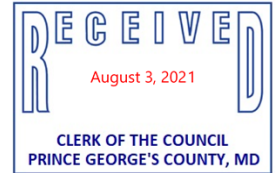


August 3, 2021



5504 Baltimore Ave., LLC
6856 Eastern Ave., NW #225
Washington, D.C. 20012

Re: Notification of Planning Board Action on
Detailed Site Plan DSP-19072
Que For The People (Federalist Pig)

Dear Applicant:

This is to advise you that, on **July 29, 2021**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-290, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Clerk of the County Council, at 301-952-3600.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: Adam Bossi
Reviewer

Attachment: PGCPB Resolution No. **2021-88**

cc: Donna J. Brown, Clerk of the County Council
Persons of Record

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 29, 2021, regarding Detailed Site Plan DSP-19072 for Que for the People (Federalist Pig), the Planning Board finds:

1. **Request:** This detailed site plan (DSP) requests to redevelop and expand an existing commercial structure for an eating and drinking establishment excluding drive-through service.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-U-I/D-D-O	M-U-I/D-D-O
Use(s)	Commercial	Eating and drinking establishment excluding drive-through service
Acreage	0.27	0.27
Lots	2	2
Square Footage/GFA	2,412	3,375

OTHER DEVELOPMENT DATA

Parking and Loading Schedule

Parking	Rate	Number of Parking Spaces Required*	Parking Provided
Eating or drinking establishment (excluding drive-through service) 88 seats	1 space per 3 seats	30	15
Loading	Rate	Number of Loading Spaces Required	Loading Spaces Provided
3,375 sq. ft. GFA	1 space per 2,000–10,000 sq. ft. GFA	1	1

NOTE: *Provided as per the requirement specified in the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* and the Prince George's County Zoning Ordinance. A waiver of the development district standard for the required quantity of parking has been requested.

3. **Location:** The subject site is located on the western side of US 1 (Baltimore Avenue), approximately 89 feet north of its intersection of Jefferson Street. The site is further located in Planning Area 68 and Council District 2 and is within the City of Hyattsville.
4. **Surrounding Uses:** The subject property is adjacent to a carwash use to the north; bounded to the east by US 1, with the Shops at EYA beyond; to the west by a single-family detached home (also in the Mixed Use–Infill [M-U-I] Zone), and to the south by a six-story building owned and utilized by Verizon (C&P Telephone Company of Maryland).
5. **Previous Approvals:** The site is subject to the requirements of the plat recorded in Liber 17167 folio 139.
6. **Design Features:** The subject application proposes to redevelop and expand an existing single-level commercial structure to accommodate an eating and drinking establishment excluding drive-through service (Federalist Pig). The front façade of the building will be retained, and the building will be renovated to include a 963-square-foot addition at the rear of the building, increasing the total square footage from 2,412 square feet to 3,375 square feet. A covered portico will be added to the entrance of the building and will include stairs and a ramp to provide handicap accessibility to the new entrance to the restaurant.

An 18.59-square-foot internally lit “Federalist Pig” sign is proposed on the top of the façade wall above the entrance stairs. Along the side of the building, a handicap-accessible entrance will be provided by a ramp to the front door. On the northern façade of the building facing the parking lot, a mural will be painted, which will contain no advertising and is intended to provide an artistic element to a building located in the Arts District.

Currently, secondary access to the site is provided by an 18-foot driveway located to the rear of the building along 44th Avenue. This narrow portion of the subject property will be excavated to create an outdoor dining area that will include a game area and a seat wall. The retaining wall surrounding this area will be internal to the site and will not exceed 4 feet in height, as viewed from outside the property. A 6-foot-high, sight-tight wood slat fence will be installed on top of the retaining wall.

The existing parking area will be restriped to provide 15 parking spaces (12 standard, 2 compact, and 1 handicapped-accessible space) and 1 loading space. The streetscape will be improved with a 5-foot-wide sidewalk, 5-foot-wide landscape strip, and a 3-foot-wide strip of brick pavers. Along the eastern property line, a 4-foot-tall, 18-foot-long masonry wall clad in corrugated metal will be constructed to screen the parking lot.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The requirements of the 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District:**
 - a. The 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (Gateway Arts District Sector Plan and SMA) superimposes a Development District Overlay (D-D-O) Zone over designated subareas called character areas to ensure that the development of the land meets the sector plan goals. The development district standards follow and implement the recommendations in the sector plan and SMA. The proposed project falls within the Town Center character area under the sector plan. The development district standards are organized in three parts to address site design, building design, and public space.
 - b. Section 27-548.25(b) of the Zoning Ordinance requires that in approving the DSP, the Prince George's County Planning Board shall find that the site plan meets applicable development district standards. The subject DSP meets the applicable development district standards, except as noted below in the point-by-point response to those standards.
8. **Development District Standards of the Development District Overlay Zone:** The application generally meets the development standards pertinent to achieving the town center character area in Hyattsville, except as commented on below. Each relevant design development standard for each indicated subject area, as enumerated in the Gateway Arts District Sector Plan and SMA, is included below in **BOLD**, followed by the Planning Board's analysis:

Site Design

Building and Streetscape Siting

1. **Along US 1, excluding the segment from Jefferson Street to Farragut Street the build-to line shall be 10 to 12 feet with an allowed variation of plus or minus 4 feet.**

The existing building is 10.2–10.3 feet from the existing right of way of US 1. However, the 2009 *Approved Countywide Master Plan of Transportation* increased the ultimate right-of-way width to 80 feet, which will reduce the building setback from the ultimate right-of-way to 0.2–0.3 feet. Due to the location of the existing building, the Planning Board approves the requested amendment from this design standard.

5. All buildings shall be built out to a minimum of 80 percent of the site frontage.

The building will occupy approximately 37 percent of the frontage on US 1. The DSP proposes to retain the building and associated parking lot in place, and given these site conditions are existing, the Planning Board approves the requested amendment to the design standard.

10. Building sidewalls should abut the sidewalls of adjacent buildings, if possible.

The southern sidewall of the existing building abuts the northern sidewall of the adjacent building, in accordance with this condition.

Access and Circulation

2. Sidewalks a minimum of five feet in width shall connect to building entrances, parking, and recreational facilities.

A 5-foot-wide sidewalk and ramp connect to the building entrances and parking area. Recreational facilities are not included in this DSP.

3. Sidewalks shall not be made of asphalt.

Sidewalks are proposed to be made of concrete.

4. Sidewalk material and design shall be continuous across driveways and driveway aprons.

The 5-foot-wide concrete sidewalk is continued across the driveway and driveway apron, in accordance with this condition. A crosswalk across the driveway is also provided.

5. There shall be a maximum of two access driveways per lot or parcel from a public street to parking.

The site includes a single existing access point to its parking lot from US 1 that is to be retained. A second existing access point to 44th Avenue on the west side of the site is to be removed.

6. Access to parking and the rear of the lot or parcel shall be located on a side street or alley and shall be a maximum of 18 feet wide.

The small size of the site and layout of existing and proposed improvements precludes the rear street (44th Avenue), on the west side of the site, from serving as access to the parking lot on the east side of the site. The 44th Avenue driveway is proposed to be converted to an outdoor dining area for the proposed eating and drinking establishment. Existing access to the parking lot is from US 1 and is to be retained. As such,

the applicant has requested an amendment to this standard, which the Planning Board approves.

Parking and Loading

6. **If a parking district(s) is established in the Arts District or individual municipality, the number of off-street surface parking spaces, for uses with at least 35,000 SF of GFA, other than artist studio, residential and live/work shall not exceed 80 percent of the number of off-street parking spaces required by Section 27-568(a) of the Zoning Ordinance. If additional parking is provided, it shall be structured. Required parking may be on or off site but shall be located within one-quarter mile of the development site. This section's requirements shall apply to all development under 35,000 SF of GFA.**

7. **If a parking district(s) is established for the Arts District or individual municipalities, the minimum number of off-street surface parking spaces for uses other than artist studio, residential, and live/work shall be reduced 50 percent from the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance. If off-site shared parking is utilized in accordance with off-site shared parking requirements below, then this minimum for on-site surface parking may be waived. The minimum number of off-street surface parking spaces permitted for each land use type shall comply with Section 27-568(a) of the Zoning Ordinance.**

The Planning Board finds a waiver of this development district standard and a reduction of 15 of the 30 required parking spaces adequate, as the size of the site prevents the applicant from meeting the full requirement. The City of Hyattsville is supportive of the request.

Siting and Access

3. **Loading facilities shall only be located at the rear of the building and accessed from a side street or alley.**

The single required loading space is located to the side of the building at the western end of the parking lot, as close to the rear of the building as possible. The small size of the site and layout of existing and proposed improvements eliminates side street (44th Avenue) access. Therefore, it is not possible to locate loading facilities at the rear of the building. The existing 44th Avenue driveway is proposed to be converted to an outdoor dining area for the proposed eating and drinking establishment. Existing access to the parking lot, and to the proposed loading space, is from US 1. The applicant has requested an amendment to this standard, which the Planning Board approves.

Fencing, Walls, Screening, and Buffering

- 1. Opaque walls and fences, with the exception of required screening, shall not exceed four feet in height. Non-opaque fences shall not exceed six feet in height.**

The DSP shows walls will not exceed 4 feet in height. The proposed wood slat fence should be shortened from 6 feet to 4 feet to conform to this standard. A condition to reduce the fence height has been included herein.

- 2. Barbed wire, vinyl cladding, unclad cinder block, or razor wire shall not be used as walls, fences, or screening. Appropriate materials for fences and walls include masonry, wood, decorative metal, or brick.**

The DSP shows the proposed wall north of the driveway will be masonry with a 4-inch precast concrete cap and clad in corrugated metal; the trash enclosure is masonry with a 4-inch concrete cap and composite wood gates; and the fence will be wood slats. A design detail of the retaining wall at the outdoor dining area is needed. A condition is included herein for the detail to be added to the DSP.

- 3. Chain-link fences shall not be used as walls, fences or screening, with the exception of enclosures for recreational courts (e.g., tennis or basketball).**

Chain-link fences are not proposed, in accordance with this condition.

Dumpsters, Services, Utilities, Outdoor Storage, and Stormwater Management

- 1. New techniques and methods of collecting and treating stormwater should be used as they emerge, such as micromanagement described in the current version of the design manual Low-Impact Development Strategies—An Integrated Design Approach, published by DER.**

The site has a valid, approved Stormwater (SWM) Management Concept Plan 2541-2020-0, issued on August 7, 2020.

- 2. Dumpsters, outdoor storage, utility boxes, and HVAC units shall be screened by an opaque material similar in color and material to that of the main building so they are not visible from the public sidewalks or streets.**

The plans indicate that the dumpsters will be screened with a 6-foot masonry enclosure with composite wood gates. The gates of the enclosure should match the wood slat fence utilized around the outdoor dining area.

Signage

- 1. Freestanding pole, monumental signs, or billboard shall not be allowed.**

No freestanding signage or billboards are proposed.

Lighting

- 2. Illumination shall be provided for main entrances, passageways, parking lots, recycling areas, service entrances and areas, alleys, pathways, parks and plazas.**

A photometric plan was provided indicating appropriate lighting levels throughout the site, in accordance with this standard.

- 3. Grade changes in public spaces such as stairs, inclines, ramps, and steps should be illuminated from above or at the ground level**

A photometric plan was provided indicating conformance with this standard.

- 4. Fixtures should be located and shielded so that light does not spill from a parking lot onto an adjacent one-family residential property or into residential building windows.**

The photometric plan indicates the locations of the proposed full cut-off light fixture are in conformance with this standard.

Landscaping

- 2. Shade trees with a minimum of 2.5-3-inch caliper shall be provided at a rate of one shade tree per every 5,000 square feet of the gross site area (exclusive of street dedications). Existing trees and street trees to be planted within the abutting right-of-way may be counted toward meeting this standard.**

The gross tract area is 11,801 square feet; therefore, three trees are required and are provided, in accordance with this standard.

- 3. Parking lots shall be planted with a minimum of one shade tree per every ten spaces in the provided corners, bump-outs, or islands.**

Two shade trees are provided for the 15-space parking lot and the location is in conformance with this standard.

Building Openings—Entrances

- 2. The main entrances should be highlighted with a minimum of three design elements such as awnings, a portico, architectural recesses, windows (transom and sidelights), plantings, street furniture, and architectural details to highlight entrances to businesses or upper-story offices and apartments.**

The main entrance includes existing Art Deco architectural details, new storefront windows, and a portico above the carryout entrance, in accordance with this condition.

Building Openings—Windows

- 2. All façades should have substantial fenestration on all stories, including those facing the rear, alley, driveways, parking lots or other open areas.**

The façades of the building are generally in conformance with this condition, except for the northern façade fronting the parking lot. A mural is proposed on this façade to provide visual interest and additional publicly visible artwork in the Gateway Arts District. An amendment to this standard is requested, which the Planning Board approves.

Unit Design

- 2. Commercial buildings shall have a minimum ground floor height of 12 feet**

The ground floor height of the existing building is ±13 feet, in accordance with this condition.

Architecture

- 1. The historic character of buildings should be retained and, where possible, details of the original building should be restored.**

The existing masonry façade will be retained, in accordance with this condition.

- 7. The ground floor of any commercial/mixed-use structure on US 1, Alt. US 1 and 38th Street should incorporate decorative architectural detailing and materials. This shall be achieved through the use of windows and door casings, facade detailing, and unique cornices, banding or awnings.**

The existing façade will be detailed with existing Art Deco architectural features, new storefront windows, and a portico, in accordance with this condition.

Architecture for Signature Buildings

- 1. New buildings and renovations on signature properties should incorporate designs that portray the unique identity of the Arts District and exhibit the highest quality in design or materials. See Gateway and View Terminus Sites (Map 11) for locations.**

The renovation of the existing building within this view terminus site will retain the existing façade, add a mural along the northern façade, improve the streetscape amenities with plantings and bike racks, and screen the parking with a corrugated metal-clad wall, in accordance with this condition.

Signage

- 1. Exterior neon signs, internally lit signs, and signs with moving parts or blinking lights shall only be permitted on US 1, 34th Street and 38th Street.**

The 18.59-square-foot “Federalist Pig” sign on the façade along US 1 will be internally lit, in accordance with this condition.

- 2. Commercial signs painted on side or rear facades shall not exceed 30 percent of the façade area.**

No painted commercial signs are proposed on the side or rear façades of the building.

- 4. Sign locations should be incorporated into the overall architectural design of the building.**

The elevations indicate the “Federalist Pig” sign is to be located above the front façade along US 1, in proportion to the entire façade and does not encumber any of the existing architectural details, in accordance with this condition.

- 6. All businesses shall have front and/or rear entry signage such as blade and bracket, pin letter, or flat mounted boards securely fastened to the building and oriented toward pedestrians.**

The “Federalist Pig” pin letter signage on the front façade will be oriented towards pedestrians, in accordance with this condition.

- 7. Signs should be lit externally, where the light does not exceed the area of the sign or spill onto the building façade.**

The “Entrance” and “Pre-Order” signs on the side doors will be lit externally and the light will be confined to the area of the sign, in accordance with this condition.

9. Sign area shall not exceed the regulations of Sections 27-613(c) and 27-107.1 of the Zoning Ordinance.

Per Section 27-546.18(a)(3), Regulations in the M-U-I Zone of the Zoning Ordinance, Commercial Shopping Center (C-S-C) Zone regulations apply to all other uses, including the subject eating and drinking establishment. Therefore, per Sections 27-613(c) and 27-107.1 of the Zoning Ordinance, the applicant's proposed 18.59-square-foot sign is well within the maximum allowed sign size (60 square feet) permitted for building-mounted signage. Therefore, the proposed signage conforms to this development district standard.

10. Roof-mounted signs should not extend beyond the roofline by more than three feet.

The roof-mounted "Federalist Pig" sign is 1.3 feet in height, in accordance with this condition.

11. Wall murals shall not contain logos, advertising, or a product for sale. The name of the sponsor may appear in letters not more than eight inches in height. A wall mural shall not contain an image(s) that are obscene or negatively impact historic characters and resources of the local community.

The proposed mural includes a decorative motif related to barbeque, farm animals, and the American flag. Therefore, the DSP conforms to this development district standard.

Public Space—Streetscape

2. The streetscape on US 1, 34th and 38th Streets and Alt. US 1 shall consist of a sidewalk a minimum of 12 feet wide and may include a strip containing street trees, landscaping, and pedestrian amenities.

The D-D-O defines the streetscape as the area from the face of the curb to the build-to line and recommends it include a sidewalk, street trees, landscaping, and paved areas for pedestrian amenities. According to footnote 3 on page 155 of the Sector Plan, properties within the City of Hyattsville are exempt from this standard. Nonetheless, within the US 1 streetscape area, this DSP provides a 13-foot wide streetscape, which includes a 5-foot wide sidewalk, street trees, landscaping, and paved areas for pedestrian amenities.

4. All streets shall have a sidewalk on both sides wherever possible.

A sidewalk runs along the entirety of the right-of-way within the project area, including a crosswalk across the driveway entrance to the site, in accordance with this condition.

5. **On US 1, Alternate US 1 and 38th Street, tree boxes shall be at least 5 feet wide and 10 feet long and 4 feet deep.**

The plans indicate that along US 1, a continuous landscape strip is proposed, 5 feet wide, at least 4 feet deep, and exceeding 10 feet in length, in conformance with this development district standard.

6. **Street trees shall be shade trees and shall be a minimum of 2.5 to 3 inch caliper.**

The proposed street trees are 2.5 to 3 inches in caliper, in accordance with this condition.

9. **Requirements of the Zoning Ordinance in the Mixed Use–Infill Zone:** Where the development district standards contained in the Gateway Arts District Sector Plan and SMA are not specified for varying regulated areas, the requirements for the M-U-I Zone contained in the Zoning Ordinance apply. More specifically, the purpose of the M-U-I Zone is identified in Section 27-546.15. Therein, the purpose of the zone, among other things, is stated to implement recommendations in approved master plans, sector plans, and other plans by encouraging residential or commercial infill development in areas where most properties are already developed, to encourage innovation in the planning and design of infill development, and to create community environments enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses.

As to uses, Section 27-547 of the Zoning Ordinance specifically allows an eating and drinking establishment, such as the proposed use in the M-U-I Zone. As to regulations, Section 27-546.18 specifies that C-S-C Zone regulations apply to the subject use. The Planning Board finds the DSP conforms with each relevant C-S-C regulation not replaced by development district standards.

10. **The Prince George’s County Landscape Manual:** The proposed development is subject to the requirements of the D-D-O Zone, which replaces the underlying zoning regulations. The D-D-O Zone includes landscaping and streetscape standards. Landscape plans provided with the DSP demonstrate conformance with the applicable standards.
11. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The DSP is not subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the project area is less than 40,000 square feet. A Standard Letter of Exemption, S-018-2020, has been issued for the subject property.
12. **Prince George’s County Tree Canopy Coverage Ordinance:** Section 25-128, Tree Canopy Coverage Requirements, requires properties in the M-U-I Zone to provide a minimum tree canopy coverage (TCC) of 10 percent. The 0.27-acre (11,801-square-foot) subject site is required to provide 1,180 square feet in TCC. The TCC calculations shown on the DSP are incorrect. The applicant was made aware of the error and provided an exhibit with a corrected TCC schedule, which shows that approximately 1,280 square feet of TCC will be provided in proposed plantings, satisfying this requirement. The exhibit with the corrected TCC schedule is included the Planning Board’s Additional Backup file for this DSP.

13. Further Planning Board Findings and Comments from Other Entities: The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

- a. **Historic Preservation**—The Planning Board adopts, herein by reference, a memorandum dated June 21, 2021 (Stabler and Smith to Bossi), which notes the probability of archeological sites within the subject property is low and a Phase I archeology survey is not recommended. The subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources. The subject property is within the Hyattsville National Register Historic District (68-010-00).
- b. **Community Planning**—In a memorandum dated June 4, 2021 (Hyson to Bossi), no major issues were noted.
- c. **Transportation**—The Planning Board adopts, herein by reference, a memorandum dated June 30, 2021 (Saunders to Bossi), which notes the DSP shows a public use easement for the 5-foot-wide concrete sidewalk area on the east side of the site. The area of the proposed public use easement is shown as an inset on the submitted plans. No permanent structures, only streetscape improvements, are proposed within the ultimate right-of-way.

The site has frontage on US 1. The plan generally describes US 1 as a master plan major collector within a right-of-way ranging from 90 to 110 feet. However, the D-D-O standards include an allowance for a lesser right-of-way between 60 feet and 80 feet, along US 1 between Hamilton Street and Oliver Street, which is the section of concern for the subject site. Consequently, the build-to line reflected on the plan of 21.2 feet is deemed acceptable for purposes of transportation.

The proposed use will be served by an existing driveway from US 1. This property is not located in a parking district and the applicant proposes to restripe and repurpose the existing parking area to maximize its useable area (15 parking spaces).

From the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a DSP, as described in the Zoning Ordinance.

- d. **Subdivision**—The Planning Board adopts, herein by reference, a memorandum dated June 24, 2021 (Gupta to Kosack), which notes that the property is not the subject of a previously approved preliminary plan of subdivision (PPS). Lots 3, 4, and 5 were resubdivided by a deed recorded in 1936 in Liber 445 folio 129. The subject property consists of the remainder of these lots and has stayed in this acreage and configuration since 1971. The property no longer conforms to Plat Book LIB A plat 18, and is not the subject of a record plat.

The proposed development on the subject property is in addition to a development in existence prior to January 1, 1990 and does not exceed 5,000 square feet of gross floor area, therefore the project is exempt from filing a PPS, pursuant to Section 24-107(c)(7)(C). Future additional development and/or redevelopment of the site must conform to Subtitle 24 of the Prince George's County Subdivision Regulations.

- e. **Pedestrian and Bicycle Facilities**—The Planning Board adopts, herein by reference, a memorandum dated July 2, 2021 (Ryan to Guinn), which notes that the DSP improves the site's frontage by including a 13-foot-wide streetscape treatment with a 3-foot-wide section of brick pavers, a 5-foot-wide landscape strip, and a 5-foot-wide sidewalk. Two bicycle racks will be located within the landscape strip. The widened and improved frontage, along with the strategic placement of bicycle racks are reflective of the goals of the sector plan.
- f. **Permits**—The Planning Board adopts, herein by reference, a memorandum dated June 29, 2021 (Bartlett to Guinn), which provides technical corrections needed to the DSP, for which conditions have been included herein.
- g. **Environmental Planning**—The Planning Board adopts, herein by reference, an email dated June 24, 2021 (Finch to Bossi), which notes that a Natural Resources Inventory Equivalency Letter was issued for this site (NRI-045-14-01) because there are no regulated environmental features. A Standard Letter of Exemption from Woodland Conservation (S-018-2020) was issued for the site because the project area is less than 40,000 square feet. An SWM Concept Approval Letter 2541-2020-00 was issued for the site exempting it from the SWM requirements, as there is less than 5,000 square feet of disturbance on the site.
- h. **Department of Permitting, Inspections and Enforcement**—The Planning Board adopts, herein by reference, a memorandum dated June 30, 2021 (Giles to Bossi), which states that US 1 is a state-maintained roadway, therefore approval is required from the Maryland State Highway Administration (SHA). Jefferson Street is a City of Hyattsville maintained road; therefore, coordination with the City of Hyattsville will be required to determine frontage improvements. The proposed DSP-19072 is consistent with the approved SWM Concept Plan 2541-2020, dated August 7, 2020. DPIE has no objection to the proposed DSP-19072.
- i. **Health Department**—The Planning Board adopts, herein by reference, a memorandum dated May 28, 2021 (Adepoju to Bossi), which notes that there are approximately five existing carry-out/convenience store food facilities and no markets/grocery stores within a 0.5 mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. In addition, the applicant should submit plans to DPIE's Plan Review Department for the proposed food service facility and apply for a High HACCP Food Service Facility Permit.

- j. **Maryland State Highway Administration**—The Planning Board adopts, herein by reference, an email dated June 24, 2021, (Woodroffe to Kosack and Capers), which notes that an access permit is required for frontage improvements in the State’s right-of-way along US 1.
 - k. **City of Hyattsville**—The Planning Board adopts, herein by reference, a letter dated June 11, 2021 (Ward to Hewlett), which notes that on June 7, 2021, the City Council voted in support of the DSP. The City further noted that they believe that the applicant is taking the necessary steps to diminish the need for on-site parking, and encourage the applicant to consider Black artists for the creation of the finalized mural on the north wall of the building and prioritize local individuals in the hiring process as a further investment in the City of Hyattsville and its residents.
14. Based on the foregoing and as required by Section 27-285(b) of the Zoning Ordinance, the DSP 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.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Detailed Site Plan DSP-19072 for the above described land, subject to the following conditions:

- A. APPROVE the alternative development district standards for:
 - 1. **Site Design Standard 1**—To allow the build-to line of the existing building to be 0.2 to 0.3 feet (of the ultimate right-of-way) instead of 10 to 12 feet.
 - 2. **Site Design Standard 5**—To allow the proposed building to be built out to 36.8 percent instead of 80 percent of the site frontage.
 - 3. **Access and Circulation Standard 6**—To allow access to parking and the rear of the lot to be located along US 1 (Baltimore Avenue) provided by a 22-foot-wide driveway, instead of from a side street or ally with a driveway less than 18 feet wide.
 - 4. **Parking and Loading Standard 6 and 7**—To allow the minimum number of off-street surface parking spaces to be 15 instead of the 30 that would be required by the schedule contained in Section 27-568(a) of the Prince George’s County Zoning Ordinance.
 - 5. **Siting and Access 3**—To allow the loading facilities to be access from US 1 (Baltimore Avenue) instead of a side street or alley.
- B. APPROVE Detailed Site Plan DSP-19072 for Que for the People (Federalist Pig), subject to the following conditions:

1. Prior to signature approval of this detailed site plan, the following revisions shall be made to the plans and additional specified documentation submitted:
 - a. Update the detail for the gates of the trash enclosure to match the wood slat fence utilized around the outdoor dining area.
 - b. The proposed wood slat fence should be shortened to four feet in height, or provide a detail for a six-foot-high fence that is not opaque.
 - c. Add a design detail of the retaining wall at the outdoor dining area.
 - d. Show height and gross floor area of the proposed one-story addition on the plan.
 - e. Show height and area of the proposed covered terrace on the plan.
 - f. The parking and loading schedule should show “Required” and “Provided.”
 - g. Add a sheet to the site plan containing the spreadsheet pages from the statement of justification listing the Development District Overlay Zone standards applicable to the project, and noting where the proposal conforms or where an alternate standard was granted by the Prince George’s County Planning Board.
 - h. Add the deed reference “Liber 32700 at Folio 237” to the plan notes.
2. Prior to the approval of a building permit, the applicant shall submit a Declaration of Public Use Easement to be approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC), Urban Design Section, and be fully executed. The easement document shall either be to the benefit of M-NCPPC, or to the City of Hyattsville, if agreed to by the City of Hyattsville, to ensure public access to the sidewalk along US 1 (Baltimore Avenue), as shown on the detailed site plan. The easement document shall include the rights of M-NCPPC and shall be recorded prior to approval of the building permit.

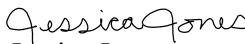
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 29, 2021, in Upper Marlboro, Maryland.

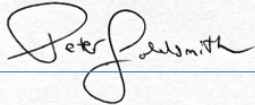
Adopted by the Prince George's County Planning Board this 29th day of July 2021.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: July 19, 2021