

September 14, 2021



Storch Management  
25 Hooks Lane, Suite 312  
Pikesville, MD 21208

Re: Notification of Planning Board Action on  
**Departure from Design Standards DDS-668**  
**Seabrook – Parcel F**

Dear Applicant:

This is to advise you that, on **September 9, 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: N. Andrew Bishop  
Reviewer

Attachment: PGCPB Resolution No. **2021-107**

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

R E S O L U T I O N

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 Departure from Design Standards DDS-668 for Seabrook – Parcel F, the Planning Board finds:

1. **Request:** The Departure from Design Standards (DDS), DDS-668, for a reduction in the width of the loading space driveway from 22 to 16 feet in width. In conjunction with this DDS, the Planning Board approved a Detailed Site Plan DSP-20010 (PGCPB Resolution No. 2021-106), for the of 3,350 square feet of commercial retail space and a 1,600-square-foot eating and drinking establishment with a drive-through, and a Departure from Design Standards (DPLS), DPLS-479 (PGCPB Resolution No. 2021-108), to reduce the number of required parking spaces from 31 to 24, which was approved by the Planning Board on the same day.

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
<b>Zone</b>	C-M	C-M
<b>Use(s)</b>	Vacant	Commercial retail and eating and drinking with drive-through
<b>Gross Acreage</b>	0.55	0.55
<b>Parcels</b>	1	1
<b>Total Gross Floor Area</b>	0	4,950 sq. ft.

**OTHER DEVELOPMENT DATA**

**Parking Spaces**

	<b>Required</b>	<b>Provided</b>
Normal Commercial: 1 space/150 sq. ft. for the first 3,000 sq. ft. of GFA, plus one space/200 sq. ft. above the first 3,000 sq. ft. GFA.	18*	--
Eating and Drinking Establishment: 1 space per 50 sq. ft. of service/prep, plus 1 space per 3 seats for 15 seats	13*	--
Standard Parking Space (9.5 x 19 feet)	-	16
Compact Parking Space (8 x 16.5 feet)	-	7
Handicap-Accessible (Van)	-	1
<b>Total**</b>	<b>31</b>	<b>24</b>

**Notes:** \*Includes a reduction of 20 percent per Section 27-572 of the Prince George’s County Zoning Ordinance, for shared parking.

\*\*DPLS-479 requests the proposed reduction of seven parking spaces. The Planning Board determined that the DPLS is acceptable and meets the requirements for approval, as discussed in PGCPB No. 2021-108.

**Loading Spaces\***

	<b>Required</b>	<b>Provided</b>
Commercial	1	1
<b>Total</b>	<b>1</b>	<b>1</b>

**Note:** \*DDS-668 requests a reduction in the width of the driveway access to the loading space to 16 feet wide. The departure has been reviewed and the Planning Board determined that the DDS is acceptable and meets the requirements for approval, as discussed in Finding 7.

3. **Location:** The site is located in the southwest quadrant of the intersection of MD 564 (Lanham Severn Road) and Seabrook Road, in Planning Area 70 and Council District 3.
4. **Surrounding Uses:** The subject property is bound to the north and east by the public rights-of-way of Lanham Severn Road and Seabrook Road, respectively, with commercial uses beyond each. The property is bound by commercial uses in the Commercial Miscellaneous (C-M) Zone to the west, and to the south by railroad tracks, which service commercial uses in the

Ancillary Commercial Zone beyond. Seabrook Road dead ends at the railroad tracks adjacent to the site.

- 5. Previous Approvals:** The subject property is known as Parcel F, which is located on Tax Map 44 in Grids D1 and E1. Parcel F was created in approximately 1962 and is part of a larger assemblage of commercial uses which were also developed at that time. Parcel F was created by a lot line adjustment of Parcel C-1, recorded in Plat Book WWW 44 page 64 in 1962, and Parcel C-2, recorded in Plat Book WWW 44 page 83 in 1962. Parcels C-1 and C-2 were the subject of preliminary plan of subdivision (PPS) 12-2466, approved in 1962. However, no available records of this PPS remain.

The 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment* (Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and SMA) retained the property in the C-M Zone and downgraded Lanham Severn Road from an arterial roadway to a collector roadway, reducing the ultimate right-of-way width from 120 to 80 feet. Vacation Petition V-18003 was approved in 2019, to reclaim the previously dedicated right-of-way width. Parcel F is recorded in Plat Book ME 253 on page 46 and is entitled “Parcels D, E & F, M. Leo Storch Property, Seabrook”, which were created on January 15, 2019.

A gas station had operated on the site until approximately 2016 when a fire destroyed the building. The property is currently unimproved except for asphalt pavement.

Stormwater Management (SWM) Concept Plan 20666-2019 has been issued for the site and is valid until October 26, 2023.

- 6. Design Features:** The subject DSP proposes construction of 3,350 square feet of commercial retail space, for which a tenant has not been determined, and a 1,600-square-foot eating and drinking establishment with a drive-through, specifically a Dunkin Donuts. One building is proposed, which is connected to the existing commercial strip on the adjacent Parcel D, with parking provided to the north and east. The site is accessed from Seabrook Road on the east, Lanham Severn Road on the north, and an inter-parcel connection to Parcel D on the west. The DSP proposes a one-way drive-through on the east side of the building, and a loading space/trash dumpster area with access driveway to the south of the building. Sidewalks are proposed, allowing pedestrian access from Lanham Severn Road and Seabrook Road into the site. However, crosswalks are not included at all vehicular crossings for safe passage and are required to be provided, as conditioned with the DSP.

#### **Loading and Trash Facilities**

Loading is required for the eating and drinking establishment proposed in combination with the commercial retail and is located at the rear of the building, between it and the adjacent railroad tracks. However, access to this facility is proposed by a drive aisle that does not meet the minimum width and requires a DDS. The applicant has filed DDS-668, which requests a reduction in the required standard 22-foot-wide driveway access to 16 feet. The Planning Board approves the DDS, as discussed in Finding 7. The dumpster is adequately screened by the building and a six-foot-high enclosure.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Departure from Design Standards DDS-668:** The subject DSP includes a request for a departure from Section 27-581 of the Zoning Ordinance, which governs the design standards for loading space driveways. The driveway should be a minimum of 22 feet wide, exclusive of curb returns and gutters. This DDS proposes a reduction in the required driveway width to 16 feet for access to the loading space, which is proposed behind the building adjacent to the railroad tracks.

Section 27-239.01(b)(7) of the Zoning Ordinance contains the following required findings in order for the Prince George's County Planning Board to grant the departure:

- (i) **The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The DSP proposes to redevelop a former gas station site with a small commercial center, which is permitted in the current C-M zoning. The loading area is proposed behind the building, and functionally, this is the appropriate place to put it since it is adequately screened from the roadway and is adjacent to the rail line. However, due to space constraints on the property, only 16 feet is available for access to the loading area. The applicant states that this is more than enough room to accommodate the trash trucks and other trucks which will service the property.

The applicant also contends that having service vehicles back out of the loading space onto Seabrook Road is an acceptable arrangement because it has no through traffic. It is agreed that this arrangement is acceptable, and due to the configuration of the site, would be a necessity whether the driveway is 16 feet or 22 feet. In summary, it is believed that this finding is met.

- (ii) **The departure is the minimum necessary, given the specific circumstances of the request;**

The applicant states that the property is unique in its location and existing configuration. The site plan is designed to separate the various site functions and ensure that there are no conflicts between loading and customer traffic. Given the small size of the site, it is agreed that the applicant has maximized the function of the site, and that the minimum departure is requested.

- (iii) **The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;**

The subject property is a previously developed site with existing points of access and is located on a corner lot on a dead-end street next to a rail line. It is noted that the rail line and Lanham Severn Road both existed prior to 1949. So, while the lotting pattern was not established for the area until 1961, the area of development was already constrained prior to 1949. Given the placement of the transportation facilities and the narrow depth of the property, some degree of flexibility is needed to redevelop this site with commercial uses.

**(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.**

The applicant suggests that the requested departure will not impair the visual, functional, or environmental quality or integrity of the site, or of the surrounding neighborhood. The subject site is an isolated commercial property on a dead-end road. The departure will facilitate quality redevelopment of the site. Doing this will in no way impair the visual, functional, or environmental quality or integrity of the site, or of the surrounding neighborhood.

Based on the analysis above, the Planning Board finds the DDS acceptable and approves DDS-668, to reduce the width of the required loading space driveway access from 22 feet to 16 feet.

**8. 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, and are incorporated herein by reference:

- a. **Transportation Planning**—The Planning Board adopts a memorandum dated July 1, 2020 (Masog to Bishop), which provides an evaluation of the application and the companion departures that is included in the findings above and finds that the on-site circulation of this plan acceptable.

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 APPROVE Departure from Design Standards DDS-668 to allow for a reduction in the loading space drive aisle width from 22 to 16 feet.

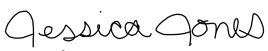
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

\* \* \* \* \*

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.

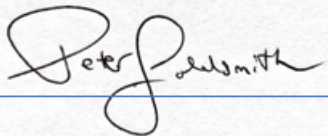
Adopted by the Prince George's County Planning Board this 9th day of September 2021.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department  
Date: August 6, 2021