjacent or across a right-of-way from the residential property. The subject property is located in an industrial zone surrounded by industrial uses. The proposed use is compatible with the adjacent industrial uses like storage yards and warehouses. The applicant is providing extensive landscaping and screening to screen the subject property along Rochell Avenue. With the strict application of this subtitle, the applicant will not be able to locate the proposed use on the subject property even though it is substantially similar in almost all respects to the already approved use. This would cause undue hardship upon the owner of the property. Compatibility of the proposed use with the surrounding

uses, many of which involve heavy trucks and construction equipment, is a justification for granting a variance from the 1,000-foot minimum distance from residential properties requirement.

- (3) *The Variance will not substantially impair the intent, purpose or integrity of the General Plan or Master Plan.*

The 1985 Approved Master Plan for Suitland-District Heights and Vicinity recommends that the subject property be developed for employment use. The proposed use generates employment and is compatible with the surrounding industrial uses. Adequate screening and landscaping will be provided along Rochell Avenue. The proposal is also consistent with the requirements of the Zoning Ordinance. Therefore, the granting of the variance will not substantially impair the intent, purpose and integrity of the *General Plan* or Master Plan.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE DSP-00010/01 and VD-00010/01 subject to the following conditions:

1. Prior to certificate approval, the following revisions shall be made to the Detailed Site Plan:
 - a. A continuous six-foot-high sight-tight wood fence with swinging or sliding gates (solid wood fence in accordance with details shown on Attachment ■A●) along Rochell Avenue.
 - b. Provide 12 feet of commercial/industrial landscaped strip along Rochell Avenue. Plant materials provided within the landscaped strip shall be evergreen trees planted 10 feet on center, or other acceptable planting arrangement utilizing the same quantity of trees which is approved by the Planning Board or the Urban Design staff as designee of the Planning Board. White pine trees shall constitute no more than 20 percent of the trees in this landscaped strip.
 - c. Provide cross-sections through the subject site to demonstrate that any area of outdoor storage visible from any adjacent right-of-way shall have the solid wood fence specified in Condition 1.a.
 - d. A note stating that the trash collected by this business will not be stored on the property.
 - e. A note regarding measures that will be taken to control noxious and offensive odors.
 - f. A note regarding the hours of operation.
 - g. A note indicating the distance of the subject property from the nearest residential property.