The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

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

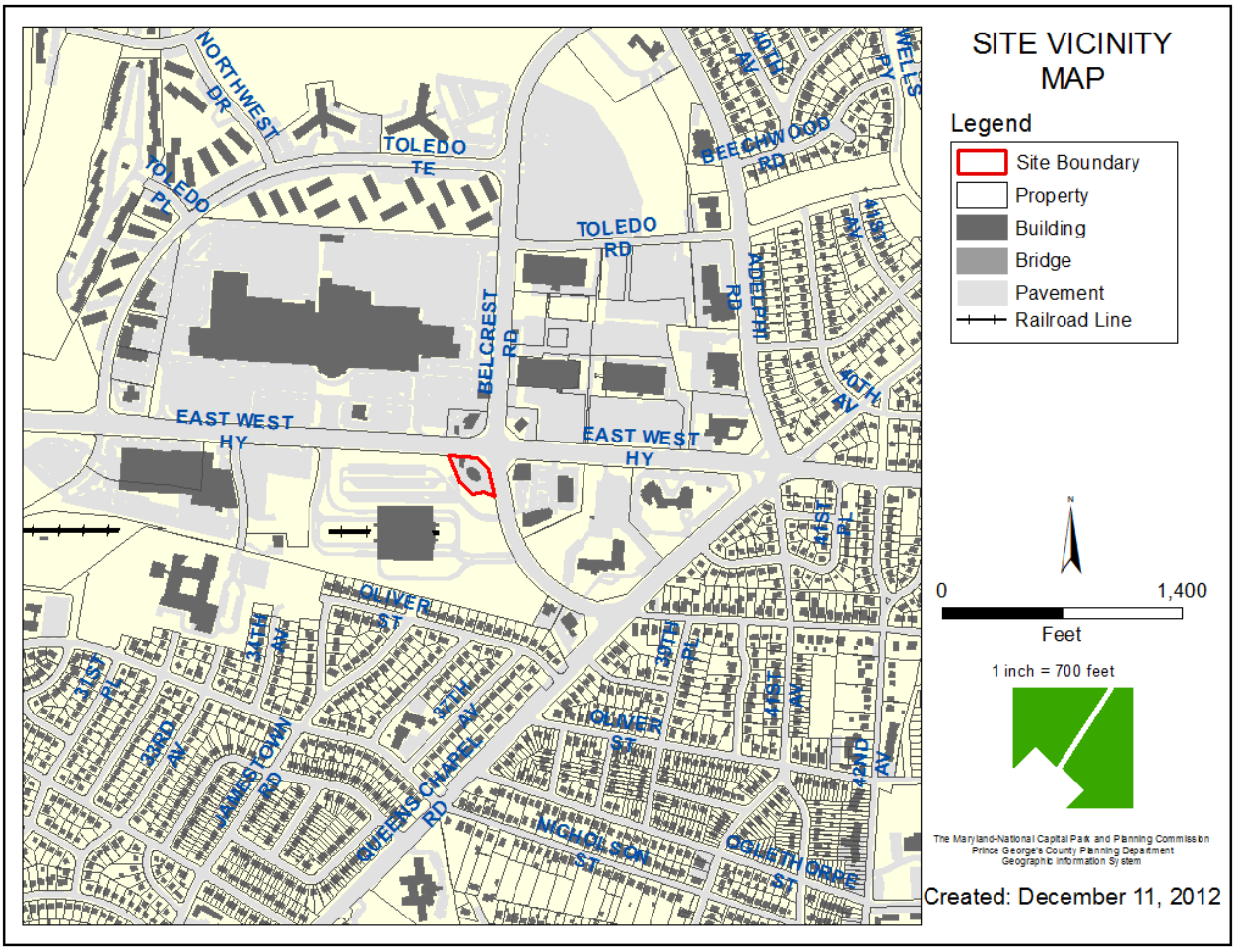
Conceptual Site Plan CSP-13003
Detailed Site Plan DSP-12062
Alternative Compliance AC-13018

Application	**General Data**	
Project Name: Hyattsville Zip-In	Planning Board Hearing Date:	12/05/13
	Staff Report Date:	11/21/13
Location: Located in the southwest quadrant of the intersection of East-West Highway (MD 410) and Belcrest Road.	Date Accepted:	07/02/13
	Planning Board Action Limit:	Waived
	Plan Acreage:	0.86
	Zone:	M-X-T/T-D-O
Applicant/Address: NSR Properties, LLC 7300 Hanover Parkway, Unit 3 Greenbelt, MD 20770	Dwelling Units:	N/A
	Gross Floor Area:	3,444 sq. ft.
	Planning Area:	68
	Tier:	Developed
	Council District:	02
	Election District	17
	Municipality:	Hyattsville
	200-Scale Base Map:	207NE03

Purpose of Application	**Notice Dates**	
This case was continued from the Planning Board agenda date of November 7, 2013 to December 5, 2013.	Informational Mailing:	12/11/12
Revisions to an existing gas station and food and beverage store and amending the Table of Uses of the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone*, to permit a proposed car wash.	Acceptance Mailing:	06/04/13
	Sign Posting Deadline:	10/08/13

Staff Recommendation	**Staff Reviewer:** Jill Kosack **Phone Number:** 301-952-4689 **E-mail:** Jill.Kosack@ppd.mncppc.org

APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		


SITE VICINITY MAP
Legend
Site Boundary
Property
Building
Bridge
Pavement
Railroad Line
NORTHWEST DR
TOLEDO TE
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BELCREST RD
EAST WEST HY
BEECHWOOD RD
ADELPHI RD
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OLIVER ST
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QUEENS CHAPEL RD
NICHOLSON ST
QUARTH DRIVE
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Feet
1 inch = 700 feet
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: December 11, 2012

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Conceptual Site Plan CSP-13003
Detailed Site Plan DSP-12062
Alternative Compliance AC-13018
Hyattsville Zip-In

The Urban Design staff has reviewed the conceptual site plan and detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions as described in the Recommendation section of this report.

EVALUATION

The conceptual site plan (CSP) and detailed site plan (DSP) were reviewed and evaluated for conformance with the following criteria:

a. The requirements of the Zoning Ordinance for the Transit District Overlay (T-D-O) Zone and the Mixed Use-Transportation Oriented (M-X-T) Zone.

b. The requirements of the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone.*

c. The requirements of the 2010 *Prince George's County Landscape Manual.*

d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.

e. The requirements of the Prince George's County 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:** The subject application requests revision of an existing gas station and food and beverage store and amendment of the Table of Uses of the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* (Prince George's Plaza TDDP), to permit a proposed 1,192-square-foot, drive-through, automatic car wash on a site in the Mixed Use-Transportation Oriented (M-X-T) and Transit District Overlay (T-D-O) Zones.

2. **Development Data Summary:**

	EXISTING	**PROPOSED**
Zone	M-X-T/T-D-O	M-X-T/T-D-O
Use(s)	Gas Station and Food and Beverage Store	Gas Station, Food and Beverage Store, Car Wash
Acreage	0.86	0.86
Parcels	1	1
Building Square Footage/GFA	2,983	3,444 (1,192 new)

OTHER DEVELOPMENT DATA

Parking Spaces Required	
Food and Beverage Store 2,257 sq. ft. @ 1 space/150 sq. ft.*	15 spaces
Car Wash 936 sq. ft. @ 1 space/500 sq. ft.*	2 spaces
Total	**17 spaces**
Parking Spaces Provided	
Standard Spaces	10 spaces
Compact Spaces	5 spaces
ADA Spaces	1 space
ADA Spaces (Van-Accessible)	1 space
Total	**17 spaces**
Loading Spaces Required	**1 space**
Loading Spaces Provided	**1 space**

*__Note:__ The applicant did not submit documentation to obtain a reduction in the required parking spaces as allowed in the M-X-T Zone per Section 27-574 of the Zoning Ordinance. Therefore, the required number of parking spaces is calculated per Section 27-568 requirements.

3. **Location:** The site is in Planning Area 68 and Council District 2. More specifically, it is located in the southwestern corner of the intersection of East-West Highway (MD 410) and Belcrest Road in the City of Hyattsville.

4. **Surrounding Uses:** The subject property is bounded to the west and south by the Belcrest Center mixed-use development, which includes retail and residential uses, along with the Prince George's Plaza Metro Station and associated parking structure; to the north by the public right-of-way of East-West Highway (MD 410), with the Prince George's Plaza shopping center in

the C-S-C (Commercial Shopping Center) Zone beyond; and to the east by the right-of-way of Belcrest Road, with commercial development in the C-S-C Zone beyond.

5. **Previous Approvals:** Special Exception SE-691 was originally approved for a gas station on the subject property in 1961. The existing buildings on-site were built in conformance with that approval. This SE was revised in 1979 for a kiosk on-site. Subsequently, Special Exception SE-3885 was approved for the subject property in 1989 for the purpose of adding a freestanding automatic car wash on-site and revising the gas station layout. This SE was never developed as approved. The 1992 Prince George's Plaza TDDP implemented a T-D-O Zone on the subject property, but retained the existing underlying C-S-C Zone. At that time, per Section 27-548.09 of the Zoning Ordinance, SE-3885 became null and void with respect to future development. The existing gas station was certified as a nonconforming use through NCGS 14, approved by the District Council on June 13, 1995. The 1998 Prince George's Plaza TDDP rezoned the subject property from the C-S-C Zone to the M-X-T Zone, but retained the T-D-O Zone. Subsequently, the variety store, food and beverage store, and fast-food use on-site were permitted as a nonconforming use by Permit 1438-99-CU/01. A separate permit, 8749-99-CG, approved the addition of a drive-up automated teller machine (ATM) on the south side of the building in 2000. Both nonconforming uses have been maintained on-site since, with the most recent use permits being issued in 2010. The subject application does not clearly reflect the existing ATM and proposes a loading space immediately adjacent to the use and in the middle of the proposed drive-up lane for its use. Therefore, a condition has been included in the Recommendation section of this report requiring clarification on the plan and possible redesign to accommodate this use.

6. **Design Features:** In conformance with the various previous approvals, the subject corner parcel is developed with an existing four-pump, multi-product dispenser, gas station, with red metal canopy, located in the northwestern corner of the site within ten feet of the right-of-way of East-West Highway (MD 410), between two existing, two-way, approximately 30-foot-wide driveway entrances. The existing, roughly oval-shaped, one-story, 15-foot-high, 2,983-square-foot food and beverage store is located in the middle of the site. Two approximately 30-foot-wide two-way entrances from Belcrest Road are located along the southeastern edge of the site. The majority of the rest of the site is fully paved with drive aisles and parking spaces, except for a landscaped area located in the northeastern corner of the site, closest to the intersection of MD 410 and Belcrest Road.

   The subject CSP and DSP propose the same site improvements including a reduction in size and redesign of the food and beverage store building, the addition of the freestanding automatic car wash building, and a reconfiguration of the parking areas. The food and beverage store is to be reduced from 2,983 square feet to 2,257 square feet by the removal of the northern part of the oval shape, which is to be replaced with three proposed standard parking spaces. The new front, or northern, façade will include an all-glass aluminum-framed storefront with entrance doors and a standing-seam-metal-roofed arched canopy with metal columns. Exterior insulation finishing system (EIFS) in horizontal stripes of two different tan colors will complete the design of the northern elevation. The other elevations of the food and beverage store, which are finished in a tan EIFS with minimal fenestration, are to remain unchanged with the subject application.

   The proposed freestanding, rectangular, one-story, 15.5-foot-high, automatic car wash consists of a 936-square-foot, single, drive-through wash lane structure, with an adjacent, attached, 256-square-foot, 12-foot-high mechanical room. This is located to the south of the food and beverage store, within 12 feet of the southern property line and 42 feet of the Belcrest Road right-of-way. The building is oriented in an east-west fashion, with the arched entrance door located along the western elevation, facing the adjacent site, and the exit door facing east toward

the Belcrest Road right-of-way. The majority of the existing pavement located to the south of the car wash building, including the southernmost driveway entrance off of Belcrest Road, is to be removed and replaced with landscaping. The parking spaces and drive aisles around the food and beverage store are proposed to be reconfigured to create a one-way 18-foot-wide drive around the building to access the proposed 14 angled parking spaces. Curbing will separate the parking spaces from a new 14-foot-wide drive lane along the western edge of the existing paved area to access the car wash entrance, with stacking room for approximately eight cars. The car wash building will be finished in a horizontally-striped EIFS, in two different shades of tan, to complement the food and beverage store. Aluminum-framed storefront glass windows will be provided along the northern elevation and a white EIFS cornice will provide some emphasis to the flat roofline. Other site improvements include a new dumpster pad and enclosure located adjacent to the southwestern corner of the food and beverage store, a loading space to be located adjacent to the southern façade of the food and beverage store, relocation of the existing air pump, and replacement of the single vacuum stations with twin vacuums. All existing site lighting is to remain, and no new lighting is proposed. There is an existing, freestanding, 25-foot-high, red and white pole sign located in the northwestern corner of the property that was built per approved permits and is to remain unchanged with the subject application.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T and T-D-O Zones of the Zoning Ordinance and found to be in conformance as discussed below.

a. The subject application is in conformance with the requirements of Section 27-547(d), which reads as follows:

d. At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:

(1) Retail businesses;
(2) Office, research, or industrial uses;
(3) Dwellings, hotel, or motel.

Comment: The subject development includes only one type of use, specifically retail commercial; however, the abutting property to the south and west includes office, residential, and retail uses. Therefore, the subject application is in conformance with the requirements of this section.

b. The DSP is consistent with Section 27-548, Regulations. The following discussion is provided:

(1) The subject application proposes 3,444 square feet of gross floor area on a 37,516-square-foot property, which equates to a floor area ratio (FAR) of 0.09. This is in conformance with the maximum of 0.40 FAR allowed by Section 27-548(a) without the use of the optional method of development. A condition has been included in the Recommendation section of this report that the proposed FAR be noted on the plan.

(2) Developments in the M-X-T Zone are required to have vehicular access to a public street in accordance with Section 27-548(g) as follows:

g. Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

Comment: In conformance with this requirement, the subject site has frontage on and direct vehicular access to both East-West Highway (MD 410) and Belcrest Road, which are dedicated public streets.

c. Section 27-546, Site Plans, has additional requirements for approval of a DSP in the M-X-T Zone as follows:

(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:

(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 are as follows:

(a) The purposes of the M-X-T Zone are:

(1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers 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 application proposes the development of a new commercial use on an existing developed site, which is adjacent to a major transit stop.

(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: This application is not consistent with the 2002 *Prince George's County Approved General Plan* (General Plan) for the Developed Tier and designated centers (Prince George's Plaza). The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. The vision for centers is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development. The existing gas station and food and beverage store, while not transit-oriented, are permitted nonconforming uses. The proposed car wash does not fit within the recommendations for a compact, mixed-use, transit-oriented development.

(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 existing site is fully developed, which allows for few options for expansion without redevelopment of the existing use. By adding a new use to the site, as proposed with this application, the potential of the development is enhanced, but it is far from maximized as is demonstrated by the low proposed FAR compared to what is allowed.

(4) To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;

Comment: Neither the existing gas station nor the proposed car wash promotes the optimum use of transit or reduces automobile use as both uses are auto-oriented.

(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 existing and proposed uses on the subject property do not encourage a 24-hour environment as they are pass-by service uses, as opposed to destinations after workday

hours. However, as an existing nonconforming use, the gas station is entitled to remain on the site.

(6) To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;

Comment: The existing and proposed uses on the subject property do not blend harmoniously with the existing mixed-use development to the south and west. However, as an existing nonconforming use, the gas station is entitled to remain on the site.

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

Comment: The proposed car wash use would, if it were approved, maintain the visual character of the existing nonconforming gas station use, while creating a functional relationship.

(8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;

Comment: The proposed development would, if the car wash were approved, promote optimum land planning by consolidating a new auto-oriented use on an existing auto-oriented use site at an existing major intersection.

(9) To permit a flexible response to the market and promote economic vitality and investment; and

Comment: The subject application incorporates a flexible response to the market by allowing the applicant to update an existing nonconforming use regardless of whether or not the proposed car wash is approved, to allow for continued progress and to maintain the economic vitality of the existing gas station.

(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 subject application will have a consistent level of architectural design; however, the developer is not using the opportunity to achieve excellence in physical planning as it is

adding to an existing auto-oriented use immediately adjacent to an existing major transit stop.

(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: This requirement does not apply to the subject application as this property was placed in the M-X-T Zone through the TDDP, which was originally approved in 1998.

(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 car wash, if it were approved, would be visually integrated with the existing nonconforming food and beverage store on the subject property, but it is not physically or visually integrated with the existing adjacent mixed-use, Metro station development.

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

Comment: The proposed car wash, if it were approved, would be compatible with the existing nonconforming gas station use on-site, but is not compatible with the adjacent mixed-use transit-oriented development.

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

Comment: The mix of uses and arrangement of buildings reflect a cohesive design, and the proposed site improvements will improve the quality of the environment.

(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: No staging is proposed with the subject application.

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

Comment: The subject application does not propose a pedestrian system within the development as it is an auto-oriented use. There are sidewalks adjacent to the property within the public rights-of-way.

(8) On the Detailed Site Plan, in areas of 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).

Comment: The subject application does not propose any areas to be used for pedestrian activities.

(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, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, 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: This finding does not apply as the subject property was placed in the M-X-T Zone by the TDDP.

(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 provided by the applicant.

Comment: The existing gas station and food and beverage store on-site are permitted non-conforming uses that have been in operation for more than six years. The only change proposed to these two uses is a decrease in the square footage of the food and beverage store, which will not increase their demand on public facilities. The proposed car wash use is deemed an accessory use on the subject property and would, if constructed, result in a minimal or de minimus impact to the surrounding transportation network. Therefore, there is no finding of adequacy needed for the subject DSP.

(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 27-548.

Comment: This requirement does not apply as the property contains less than 250 acres.

d. The subject CSP and DSP applications for a property within the T-D-O Zone are subject to the required findings in Section 27-548.08(c)(1). Staff has reviewed the CSP and DSP against these criteria for approval and offers the following comments:

(A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;

Comment: The subject application is not in strict conformance with the requirements of the TDDP as discussed further in Findings 7.e. and 8 below.

(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;

Comment: The subject application is not consistent with the guidelines and criteria for development contained in the TDDP as discussed further in Findings 7.e. and 8 below.

(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones;

Comment: The subject application does not meet the requirements of the T-D-O Zone, nor the underlying M-X-T Zone as discussed further in Findings 7.c. and 7.e.

(D) The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;

Comment: The design of the improvements on the property is not adequate to meet the purposes of the T-D-O Zone as discussed further in Finding 7.e. below.

(E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development.

Comment: The only structure and use proposed with the subject application is the drive-through automatic car wash. This use and structure is compatible with the existing gas station and food and beverage store on the subject property, but these are both nonconforming uses within the T-D-O Zone. It is not compatible with the existing adjacent development to the south and west, the mixed-use transit-oriented Belcrest Center development, along with the Prince George's Plaza Metro Station and parking garage.

e. The subject application includes a proposed one-story automatic car wash and a change in the Table of Uses for the 1998 Prince George's Plaza TDDP. This document

supersedes the Table of Uses for permitted uses in the Zoning Ordinance for the M-X-T Zone.

The Zoning Ordinance, in Section 27-548.09.01(b)(1), Amendment of the Approved Transit District Overlay Zone, states the following:

(b) Property Owner.

(1) A property owner may ask the District Council, but not the Planning Board, to change the boundaries of the T-D-O Zone, a property's underlying zone, the list of the allowed uses, building height restrictions or parking standards in the Transit District Development Plan. The Planning Board may amend the parking provisions concerning the dimensions, layout, or the design of parking spaces or parking lots.

Comment: The section above allows the owner of a property to request an amendment of the list of allowed uses. The owner's representative has filed a request to amend the table of uses to allow a freestanding car wash on the subject site only. Additionally, under this section, the owner's representative has submitted a request to change the building height restrictions to allow the proposed car wash to be one-story, when the TDDP requires a minimum building height of four stories for nonresidential uses.

Additionally, Section 27-548.09.01(b)(5) states the following:

(5) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms to the purposes and recommendations for the Transit Development District, as stated in the Transit Development District Plan, and meets applicable site plan requirements.

Comment: The District Council has mandatory review of this case because the applicant is asking for an amendment to the use table and the building height restrictions, which is only allowed if granted by the District Council. In regard to both, the Planning Board provides a recommendation to the District Council.

The purposes of the T-D-O Zone and the Prince George's Plaza TDDP contained in Section 27-548.03 of the Zoning Ordinance and on page 9 of the TDDP are as follows:

(1) To enhance the development opportunities in the vicinity of transit stations;

Comment: The applicant states that they surveyed the site's users to inquire how to better serve their needs and received requests for an automatic car wash. Adding the car wash to the use would enhance the existing development on the subject property; however, it would not enhance the development opportunities in the vicinity of the existing transit station as the existing and proposed uses are auto-oriented and thus contrary to transit-oriented development.

(2) To promote the use of transit facilities;

Comment: The applicant contends that the improvements proposed with the subject application will upgrade the property and make it safer. That may be true; however, the addition of the auto-oriented car wash will not promote the use of the adjacent transit facility.

(3) To increase the return on investment in a transit system and improve local tax revenues;

Comment: The applicant contends that the addition of the one-story car wash will improve local tax revenue, which is true. However, the addition of a one-story auto-oriented use adjacent to an existing transit station will not increase the return on the investment made to build that transit system.

(4) To create a process which coordinates public policy decisions, supports regional and local growth and development strategies, and creates conditions which make joint development possible;

Comment: The subject application, which essentially expands a nonconforming use by adding a new nonconforming accessory use to the property, does not support regional and local growth strategies for intensive development adjacent to existing transit stations.

(5) To create a process which overcomes deficiencies in ordinary planning processes and removes obstacles not addressed in those processes;

Comment: The T-D-O Zone allows for flexibility in development within the framework of the purposes of the zone. The subject application aims to take advantage of one of the flexibilities to add a prohibited use, but it fails to fully meet the purposes of the T-D-O Zone or the underlying M-X-T Zone.

(6) To minimize the costs of extending or expanding public services and facilities, by encouraging appropriate development in the vicinity of transit stations;

Comment: The subject application does not require the expansion of existing public services or facilities. It also does not provide optimum development of the subject property to take full advantage of the surrounding existing public facilities, such as the adjacent transit station.

(7) To provide mechanisms to assist in financing public and private costs associated with development;

Comment: Due to the minor nature of the proposed improvements, there will be no public costs associated with this development. All costs will be borne by the applicant.

(8) To provide for convenient and efficient pedestrian and vehicular access to Metro stations;

Comment: The subject application does not propose any new access to the adjacent Metro station as the proposed development is auto-oriented. The existing sidewalks within the adjacent rights-of-way will be maintained.

(9) To attract an appropriate mix of land uses;

Comment: The applicant contends that a mix of a car wash, food and beverage store, and gasoline station on the site is appropriate as it allows the needs of the customers to be fulfilled and makes a more intensive use of the site prior to its possible future redevelopment. This may be accurate when one takes a narrow view of only the subject property. When one considers the overall T-D-O Zone area, the addition of an auto-oriented use is not appropriate.

(10) To encourage uses which complement and enhance the character of the area;

Comment: The applicant contends that the proposed car wash complements the existing gas station on-site and enhances the character of the area by adding landscaping, updating the existing food and beverage store, and making the site cohesive and visually attractive. Again, this is correct when one takes a narrow view of only the subject property, but when one considers the overall T-D-O Zone area, the addition of an auto-oriented use will not complement or enhance the character of the transit district.

(11) To insure that developments within the Transit District possess a desirable urban design relationship with one another, the Metro station, and adjoining areas; and

Comment: The proposed development does not possess a desirable urban design relationship with the Metro station or the adjoining property. In fact, this property is almost completely contrary in use and design to the adjacent mixed-use transit-oriented development. However, as an existing nonconforming use, the gas station is entitled to remain on the site.

(12) To provide flexibility in the design and layout of buildings and structures, and to promote a coordinated and integrated development scheme.

Comment: The applicant contends that allowing flexibility to provide the proposed car wash will promote a more coordinated and integrated development scheme on the site. Again, this is only true in a limited view of the subject property in isolation as opposed to the overall T-D-O Zone area.

In addition to the general purposes of the T-D-O Zone contained in the Zoning Ordinance, the purpose of Subarea 5 is stated on page 107 of the TDDP, which states:

To promote transit ridership by taking advantage of the transit-oriented development potential of the Metro site.

Comment: The proposed one-story car wash use will not promote transit ridership or take advantage of the transit-oriented development potential of the adjacent Metro site as it is purely auto-oriented and is approximately one-fourth of the development that could be allowed on the subject property.

The applicant has submitted the required applications for a CSP and DSP pursuant to Section 27-548.09.01(b)(6), Amendment of Approved Transit District Overlay Zone, of the Zoning Ordinance. Staff has evaluated the proposed use and building height changes and finds that they do not meet the requirements of Section 27-548.09.01, which specifies the required findings for an amendment to the Table of Uses and building height restrictions. Therefore, staff is recommending removal of the proposed car wash building and use from the plans.

8. **The 1998 Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone:** The subject property is defined as Subarea 5 in the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* (Prince George's Plaza TDDP). This makes it subject to all of the district-wide mandatory development requirements and site design guidelines, along with subarea-specific mandatory development requirements and site design guidelines as listed on page 107 of the TDDP.

Section 27-548.08(c)(1) of the Zoning Ordinance requires that the Planning Board find that the site plan is in strict conformance with any mandatory development requirements and is consistent with the guidelines and criteria for development in the TDDP. On page 20, the TDDP provides a list of the types of development that are exempt from T-D-O Zone standards including legally existing nonconforming uses, exterior renovations that do not increase the gross floor area of the building by greater than ten percent, and the alteration of legally existing parking for the purposes of restriping, resurfacing, and/or landscaping. Therefore, the alterations to the food and beverage store and the changes to the parking lot are exempt from the TDDP standards and only the proposed car wash and associated improvements are subject to the TDDP standards. The applicant has requested amendments to two of the applicable mandatory development requirements as follows:

P66 The minimum building height for uses other than residential shall be 4 stories.

Comment: The applicant contends that the proposed car wash cannot be constructed to be a minimum of four stories high and staff would agree with that. However, staff has already concluded that the car wash use cannot be recommended for approval as an amendment to the table of uses and recommends its removal from the site plan. This would then remove the requirement for an amendment to this mandatory development requirement.

P69 Build-to-lines shall be 20 feet from face of curb along Belcrest Road. A build-to-line up to 40 feet from face of curb along Belcrest Road may be permitted, provided the space between the building and the streetscape is designed for the pedestrian experience, for example, plaza, fountain, focal point, sitting area and landscaped area.

Comment: The submitted site plan shows the proposed car wash building to be located 42 feet from the right-of-way of Belcrest Road, which will locate it in excess of 40 feet from the face of

curb. The applicant contends that this area between the car wash and right-of-way will not be appropriate for a pedestrian experience. This contention highlights the fact that the proposed car wash use is not appropriate for the subject site and staff recommends its removal from the site plan. This would then remove the requirement for an amendment to this mandatory development requirement.

The following additional requirements warrant further discussion at this time:

S14 Building materials shall be high quality, enduring and distinctive. Exterior building materials, such as pre-cast concrete, brick, tile and stone, are encouraged.

Comment: Staff does not agree with the applicant's contention that the proposed EIFS building material for the car wash building is of a high quality. However, since staff is recommending the building be removed from the plans, this requirement is not an issue.

G10 Building rooflines should be designed as one of the major architectural interest and contribute to the overall identity of the area.

G11 Primary entrances should be designed as one of the major architectural features so they are clearly identifiable and offer a sense of arrival.

Comment: The revised entrance design, including the roofline, for the food and beverage store is interesting and identifiable; however, the same cannot be said of the roofline for the car wash building. However, since staff is recommending the building be removed from the plans, this requirement is not an issue.

S25 All lighting shall have a minimum level of 1.25 footcandles, and shall be provided for all outdoor spaces, plazas, parking lots, etc., for the safety and welfare of all users.

Comment: The applicant did not submit any information regarding lighting levels or photometrics surrounding the proposed car wash building to ensure it is properly lit for safety and the welfare of the users. However, since staff is recommending the building be removed from the plans, this requirement is not an issue.

S30 All new retail development shall provide four bike racks per 10,000 gross square feet of floor space with each rack holding a minimum of two bicycles.

Comment: The subject application has less than 10,000 gross square feet of floor space, and does not provide any bike racks.

P25 Any Development shall provide for water quality and quantity control in accordance with all Federal, State and County regulations. Bio-retention or other innovative water quantity or quality methods shall be used where deemed appropriate.

Comment: The site has an approved Stormwater Management Concept Plan (10779-2013-00) approved on May 7, 2013. The letter states that the site is exempt from providing stormwater management because the proposed disturbance is less than 5,000 square feet in area. The site plan indicates that the total area of disturbance is 4,900 square feet.

P26 Where stormwater management cannot be provided for existing developed properties, a mandatory 15 percent green space requirement shall be provided. The green space can be incorporated into the mandatory 10 percent afforestation required if it occurs on the actual property.

Comment: The submitted site plan shows an area proposed for green space in the southern portion of the site. The area located in the northeastern section of the site is proposed for landscaping; however, it is unclear if it is also designated for green space. Both areas are shown with landscaping that includes shade trees, ornamental trees, and evergreen trees. The site plan states that approximately 17 percent of green space will be provided for the overall site, which meets the minimum 15 percent requirement. A condition has been included in the Recommendation section of this report requiring that an exhibit identifying the locations being credited for the green space requirement be provided. The ten percent afforestation requirement is discussed under Mandatory Requirement S33 below.

S31 At the time of Detail Site Plan, the number of trash cans and locations shall be shown on the plan. Trash receptacles should be placed in strategic locations to prevent litter from accumulating in and around the proposed development.

Comment: This requirement has not been met with this submission. Neither the site plan nor the landscape plans appear to show any trash receptacles, and neither plan contains a legend that properly identifies trash receptacles and other symbols. Furthermore, this mandatory requirement was not addressed in the applicant's statement of justification. The trash receptacles must be shown on the landscape plan and must be strategically located in such a way as to prevent litter accumulation. Conditions requiring these revisions have been included in the Recommendation section of this report.

S32 Prior to the final inspection and sign off of permits by the Sediment/Stormwater or Building Inspector, any storm drain inlets associated with the development and all inlets on the subject subarea shall be stenciled with "Do Not Dump, Chesapeake Bay Drainage." The Detailed Site Plan and the Sediment Control Plan (in the sequence of construction) shall contain this information.

Comment: No inlets can be identified on the submitted plans and no detail of the stenciling has been provided. Conditions requiring this requirement be addressed have been included in the Recommendation section of this report.

S33 Afforestation of at least 10 percent of the gross tract shall be required on all properties within the Prince George's Plaza Transit District currently exempt from the Woodland Conservation and Tree Preservation Ordinance. Afforestation shall occur on-site or within the Anacostia watershed in Prince George's County, with priority given to riparian zones and nontidal wetlands, particular within the Northwest Branch Sub-watershed.

Comment: This property is not subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it is less than 40,000 square feet in area, contains less than 10,000 square feet of existing woodland, and has no previously approved tree conservation plans. A Type 1 tree conservation plan is not required.

As such, the site is required to provide ten percent afforestation either on-site or within the Anacostia watershed. The gross tract area of the site is 0.86 acre, or 37,516 square feet. The requirement for afforestation for the subject site is 0.086 acre (3,752 square feet). No statement has been submitted addressing the ten percent afforestation requirement and, at this time, no off-site afforestation area has been proposed by the applicant.

The intent of this requirement was to increase the tree canopy coverage within the Anacostia watershed by planting additional trees. In the majority of past cases in the TDDP, S33 has been addressed through the provision of woodland conservation at off-site locations. In the majority of those cases, the applicants were not able to meet the requirement within the Anacostia watershed because of the absence of viable planting sites. Before being allowed to meet the requirement elsewhere in the county, these applicants were required to show due diligence in seeking sites within the Anacostia watershed. In other cases, particularly within the vicinity of the subject site, the Planning Board and District Council have accepted the on-site tree canopy, through the landscaping of trees, as an accepted method of meeting this requirement. This requirement has been recently codified in the new tree canopy coverage regulations contained in Subtitle 25, Division 3, of the Prince George's County Code which requires a ten percent tree canopy coverage for sites zoned M-X-T.

As submitted, the landscape plan proposes a minimum of 3,850 square feet of tree canopy, which exceeds the minimum requirement of 3,752 square feet. Staff recommends that the proposed tree canopy meets the afforestation requirement of S33 and the site plan should be revised to note this relative to the tree canopy coverage schedule.

P33 Each Preliminary Plat, Conceptual and/or Detailed Site Plan shall show a 65 dBA (Ldn) noise contour based upon average daily traffic volumes at LOS E. Upon plan submittal, the Natural Resource Division shall determine if a noise study is required based on the delineation of the noise contour.

Comment: Policies contained in the General Plan call for the reduction of adverse noise impacts to meet State of Maryland noise standards. Noise is generally regulated along roads with a classification of arterial or higher, and for residential uses.

The project proposes to construct a new retail/commercial use. The subject property is bounded by East-West Highway (MD 410), which is identified as an arterial roadway, which has enough traffic to produce noise levels above 65 dBA Ldn. This area is located in a heavily used and growing commercial area along MD 410. Retail and commercial uses would not generally be regulated for noise impacts; however, noise impacts on residential uses are regulated during preliminary plan review.

Using the Environmental Planning Section Noise Model and applying an average daily traffic (ADT) count at build-out of 26,771, as indicated on the Maryland State Highway Administration (SHA) traffic volume map, and a posted traffic speed of 40 mph, the unmitigated 65 dBA Ldn noise contour is located approximately 168 feet from the center line of MD 410. The submitted site plan does show a noise contour; however, it is located at approximately 180 feet. The site plan needs to be revised to show the correct location of the unmitigated noise contour, or provide a Phase I noise study that has determined the location of the unmitigated 65 dBA Ldn noise contour. Because no residential uses are proposed, it is recommended that the noise contour determined from the Environmental Planning model be used. Therefore, a condition has been

included in the Recommendation section of this report requiring that the correct noise contour be added to the site plan.

P71 A landmark-type building, distinguished by architecture and/or height, shall be located at the corner of East West Highway and Belcrest Road and shall replace the existing gas station.

Comment: The existing gas station is not proposed to be replaced at this time; therefore, the subject application is exempt from this requirement.

P72 Prior to the issuance of any building permit for any redevelopment of the gas station parcel, the applicant shall provide evidence of compliance with the applicable laws and regulations regarding the removal of any hazardous waste or contaminates associated with the gas station.

Comment: The applicant did not submit any information regarding this requirement; therefore, it has been included as a condition in the Recommendation section of this report to be provided prior to issuance of any building permit.

9. **The 2010 Prince George's County Landscape Manual:** The TDDP (page 30) requires that all properties within the transit district satisfy the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The requirements apply as follows:

a. **Section 4.2, Requirements for Landscaped Strips along Streets—**Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. The TDDP contains a build-to line and specific streetscape requirements that would supersede the requirements of Section 4.2 of the Landscape Manual along East-West Highway (MD 410) and Belcrest Road. However, the existing gas station and food and beverage store are exempt from the T-D-O Zone standards. Therefore, Section 4.2 applies to the subject application. The submitted site plan provides the appropriate schedules and shows the requirements of this section being met, with the exception of a 52-foot length along MD 410 for which the applicant submitted an alternative compliance application. The applicant requested, and the Planning Director recommends approval of, an alternative compliance application, AC-13018, as follows:

Alternative Compliance is requested from the requirements of the 2010 *Prince George's County Landscape Manual* for Section 4.2, Landscape Strips along Streets, along the East-West Highway (MD 410) frontage.

In regard to Section 4.2 of the Landscape Manual, the subject development does not qualify for an exemption from Section 4.2 described in Section 1.1(f)(2) for building and grading permits on a property that is subject to a required build-to line because neither the existing nor proposed buildings are located along the street frontage as required. Therefore, the required Section 4.2 landscape strip should be provided along the entire street frontage. The applicant has filed this request for Alternative Compliance from Section 4.2, Landscape Strips along Streets, for an alternative plant material within the required landscaped strip along a portion of its frontage on East-West Highway.

REQUIRED: 4.2 Landscape Strip along Streets, along East-West Highway (Option 4)

Length of Landscaped Strip	52 feet
Width of Landscaped Strip	4 feet, with a 3- to 4-foot-high masonry wall
Shade Trees (1 per 35 linear feet)	2

PROVIDED: 4.2 Landscape Strip along Streets, along East-West Highway (Option 4)

Length of Landscaped Strip	52 feet
Width of Landscaped Strip	4 feet, with a 4-foot-high masonry wall*
Shade Trees	0
Shrubs	30 and perennial grasses*

* As conditioned.

Justification of Recommendation

The underlying DSP application proposes to construct a new 1,192-square-foot, freestanding, automatic car wash building on an existing developed gas station site. The applicant is requesting Alternative Compliance from Section 4.2, Landscape Strips along Streets, for the 52-foot length of East-West Highway (MD 410) frontage adjacent to the existing pump islands and canopy. Within the Developed Tier, the applicant has four alternatives to provide the streetscape treatment, which range from a ten-foot-wide planted strip to a four-foot-wide planted strip with a wall. Originally, the applicant requested an alternative to not provide any landscape strip, outside of the public right-of-way, in this area as this is the existing condition on-site. Through review of the plans, the Alternative Compliance Committee believes the applicant may be able to meet the requirements of Option 4 for this portion of the frontage, which requires a minimum four-foot-wide landscape strip planted with one shade tree per 35 linear feet and a three- to four-foot-high masonry wall. However, it is recognized that the required shade trees would conflict with the existing pump island canopy and a recorded Washington Suburban Sanitary Commission (WSSC) easement. The applicant agreed with the Committee that it is possible to provide a four-foot-wide landscape strip, planted with a mix of a minimum of 30 shrubs and perennial grasses with year-round seasonal interest, and a four-foot-high masonry wall for this portion of the frontage, but had not provided revised plans showing this configuration. Therefore, conditions have been included in this recommendation requiring the plan be revised as such. If, in the future, it is found that the applicant is not successful in obtaining approval from WSSC to place a wall or landscaping within their easement, the applicant could alternatively place the wall and landscaping within the Maryland State Highway Administration (SHA) right-of-way, subject to their approval. If the applicant is unsuccessful in obtaining either approval from WSSC or SHA, then a departure will be required.

Given the provision of the landscape strip, along with a four-foot-high masonry wall, and the provision of an ample amount of shrubs and perennial grasses, in lieu of shade trees, the Alternative Compliance Committee finds the proposed alternative compliance measures to be equally effective as normal compliance with Section 4.2 of the Landscape Manual.

Recommendation

The Alternative Compliance Committee recommends APPROVAL of Alternative Compliance for Section 4.2 of the 2010 *Prince George's County Landscape Manual,* along the East-West Highway (MD 410) frontage for Hyattsville Zip-In, Parcel L, subject to the following:

1. Prior to certificate of approval, the plans shall be revised to provide a minimum four-foot-wide landscape strip, planted with a mix of a minimum of 30 shrubs and perennial grasses, with species that provide for year-round seasonal interest, and a four-foot-high masonry wall for approximately 52 feet along East-West Highway (MD 410) either within the subject site, or within the Maryland State Highway Administration (SHA) right-of-way. If the applicant is unsuccessful in obtaining approval from either the Washington Suburban Sanitary Commission (WSSC) or SHA to place the wall and planting within either of their rights-of-way, the applicant shall obtain a departure prior to issuance of a building permit.

b. **Section 4.3, Parking Lot Requirements**—Section 4.3 specifies that proposed parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to reduce the impervious area. The submitted site plan notes that the site is exempt from this section per Section 1.1(g)(1). However, per County Council Bill CB-17-2013, to qualify for this exemption, a limit of disturbance must be shown on the site plan to clarify what parts of the existing parking compound are within its boundaries. Therefore, a condition has been included in the Recommendation section of this report requiring a limit of disturbance be added to the plan to qualify for the specified exemption, or it be noted how the requirements of this section are being met. Additionally, if the application is no longer exempt from this section, a parking lot perimeter landscape strip may be required along the southwestern property line.

c. **Section 4.4, Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The submitted site plan shows the proposed dumpster and mechanical units being fully screened per this section. However, the proposed loading space will be directly visible from Belcrest Road. The plan should be revised to show the loading space being screened from Belcrest Road in conformance with the requirements of this section, or move it to a location where screening can be provided as required.

d. **Section 4.7, Buffering Incompatible Uses**—The CSP/DSP application is subject to the requirements of this section because it involves a total increase in gross floor area on-site of ten percent. However, the only adjacent property to the south and west is developed with a large mixed-use development, including office space, retail in excess of 60,000 square feet, the Metro station and parking garage, and residential units, which is considered a high-impact use and is compatible with the existing gas station use.

e. **Section 4.9, Sustainable Landscaping Requirements—**This CSP/DSP application is subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. The correct schedule was provided on the plan; however, the number of shade trees in the schedule does not match the plant schedule. This should be revised on the site plan prior to certification.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is not subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because it is less than 40,000 square feet in area and contains less than 10,000 square feet of existing woodland and has no previously approved tree conservation plans. A standard letter of exemption was issued on May 14, 2013. The site is subject to the environmental regulations in Subtitles 25 and 27 of the County Code that became effective on September 1, 2010 because there is no previously approved preliminary plan of subdivision.

11. **Prince George's County Tree Canopy Coverage Ordinance:** This property is not subject to the requirements of Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, because it will not require a building or grading permit for more than 5,000 square feet of disturbance. The submitted site plan indicates that the area of disturbance is 0.1125 acre, which is approximately 4,900 square feet. However, the site plan also provides the tree canopy coverage (TCC) schedule showing the ten percent requirement being fulfilled on-site. This should be removed from the plan and a note added that TCC is not applicable to the proposed development per Section 25-127(a)(1). A condition of approval has been included in the Recommendation section of this report requiring such.

12. **Referral Comments:** The subject applications were referred to the concerned agencies and divisions. The referral comments are summarized as follows:

    a. **Community Planning Division—**In a memorandum dated July 25, 2013, the Community Planning Division noted that applications are consistent with the 2002 General Plan Development Pattern policies for centers in the Developed Tier. The applications conform to the land use recommendations of the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* (Prince George's Plaza TDDP),with the exception of the proposed car wash. The proposed car wash is not a permitted use in the T-D-O Zone. The applicant is requesting an amendment to the development plan to permit the use. The proposed addition of the car wash is contrary to the goals of the T-D-O Zone.

    The Prince George's Plaza TDDP, on page 20, provides a list of the types of development that are exempt from the T-D-O Zone standards including legally existing nonconforming uses, exterior renovations that do not increase the gross floor area of the building by greater than ten percent, and the alteration of legally existing parking for the purposes of restriping, resurfacing, and/or landscaping. The food and beverage store/gas station is a legally existing nonconforming use and has been operating on the site since 1961. Additionally, the alterations to the food and beverage store and the changes to the parking lot are exempt from T-D-O Zone standards.

    The car wash is not a use listed in the Subarea 5 section of the use table. As indicated on page 129 of the Prince George's Plaza TDDP, uses not listed in the use table are prohibited. The applicant must request an amendment to the development to allow the requested use which will require the approval of the District Council. Any potential amendment to the development plan to allow the car wash would be detrimental to the transit district goals and the desired development pattern.

    The architecture of the existing food and beverage store and the proposed car wash are not compatible. The existing food and beverage store has a slightly sloped roof and is constructed of exterior insulation finishing system (EIFS). A new curved metal seam roof will mark the new entrance to the store. The car wash, which will be visible from Belcrest

Road, is proposed to be 15 feet 6 inches in height, will have a higher pitched roof, and will be constructed of clear and bronze polycarbonite panels and clear glass panels. The elevations of the car wash should be redesigned to better reflect the architecture of the existing food and beverage store.

Comment: The applicant revised the architecture of the proposed car wash to make it more compatible with the existing food and beverage store as suggested. However, staff has included a recommended condition of approval to remove the proposed car wash, as it does not meet the required findings for approval as discussed in Finding 7 above.

b. **Transportation Planning Section—**In a memorandum dated October 28, 2013, the Transportation Planning Section provided an analysis of the subject application summarized as follows:

- The site is subject to the general requirements of site plan review, which include attention to parking, loading, on-site circulation, etc. No traffic-related findings are required. The site is within Subarea 5 of the 1998 Prince George's Plaza TDDP.

- The applicant is required to provide 17 parking spaces; the site shows 19 parking spaces and one loading space. Two of the proposed parking spaces appear to be on top of underground gasoline storage tanks; these could be eliminated since only 17 parking spaces are required. The site is served by three existing two-way commercial driveways. The food and beverage store is encircled by a one-way driveway of 18 to 20 feet. The four existing pumping stations are located on the north end of the site adjacent to East-West Highway (MD 410). Circulation and parking are adequate with the exception of the two parking spaces shown above the underground storage tanks. These two parking spaces will interfere with vehicles approaching the drive-through car wash and with vehicles entering/exiting along MD 410. At a minimum, the parking space located between the pumping stations and the car wash entrance should be removed. There is about 180 feet of queuing space from the car wash entrance to the gasoline pumping stations. This is enough space to prevent conflicts between the car wash and gas station patrons.

Comment: The two parking spaces mentioned above the storage tanks were eliminated from the site plan.

- In terms of the TDDP requirements, the gas station is not being replaced at this time. Some modifications to the food and beverage service building and a drive-through car wash are being added. The gas station is a nonconforming use that is allowed to continue to exist. Most of the trips to the gas station are assumed to be pass-by trips and diverted trips already on MD 410 or Belcrest Road. The uses proposed are not necessarily in harmony with a transit-oriented district as outlined in the TDDP. Although it is recognized that the gas station and the freestanding food and beverage store are nonconforming uses, the addition of the car wash as a use must be examined more carefully in consideration of the following finding:

  In approving the Transit District Site Plan, the Planning Board shall find that the mandatory requirements, as amended, will benefit the

proposed development and the Transit District, and will not substantially impair the implementation of the Transit District Development Plan, and the Board shall then find that the site plan meets all mandatory requirements which apply.

The TDDP attempted to limit auto-oriented uses through the use tables. Gas stations are not permitted uses within the area of this TDDP, nor are car washes in any form. While Transportation staff is inclined to support modifications to the gas station in the context of that use being an existing use on the property, it is believed that the inclusion of a car wash is inconsistent with the TDDP. This contention is based on the goals of the transit district, including the creation of a pedestrian-friendly environment. It is also based on the general goals of the T-D-O Zone given in Section 27-548.03 of the Zoning Ordinance.

The addition of the car wash is not expected to benefit transit service and the use of that service within the TDDP. While the proposal encourages automotive usage, the car wash is the one element of this proposal that is under scrutiny; the car wash does not meet the purposes of the TDDP, and the Transportation Planning Section supports its elimination from the site plan. This is recommended in consideration that the M-X-T zoning was given to support redevelopment of this site. Given the use table in the TDDP, however, that redevelopment was envisioned to be more like the Belcrest Center development, and not necessarily a more enhanced gas station.

- With regard to master plan roadways, MD 410 is listed as an arterial roadway and Belcrest Road a collector in the TDDP. Right-of-way widths are not shown on either roadway on the site plan. Both right-of-way widths need to be shown on the site plan.

In summary, the Transportation Planning Section finds that the subject application does generally conform to the TDDP and other prior approved plans. It is determined that, while the gas station and the food and beverage store uses are acceptable at this location, the provision of the car wash use poses issues with the TDDP and the general goals of the T-D-O Zone, and is not consistent with excellent transit-oriented development, nor appropriate for the location, and should be eliminated from the plan.

Comment: Staff has included a recommended condition of approval to remove the proposed car wash, as it does not meet the required findings for approval as discussed in Finding 7 above.

c. **Subdivision Review Section—**In a memorandum dated August 1, 2013, the Subdivision Review Section stated that the property is known as part of Parcel L, located on Tax Map 42 in Grid A-2, in the M-X-T Zone, and is 0.86 acre. Parcel L was recorded in Plat Book WWW 39-76 as Parcel L and approved on December 20, 1960. The current configuration of Part of Parcel L was the result of an adjustment of common lot lines in accordance with Sections 24-108(a)(3) and 24-107(c)(7)(D) of the Subdivision Regulations for Parcel A (REP 206-66), recorded in 2005, which is the abutting property to the southwest.

Pursuant to Section 24-111(c)(2) of the Subdivision Regulations, the site is exempt from the requirement of filing a preliminary plan of subdivision because the final plat was

approved prior to October 27, 1970 and the total gross floor area (GFA) of development does not exceed 5,000 square feet. The site plan should note the date the original building was constructed on-site and the cumulative total of GFA of development after 1991. If the total GFA of development on-site is more than 5,000 square feet after 1991, then a preliminary plan will be required at that time. The DSP should remove the plat label "WWW 06@ PN:66," which is incorrect. The correct plat for the part of Parcel L is WWW 39-76, which is correctly indicated in General Note 2 of the DSP.

Failure of the site plan and record plat to match will result in building and grading permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.

Comment: The noted issues have been included as conditions in the Recommendation section of this report.

d. **Trails—**In a memorandum dated August 12, 2013, the trails coordinator of the Transportation Planning Section indicated they reviewed the submitted applications for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements. They provided the following analysis:

The MPOT includes a complete streets element that contains several policies related to accommodations for bicyclists and pedestrians along new road construction. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians:

> **POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**
>
> **POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

The MPOT also identifies two master plan trails issues that impact the subject application. East-West Highway (MD 410) is designated as a wide sidewalk corridor in the vicinity of Prince George's Plaza. Belcrest Road is designated as a sidepath or wide sidewalk corridor. The MPOT includes the following wording regarding MD 410:

> **MD 410 Continuous Standard or Wide Sidewalks with On-Road Bicycle Facilities: Continuous facilities for pedestrians and bicyclists are needed along this corridor. Wide sidewalks are recommended within the Prince George's Plaza Transit District, and continuous sidewalk facilities are needed along the rest of the corridor. Bicycle compatible road striping should be considered, although right-of-way constraints may prohibit full bike lanes.**

The wide sidewalk along MD 410 has been implemented both along the north side of the road and along the frontage of the subject site. The MPOT also recommends a wide sidewalk along Belcrest Road, as reflected on the MPOT map. This facility has already been implemented by the Prince George's County Department of Public Works and Transportation (DPW&T) with a decorative wide sidewalk and wide outside curb lanes. The submitted plans reflect the wide sidewalks along both MD 410 and Belcrest Road. These sidewalks accommodate pedestrian movement along the frontage of the subject site and to the nearby pedestrian bridge. Additional pedestrian amenities and connections will be evaluated if the site is redeveloped. However, there are no additional recommendations at this time. The existing facilities along MD 410 and Belcrest Road adequately accommodate pedestrians along the frontage of the subject site and fulfill the intent of the MPOT and area master plan.

There are no master plan trail recommendations. The existing sidewalks along the subject site's frontages of both MD 410 and Belcrest Road accommodate pedestrian movement consistent with the MPOT and the area master plan.

e. **Permit Review Section—**The Permit Review Section did not provide comments on the subject application.

f. **Environmental Planning Section—**In a memorandum dated August 9, 2013, the Environmental Planning Section offered a summary of the environmental site description and provided an analysis of the site plan's conformance with environmental requirements in the applicable 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* (TDDP). This analysis is discussed in Finding 8 above as necessary.

A review of the available information indicates that no wetlands, streams, associated buffers, or floodplain are found to occur on the subject project area. The soil found to occur according to the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Web Soil Survey, is Russet-Christiana-Urban land complex; however, the site is fully developed with building structures and associated parking. According to available information, Marlboro clay does not occur on or in the vicinity of this site. According to the Sensitive Species Project Review Area (SSSPRA) map received from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or near this property. The site ultimately drains to the Northwest Branch located west of the site and is part of the Anacostia watershed. According to PGAtlas.com, this site is not within the designated network of the 2005 *Approved Countywide Green Infrastructure Plan.* The site has frontage on East-West Highway (MD 410) and Belcrest Road. East-West Highway is a master-planned arterial road that is generally evaluated for traffic-generated noise when residential uses are proposed. Belcrest Road is designated as a collector which is not evaluated for noise impacts because it does not generate enough traffic that results in noise levels above state standards. East-West Highway and Belcrest Road are not designated as scenic or historic roads. The property is in the Developing Tier as reflected in the General Plan.

A Natural Resources Inventory Equivalency Letter, NRI-064-13, in conformance with the environmental regulations, was issued on April 12, 2013 and was submitted with the current applications. The site does not contain any regulated environmental features.

g. **Zoning Review Section—**On July 10, 2013, the Zoning Review Section indicated that a special exception is no longer required and they had no further comments on the subject application.

h. **Prince George's County Fire/EMS Department—**At the time of the writing of this technical staff report, the Fire/EMS Department had not provided comments on the subject application.

i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)—**In a memorandum dated July 19, 2013, DPIE offered standard comments regarding frontage improvements and storm drainage systems. Additionally, they indicated that the proposed CSP/DSP is consistent with approved Stormwater Management Concept Plan 10779-2013.

j. **Prince George's County Police Department—**In a memorandum dated July 16, 2013, the Police Department stated that there are no crime prevention through environmental design (CPTED) concerns at this time with the subject application.

k. **Prince George's County Health Department—**In a memorandum dated July 19, 2013, the Environmental Engineering Program of the Health Department offered the following comments and recommendations:

(1) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. Any new proposed exterior light fixtures must be shielded and positioned so as to minimize light trespass caused by spill light.

Comment: A condition has been included in the Recommendation section of this report requiring a note be added to the site plan to indicate that all proposed light fixtures will be treated as recommended.

(2) The property is the site of a prior Maryland Department of the Environment (MDE) Oil Control Program compliance case. While the most recent monitoring of the site found contamination levels below regulatory limits, residual petroleum contamination may remain on-site and could be disturbed by excavation or grading activities. Any impacted soils encountered must be handled in a manner that comports with all state and local regulations.

Comment: This requirement will be enforced at the time of permit by the appropriate agency.

(3) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

Comment: This requirement will be enforced at the time of permit; however, a note is provided on the site plan indicating conformance with this requirement.

(4) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

Comment: This requirement will be enforced at the time of permit; however, a note is provided on the site plan indicating conformance with this requirement.

l. **Maryland State Highway Administration (SHA)—**In a memorandum dated August 2, 2013, SHA offered four comments on the subject application which were subsequently addressed by the applicant on revised plans. In a revised memorandum dated November 14, 2013, SHA indicated they had no objection to plan approval as access to this site is from a county road and all work is subject to the county permitting process.

m. **Washington Suburban Sanitary Commission (WSSC)—**In an e-mail dated July 9, 2013, WSSC indicated that they had no comment as the applicant did not pay the applicable review fee.

n. **Verizon—**At the time of the writing of the technical staff report, Verizon had not provided comments on the subject application.

o. **Potomac Electric Power Company (PEPCO)—**At the time of the writing of the technical staff report, PEPCO had not provided comments on the subject application.

p. **City of Hyattsville—**In a letter dated November 5, 2013, the City of Hyattsville stated that on Monday November 4, 2013, they voted to not support the applicant's request for an amendment to the table of uses to permit an automated car wash for Hyattsville Zip-In, as this request is inconsistent with the pedestrian and transit-oriented intent of the Prince George's Plaza District TDDP. The City is in support of the applicant's remaining proposed site improvements for Hyattsville Zip-In.

Comment: Staff has included a recommended condition of approval to remove the proposed car wash, as it does not meet the required findings for approval as discussed in Finding 7 above.

q. **Town of Brentwood—**At the time of the writing of this technical staff report, the Town of Brentwood had not provided comments on the subject application.

r. **City of College Park—**At the time of the writing of this technical staff report, the City of College Park had not provided comments on the subject application.

s. **City of Mount Rainier—**At the time of the writing of this technical staff report, the City of Mount Rainier had not provided comments on the subject application.

t. **Town of University Park—**At the time of the writing of this technical staff report, the Town of University Park had not provided comments on the subject application.

u. **Town of Riverdale Park—**At the time of the writing of this technical staff report, the Town of Riverdale Park had not provided comments on the subject application.

RECOMMENDATION FOR CONCEPTUAL SITE PLAN CSP-13003

The Urban Design Section recommends that the Planning Board adopt the findings contained herein, recommend that the District Council DISAPPROVE the requested changes to the use table and the minimum height of the building, DISAPPROVE amendments to P66 and P69, and APPROVE Conceptual Site Plan CSP-13003, Hyattsville Zip-In, subject to the following conditions:

1. Prior to certification of the conceptual site plan (CSP), the applicant shall:

    a. Remove the proposed car wash building and use from the plan and revise any plan notes as necessary.

    b. Provide a note regarding tree canopy coverage applicability.

    c. Revise the site plan to note the date the original building was constructed on-site and the cumulative total of gross floor area of development after 1991.

    d. Revise the CSP to remove the plat label "WWW 06@ PN:66."

    e. Add a note to the site plan to indicate that all proposed exterior light fixtures will be shielded and fixed in the full cut-off position and that footcandle levels throughout the proposed area of improvement will be minimized to the maximum extent practicable.

    f. Revise the site plan to correctly show the location of the unmitigated 65 dBA Ldn noise contour at 168 feet from the centerline of East-West Highway (MD 410).

    g. Revise the landscape plan to include the following note below the tree canopy coverage schedule: "The ten percent afforestation requirement is met with on-site tree canopy coverage."

    h. Revise the site plan to include notes and a detail regarding the stenciling of stormdrain inlets with "Do Not Dump–Chesapeake Bay Drainage." A copy of the sediment and erosion control plan containing notes and details regarding the same stenciling shall be submitted.

    i. Submit a revised landscape plan showing the locations of the proposed trash receptacles in accordance with Standard S31. Provide a symbol in the legend.

    j. Revise the site and landscape plans to provide a legend for all symbols used on the plan including, but not limited to, the hatching and shading shown on both plans.

    k. Provide an exhibit that identifies the areas of the site being used to meet the 15 percent green space requirement.

    l. Revise the plan to show a limit of disturbance and clarify the applicability of Section 4.3 of the 2010 *Prince George's County Landscape Manual,* and show the requirements being met as necessary.

    m. Correct the number of shade trees in the Section 4.9 schedule.

n. Revise the site plan to show the loading space being screened from Belcrest Road in conformance with the requirements of Section 4.4 of the 2010 *Prince George's County Landscape Manual*, or move it to a location where screening can be provided as required.

o. Note the proposed floor area ratio (FAR) on the site plan.

p. Revise the site plan to indicate the status of the existing automated teller machine (ATM) use and, if it is to remain, show adequate access to it.

q. The plans shall be revised to provide a minimum four-foot-wide landscape strip, planted with a mix of a minimum of 30 shrubs and perennial grasses, with species that provide for year-round seasonal interest, and a four-foot-high masonry wall for approximately 52 feet along East-West Highway (MD 410) either within the subject site, or within the Maryland State Highway Administration (SHA) right-of-way. If the applicant is unsuccessful in obtaining approval from either the Washington Suburban Sanitary Commission (WSSC) or SHA to place the wall and planting within either of their rights-of-way, the applicant shall obtain a departure prior to issuance of a building permit.

2. Prior to issuance of any building permit, the applicant shall provide evidence of compliance with the applicable laws and regulations regarding the removal of any hazardous waste or contaminates associated with the gas station.

RECOMMENDATION FOR DETAILED SITE PLAN DSP-12062 AND ALTERNATIVE COMPLIANCE AC-13018

The Urban Design Section recommends that the Planning Board adopt the findings contained herein, recommend that the District Council DISAPPROVE the requested changes to the use table and the minimum height of the building, DISAPPROVE amendments to P66 and P69, and APPROVE Detailed Site Plan DSP-12062 and Alternative Compliance AC-13018, Hyattsville Zip-In, subject to the following conditions:

1. Prior to certification of the detailed site plan (DSP), the applicant shall:

a. Remove the proposed car wash building and use from the plan and revise any plan notes as necessary.

b. Remove the tree canopy coverage (TCC) schedule from the DSP and provide a note regarding TCC applicability.

c. Revise the site plan to note the date the original building was constructed on-site and the cumulative total of gross floor area of development after 1991.

d. Revise the DSP to remove the plat label "WWW 06@ PN:66."

e. Add a note to the site plan to indicate that all proposed exterior light fixtures will be shielded and fixed in the full cut-off position and that footcandle levels throughout the proposed area of improvement will be minimized to the maximum extent practicable.

f. Revise the site plan to correctly show the location of the unmitigated 65 dBA Ldn noise contour at 168 feet from the centerline of East-West Highway (MD 410).

g. Revise the landscape plan to include the following note below the tree canopy coverage schedule: "The ten percent afforestation requirement is met with on-site tree canopy coverage."

h. Revise the site plan to include notes and a detail regarding the stenciling of stormdrain inlets with "Do Not Dump–Chesapeake Bay Drainage." A copy of the sediment and erosion control plan containing notes and details regarding the same stenciling shall be submitted.

i. Submit a revised landscape plan showing the locations of the proposed trash receptacles in accordance with Standard S31. Provide a symbol in the legend.

j. Revise the site and landscape plans to provide a legend for all symbols used on the plan including, but not limited to, the hatching and shading shown on both plans.

k. Provide an exhibit that identifies the areas of the site being used to meet the 15 percent green space requirement.

l. Revise the plan to show a limit of disturbance and clarify the applicability of Section 4.3 of the 2010 *Prince George's County Landscape Manual,* and show the requirements being met as necessary.

m. Correct the number of shade trees in the Section 4.9 schedule.

n. Revise the site plan to show the loading space being screened from Belcrest Road in conformance with the requirements of Section 4.4 of the 2010 *Prince George's County Landscape Manual*, or move it to a location where screening can be provided as required.

o. Note the proposed floor area ratio (FAR) on the site plan.

p. Revise the site plan to indicate the status of the existing automated teller machine (ATM) use and, if it is to remain, show adequate access to it.

q. The plans shall be revised to provide a minimum four-foot-wide landscape strip, planted with a mix of a minimum of 30 shrubs and perennial grasses, with species that provide for year-round seasonal interest, and a four-foot-high masonry wall for approximately 52 feet along East-West Highway (MD 410) either within the subject site, or within the Maryland State Highway Administration (SHA) right-of-way. If the applicant is unsuccessful in obtaining approval from either the Washington Suburban Sanitary Commission (WSSC) or SHA to place the wall and planting within either of their rights-of-way, the applicant shall obtain a departure prior to issuance of a building permit.

2. Prior to issuance of any building permit, the applicant shall provide evidence of compliance with the applicable laws and regulations regarding the removal of any hazardous waste or contaminates associated with the gas station.