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## Detailed Site Plan

## DSP-09032

Application	General Data	
<b>Project Name:</b> Colmar Manor Shopping Center, Parcel B  <b>Location:</b> South side of Bladensburg Road (Alternate US 1) at its intersection with 40th Place.  <b>Applicant/Address:</b> BK Land, LLC. 6931 Arlington Road, Suite 500 Bethesda, MD 20814	Planning Board Hearing Date:	06/09/11
	Staff Report Date:	06/02/11
	Date Accepted:	03/08/11
	Planning Board Action Limit:	Waived
	Plan Acreage:	1.3008
	Zone:	M-X-T/D-D-O
	Dwelling Units:	N/A
	Gross Floor Area:	3,300 sq. ft.
	Planning Area:	68
	Tier:	Developed
	Council District:	05
	Election District	02
	Municipality:	Colmar Manor
	200-Scale Base Map:	205NE03

Purpose of Application	Notice Dates	
Proposed 2,800-square-foot retail/commercial building on an existing developed site.	Informational Mailing:	11/03/09
	Acceptance Mailing:	03/07/11
	Sign Posting Deadline:	05/10/11

<b>Staff Recommendation</b>		<b>Staff Reviewer:</b> Jill Kosack <b>Phone Number:</b> 301-952-4689 <b>E-mail:</b> Jill.Kosack@ppd.mncppc.org	
<b>APPROVAL</b>	<b>APPROVAL WITH CONDITIONS</b>	<b>DISAPPROVAL</b>	<b>DISCUSSION</b>
		X	

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-09032  
Colmar Manor Shopping Center, Parcel B

The Urban Design staff has reviewed the detailed site plan (DSP) for the subject property and presents the following evaluation and findings leading to a recommendation of DISAPPROVAL, as described in the Recommendation section of this report.

EVALUATION

The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Zoning Ordinance for the Development District Overlay (D-D-O) Zone and the Mixed Use—Transportation Oriented (M-X-T) Zone.
- b. The October 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*.
- c. The requirements of the *Prince George's County Landscape Manual*.
- d. The requirements of the Woodland and Wildlife Habitat Conservation Ordinance.
- e. The requirements of the Tree Canopy Coverage Ordinance.
- f. Referral comments.

FINDINGS

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

1. **Request:** This detailed site plan proposes to build a 2,800-square-foot, one-story commercial retail building within the parking lot of an existing Burger King fast-food restaurant. Despite the addition of five new spaces, this results in a net loss of parking spaces for the site.

2. **Development Data Summary:**

	<b>Existing</b>	<b>Proposed</b>
Zone(s)	M-X-T/D-D-O	M-X-T/D-D-O
Use(s)	Fast-Food Restaurant	Fast-Food Restaurant Commercial Office
Acreage	1.3008	1.3008
Gross Square Footage	500	3,300
Floor Area Ratio	0.01	0.06

**Other Development Data:**

	<b>Required</b>	<b>Proposed</b>
Parking:		
Eating and Drinking Establishment		
(1 space / 3 seats) for 99 seats	33	33 (2 Handicapped)
(1 space/ 50 sq. ft.) for 500 sq. ft.	10	10
Commercial Retail—1,950 sq. ft.	13	10 (2 Handicapped)
(1 space / 150 square feet)		
<b>Total</b>	<b>Max. 56</b> <b>56 x 80% = Min. 45*</b>	<b>53 (4 Handicapped)</b>

\*Per the sector plan, page 198, the maximum number of parking spaces shall be equal to the minimum required by Section 27-568(a) of Part 11 of the Zoning Ordinance, and the minimum surface parking spaces shall be 80 percent of the maximum parking spaces. Additionally, per the sector plan, page 200, loading facilities are not required in any Port Towns urban design character area.

3. **Location:** The subject property is located on the south side of Bladensburg Road (Alternate US 1) north of Newark Road, west of 40th Place, and east of 40th Avenue. It is within the Developed Tier, in Planning Area 68, Council District 5.
4. **Surrounding Uses:** The subject property is bounded to the north by a small, vacant parcel in the Mixed Use—Transportation Oriented Zone, that is under the same ownership, and beyond it by the existing right-of-way of Bladensburg Road, and across the road, by residentially and commercially-developed properties in the M-X-T Zone; to the east, by the right of-way of 40th Place, and across the road, by a commercially-developed property in the M-X-T Zone; to the west by the right-of-way of 40th Avenue, and across the road, by a commercially-developed property in the M-X-T Zone; and to the south by the right-of-way of Newark Road, and across the road, by residentially-developed properties in the One-Family Detached Residential (R-55) Zone.
5. **Previous Approvals:** The subject property is part of Record Plat NLP 95 @ 27, recorded in the Prince George's County Land Records in 1976. A site plan was approved for the construction of the existing fast-food restaurant building and parking lot in 1978. Subsequently, the fast-food restaurant with drive-through was approved as a certified nonconforming use on September 12, 2008 by Permit 26589-2008-U and a building setback variance from 40th Place, V-27-09, was approved on June 3, 2009. This property was rezoned from the C-S-C (Commercial

Shopping Center) Zone to the M-X-T Zone by the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*, which located it in the Bladensburg Road Gateway/Main Street character area.

6. **Design Features:** The subject property, Parcel B, is currently developed with a 500-square-foot, one-story Burger King fast-food restaurant, with drive-through, and its associated 65-space parking lot. The existing building is located in the approximate middle of the property, with the drive-through immediately adjacent to the east. The existing parking area then surrounds the building on all four sides. The property is surrounded by public rights-of-way, except to the north where it borders a small separate parcel, Parcel E, which is currently under the same ownership. There are four existing vehicular entrances to the site, a two-way entrance off of Bladensburg Road (Alternate US 1), through Parcel E, in the middle of the northern property line; a two-way entrance off of 40th Avenue along the southwestern property line; a two-way entrance off of 40th Place along the northern part of the eastern property line; and a one-way exit drive onto 40th Place along the southern part of the eastern property line. Within the existing parking lot, a shed and dumpster area is located along the southern edge of the site and a Prince George's County police sub-station trailer is located in the northwestern corner of the site. The Burger King restaurant is a certified nonconforming use, and no physical changes to the building or its area of nonconforming use, at the western end of the site, are proposed with this DSP.

The proposed one-story, 20-foot-high, commercial retail building sits along the eastern edge of the subject property. It is set back ten feet from the right-of-way of 40th Place, approximately 65 feet from the right-of-way of Newark Road and approximately 130 feet from the existing right-of-way of Bladensburg Road. The area of development is located east of the existing drive-through lane and the Burger King building, and is currently paved and striped for approximately 22 parking spaces. With the development of this building, these parking spaces will be lost and ten new parking spaces will be configured off of the existing two-way entrance drive along the northern edge of the site. The proposed building will sit south of these new spaces, with the existing paved area, a screen-wall enclosed dumpster, and the existing one-way site exit drive behind the building. The site plan proposes shrub and shade tree plantings along all of the property edges at the eastern end of the site, along with additional shade trees to be planted within the nonconforming use area at the western end of the site. A new sidewalk along the site's Newark Road frontage will connect existing sidewalks along 40th Place and 40th Avenue. Additionally, a small sidewalk connection has been provided from the proposed retail building to the existing Burger King, and bike racks have been added to the area in front of the retail building.

The proposed commercial retail building is a rather typical style with a flat roof, an arched parapet along the front of the roof, large aluminum-framed storefront windows, and an aluminum canopy over the main entrance. All sides of the exterior of the building will be finished with a light tan split-face concrete block, with banding lines along the top and bottom of the building done in a darker tan split-face concrete block. Exterior finishing system (EIFS) in two different tan colors will be used as an accent within the area above the main entrance to the building. The northern or front elevation, which faces the adjacent Parcel E and Bladensburg Road beyond it, contains the main entrance to the building, along with a substantial number of windows. The eastern elevation, which faces 40th Place, and the western elevation, which faces the Burger King building and drive-through lane, each contains one section of storefront windows in the northern portion. The southern or rear building elevation, which faces Newark Road, contains two metal service doors.

The submitted site plan did not propose any building-mounted or freestanding signage.

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.

**Section 27-285(b)(2) of the Zoning Ordinance states the following:**

- (2) **The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).**

**Comment:** With respect to the requirement of the M-X-T Zone for the approval of a conceptual site plan, the sector plan (p. 152) states that “the DDOZ and the Development District Standards meet the purposes of and requirements for a conceptual site plan as set forth in Sections 27-272 and 27-273, thereby serving as the conceptual site plan for properties zoned M-X-T within the development district and satisfying the requirements of Section 27-547(d).”

**Section 27-546(d)—Applicable required findings for detailed site plans in the M-X-T Zone**

- (1) **The proposed development is in conformance with the purposes and other provisions of this Division;**

**Comment:** The purposes of the M-X-T Zone as stated in Section 27-542(a) include the following:

- (1) **To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**

**Comment:** The subject property is located on the south side of a major arterial highway, Bladensburg Road (Alternate US 1), west of its intersection with Kenilworth Avenue (MD 202), and approximately one-half mile from the border with the District of Columbia. The proposed small-scale retail building is an orderly redevelopment that is consistent with commercial development in the immediate area and will provide a small increase in employment opportunities for the area. However, because of the scale and size of this development, it will have only a minor effect on enhancing the economic status of the county or providing desirable jobs.

- (2) **To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**

**Comment:** The 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment* recommends that development along the south side of Bladensburg Road be used to create a mixed-use urban boulevard by encouraging additional medium-density, mixed use. The proposed development, while it is an infill site that will create additional density on the subject property, does not provide any features that enhance the mix of uses in the area. Additionally, the suburban-style retail building layout, with a single building set in the middle of a site, surrounded by parking, will do little to create a more walkable community.

- (3) **To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

**Comment:** The subject site is sparsely developed; therefore, the additional retail building will enhance the value of the land. However, it falls short of maximizing the development and value potential of the entire property, a large portion of which will remain as parking.

- (4) **To promote the effective and optimum use of transit and other major transportation systems;**

**Comment:** The subject property is not in the immediate vicinity of any major transit stops and, generally, the only alternative means of transportation to the site, besides a bus, will be walking from the existing residential areas to the south.

- (5) **To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**

**Comment:** The exact tenant and operating hours for the proposed retail building are unknown at this time. Therefore, it is difficult to determine if or how the development might encourage a 24-hour environment, as the development does not contribute to or enhance the mix of uses in the vicinity. Additionally, the building and streetscape design do little to set a framework for an active pedestrian environment, with the building located in the middle of the site and only the addition of a few new portions of standard concrete sidewalk.

- (6) **To encourage diverse land uses which blend together harmoniously;**

**Comment:** The proposed 2,800-square-foot commercial retail building use will functionally blend harmoniously with the existing Burger King restaurant on the same property; however, the addition of a retail/commercial use to a site with an existing retail/commercial use does not represent a diverse mix of land uses.

- (7) **To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**

**Comment:** Again, the proposed retail building will blend with the existing typical, suburban, pad-site style, commercial development in the vicinity; however, it will do little to create a dynamic relationship within a distinctive visual character as it will be a continuation of the same style of commercial development.

- (8) **To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;**

**Comment:** The proposed development does not represent optimum land planning as it is a small, single-use infill building surrounded by buildings of similar character and use.

**(9) To permit a flexible response to the market; and**

**Comment:** The applicant argues that the existing Burger King is a successful business that intends to remain on this site for a long time. Therefore, an addition of a small commercial building on the site, within an existing unused parking area, represents the applicant's intent to add more commercial space to the site and neighborhood without jeopardizing the existing successful commercial use. The DSP is in general conformance with this purpose of the M-X-T Zone.

**(10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

**Comment:** The proposed architecture, while rather typical, does propose a higher quality façade material and a fair amount of fenestration. However, the site plan and architecture cannot be found to achieve excellence in physical, social, and economic planning as the proposed one-story commercial building, added to a commercially-developed site in a typical suburban pad-site configuration, is a continuation of a standard pattern of development seen in many parts of the county.

**(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

**Comment:** The subject property was placed in the M-X-T Zone through the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*. Further discussion of the proposed development's conformance with the sector plan is in Finding 8 below.

**(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

**Comment:** The proposed development will be outwardly oriented and is physically and visually integrated into the existing adjacent development in terms of its siting, scale, and architectural style.

**(4) The proposed development is compatible with existing and proposed development in the vicinity;**

**Comment:** The proposed development will be compatible with other existing commercial properties in this area along Bladensburg Road (Alternate US 1), many of which were developed in the same typical, pad-site suburban style. Staff finds that the subject development has been planned for compatibility with the immediately adjacent, existing, commercial development, including vehicular access, pedestrian circulation, and architectural design.

- (5) **The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

**Comment:** The proposed commercial use and arrangement of building and parking reflect a cohesive development capable of sustaining an independent environment of continuing stability.

- (6) **If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

**Comment:** Due to the minimal site improvements, the development is not staged.

- (7) **The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

**Comment:** The subject DSP will provide convenient pedestrian access from the building to the parking lot, but there is no access to the building and parking lot from the existing sidewalk within the 40th Place right-of-way.

- (8) **On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

**Comment:** The proposed development does not provide for any areas to be used for pedestrian activities or gathering places, except for the standard sidewalk within the public rights-of-way. No additional amenities, such as street furniture or lighting, are proposed with this plan.

- (9) **On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

**Comment:** The DSP is not subject to this requirement.

- (10) **On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be approved by the applicant.**



**Comment:** The DSP is subject to this requirement; however, this property is not the subject of a prior zoning map amendment or conceptual site plan. The preliminary plat approval for the site was done in 1976 and did not include any conditions or notes regarding public facilities. Since there were no transportation conditions on the preliminary plat, staff finds that the site in this DSP would be adequately served within a reasonable period of time by existing or programmed transportation facilities.

- (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 548.**

**Comment:** The subject site contains 1.30 acres and is therefore, not subject to this requirement.

8. **The 2009 Approved Port Towns Sector Plan and Sectional Map Amendment:** The 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment* defines long-range land use and development policies, detailed zoning changes, design standards, and a D-D-O Zone for a new Port Towns destination center focused on the Anacostia waterfront that links the four Port Towns of Bladensburg, Colmar Manor, Cottage City, and Edmonston. The land use concept of the sector plan divides the area into six character areas for the purpose of providing a framework to achieve a vertical mixed-use development that promotes pedestrianism, linking the port towns together to form a recognizable place. The subject site is in the Bladensburg Road Gateway/Main Street character area, which includes the Bladensburg Road corridor between the Anacostia River and Eastern Avenue, as well as the remaining portions of Colmar Manor and Cottage City to the south and north of Bladensburg Road (Alternate US 1). The vision for this character area is to transform the existing auto-related corridor into a pedestrian-friendly, mixed-use boulevard and preserve and enhance existing residential neighborhoods while providing an adequate transition to uses along Bladensburg Road. The application as proposed in the subject detailed site plan includes one new, single-story commercial retail building, which is set back from the surrounding roads, provides few new sidewalks or streetscape amenities, and is surrounded by other single-use commercial buildings. Therefore, this development is not in general compliance with the land use vision for this character area.

Section 27-548.25(b) of the Zoning Ordinance requires that the Planning Board find that the site plan meets applicable development district standards. Per the sector plan Applicability section, page 151, new development must show compliance with pertinent character area development standards. Additionally, per the sector plan, page 151, only the expansion on an existing developed site needs to conform to the development standards; therefore, the existing area of nonconforming use for the Burger King does not need to conform to the development district standards.

The development district standards are organized into multiple categories, including Street Type Specifications, Streetscape Standards, Squares and Civic Greens, Tree Lists, Building Envelope Standards, Kenilworth Avenue (MD 202), Architectural Standards, and Parking and Loading Standards. The Kenilworth Avenue standards are not applicable to the subject DSP because this DSP does not have any frontage on Kenilworth Avenue.

The detailed site plan meets most of the standards, with the exception of 21 development district standards for which the applicant has requested an amendment. In order to allow the plan to deviate from the development district standards, the Planning Board must find that the alternative development district standards will benefit the development and the development district, and

will not substantially impair implementation of the sector plan. The DSP's conformance with applicable development district standards and the amendments that the applicant has requested are discussed below.

- a. **Street Type Specifications (p. 160)**—The area of development of this detailed site plan has direct frontage on 40th Place and Newark Road, both of which are defined in the sector plan (p. 162) as a neighborhood street Type 2 (NST-2), with a build-to line of 66 feet. This build-to line is defined as 66 feet from the building face on one side of the road to the building face on the other side of the road, or 33 feet from the centerline of the right-of-way to the building face on each side. The typical cross section for the NST-2 street type, as shown on page 164 of the sector plan, requires two ten-foot-wide travel lanes with two seven-foot-wide parallel parking aisles on either side. Either side of the road would then have a 16-foot-wide pedestrian area with a 7- to 8-foot-wide tree lawn, a 6- to 9-foot-wide clear walkway, and a 3- to 4-foot-wide dooryard.

The existing 40th Place right-of-way is developed with two, approximately ten-foot-wide, travel lanes, a four-foot-wide grass strip, and a four-foot-wide concrete sidewalk on the DSP's side of the street. The existing Newark Road right-of-way is developed with two travel lanes and undefined parallel parking on both sides of the street, along with an eight-foot-wide green strip on the DSP's side of the road. The subject application proposes to add a six-foot-wide sidewalk behind the curb on Newark Road, on the north side of the road, to provide a connection between 40th Place and 40th Avenue. Neither of these rights-of-way is developed per the required NST-2 street cross section, and the subject application does not propose any streetscape improvements. The applicant argues that, since the subject property is already 90 percent developed and no other work needs to be done within the right-of-way, no improvements are necessary. This is not acceptable justification because the sector plan requires that, at the time of new development, the applicant is required to improve the adjacent rights-of-way per the specified cross sections.

However, the area of the DSP which is subject to the development district standards includes the majority of the 40th Place frontage between Bladensburg Road (Alternate US 1) and Newark Road, but only a short portion (approximately 66 feet) of the Newark Road frontage between 40th Place and 40th Avenue. So, while it is not unreasonable with this DSP to require streetscape improvements along 40th Place, there is some justification for not requiring all of the streetscape improvements along Newark Road, as only a small portion of the frontage would be improved per the required cross section, which could create an awkward transition to the existing roadway cross section. In conclusion though, allowing the applicant to not complete any of the necessary roadway and streetscape improvements on either Newark Road or 40th Place would impair implementation of the sector plan's goal of creating pedestrian-oriented streetscapes. It is also not feasible to condition the DSP to be revised to show these streetscape improvements as the exact design could greatly impact the site layout and would have to be reviewed and accepted by the various public agencies which own the rights-of-way.

- b. **Streetscape Standards (p. 168)**—The amendments that the applicant has requested within this section are as follows:

#### **Street Trees**

4. **At planting, street trees shall be at least three inches in diameter (at six feet above grade) and at least ten feet in overall height. (in part)**

**Comment:** There are existing one- to two-inch caliper trees behind the existing sidewalk along 40th Place and the proposed sidewalk along Newark Road. An amendment is required to this standard as these trees are too small and located in the wrong location according to the street type specification. This amendment is acceptable, if the existing street trees are in good condition and will be maintained, as this minor variation in tree size and location will not substantially impair implementation of the sector plan.

#### **Streetscape Elements**

1. **Street lights shall be installed on both sides of streets along the street tree alignment line and unless otherwise designated on the urban design concept plan, at intervals of not more than 80 feet, measured parallel to the street.**

**Comment:** The subject development has more than 80 feet of frontage on 40th Place and Newark Road, neither of which has existing street lights, but it does not propose to add any street lights along either frontage. This amendment is unacceptable and would impair implementation of the sector plan as street lights are an important tool in creating a safe and pedestrian-friendly streetscape.

2. **Street lights shall be between 9 and 16 feet above ground in height. At the time of development, the developer is responsible for the installation of street lights on each side of the street-space being developed.**

**Comment:** Again, the subject DSP does not propose to add any street lights along 40th Place or Newark Road, neither of which have any existing street lights. This amendment is unacceptable and would impair implementation of the sector plan as street lights are an important tool in creating a safe pedestrian-friendly streetscape.

3. **At the time of development, the developer is required to install sidewalks as illustrated in the Street Type Specifications Section.**

**Comment:** The applicant proposes to use the existing four-foot-wide sidewalk along 40th Place and a new six-foot-wide sidewalk along Newark Road to fulfill this standard requirement. The existing location and width of the sidewalk along 40th Place is in alignment with the adjacent residential neighborhood, and the proposed sidewalk along Newark Road will create a missing connection between the 40th Place and 40th Avenue sidewalks. This amendment is acceptable, as long as the existing sidewalk is in good condition, and will not impair implementation of the sector plan.

4. **Sidewalks not otherwise designated in the urban design concept plan or Street Type Specifications Section shall be a minimum of six feet wide and be constructed to meet all county (and ADA) specifications.**

**Comment:** The existing sidewalk along 40th Place appears to be only four feet wide. This amendment is acceptable as the existing location and width of the sidewalk is in alignment with the adjacent residential neighborhood.

- c. **Squares and Civic Greens**—These standards are not applicable to this DSP as there are not any squares, civic greens, or plazas proposed, or required by the sector plan for the new development area of the subject property.
- d. **Tree Lists**—These standards are not applicable to this DSP as the subject application does not propose to plant any new street trees.
- e. **Building Envelope Standards**—All new development within the Port Towns D-D-O Zone must conform to a list of building envelope standards on pages 172 and 173 of the sector plan. The amendments that the applicant has requested within this section are as follows:

#### **Façade Composition**

- 2. **Each façade composition shall include a functioning street entry door. This requirement may be satisfied through the use of liner shops for large floor-plate buildings. Individual infill projects on lots with frontage of less than 100 feet are exempted from the overall façade composition requirement, but shall still include a functioning street entry.**

**Comment:** The 40th Place and Newark Road building façades do not propose functioning street entry doors. The applicant contends that it would not be feasible to have a functioning street entry door facing Newark Road, since this building façade serves as the rear loading and employee entrance point. This amendment is unacceptable as it impairs the creation of a vital street space, which is the goal of this standard.

#### **Siting**

- 1. **The building façade shall be built to the BTL within 30 feet of a block corner.**

**Comment:** The proposed building does not comply with this standard due to the mid-block building placement to fit with the location of the existing ingress and egress points. This amendment is unacceptable as it impairs the ability to create a vibrant, pedestrian-friendly streetscape when the building is set back too far from the block corners.

- 2. **A street wall shall be required along any BTL frontage that is not otherwise occupied by a building. The street wall shall be located not more than eight inches behind the BTL.**

**Comment:** The proposed building does not sit at the build-to line (BTL) along the entire frontage of Newark Road and for a portion of frontage along 40th Place. The DSP does not propose to build any street walls on-site; therefore, it does not comply with this standard. This requested amendment is unacceptable

because it makes no effort to address the BTL requirement with either a building or street wall, which will impair the implementation of a pedestrian-friendly streetscape.

- 8. The parking setback line is 30 feet behind the BTL unless otherwise indicated on the character area urban design plan. Vehicle parking shall be located behind the parking setback line, except where parking is provided below grade, on-street, or otherwise indicated on PTDDP character area preferred urban design plans.**

**Comment:** The proposed parking lot in front of the building is within the parking setback line on 40th Place. This requested amendment is unacceptable because it makes no effort to place parking in a less-visible, screened location behind a building, which is the intent of the standard.

#### **Elements**

- 4. No part of any building except overhanging eaves, awnings, balconies, bay windows, stoops, and shopfronts as specified by the code may project beyond the BTL.**

**Comment:** The BTL from the street centerline along 40th Place is 33 feet per street type NST-2. The existing right-of-way is 40 feet wide; therefore, the BTL would be 13 feet behind the existing right-of-way line. The proposed building sits only ten feet behind the existing right-of-way line and, therefore, extends beyond the BTL along 40th Place. This requested amendment is unacceptable because it does not leave sufficient room along 40th Place to create a pedestrian-friendly streetscape space as intended by the sector plan.

Based on the urban design plan on page 154 of the sector plan, this specific development site is subject to the general building envelope standards (pp. 174–177) along 40th Place. The amendments that the applicant has requested within these sections are as follows:

#### **General Building Envelope Standards for Height**

**Buildings shall be at least four stories in height, but no greater than ten\* stories in height.**

**\*The deviation for this property, as labeled on the urban design plan on page 154, permits a maximum height of five stories.**

**Comment:** The proposed one-story building does not comply with the required minimum four-story height requirement. The applicant argues that a four- to five-story building would be inappropriate next to the existing one-story Burger King, which is to remain. This requested amendment is unacceptable because, as stated by the applicant, the proposed one-story building continues the existing pattern of development and impairs implementation of the vibrant, mixed-use development envisioned in the sector plan.

## **Street Wall Height**

**A Street wall not less than six feet in height or greater than 12 feet in height shall be required along any BTL frontage that is not otherwise occupied by a building on the lot.**

**Comment:** The proposed building does not sit at the BTL for a portion of frontage along 40th Place. The proposed site layout retains the existing ingress and egress which does not allow for a street wall to be constructed along the BTL along 40th Place. The DSP does not propose to build any street walls on-site; therefore, it does not comply with this standard. This requested amendment is unacceptable because it makes no effort to address the BTL requirement with either a building or street wall, which will impair the implementation of a pedestrian-friendly streetscape.

## **General Building Envelope Standards for Siting**

### **Street Façade**

- 1. On each lot the building façade shall be built to the BTL for at least 75 percent of the BTL length.**

**Comment:** The proposed site layout retains the existing ingress and egress which does not allow for the building to be built to the BTL for at least 75 percent of the 40th Place frontage. This requested amendment is unacceptable because it makes no effort to address the BTL requirement, but rather continues the existing non-complying pattern of development, which will impair implementation of the sector plan goals.

## **General Building Envelope Standards for Elements**

### **Fenestration**

- 1. Blank lengths of wall exceeding 20 linear feet are prohibited on all BTLs.**

**Comment:** The proposed building elevation along the 40th Place BTL proposes a blank length of wall beyond 20 feet. This requested amendment is unacceptable because it will impair the implementation of a vibrant, pedestrian-friendly streetscape.

- 2. Ground story façade fenestration shall comprise between 40 and 90 percent of the façade.**

**Comment:** The proposed 40th Place building elevation fenestration comprises less than 40 percent of the total façade. This requested amendment is unacceptable because it will impair the implementation of a vibrant, pedestrian-friendly streetscape.

## **Street Walls**

**One vehicle entry gate no wider than 20 feet and one pedestrian entry gate no wider than five feet shall be permitted within any required street wall.**

**Comment:** The proposed site layout retains the existing ingress and egress driveway, which is 24 feet wide in the northeastern corner, along with the existing egress driveway, which is over 15 feet wide in the southeastern corner. This amendment is unacceptable, as these multiple driveways create more points of pedestrian and vehicular conflict, which impairs the implementation of a vibrant, pedestrian-friendly streetscape. Additionally, the site has a total of four vehicular access points, which is excessive for a site developed with only 3,300 square feet of commercial space.

Additionally, based on the urban design plan on page 154 of the sector plan, this specific development site is subject to the workshop building envelope standards (pp. 186–189) along Newark Road. The amendments that the applicant has requested within these sections are as follows:

## **Workshop Building Envelope Standards for Height**

### **Street Wall Height**

**A street wall not less than six feet in height shall be required along any BTL frontage not otherwise occupied by a building.**

**Comment:** The proposed building does not sit at the BTL for the entire frontage of Newark Road. The DSP does not propose to build any street walls on-site; therefore, it does not comply with this standard. This requested amendment is unacceptable because it makes no effort to address the BTL requirement with either a building or street wall, which will impair the implementation of a pedestrian-friendly streetscape.

## **Workshop Building Envelope Standards for Siting**

### **Street Façade**

- 1. On each lot the building façade shall be built to the BTL for at least 70 percent of the BTL length.**

**Comment:** Due to the proposed mid-block building location and the retention of the existing egress drive, the proposed building is not built to the BTL along any portion of Newark Road. This requested amendment is unacceptable because it makes no effort to address the BTL requirement, but rather continues the existing non-complying pattern of development, which will impair implementation of the sector plan goals.

## **Garage and Parking**

**Driveways shall be located at least 75 feet away from any block corner or another driveway or garage entry on the same block. This requirement does not apply along alleys.**

**Comment:** The existing southern egress drive, that is proposed to remain, is within 30 feet of the Newark Road and 40th Place intersection. The site has approximately 197 feet of frontage on 40th Place, so compliance with this standard is possible with the removal of the existing egress drive, which is one of the site's four access points. Therefore, this amendment is unacceptable, as the existing driveway, which could be removed, prevents the location of the building closer to the corner and at the BTLs, which are other D-D-O Zone standards, thereby impairing the implementation of the sector plan.

## **Workshop Building Envelope Standards for Elements**

### **Fenestration**

- 1. Blank length of walls exceeding 35 linear feet are prohibited on all BTL's.**

**Comment:** The proposed rear building elevation, facing Newark Road, is a solid blank wall with two solid doors to serve as a rear loading and employee entrance. This requested amendment is unacceptable because it will impair the implementation of a vibrant, pedestrian-friendly streetscape.

- 2. Fenestration on façades shall comprise between 20 and 70 percent of the façade.**

**Comment:** The proposed rear building elevation, which faces Newark Road, is a solid blank wall with two solid doors to serve as a rear loading and employee entrance. Therefore, the proposed Newark Road building elevation fenestration comprises less than 20 percent of the total façade. This requested amendment is unacceptable because it will impair the implementation of a vibrant, pedestrian-friendly streetscape.

- f. Architectural Standards:** It is not clear if the DSP meets all of the applicable standards within this section. No building-mounted or freestanding signage is proposed with the subject DSP; therefore, these standards do not apply. The architecture for the proposed building does show an aluminum canopy over the main entrance. Awnings/Overhangs Standard 1 requires these overhangs to have a minimum of ten feet clear height above the sidewalk and be a minimum of six feet deep from the building façade. It is not clear if the proposed canopy meets these requirements as no dimensions were given for it on the architectural elevations. However, if the current design does not conform to these requirements, it would be a simple adjustment to bring it into conformance.
- g. Parking and Loading Standards:** The DSP meets all of the applicable standards within this section. The required minimum number of parking spaces and bicycle parking spaces are provided on-site. Since no joint, shared, on-street, off-site, loading, or tandem parking spaces are proposed, those specific standards do not apply to the subject DSP.



In summary, the applicant has requested a total of 21 amendments from the applicable development district standards for the subject development. Some of these amendments, as discussed above, meet the required findings of benefiting the development and the development district, and not substantially impairing the implementation of the sector plan. However, in totality, this single-story, suburban-style, pad-site commercial retail development does not meet the mixed-use, pedestrian-friendly land use vision established by the sector plan for the Bladensburg Road Gateway/Main Street character area, but rather continues the same individualistic pattern of development that already exists. Because of the large disparity between the proposed and sector plan-envisioned styles of development, it is not feasible to condition the DSP to be revised to conform to the sector plan. Approval of this proposed development, which is a continuation of the current pattern of development and a departure from the standards and goals established in the sector plan, would set a precedent that might make it more difficult to require future developments in the area to fully meet the sector plan, thereby hindering the development district and impairing the implementation of the sector plan.

9. **Prince George's County Landscape Manual:** The subject application is not subject to the *Prince George's County Landscape Manual* as the sector plan (p. 152) states that "the development district standards replace all those contained in the Zoning Ordinance and Landscape Manual." Discussion of the DSP's conformance with the landscape-related development district standards is in Finding 8 above.
10. **Woodland and Wildlife Habitat Conservation Ordinance:** This property is not subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because, although the gross tract area of the subject property is greater than 40,000 square feet, there are less than 10,000 square feet of existing woodland. A Type 2 tree conservation plan was not submitted with the review package and is not required. A standard exemption was issued for this site on July 17, 2009.
11. **Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3: Tree Canopy Coverage Ordinance requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading permit. Properties zoned M-X-T are required to provide a minimum of ten percent of the gross tract area in tree canopy.

The overall development has a gross tract area of 1.3008 acres and, as such, TCC of 0.13 acre or 5,666 square feet is required. The submitted landscape plan provides a worksheet stating that this requirement will be addressed through the proposed planting of 23 shade trees on-site, for a total of 5,750 square feet of provided TCC.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
  - a. **Historic Preservation Section:** The Historic Preservation Section indicated that the subject application will have no effect on identified historic sites, resources, or districts.
  - b. **Archeological Review:** In a memorandum dated March 16, 2011, the archeology planner indicated that a Phase I archeological survey is not recommended on the above-referenced property located at 3933 Bladensburg Road in Colmar Manor, Maryland. The subject property is already developed with an existing fast-food restaurant and parking lot. 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.

- c. **Community Planning North Division:** The Community Planning North Division provided the following analysis of the proposal:

This application is not consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developed Tier.

This application does not conform to the long-range, mixed-use recommendations, goals, and intent of the Bladensburg Road Gateway/Main Street character area of the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*. The application does not comply with all of the applicable Bladensburg Road Gateway/Main Street development district standards.

The subject property is located in the Bladensburg Road Gateway/Main Street character area of the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*. The Bladensburg Road Gateway/Main Street character area goal is to promote a mixed-use, pedestrian-friendly boulevard that serves as a gateway to Prince George's County and the port towns, while also serving as the main street of Colmar Manor and Cottage City. One of the sector plan's policies is to establish Bladensburg Road (Alternate US 1) as a mixed-use urban boulevard by encouraging additional medium-density, mixed-use development along the south side of Bladensburg Road.

The Community Planning North Division included a discussion of the application's compliance with the applicable development district standards, which has been incorporated into the discussion in Finding 8 above regarding sector plan conformance.

- d. **Transportation Planning Section:** The Transportation Planning Section provided an analysis of the subject application regarding transportation-related conditions from previous approvals and provided the following conclusion.

The applicant is requesting approval to construct a 2,800-square-foot retail space on an existing lot that also contains a fast-food restaurant. The applicant is proposing to provide 56 parking spaces. The Zoning Ordinance calls for one space per 150 square feet of the first 3,000 square feet of gross floor area (GFA). The applicant's site plan indicates that the GFA for the proposed building will be 1,950 square feet. The site plan currently shows 52 spaces available for parking. Three additional spaces are occupied by a trailer and one space is being used to house a wooden shed. In order to comply with Zoning Ordinance requirements, the trailer and wooden shed would need to be removed allowing the four available spaces to be used for parking.

Staff reviewed the *Approved Port Towns Sector Plan and Sectional Map Amendment* as well as the Zoning Ordinance requirements as identified in Sections 27-546(d)(9) and 27-546 (d)(10) to determine if a finding of adequacy is required as part of the transportation staff review. This property has not been the subject of a prior conceptual site plan, so no finding was required under Section 27-546(d)(9). The preliminary plat for the site was approved in 1976 and did not include any conditions regarding transportation facilities. Subsequently, the plat was recorded and is considered to be pipeline development under the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. Since there were no transportation conditions on the preliminary plat, staff

finds (per Section 27-546(d)(10)) that the site in this DSP would be adequately served within a reasonable period of time by existing or programmed transportation facilities.

In summary, the Transportation Planning Section concludes that the submitted detailed site plan is acceptable and consistent with prior underlying approved plans, provided the plan is revised to show the removal of the trailer and wooden shed to allow for the use of the four parking spaces. The additional spaces would satisfy Zoning Ordinance parking requirements.

**Comment:** Because of the reduction in parking requirements allowed by the sector plan, the site meets the applicable parking requirements without the removal of the trailer and shed as mentioned.

- e. **Subdivision Review Section:** In a memorandum dated April 8, 2011, the Subdivision Review Section provided an analysis of the subject application as follows:

The subject property is located on Tax Map 50 in Grid B4 and is known as Parcel B, Colmar Manor Subdivision. The property is approximately 1.3008 acres and zoned M-X-T. The applicant is proposing to construct a 2,800-square-foot retail building. There is an existing fast-food restaurant on the subject property. The applicant is proposing new development for which there would be an increase in gross floor area on the property.

The property is the subject of Record Plat NLP 95 @ 27 recorded in Prince George's County Land Records in 1976, which does not contain a cap on development. Pursuant to Section 24-111(c) of the Subdivision Regulations, a preliminary plan of subdivision is not required. There are no other subdivision issues at this time.

- f. **Trails:** In a memorandum dated March 31, 2011, the trails planner indicated that they had reviewed the submitted detailed site plan application for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*.

The trails planner indicated that the subject application reflects existing sidewalks along Bladensburg Road (Alternate US 1), 40th Place, and 40th Avenue. No sidewalk currently exists along the north side of Newark Road. The development district standards contained in the area master plan designate Bladensburg Road as a "major street" and 40th Place, 40th Avenue, and Newark Road as "neighborhood streets" (NST-2). The applicant is not proposing any frontage improvements other than landscaping.

Additionally, the trails planner recommended various locations on-site where additional crosswalk and sidewalks would provide important internal and external pedestrian linkages.

- g. **Permit Review Section:** The Permit Review Section offered several comments which are either not applicable at this time, have been addressed through revisions to the plans, or are addressed through proposed conditions of approval of this detailed site plan.

- h. **Environmental Planning Section:** The Environmental Planning Section provided the following analysis of the subject application:

The subject property is located in the northwest quadrant of the intersection of 40th Avenue and Newark Road. The site is currently developed with one existing building and associated parking. The site does not contain any regulated environmental features and drains into unnamed tributaries of the Upper Anacostia watershed in the Anacostia River basin. The predominant soil type on the site is an Urban Land complex. Based on information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this site. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. The site is adjacent to Bladensburg Road (Alternate US 1), a master-planned arterial roadway for which noise impacts are regulated when residential or residential-type uses are proposed; however, no residential or residential type uses are proposed in this application. This property is in the Developed Tier as delineated on the approved General Plan.

The site has an approved Natural Resources Inventory Equivalency Letter (NRI-EL-004-2011). During the review of the information submitted, it was determined that an NRI-EL is an acceptable method to meet the NRI submittal requirement because:

- (1) The site is exempt from the Woodland and Wildlife Habitat Conservation Ordinance.
- (2) A review of the detailed site plan, the PGAtlas.com environmental layers, and 2009 color aerial photos indicate that there are no regulated environmental features on the site.

No additional information regarding NRI submittal requirement is necessary at this time.

- i. **Prince George's County Fire/EMS Department:** In a memorandum dated March 30, 2011, the Fire/EMS Department offered standard comments regarding their access and utility needs.
- j. **The Department of Public Works and Transportation (DPW&T):** In a memorandum dated March 23, 2011, DPW&T offered the following comments:
- (1) The property is located on the south side of Bladensburg Road (Alternate US 1), at its intersection with 40th Avenue, within the incorporated town of Colmar Manor. Therefore, coordination with the Town of Colmar Manor is required for possible frontage improvements and right-of-way dedication requirements.
  - (2) Bladensburg Road (Alternate US 1) is a state-maintained roadway; therefore, coordination will be necessary with the Maryland State Highway Administration (SHA).
  - (3) All storm drainage systems and storm drainage facilities are to be in accordance with DPW&T requirements.
  - (4) The proposed site development is consistent with approved Stormwater Management Concept Plan 23670-2009-00, dated October 5, 2009.

- k. **Maryland State Highway Administration (SHA):** In a memorandum dated March 10, 2011, SHA indicated that they had no comment on the subject application.
  - l. **Washington Suburban Sanitary Commission (WSSC):** In a memorandum dated April 1, 2011, WSSC provided standard comments regarding the water and sewer utilities. They indicated that there is a six-inch water and an eight-inch sewer main available to serve the proposed site.
  - m. **Potomac Electric Power Company (PEPCO):** At the time of the writing of this staff report, PEPCO has not offered comments on the subject application.
  - n. **Town of Colmar Manor:** At the time of the writing of this staff report, the Town of Colmar Manor has not offered comments on the subject application.
13. The subject application does not adequately take into consideration the requirements of the D-D-O Zone and sector plan. The various required amendments to development district standards are the result of an attempt to continue the same suburban-style commercial development as exists in the area, as opposed to trying to make advancements towards the mixed-use, pedestrian-friendly vision for the area. The requested amendments to the development district standards will not, for these reasons, benefit the development of the development district as required by Section 27-548.25(c), and will in fact substantially impair implementation of the sector plan. As a result, and as required by Section 27-285(b)(1) of the Zoning Ordinance, the detailed site plan does not 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.
14. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a detailed site plan 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.**

**Comment:** In a memorandum dated April 12, 2011, the Environmental Planning staff indicated that there are no regulated environmental features found on the subject property; therefore, no preservation or restoration is necessary.

## RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Prince George's County Planning Board adopt the findings of this report and DISAPPROVE Detailed Site Plan DSP-09032 for Colmar Manor Shopping Center.