

February 4, 2000

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Acting Urban Design Supervisor

FROM: James Jordan, Urban Designer

SUBJECT: Detailed Site Plan, SP-96074
Tree Conservation Plan, TCPII/123/95
James' Industrial Center, Trash Removal Service

The Urban Design Section has reviewed the subject application for the James Industrial Center Trash Removal Service. Based on that review and the findings of this report, the Urban Design staff recommends APPROVAL with conditions.

EVALUATION CRITERIA

The subject application was evaluated based on the following criteria:

1. The Order of Remand of the District Council dated February 23, 1998.
2. Compliance with the Zoning Ordinance requirements of Section 27-469 which regulate development in the I-1 Zone, and the *Landscape Manual*.
3. Compliance with Section 27-475.6 which regulates Trash Removal Services in the I-1 Zone.
4. Referrals.

FINDINGS

Based upon the foregoing evaluation and analysis of the Detailed Site Plan, the Urban Design Section recommends the following findings:

1. Location - The subject property is located on the west side of Beech Place, approximately 1,300 feet south of the intersection of Beech Road and Beech Place. The property is in the Marlow Heights Industrial Center Subdivision and is the last property on the west side of Beech Place. The property is abutted by developed industrial properties to the west and north zoned I-1. Beech Place bounds the entire property frontage to the east

and the Capital Beltway is nearby to the south, beyond an intervening I-1 property. The entire neighborhood is zoned industrial.

2. The Proposed Development - The purpose of the application is to validate the use of trash removal service under current Zoning Ordinance standards. The existing use of the property is a truck storage lot with no existing buildings. The applicant is not proposing any building construction on the subject property. The subject plan provides for the construction of a retaining wall in the northwest corner of the property, with a centrally located compacted gravel parking area. The plan includes site, landscape, and tree conservation plans.

The trucks have direct access to major roads without having to go through any residential neighborhoods. During a field visit, staff observed that the industrial area was clean and well-maintained.

3. Background - The Approved Subregion VII Master Plan (1981) recommends employment (industrial) use for the property. The Preliminary Master Plan and Proposed Sectional Map Amendment for the Heights and Vicinity (which includes Planning Area 76A of the Subregion VII area) proposes the retention of employment (industrial) use and the I-1 Zone, respectively. The existing master plan encourages that this area develop as a light industrial area and if properties are visible from the Beltway, that site planning and building design should present an attractive view.
4. Prior Site Plan Approval - Detailed Site Plan SP-96074 was approved by the Planning Board on March 20, 1997, and the resolution, PGCPB 97-87, was adopted on April 17, 1997. An adjoining property owner appealed the Planning Board decision, and the case was presented to the District Council on February 23, 1998. The District Council remanded the case to the Planning Board with conditions.

The subject application has been revised to delete the previously approved building which was to house a truck repair/maintenance facility and office space. The findings and conditions of this technical staff report will reflect the merits and/or concerns pertaining to the revised plans.

The District Council's Order of Remand included three conditions of approval, all of which required specific action be taken or additional information be supplied at the time of subsequent Detailed Site Plan review. Below are the specific conditions and discussion pertaining to conformance to the District Council's Order of Remand:

- (a) **a report from the Department of Environmental Resources detailing the history of Code violations and the current status of complaints and Code violations for the subject property.**

Comment: Staff referred the subject applications to the Department of Environmental Resources Community Standards Division, and in a memorandum dated October 26,

1999 (Connelly to Jordan), the following comments were provided:

“In April 1997, a zoning violation notice was issued to James T. Murphy, trading as James Disposal Services, for operating a trash removal service without a use and occupancy permit.

“A final letter was sent on June 3, 1997, and the case was sent to the Office of Law for action in the District Court in July 1997. Records indicate that no complaints were received during that time. In September 1997, a complaint was received about trash and debris and odor from the site. The complaint was referred to the Health Department and subsequent inspections were made. No further complaints have been received.

“On November 13, 1997, a reinspection found two loaded trash trucks on site. The court case, scheduled in November was continued to January 28, 1998. Mr. Murphy signed a consent order for 120 days on January 12, 1998. On January 28, 1998, Judge Rhodes signed the court documents approving the consent order. Inspections on August 4, 1998 found no change in the condition of the property. Roll-offs were still parked on the property with trash overflowing. On October 6, 1998, an inspection found that most of the trash and debris had been removed and that 15 roll-offs parked on the site were empty. Two had construction debris and the owner was contacted on October 7, 1998.

“We have inspected the property 10 times between November 1998 and October 1999 and found no trash or debris on the property or in any of the containers being stored. We have taken no action on the court order while the owner continues to work towards getting his use and occupancy permit.”

- (b) an amendment of the site plan to show a wash facility (liquid, gaseous, dry or any other type), the resulting environmental safe guards, or a requirement that the trucks be cleaned off-site.**

Comment : As previously stated, the applicant has deleted from the subject plan any provision for construction of a building on the subject property. Any of the above-mentioned wash facilities would very likely be required to be housed in an enclosed structure. The applicant has proposed no on-site wash facilities, nor has it been noted on the plan that all trucks will be cleaned off-site prior to their return and storage on the subject property. Therefore, it is recommended that a note be placed on the plan stating that all trucks shall be cleaned at off-site facilities prior to their return and storage on the subject property.

- (c) the removal and prohibition of any dumpsters or roll-offs from being located on site.**

Comment: It has not been noted on the subject plan that no dumpsters or roll-offs shall

be either located or stored on the subject property. Therefore, it is recommended that a note be placed on the plan stating that neither dumpsters nor roll-offs shall be located or stored on the subject property.

5. The subject application is in conformance with the requirements of Section 27-469 which regulate development in the I-1 Zone as demonstrated by the following:

Site Development Data

Zone I-1

Proposed Use Trash Removal Service

Tract Area 138,844 square feet

Parking Required

1 sp./1,000 square feet up to 10,000 square feet &
1 sp./10,000 square feet above 1st 10,000 square feet 14 spaces

Parking Provided 13 spaces

(See Finding 9.b.)

6. Conformance to the Requirements of the Zoning Ordinance and the *Landscape Manual*:
In general the Detailed Site Plan meets the requirements of the Zoning Ordinance for a trash removal service operating in the I-1 Zone.

The Detailed Site Plan meets the requirements of *The Landscape Manual*.

7. CB-92-1991 amended the Zoning Ordinance, Section 27-475.06, with additional requirements for Trash Removal Services. The subject site will be developed as follows:
- a. Trash collected by this business will not be brought to or stored upon the property.
 - b. The subject property is more than 1,000 feet from any land in a Residential Zone, or land that is used for residential purposes or proposed to be used for residential purposes on an approved Basic Plan, Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan.
 - c. The subject property is not adjacent to, or across an industrial right-of-way from, an office building consisting of at least 10,000 square feet, and which is occupied by at least three unrelated tenants.
 - d. Driveways for ingress and egress on the site plan are located so as not to endanger pedestrians or create traffic hazards.

- e. The proposed hours of operation are 7:00 a.m. to 5:00 p.m., Monday through Saturday. The proposed hours of operation, staggered schedule of departure and arrival of trucks, odor and noise level will not be detrimental to uses on adjacent properties or the surrounding industrial community.
- f. The subject property is surrounded by existing developed properties zoned I-1. The location of the proposed use is appropriate.

The Detailed Site Plan is in full conformance with the all requirements of Section 27-475.06 of the Zoning Ordinance.

- 8. Conformance to the Requirements of the Woodland Conservation Ordinance: The Natural Resources Division reviewed the subject Detailed Site Plan. A memorandum from the Natural Resources Division dated August 9, 1999, provided the following comments:

“A Simplified Forest Stand Delineation (FSD) was previously reviewed in conjunction with a Type II Tree Conservation Plan (TCPII/123/95) and found acceptable. The TCPII which was approved in conjunction with an application for a grading permit (7858-95-CG) is consistent with this Detailed Site Plan application. The Woodland Conservation Threshold for this site is 0.47 acres and the replacement requirement is 0.24 acres for a total requirement of 0.71 acres. The requirements are being satisfied by the preservation of 0.71 acres of woodland on the property. TCPII/123/95 is recommended for approval in conjunction with SP-96074.

“The site contains a small area of 100-year floodplain along Beech Place. This area will be impacted for the construction of the Stormwater Management Pond. No wetlands, streams or other significant environmental features have been identified on this property.”

- 9. Urban Design : The Urban Design Section has reviewed the subject application and provides the following comments.
 - a. Section 4.4b of the *Landscape Manual*, Screening Requirements, requires that trash dumpsters and trucks be screened from all public roads and entrance drives within the development. The subject property is bounded to the north by the entrance drive to an adjoining property within the subdivision, and Beech Place to the east. The proposed site plans do not identify the location of the storage area on the subject property. There is a significant difference in elevation, approximately 20 feet, from Beech Place at the property’s frontage and what appears to be the general location of the storage area, with the storage area location being higher. The crest of the adjoining entrance drive is approximately 20 feet higher in elevation than what appears to be the general location of the

storage area. In either case, it appears that the storage area will be visible from both Beech Place and the abutting entrance drive. On the previous Detailed Site Plan approval the applicant had proposed a six-foot-high wood board-on-board sight-tight fence to run the length of the north property line, and approximately 200 linear feet from the northeast corner of the subject property south along the east property line. The prior approval was also conditioned to provide a staggered double-row of Loblolly pine trees and shrubbery for an approximate distance of 200 linear feet along the north property line. The provision of the wood board-on-board fence and the landscape screening has been deleted on the subject plan. Even though not noted on the plans, it appears that the general location for truck storage will be in the central gravel area west of the subject property's entrance. Staff believes that although the trucks may be somewhat visible from Beech Place the previously approved screening method for the site's north and east property lines affords an effective solution to visual screening of the proposed truck storage area. Therefore, it is recommended that the plans be revised to identify the proposed truck storage area, and provide a six-foot-high sight-tight board-on-board wood fence to run from the northeast corner of the abutting mini-storage warehouse building, on the adjoining property to the west, along the west property line to the north property line; along the entire north property line; and approximately 200 linear feet south from the northeast corner of the east property line. It is also recommended that the previously approved Loblolly pine trees be provided along the north property line perimeter.

- a. Section 27-568 of the Zoning Ordinance requires that the subject use provide 14 parking spaces on the property given the total square footage of the site. The applicant notes in his parking schedule on the plan that 14 spaces are required, but has only provided 13 spaces. It is recommended that an additional parking space be provided on the plan to increase the total number of parking spaces to the minimum required, 14.
10. The subject Detailed Site Plan was reviewed by the Subdivision Section, and in a memorandum (Chellis to Jordan) dated August 13, 1999, the following comments were provided:

“The bearings and distances on the east and north property lines of the site plan do not match the bearings and distances on the final plats of subdivision for the abutting properties. Review final plats NLP 97 @ 90, and WWW 72 @ 11, and revise the site plan if appropriate.”
11. The subject property has an approved Stormwater Management Concept Plan (CSD #968002050), which was approved on November 29, 1999.
12. The subject application was referred to all applicable agencies and divisions; no significant issues were identified. The Permit Review Division provided several comments pertaining to additional information being provided on, or revisions to the

plans. Conditions 1a-e of the Recommendation section of this report address the Permit Review concerns. The Department of Public Works and Transportation provided comments for designated roadway improvements within the right-of-way. The plans should address these comments at the time of the review of permits.

13. The Detailed Site Plan represents a reasonable alternative for satisfying the Site Design Guidelines without requiring unreasonable costs and without detracting from the utility of the existing development for its intended use.

RECOMMENDATION

Based upon the foregoing evaluation, analysis, and findings of this report, the Urban Design staff recommends the Planning Board adopt the findings of this report and APPROVE SP-96074 and TCPII/123/95 subject to the following conditions:

1. Prior to certificate approval the Detailed Site and Tree Conservation Plans shall be revised as follows:
 - a. Provide all required plant and buffer schedules on the landscape plan.
 - b. The storage area shall be labeled on the site and landscape plans.
 - c. Delineate the parking lot on the landscape plan.
 - d. Demonstrate the required site green area on the plans, and provide the calculations.
 - e. Demonstrate 35 feet from the centerline of Beech Place right-of-way.
 - f. Provide a note on the plan stating that no dumpsters or roll-offs shall be permitted to be stored on the subject property.
 - g. Provide a note on the plan stating that all trucks shall be cleaned at off-site facilities prior to return and storage on the subject property.
- h. Provide one (1) additional parking space in the proposed parking compound.
- i. Provide a six-foot-high sight-tight board-on-board wood fence to run from the northeast corner of the abutting mini-storage warehouse building, on the adjoining property to the west, along the west property line to the north property line; along the entire north property line; and approximately 200 linear feet south from the northeast corner of the east property line.

- 8 -

- j. Provide shrubbery and a staggered double-row of Loblolly pines for an approximate distance of 200 linear feet along the north property line.
- k. Provide bearings and distances to correspond with that of the approved final plats.