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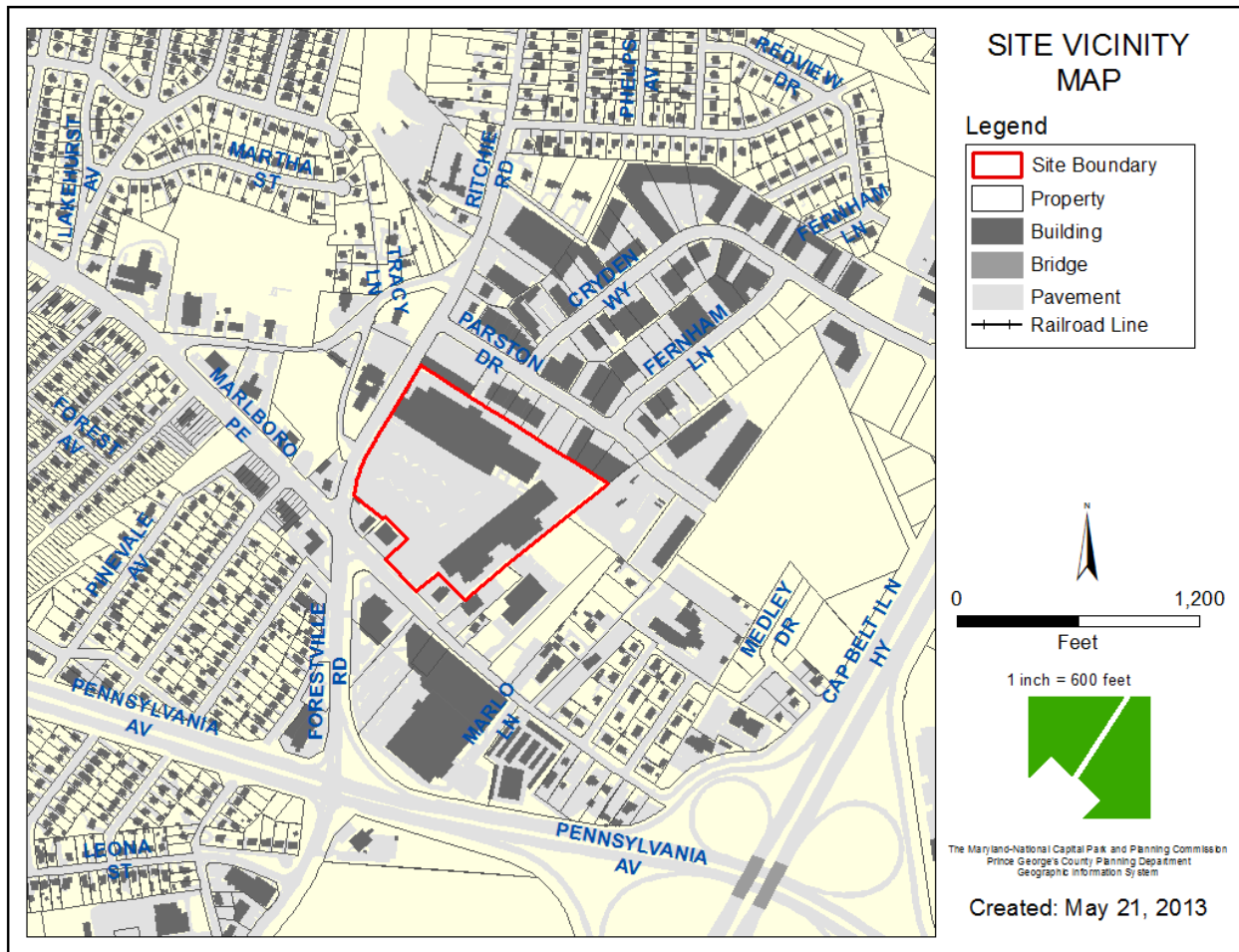
## Detailed Site Plan

## DSP-13014

Application	General Data	
<b>Project Name:</b> Forestville Plaza Shopping Center  <b>Location:</b> In the northeastern quadrant of the intersection of Forestville Road and Old Marlboro Pike (MD 725).  <b>Applicant/Address:</b> PMM Enterprises, LLC 3680 Wheeler Avenue Alexandria, VA 22304	Planning Board Hearing Date:	07/25/13
	Staff Report Date:	07/10/13
	Date Accepted:	06/18/13
	Planning Board Action Limit:	09/29/13
	Plan Acreage:	18.17
	Zone:	I-1
	Dwelling Units:	N/A
	Gross Floor Area:	217,934 sq. ft.
	Planning Area:	75A
	Tier:	Developed
	Council District:	06
	Election District	06
	Municipality:	None
	200-Scale Base Map:	204SE07

Purpose of Application	Notice Dates	
To rezone the property from the Light Industrial (I-1) Zone to the Commercial Shopping Center (C-S-C) Zone in a Development District Overlay (D-D-O) Zone.	Informational Mailing:	03/28/13
	Acceptance Mailing:	06/17/13
	Sign Posting Deadline:	06/25/13

<b>Staff Recommendation</b>		<b>Staff Reviewer:</b> Ruth Grover, M.U.P., A.I.C.P. <b>Phone Number:</b> 301-952-4317 <b>E-mail:</b> Ruth.Grover@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-13014  
Forestville Plaza Shopping Center

The Urban Design staff has reviewed the 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 detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Zoning Ordinance in the Commercial Shopping Center/Development District Overlay (C-S-C/D-D-O) Zone.
- b. The requirements of the 2010 *Prince George's County Landscape Manual*.
- c. The requirements of the 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment*.
- 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 that the Planning Board adopt the following findings:

1. **Request:** The subject application requests approval of a rezoning of the subject site from the Light Industrial/Development District Overlay Zone (I-1/D-D-O) to the Commercial Shopping Center/Development District Overlay Zone (C-S-C/D-D-O).

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
<b>Zone</b>	I-1/DDOZ	C-S-C/DDOZ
<b>Use(s)</b>	Vacant Integrated Shopping Center	Integrated Shopping Center
<b>Acreage</b>	18.17	18.17
<b>Building Square Footage/GFA</b>	217,934	217,934

**Parking**

	<b>REQUIRED/ALLOWED</b>	<b>PROVIDED</b>
<b>Regular Spaces</b>	872 required	1,025
<b>Compact Spaces</b>	including 290 allowed	279
<b>Handicapped Spaces</b>	including 18 required	21
<b>Total</b>	872	1,325

**Setback Analysis**

	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Setback from Street</b>	10 feet	10 feet
<b>Setback from Adjoining Land in a Nonresidential Zone</b>	None	25 feet

3. **Location:** The subject site is located in the northeastern quadrant of the intersection of Forestville Road and Old Marlboro Pike (MD 725), with addresses of 7702-7794 Forestville Road, District Heights, MD 20747. The site is also located in Planning Area 75A and Council District 6.
4. **Surrounding Uses:** The site is bounded to the southeast by industrial uses including outdoor storage uses and commercial uses in the I-1 Zone; to the southeast by industrial and commercial uses in the I-1 Zone; to the southwest by Marlboro Pike; and to the northwest by Forestville Road.
5. **Previous Approvals:** The property is the subject of Detailed Site Plan DSP-01028 for a day care center for 80 children which was approved by the Planning Board on September 6, 2001 and which approval was formalized in PGCPB Resolution No. 01-179. The Planning Board subsequently approved a revision of that plan, Detailed Site Plan DSP-01028-01 on June 16, 2005 for a day care center for 60 children. The day care use is no longer present on the site. As a day care center is one of the uses deemed to involve a concentration of people sought to be prohibited due to the subject site's proximity to Joint Base Andrews (JBA) and its flight patterns, a proposed condition in the Recommendation section of this staff report would in any case prohibit the day care center land use entirely from the subject site.
6. **Discussion of the Justification for the Proposed Rezoning:** The Forestville Plaza Shopping Center was constructed in the early 1970's as a retail shopping center in the Commercial Shopping Center (C-S-C) Zone, anchored by a food store, drug store, and department store. For

many years, the subject property was a vital shopping destination for many. As tenant size requirements changed over the years, the building lost several of its anchor tenants and fell into disrepair under prior absentee ownership. By the time the 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* (Marlboro Pike Sector Plan and SMA) was under consideration, very few tenants remained in the shopping center and those that did were predominantly churches, and the property became the site of illegal dumping. The Marlboro Pike Sector Plan found the property more suitable for industrial development and rezoned the subject property to Light Industrial (I-1). See Finding 8 for a full discussion of the applicability of the Marlboro Pike Sector Plan to the current rezoning request.

The applicant purchased the property in 2012 and proceeded to locally manage the property and, in coordination with the Prince George's County Police Department and the Department of Environmental Resources (DER), started to improve the property. Illegally dumped materials were removed from the property, the parking lot was resurfaced, the sign refurbished, and the light fixtures were repaired. Security was provided to the center and vagrants were removed from the vacant building on-site.

The applicant has worked unsuccessfully to lease the shopping center, whose buildings were constructed for retail tenants, to tenants allowed under its new I-1 zoning, with the land use types allowed on the project further restricted by the Development District Overlay (D-D-O) that was placed on the property at the time of the adoption of the Marlboro Pike Sector Plan. The only real prospects as tenants were churches. Additionally, the site was further restricted by the plan as it was considered a "gateway site" to the county.

Additionally and further complicating matters, the county adopted Interim Land Use Controls (ILUC) related to the Joint Base Andrews Joint Land Use Study. As initially proposed, the ILUC legislation would have made it very difficult to lease the property for any use. Ultimately, however, the ILUC legislation was amended to exempt properties in a D-D-O Zone from the development district standards, but left a limited number of permitted uses in a D-D-O Zone which made it harder to find tenants for the property.

The applicant, in their statement of justification, argues that the property is best suited as a retail shopping center, as demonstrated by prospective tenant interest emanating from the retail and not the industrial sector. The applicant's request to rezone the property by means of approval of the subject DSP from the I-1 to the C-S-C Zone would enable the applicant to lease to these interested retailers. For a detailed discussion of the relevant provisions of the Zoning Ordinance as they apply to the applicant's request, see Finding 7 of this staff report.

**Comment:** While the arguments in favor of rezoning the subject site from the I-1 to the C-S-C Zone are reasonably persuasive, the community planning analysis supports and a proposed condition in the Recommendation Section of this staff report would require that the use list be specifically modified with the intent of reducing to the extent possible the number of people congregating at the Forestville Plaza Shopping Center at any given time. The applicant does not object to the imposition of this condition, except in its restriction on Eating and Drinking Establishments containing 6,000 square feet or less of gross floor area (GFA). In response to this concern, a proposed condition in the Recommendation Section of this staff report would prohibit only Eating and Drinking Establishments larger than 6,000 square feet of gross floor area in the to be created C-S-C Zone.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the zone and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in commercial zones. The proposed integrated shopping center is a permitted use in the C-S-C/D-D-O Zone.
  - b. The DSP shows a site layout that is consistent with Section 27-462, regulations in commercial zones, of the Zoning Ordinance.
  - c. The DSP is in conformance with the following provision which addresses the property owner's right to request changes to the underlying zones as contained in Section 27-548.26(b) of the Zoning Ordinance. It provides:
    - (B) Property Owner.**
      - (1) The Property owner may request that the District Council amend development requirements for the owner's property, as follows:**
        - (a) An owner of property in, adjoining or separated only by a right-of-way from the Development District may request changes to the boundary of the approved D-D-O Zone.**
        - (b) An owner of property in the Development District may request changes to the underlying zones or the list of allowed uses, as modified by the Development District Standards.**
  - d. The DSP is also in conformance with Section 27-548.26(b)(5) of the Zoning Ordinance which states that in approving an application to change the underlying zoning, the District Council must find that "the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment or Sector Plan, and meets applicable site plan requirements." See Finding 8 for a full discussion of the sector plan and the applicant's conformance with the applicable Zoning Ordinance regulations governing rezoning of the property.
8. **The 2009 Approved Marlboro Pike Sector Plan and Sectional Map Amendment:** In a memorandum dated July 2, 2013, the Community Planning Division stated that the subject application is not in conformance with the land use policy of the 2009 Marlboro Pike Sector Plan and SMA for industrial use. However, further review of the project indicates that, if the use list is modified to prohibit uses that would cause the largest concentrations of people in the shopping center, the subject DSP would conform to the intent of the master plan.

The sector plan deemed the property no longer suitable for retail uses (the plan notes that the center "is nearly vacant") and that the rezoning to I-1 would allow the property to be repositioned as a flex space campus. The concept for the site included in the sector plan envisioned all of the existing improvements being razed and the entire property being redeveloped. During consideration of the sector plan by the District Council, concerns arose as to how the property

would be used in the I-1 Zone. Since there is no requirement to raze the existing structures, rezoning the property to I-1 could result in the property being converted into contractors' storage yards and other types of uses that were not consistent with the vision of the property as a gateway use along the Marlboro Pike Corridor. In addition, there were concerns with the impact of air traffic from Joint Base Andrews (JBA).

Ultimately, the District Council approved the rezoning to the I-1 Zone, but also established a Development District Overlay (D-D-O) Zone. The D-D-O Zone provided some control over any future redevelopment of the property, but also allowed for a modification of the use list in the I-1 Zone. The use list was modified to remove many of the heavier industrial uses allowed by right in the I-1 Zone which, if located on the property, could negatively impact the corridor aesthetically. In addition, the use list was modified to remove uses which were thought to be incompatible with the activities of JBA.

The preliminary Marlboro Pike Sector Plan did not propose to establish a D-D-O Zone applicable to the subject property. With the adoption of County Council Resolution CR-90-2009, however, the District Council established a D-D-O Zone known as the Low Intensity Business Park Character Area. The provisions governing the D-D-O Zone were contained in Attachments C-1 through C-6 of CR-90-2009. Attachment C-4 is a list of all properties included in the D-D-O Zone and Attachments C-5 and C-6 are the use lists applicable to the C-S-C and I-1 Zones, respectively. The recommendation for the D-D-O Zone relates to future redevelopment of the existing commercial and industrial properties with low-intensity commercial and industrial buildings/uses that "provide an attractive gateway to the Marlboro Pike Sector Plan area" and "a functional business community that is compatible with the location under the flight path for Andrews Air Force Base." The land use characteristics for this D-D-O Zone encourage the future development of low-intensity industrial uses which could include flex space, manufacturing, wholesaling, warehousing, and distribution uses.

The sector plan recommendations (made prior to the adoption of CR-90-2009) are consistent with the D-D-O Zone. A 20-acre area, including the subject property, was identified as Priority Area 7 and recommended for redevelopment as the Forestville Flex Space Campus. As noted in the sector plan, it was thought that the subject property's condition (described as "nearly vacant," "with a large unkempt parking lot in front") made it a good candidate for redevelopment. The concept plans for this area envisioned the existing structures being completely razed and replaced with one-story industrial buildings lining the public right-of-way.

The applicant contends that rezoning the subject property to the C-S-C Zone conforms to the purposes and recommendations of the development district. The C-S-C zoning would allow Forestville Plaza Shopping Center to again become commercially vital, fulfilling the stated goal of the sector plan and the D-D-O Zone to "provide an attractive gateway to the Marlboro Pike Sector Plan area." The physical improvements made in the center to date and its new local management should help achieve this goal. Also, the rezoning would serve a second goal of the D-D-O Zone to locate uses on the property "compatible with the location under the flight path of Andrews Air Force Base." The subject property is unique in that it is situated at the transition between Accident Potential Zone 1 (APZ 1) and APZ 2. In APZ 2, retail uses are generally considered compatible with flight operations. The portion of Forestville Plaza facing south proposed to contain the 78,000-square-foot tenant, is in APZ 2. While the portion of Forestville Plaza facing west, in APZ 1, offers smaller tenant spaces. Therefore, the portion of the center that will have the greatest population is in the APZ 2, where retail uses are thought compatible, and smaller shopper populations would be the portion of the site in the APZ 1, where retail uses are generally not allowed. The smaller tenant spaces ensure that the uses which will be attracted to

the building will not have “significant crowds of people,” which is the concern of the D-D-O Zone.

The applicant contends and the Urban Design staff agrees, that the C-S-C Zone is consistent with and fulfills the goals of the sector plan and the D-D-O Zone. At the time the sector plan and D-D-O Zone were adopted, the county had not yet convened the JBA Joint Land Use Study (JLUS) workgroup to consider how to address the issues related to the operations of JBA. The JLUS workgroup is preparing its recommendations for a permanent Military Installation Overlay Zone. The effort has resulted in an understanding that the properties impacted by JBA operations, including the subject property, are all unique and that the use of these properties must be evaluated for compatibility on a case-by-case basis. Allowing a rezoning pursuant to Section 27-548.26(b) of the Zoning Ordinance, such as the subject request, allows the necessary restrictions to be customized for a specific property in accordance with the above understanding. The unique circumstances applicable to the subject property, that it contains existing structures originally intended for retail use and designed under C-S-C zoning; that it is located in two APZs, one of which allows retail uses; and that the existing building in APZ 1 has smaller tenant spaces than would normally be constructed by today’s standards, provide justification to place the property back in the C-S-C Zone to allow retail uses to re-populate the property.

9. **The 2010 Prince George’s County Landscape Manual:** The Urban Design Section has reviewed the subject project in accordance with the requirements of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual) and offers the following information:

The project is exempt from Sections 4.2, 4.3, 4.6, and 4.7 because the project adds no gross floor area to the subject site. The project is, however, subject to Section 4.4, Screening Requirements, for loading spaces, outdoor merchandise storage, trash and recycling facilities, and mechanical equipment, as is all development in the county under the Applicability Section (1.1) of the Landscape Manual. The project is exempt from the requirements of Section 4.9-1, Sustainable Landscaping Requirements, as it is not required under other sections of the Landscape Manual to provide plant material on the site. A proposed condition in the Recommendation Section of this staff report would require that, prior to signature approval of the subject plan, conformance with Section 4.4 of the Landscape Manual be demonstrated to the Planning Board or its designee. With the proposed condition, it may be said that the application is in conformance with all relevant requirements of the Landscape Manual.

10. **The Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The project is exempt from the requirements of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) and has procured a Letter of Exemption granting a standard exemption for the site from the WCO dated May 9, 2013 and expiring May 9, 2015. The Letter of Exemption states that there are no previously approved tree conservation plans associated with the subject property and that it warrants a letter of exemption as the property contains less than 10,000 square feet of woodland on-site and has no previous tree conservation plan approvals. Further, they stated that the information they based their determination on was obtained from 2011 aerial photographs, the PGAtlas.com environmental layer, and a DSP prepared by Gutshick, Little & Weber, P.A. dated March 2013. In closing, they stated that the letter of exemption is issued solely for the single use of the property as a shopping center and that a copy of the letter must be submitted at the time of development permit or, more appropriately in this case, permit application.



11. **The Prince George's County Tree Canopy Coverage Ordinance:** The application is exempt from the requirements of the Prince George's County Tree Canopy Coverage Ordinance as the subject project will not create in excess of 1,500 square feet of ground disturbance.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
  - a. **Community Planning Division**—In a memorandum received July 3, 2013, the Community Planning Division stated that the subject application is consistent with the 2002 *Prince George's County Approved General Plan* (General Plan) goal to renew/redevelop commercial strips, and generally the type of development envisioned in the Developed Tier, but is not in conformance with the land use policy for industrial use stated in the 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment*. Further, they stated that the application is in conformance with the General Plan's vision for the Developed Tier for a network of sustainable, transit-supporting, mixed-use pedestrian-oriented, medium- to high-density neighborhoods including as a goal to renew/develop commercial strips to enhance established communities and attract high-quality retail (p. 32), noting that the sector plan designates adjacent Forestville Road as a collector roadway (C-426).

With respect to aviation, the Community Planning Section offered the following:

The property is located entirely within the Accident Potential Zones (APZ) north of Joint Base Andrews (an area with a higher potential for aircraft accidents). The property is split between APZs 1 and 2, where 10.1 percent and 5.6 percent of accidents can potentially occur, respectively (based on the number of aircraft accidents at all Air Force installations between 1968 and 1995). The property is also subject to high noise levels from aircraft, with noise levels at 65 and 70 dBA Ldn, and a maximum height limit of 144.26 feet. The application is exempt from Interim Land Use Controls (ILUC) regulations as it is within a Development District Overlay (D-D-O) Zone. The DSP should note the APZs and noise and height categories.

**Comment:** A condition in the Recommendation Section of this staff report would require that the above-mentioned maximum noise levels (65–75 dBA Ldn) and height limit (144.26 feet) be included in a general note on the subject DSP.

The Community Planning Division then raised the following planning-related issues concerning the subject project:

The Marlboro Pike Sector Plan and SMA rezoned the subject property to I-1 and placed it within a D-D-O Zone to foster compatible uses within an area subject to a higher potential for aircraft accidents and high noise impacts within the flight path of JBA. The D-D-O Zone also prevents the concentration of industrial uses expected to have an adverse impact on the adjacent community. The sector plan identified the subject property as Priority Area 7: Forestville Flex Space Campus with a vision to create “a new, small scale employment center serving as the eastern gateway to Marlboro Pike” (p. 33). The site is envisioned to develop as “industrial flex space and auxiliary office space for industrial businesses and related professional service companies that form the supply chain for the major industrial tenants” (p. 36). The vision takes into account airport impacts on the area and the area's location at a major gateway into the community with proximity to major roadways.

Most of the property within the D-D-O Zone is zoned I-1 though several parcels located near Forestville Road were retained in the C-S-C Zone. Both zones are subject to use restrictions for compatibility with airport operations at JBA. The use limitations are generally consistent with the Air Installation Compatibility Use Zone Study (AICUZ) for JBA. The AICUZ report identifies obstacles to air navigation and provides land use guidelines in an effort to assist jurisdictions in their planning decisions. The AICUZ guidelines specifically discourage land uses in APZs and high noise contours that promote large concentrations of people on a regular basis, are highly labor intensive, and that cater to people who may not be able to respond quickly to emergencies, such as children, the elderly, and the disabled. The SMA rezoning and D-D-O Zone use tables specifically sought to encourage those uses that reduce the risk to life and property and that better complement JBA operations.

The I-1 zoning and D-D-O Zone predate, but are consistent with, the 2009 JBA Naval Air Facility Washington Joint Land Use Study (JLUS). The JLUS reflects a partnership between the JBA, Prince George's County, and the surrounding community to address encroachments that could affect JBA operations and the impact of airport operations on the surrounding community. The JLUS recommends regulations that prevent further land use encroachments near the runways and has led to the establishment of ILUC currently in effect and preparation of a military installation overlay zone.

The applicant is proposing to rezone the property back to C-S-C from the I-1 Zone and amend the C-S-C/D-D-O Zone use table to allow the full complement of uses permitted in the C-S-C Zone. Currently, the I-1/D-D-O and C-S-C/D-D-O Zones does not permit general merchandise retail. The applicant wishes to locate a department store within an existing structure and have the flexibility to lease the remaining space in the shopping center to complementary retail uses. While the I-1/D-D-O Zone does not allow general retail, it allows other commercial uses including the following: paint store, dry cleaner, tailor, shoe repair, bicycle sales, carpet sales, furniture store, household appliance store, pet supplies, and office supplies, among others, that are common in shopping centers in the county. Uses in the C-S-C Zone are generally more intensive, attracting greater concentrations of people, which is why C-S-C zoning in this area was changed. At the same time, the District Council elected to allow churches in the D-D-O Zone under the provision that "an authorized representative of the church executes an affidavit acknowledging the property location within the flight path...as defined by AICUZ." While allowed, this use typically has a larger concentration of people at regular periods than retail establishments. A department store at this location is a better alternative than places of assembly.

Accident Potential Zone 2 is more lenient with regard to the types of retail uses because of its greater distance from the runway and, therefore, carries less risk. If the property is rezoned to C-S-C, certain uses should continue to be prohibited and all places of assembly should be added to the list of prohibited uses in accordance with the AICUZ and ILUC regulations. Specifically, if any portion of the property is rezoned to C-S-C, the uses listed below should be prohibited within the D-D-O Zone.

The portion of the shopping center which contains the largest single tenant space, at 78,000 square feet, is located in APZ 2. Although the AICUZ also discourages general merchandise retail in APZ 2, it does not consider this use as incompatible outright. The D-D-O Zone does not distinguish between APZ 1 and APZ 2 in the use list.

The following uses should be prohibited within the C-S-C/ D-D-O Zone:

Adult day care center

Assisted living facility

Auditorium

Bowling alley

Catering use with banquet facility

Church or similar place of worship, convent or monastery

Clubs or private lodges

Community building

Daycare centers—children and adults

Eating and drinking establishments other than what is currently permitted in the C-S-C Zone under the D-D-O Zone

Elderly housing

Eleemosynary or philanthropic institution

Gas stations

Government services (libraries, post offices, offices)

Hospitals, doctor's offices, and medical clinics

Hotels

Nursing or care home

Recreational or entertainment establishment of a commercial nature

Schools—private/public

Theatre

Uses that involve the storage of or use of explosive, flammable, or toxic material in outdoor, above ground storage tanks

**Comment:** A proposed condition in the Recommendation section of this staff report would restrict the land uses on the subject site if it is rezoned to the C-S-C Zone, to ensure its compatibility with nearby JBA.

- b. **Environmental Planning Section**—The Environmental Planning Section issued both a natural resources inventory (NRI) equivalency letter for a development activity in Prince George’s County and a letter of exemption granting a standard exemption for the site from the requirements of the Prince George’s County Woodland Conservation Ordinance (WCO).

The NRI equivalency letter for a development activity in Prince George’s County was issued May 14, 2013 and will expire on May 14, 2018. It states that the applicant’s request in this regard was approved only for the rezoning that would permit operation of the commercial retail Forest Plaza Shopping Center, with no trees or woodland being removed as part of the process and that, if another land use is proposed on the site in the future, a NRI may have to be completed or a new NRI equivalency letter procured. Further, they stated that the approval was based on a proposed DSP prepared by Gutshick, Little & Weber, P.A. dated March 2013 and that existing on-site information included on that plan was verified using 2011 color imagery aerial photography and the PGatlas.com environmental layer.

- c. **Prince George’s County Department of Public Works and Transportation (DPW&T)**—In a memorandum dated June 26, 2013, DPW&T stated that they had no objection to the rezoning request. They stated also, however, that the applicant would be required to apply for concept and site development permits for all proposed improvements.
- d. **Prince George’s County Police Department**—In a memorandum dated June 24, 2013, a representative of the Prince George’s County Police Department stated that, after reviewing the plans and visiting the site, he found no Crime Prevention Through Environmental Design (CPTED) considerations related to the project at the present time.
- e. **Prince George’s County Health Department**—In an e-mail dated July 2, 2013, the Prince George’s County Health Department offered the following regarding the subject project:

“I think the following statement on page 6 of the State of Justification precludes the need for even a very limited scope desktop Health Impact Assessment review of this proposal:

“No improvements to the property are proposed or required by this detailed site plan. Only a change in the underlying zoning is requested.

“As such, I would say a Health Impact Assessment review is not warranted for this largely administrative process, and therefore the Environmental Engineering Program of the Prince George’s County Health Department has no comment.”

- f. **The City of District Heights**—In an e-mail dated July 8, 2013, a representative of the City of District Heights expressed support for the subject rezoning request to Commercial Shopping Center (C-S-C) as it would provide needed retail goods and services and employment opportunities for the surrounding community. Noting the prime location of the site at the intersection of Pennsylvania Avenue (MD 4) and Marlboro Pike, the representative stated that the rezoning would be supportive of District Height’s Commercial Revitalization Strategy which includes efforts to revitalize commercial properties along Marlboro Pike.

- g. **Joint Base Andrews (JBA)**—In a letter dated July 8, 2013, a representative of Joint Base Andrews stated that Forestville Plaza is divided between Accident Potential Zone 1 and Accident Potential Zone 2 and that C-S-C zoning in Accident Potential Zone I is not compatible with either Department of Defense or Air Force policy. More specifically, the Department of Defense Instruction 4165.57 recommends that “retail trade – including shopping centers, discount clubs, home improvement stores, electronics superstores, etc.” not occur within Accident Potential Zone I. Most retail uses, with the exception of “retail trade – eating and drinking establishments” are allowed within Accident Potential Zone 2. Air Force Handbook 2-7084 confirms the Department of Defense position on retail trade and development in both Accident Potential Zone I and Accident Potential Zone II. In closing, the representative expressed support for the restrictions established in County Council Resolution CR-90-2009 by Prince George's County to limit land use in the underlying Accident Potential safety zones.
13. Based on the foregoing and as required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
14. As there are no regulated environmental features located on the subject project, the required Finding of Section 27-285(b)(5) of the Zoning Ordinance that regulated environmental features are preserved and/or restored to the fullest extent possible need not be made for the subject project.

## RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and recommend to the District Council that it APPROVE Detailed Site Plan DSP-13014, Forestville Plaza Shopping Center, and APPROVE the rezoning of the subject property from the I-1 Zone to the C-S-C Zone, subject to the following conditions:

1. Prior to signature approval, the following revisions to the plans shall be made:
  - a. The following notes shall be added to the general notes of the DSP:
    - (1) The project is located in an Accident Potential Zone, but is exempt from the requirements of Interim Land Use Control (ILUC) legislation due to its presence in a Development District Overlay (D-D-O) Zone.
    - (2) The projected maximum noise levels on the subject site are 65–70 dBA Ldn and the height limitation is 144.26 feet.
2. The following land uses shall be prohibited on the subject Commercial Shopping Center/Development District Overlay (C-S-C/D-D-O)-zoned property, and these prohibited uses shall be listed in the general notes of the DSP:

- a. Adult day care center
  - b. Assisted living facility
  - c. Auditorium
  - d. Bowling alley
  - e. Catering use with banquet facility
  - f. Church or similar place of worship, convent or monastery
  - g. Clubs or private lodges
  - h. Community building
  - i. Day care centers—children and adults
  - j. Eating and drinking establishments larger than 6,000 square feet of gross floor area (GFA).
  - l. Elderly housing
  - m. Eleemosynary or philanthropic institution
  - n. Gas stations
  - o. Government services (libraries, post offices, offices)
  - p. Hospitals, doctor's offices, and medical clinics
  - q. Hotels
  - r. Nursing or care home
  - s. Recreational or entertainment establishment of a commercial nature
  - t. Schools—private/public
  - u. Theatre
  - v. Uses that involve the storage of or use of explosive, flammable, or toxic material in outdoor, above ground storage tanks
3. The applicant shall demonstrate conformance to the requirements of Section 4.4 of the 2010 *Prince George's County Landscape Manual* by the provision of adequate screening as described therein of loading spaces, outdoor merchandise storage, trash and recycling facilities, and mechanical equipment.