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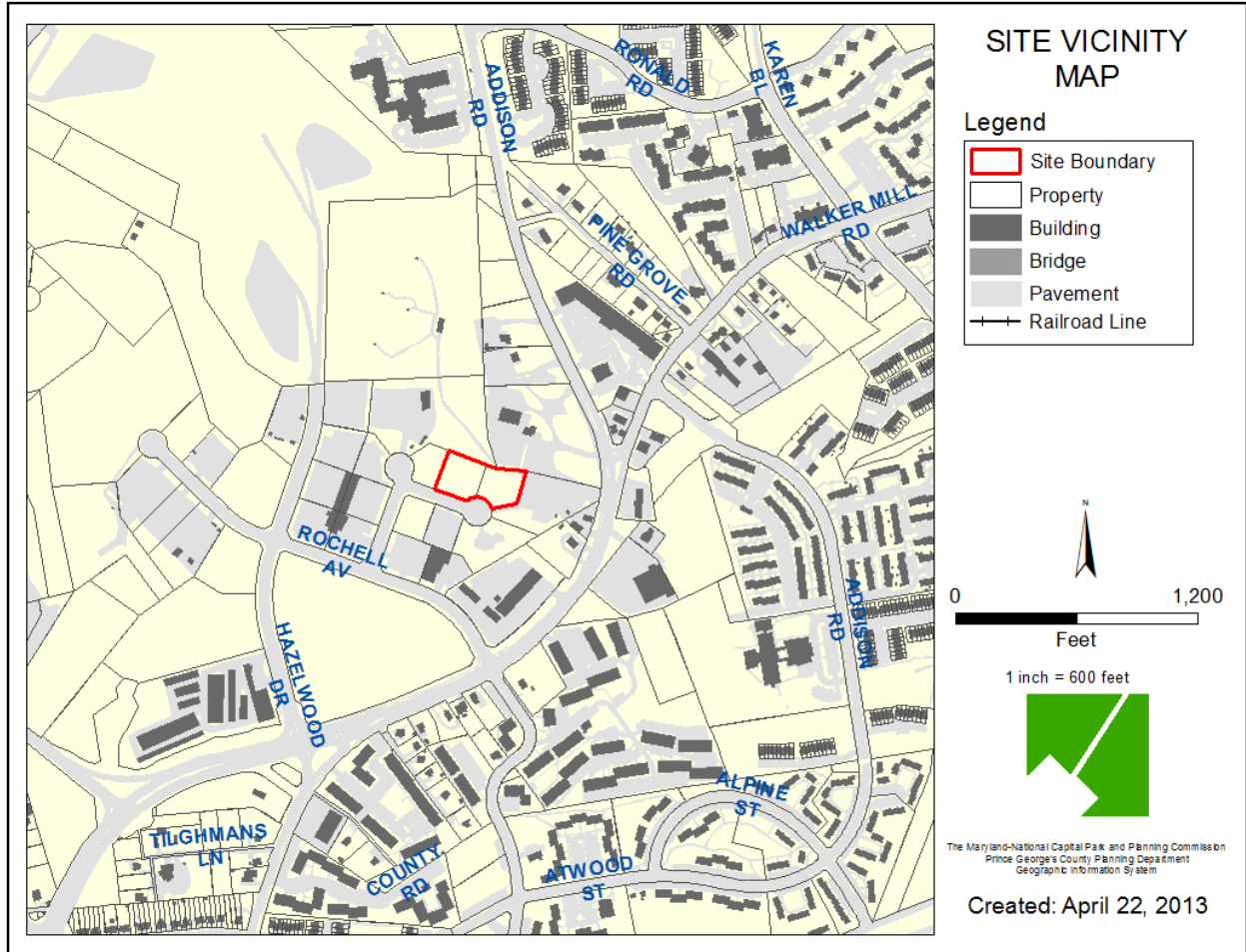
Detailed Site Plan

DSP-13020

Application	General Data	
Project Name: Walker Mill Business Park, Lots 8 and 9 Location: Located on the north side of Prosperity Court, approximately 150 feet east of its intersection with Prosperity Way. Applicant/Address: Wasim and Naira Butt 4523 Centennial Lane Ellicott City, MD 21042	Planning Board Hearing Date:	11/07/13
	Staff Report Date:	10/02/13
	Date Accepted:	07/08/13
	Planning Board Action Limit:	10/17/13
	Plan Acreage:	1.58
	Zone:	I-1
	Dwelling Units:	N/A
	Gross Floor Area:	800 sq. ft.
	Planning Area:	75B
	Tier:	Developed
	Council District:	07
	Election District	18
	Municipality:	Capitol Heights
	200-Scale Base Map:	203SE06

Purpose of Application	Notice Dates	
This case was continued from the Planning Board agenda date of October 17, 2013 to November 7, 2013. Proposed vehicle towing company and automobile storage yard.	Informational Mailing:	04/29/13
	Acceptance Mailing:	05/24/13
	Sign Posting Deadline:	09/17/13

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		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-13020
Walker Mill Business Park, Lots 8 and 9

The Urban Design staff has completed its review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

This detailed site plan was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the Zoning Ordinance in the Light Industrial (I-1) Zone;
- b. The requirements of Preliminary Plan of Subdivision 4-87194 and Record Plat NLP 141-11;
- 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 Tree Canopy Coverage Ordinance;
- f. Referral comments.

FINDINGS

Based upon the analysis of the subject detailed site plan (DSP), the Urban Design staff recommends the following findings:

1. **Request:** The subject application is for approval of a vehicle towing company and automobile storage yard in the Light Industrial (I-1) Zone.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	I-1	I-1
Use(s)	Vacant	Vehicle towing company/ automobile storage yard
Acreage	1.58	1.58
Lots	2	2
Gross Floor Area (sq. ft.)	0	800

OTHER DEVELOPMENT DATA

Parking Spaces Required

800 GFA @ 1 space per 500 GFA **2 spaces**

Parking Spaces Provided

Standard Spaces 2 spaces

Van-Accessible ADA Spaces 2 spaces

Total **4 spaces**

3. **Location:** The subject site is located on the north side of Prosperity Court, approximately 150 feet east of its intersection with Prosperity Way, within Council District 7, Planning Area 75B, of the Developed Tier.
4. **Surrounding Uses:** The site is located on the north side of the terminus of Prosperity Court, which is an internal cul-de-sac street in the Walker Mill Business Park. The subject site is surrounded on three sides by properties in the I-1 Zone. Specifically, the properties to the north and east of the site are developed with contractor's offices with outdoor storage yards; the property to the west is vacant; and to the south is the right-of-way of Prosperity Court.
5. **Previous Approvals:** The 2010 *Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment* (SMA) retained the subject site in the I-1 Zone. The subject site contains Lots 8 and 9, Block A, of a larger development known as the Walker Mill Business Park. The Planning Board approved (via PGCPB Resolution No. 88-6) Preliminary Plan of Subdivision 4-87194 for Walker Mill Business Park on January 7, 1988, which was recorded in Plat Book NLP 141-11. The site also has two Stormwater Management Concept Approvals, 20323-2012-00 for Lot 8 and 29176-2012-00 for Lot 9, respectively.
6. **Design Features:** The subject DSP has been submitted to construct a vehicle towing company and automobile storage yard on two currently vacant graded lots. The plan proposes to develop a 30-foot-wide commercial driveway entrance off of Prosperity Court to each lot. A 10-foot by 44-foot trailer and a 4,000-square-foot gravel paved area, with two parking spaces, have also been proposed on each lot. The lots will each be completely surrounded by the existing and proposed six-foot-high, board-on-board, wooden fence along the site's frontages, with entrance gates. The existing and proposed six-foot-high chain-link fence has been provided along the remaining property lines for both lots. The proposed standard rectangular trailers will be a metal fabrication and each will have wooden steps providing access to the entrance door. A condition has been included in the Recommendation section of this report requiring the height of the trailers to be

labeled on the DSP. One rectangular 12-square-foot sign stating, “Hadi Towing,” is proposed to be placed on the fence facing the right-of-way of Prosperity Court. Other improvements include landscaping and sidewalk along the site’s frontage.

7. **Prince George’s County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the I-1 Zone and the site plan design guidelines of the Zoning Ordinance.

- a. The DSP is in conformance with the requirements of Section 27-473 which governs development in industrial zones. The proposed vehicle towing company and automobile storage yard are permitted uses in the I-1 Zone.
- b. The DSP is in general conformance with Section 27-474, Regulations in Industrial Zones, regarding setbacks and green area. The combined side setbacks of the proposed trailers are well in excess of the 30-foot minimum requirement and the front building setback from the street is in excess of 100 feet for each trailer, which meets the minimum front building setback of 25 feet.

The proposed plan shows conformance to the required ten percent green area requirement. However, it is unclear how this was calculated or what area is being defined as green area. Per Section 27-107.01, Definitions, green area cannot include parking lots or other vehicular surfaces. Therefore, the green area of the site cannot include any area used for automobile storage. Conditions of approval requiring the plan be revised to define the area used as automobile storage and to provide the required green area on-site, outside of the automobile storage area, have been included in the Recommendation section of this report.

- c. Section 27-469, I-1 Zone (Light Industrial), establishes parameters for landscaping, screening, and buffering of development in the I-1 Zone. The following parameters are applicable to the subject application:

(b) Landscaping, screening, and buffering of development in the I-1 Zone shall be provided in accordance with the provisions of the Landscape Manual. In addition, the following applies:

- (1) At least ten percent (10%) of the net lot area shall be maintained as green area.**
- (2) Any landscaped strip adjacent to a public right-of-way required pursuant to the provisions of the Landscape Manual shall not be considered part of the required green area.**

Comment: It is unclear if the 85 percent green area claimed as provided on the DSP includes the landscape strip adjacent to the public right-of-way required by the 2010 *Prince George’s County Landscape Manual* (Landscape Manual). To satisfy the green area requirement, conditions of approval have been included in the Recommendation section of this report requiring the plan be revised to clearly show the ten percent green area, exclusive of the required Section 4.2 landscape strip.

- (3) **A vehicle towing station permitted in the I-1 Zone shall be screened by a wall or fence at least six (6) feet high, or by an evergreen screen, unless the adjoining property is used for a vehicle towing station or a vehicle salvage yard.**

Comment: The submitted DSP is for a vehicle towing station and is subject to the requirement, except where the adjoining property is used for a vehicle towing station or vehicle salvage yard. The submitted DSP shows the existing and proposed fencing completely surrounding both lots. However, some of the fence is chain-link, which will not completely screen the proposed use as required. Based on permit and site plan review, only adjacent Parcel 290, located to the northeast of the site, will be used as a vehicle towing station or a vehicle salvage yard. Since this represents only a small portion of the total length of property line, it would be more consistent to require the entire property line to be screened with a sight-tight fence. Therefore, a condition has been included in the Recommendation section of this report requiring this be shown prior to certification.

(c) **Outdoor storage.**

- (1) **Outdoor storage shall not be visible from a street.**

Comment: The subject plan indicates a proposed six-foot-high, board-on-board, wooden fence, with vehicular entrance gates, along the property's entire frontage on Prosperity Court to screen the vehicle storage from the street. Typically, staff would not support the use of a wooden fence in a commercial or industrial setting due to maintenance concerns. However, there are already multiple industrial uses developed within the business park that have wooden fences along their street frontages, similar to what is being proposed with this application. Therefore, the proposed wooden fence is acceptable.

8. **Preliminary Plan of Subdivision 4-87194 and Record Plat NLP141-11:** Preliminary Plan of Subdivision 4-87194 for Walker Mill Business Park, which includes the subject site, was approved by the Planning Board on January 7, 1988, subject to ten conditions. It was subsequently recorded in Plat Book NLP141-11 on September 16, 1988 with three notes, which are also addressed by preliminary plan conditions. The following preliminary plan conditions are applicable to the review of this DSP:

3. **Detailed site plans for individual lots shall be approved by the Planning Board prior to buildings permits. These site plan reviews shall address, but not be limited to, the items listed in the Area Planning Division's (N/SE) memorandum dated September 16, 1987.**

Comment: The subject DSP was submitted in conformance with this condition. The referenced memorandum included the following comments that are applicable to the review of this DSP:

- a. All projects within this property shall be subject to site plan review by the Prince George's County Planning Board. The site plan shall contain a landscaping plan.

Comment: The subject DSP, along with a landscaping plan, was submitted per this comment.

- b. The Planning Board shall review the development to assure its compliance with the following design guidelines:

- (1) An effective visual buffer created by substantial berms and landscaping shall be provided along Walker Mill Road, Rollins Avenue, and Addison Road and along abutting areas which are planned or developed for residential purposes in order to maintain the residential character of surrounding properties.

Comment: The subject site is not adjacent to Walker Mill Road, Rollins Avenue, Addison Road, or residentially-zoned or developed areas. Therefore, this requirement does not apply to the subject DSP.

- (2) The internal organization of the site shall address the following:

- (A) Minimizing the views of parking, loading, storage and service areas.

Comment: The subject DSP proposes a sight-tight board-on-board fence along its frontage onto the public right-of-way, which will minimize the views of the parking and storage areas on the subject site.

- (B) Providing architectural elevations consistent in materials and treatment on all sides, and with all mechanical equipment enclosed or screened. Screening and enclosures shall be treated as integral elements of building design.

Comment: The subject DSP proposes two trailers that will be located within the separate lots surrounded by the wood and chain-link fence. The materials on these trailers will be consistent on all sides. No proposed mechanical equipment is shown on the submitted DSP.

- (C) Signs shall not be placed above the roof or parapet line. No moving or flashing signs, or signs projecting significantly from a building, shall be permitted. Low ground-mounted and landscaped signs in keeping with the scale of the buildings and the site shall be encouraged in lieu of building-mounted signs.

Comment: The subject DSP proposes one 12-square-foot sign to be placed on the front fence. Therefore, it will not be above the roof or parapet line or project significantly from a building. The DSP does not label the material or colors of the sign, which should be added, to confirm that it will not have any moving or flashing parts. A condition has been included in the Recommendation section of this report requiring this be done prior to certification.

10. Review of a methane study by the Natural Resources Division prior to the issuance of grading permits.

Comment: A methane study is required due to the various types of fill material used to reclaim the site, which was a previous mining site. Because the various materials have broken down or decomposed over the years, methane gas emissions are a concern.

At this time, the plan proposes grading for a gravel parking area and trailer on each lot. Methane is a gas that could be released as part of the on-site grading activities. It is well known that the presence of methane gas can be highly hazardous to human health. Methane is considered to be a low-toxicity gas, but can result in asphyxiation due to its ability to exclude oxygen. The fact that methane is a colorless odorless gas means that there is no simple indicator of its presence until such a time as explosive limits are reached and an incident occurs. For this reason, it is vital that sources of methane are identified prior to any work on a construction site commencing, and that measures are put in place to prevent a dangerous build-up of gas within buildings or the compacting of the soil causing the dispersal of the gas in another direction. Therefore, a condition has been included in the Recommendation section of this report requiring the methane study be submitted prior to issuance of a grading permit.

9. **Prince George's County Landscape Manual:** This application is subject to Sections 4.2, 4.3, 4.4, 4.7, and 4.9 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) because it is a new development requiring building and grading permits on a vacant property. The submitted DSP included a landscape plan; however, it was not signed and sealed by a registered landscape architect as required by Section 2.1(a) of the Landscape Manual. Therefore, a condition of approval has been included in the Recommendation section of this report requiring that the landscape plans are signed by a registered landscape architect prior to certification.
 - a. Section 4.2, Requirements for Landscape Strips along Streets, requires that a landscape strip be provided on a property for all nonresidential uses in any zone abutting all public and private streets. The applicant chose Option 1, which is a ten-foot-wide landscape strip that requires one shade tree and ten shrubs to be planted per 35 linear feet of street frontage, excluding driveway openings. The applicant provides the ten-foot-wide landscape strip as required and has provided the appropriate schedule showing conformance with the requirements.
 - b. Section 4.3, Parking Lot Requirements, requires parking lots over 7,000 square feet to provide interior planting and a perimeter landscape strip, when located within 30 feet of an adjacent property where there is no intervening building and interior parking lot planting area. The proposed plan has two clearly distinctive parking areas, each is approximately 4,000 square feet in size, and neither are within 30 feet of any adjacent property line. Therefore, the DSP is exempt from the requirements of this section as noted on the plan.
 - c. Section 4.4, Screening Requirements, requires that loading spaces, outdoor merchandise storage, trash facilities, mechanical equipment, and vehicle-related uses be screened from various areas and adjacent uses. The submitted DSP only proposes a vehicle-related use, which is required by this section to be screened from adjacent residential uses or zones. The subject property and all adjacent properties have industrial uses. Therefore, the subject property is not required to provide screening pursuant to the Landscape Manual. This has been noted incorrectly on the plan. A condition of approval has been included in the Recommendation section of this report to require the applicant to properly note this requirement on the plan.

- d. Section 4.7, Buffering Incompatible Uses, requires a landscape buffer to be planted between incompatible adjacent uses. The proposed use, a vehicle towing and automobile storage yard, is a high-impact use and all of the surrounding properties, including a towing service and contractor's storage yards, are high-impact uses too that require no bufferyard. However, this has not been correctly labeled on the plan. A condition of approval has been included in the Recommendation section of this report to require the applicant to properly note this requirement on the plan.
 - e. Section 4.9, Sustainable Landscape Requirements, requires a certain percentage of plant material proposed to be native species. The submitted DSP does appear to meet all of the requirements of this section; however, the required schedule and notes were not provided on the plan. A condition of approval requiring the necessary revisions has been included in the Recommendation section of this report.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** In regards to grandfathering, the project is not subject to the environmental regulations of Subtitle 27 that came into effect on September 1, 2010 because there are no previously approved development plans.
- The site is not subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because, although the property is greater than 40,000 square feet in size, it 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 for the subject property on March 29, 2012 and was submitted with the application.
11. **Conformance to the Tree Canopy Coverage Ordinance:** The project is subject to the requirements of Subtitle 25, Division 3, The Tree Canopy Coverage Ordinance, because it will require a grading or building permit for more than 5,000 square feet of disturbance. The requirement for the subject property (Lots 8 and 9) is ten percent of the gross tract area or 6,875 square feet based on the site's I-1 zone designation. The subject application did not provide the required tree canopy coverage (TCC) schedule on the landscape plan and the proposed plan does not provide a sufficient amount of either proposed or existing trees to meet the requirement. Therefore, a condition of approval has been proposed in the Recommendation section of this report requiring the applicant to provide a TCC schedule and add any additional trees necessary in order to meet the TCC requirement. These additional trees should have a sufficient planting area and be appropriately protected or physically separated from the proposed vehicular use areas by means of curbs, fences, or wheel stops. The applicant should note that staff estimates that approximately 25 shade trees will need to be added to fulfill this requirement.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
- a. **Transportation Planning Section**—In a memorandum dated July 18, 2013, the transportation planner offered the following summarized comments:
- The site is subject to the general requirements of site plan review, which includes attention to parking, loading, on-site circulation, etc. No traffic-related findings are required. A DSP is required based on a condition in the original plat.

The DSP is for a towing service and automobile storage yard. The applicant is proposing to add two service trailers (440 square feet each) on Lots 8 and 9. Each lot is planned with a separate 30-foot commercial entrance, sidewalk frontage, and large paved areas to accommodate storage vehicles. Semi-permanent trailers (mobile units) with steps are shown on the plan. No other structures are shown. Lots 8 and 9 are located on a cul-de-sac, Prosperity Court, shown with a 70 foot right-of-way. The two proposed commercial entrances are shown on the north side of Prosperity Court with a four-foot-wide sidewalk along the lot lines.

The applicant is required to provide two standard parking spaces for the office/storage use. The applicant is providing two parking spaces and two van-accessible spaces. Each lot will have one parking space and one van-accessible space. These are shown on the plan adjacent to the trailers.

The property is located in the Walker Mill Business Park and there are no master plan roadways in the immediate vicinity. The Transportation Planning Section determines that the site plan is acceptable.

- b. **Subdivision Review Section**—In a memorandum dated August 15, 2013, the subdivision planner provided an analysis of the applicable preliminary plan of subdivision and final plat, which is incorporated into Finding 8 above. The subdivision planner also indicated that the DSP has some deficiencies that need to be addressed. The DSP should be revised to add a note to provide the site tax map and grid, lot number, plat information, and current deed information. A recommended condition of approval has been included in this staff report to require the information.
- c. **Environmental Planning Section**—In a memorandum dated October 1, 2013, the environmental planner provided an analysis of the property's conformance with the WCO and applicable plat notes which are incorporated into Findings 8 and 10 above, respectively. They also offered the following additional summarized comments:

An approved Natural Resources Inventory Equivalency Letter, NRI-029-13, was submitted with the application. The site does not contain any regulated environmental features such as nontidal wetlands, streams, and specimen trees.

The stormwater management design is conceptually and technically required to be reviewed and approved by the Department of Permitting, Inspections and Enforcement (DPIE) to address surface water runoff issues in accordance with Subtitle 32 Water Quality Resources and Grading Code, which requires that environmental site design be implemented to the maximum extent practicable.

Each lot within the application (Lot 8 and Lot 9) has a separate approved Stormwater Management Concept Letter and Plan (20323-2012-00 for Lot 8 and 29176-2012-00 for Lot 9). On each lot, the plan shows less than 5,000 square feet of disturbance and on each approval letter it states that the project is exempt from stormwater management requirements. A fee of \$1,823.00 for Lot 8 is required and the approval expires on November 7, 2015. No fee is required for Lot 9 and that approval expires on December 14, 2015. The approvals were obtained at separate times based on the amount of disturbance submitted at that time. Overall, the application proposes over 8,000 square feet of disturbance and as such, the site is no longer exempt from the requirements and the applicant must provide on-site stormwater management.

According to the US Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), the predominant soil found to occur on-site is the Udorthents-Urban Land Complex. According to available information, Marlboro clay and Christiana complexes are not found to occur on this property. This information is provided for the applicant's benefit. The county may require a soils report in conformance with Council Bill CB-94-2004 during the building permit process review.

Comment: A condition has been included in the Recommendation section of this report requiring the applicant to submit a new stormwater management concept approval that combines both properties prior to certification of the DSP.

- d. **Prince George's County Fire/EMS Department**—At the time of the writing of this technical staff report, the Prince George's County Fire/EMS Department had not provided comments on the subject application.
 - e. **Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated July 19, 2013, DPIE provided standard comments regarding necessary improvements and standards that will be enforced at the time of permits along with the following specific comment:

The proposed site development is consistent with approved Stormwater Management Concept Plans 20323-2012 and 29176-2012.
 - f. **Prince George's County Police Department**—In a memorandum dated July 11, 2013, Corporal Richard Kashe of the Police Department indicated that there are no crime prevention through environmental design (CPTED) related issues with the subject application.
 - g. **Prince George's County Health Department**—In a memorandum dated July 19, 2013, the Prince George's County Health Department offered no comments on the subject application.
 - h. **Town of Capitol Heights**—At the time of the writing of this technical staff report, the Town of Capitol Heights had not provided comments on the subject application.
 - i. **City of District Heights**—At the time of the writing of this technical staff report, the City of District Heights had not provided comments on the subject application.
- 13. Based on the foregoing analysis, and as required by Section 27-285(b)(1) 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. Section 27-285(b)(4) of the Zoning Ordinance requires that a detailed site plan demonstrate that regulated environmental features have been preserved and/or restored to the fullest extent possible. Because the site does not contain any regulated environmental features, this required finding does not apply to the review of this DSP.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-13020, Walker Mill Business Park, Lots 8 and 9, subject to the following conditions:

1. Prior to certification, the applicant shall revise the detailed site plan (DSP) to:
 - a. Add a note to provide information on site tax map and grid, lot number, plat number, and current deed.
 - b. Define the area to be used as automobile storage on the site plan and make sure this area will not block, or overlap, the required parking spaces.
 - c. Obtain approval of a revised stormwater management concept plan for the entire area of the subject DSP. Revise the DSP, if it is necessary, to show any improvements required by the new concept approval.
 - d. Label the material and colors of the proposed sign on the DSP.
 - e. Provide ten percent green area on the subject site, exclusive of the required Section 4.2 landscape strip and the automobile storage area.
 - f. Provide a tree canopy coverage schedule on the plan and additional trees as necessary to meet the requirements.
 - g. Have the landscape plan sealed by the landscape architect registered in the State of Maryland who prepares it.
 - h. Revise the DSP to show sight-tight fencing along all property lines.
 - i. Label the height of the trailers on the DSP.
 - j. Revise the Section 4.4 note regarding the DSP's conformance to this section.
 - k. Revise the DSP to note the existing zones and uses on each adjacent property.
 - l. Revise the Section 4.7 schedules to clarify the specific uses on the subject property and adjacent properties, and revise the DSP to clarify which Section 4.7 schedule applies to which property line.
 - m. Provide a Section 4.9 schedule and note showing the site's conformance to this section.
2. Prior to issuance of any grading permits, a methane survey shall be completed and submitted to the Environmental Planning Section and the Prince George's County Health Department. If methane is encountered on-site, a mitigation plan shall be required for the development. All required remediation activities shall be completed to the satisfaction of the Health Department.