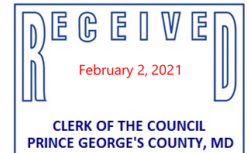


February 2, 2021

MPB Realty
100 Menlo Park Drive
Edison, NJ 08837



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-20018
Dunkin Donuts Clinton

Dear Applicant:

This is to advise you that, on **January 28, 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. **2021-01**

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 January 7, 2021, regarding Detailed Site Plan DSP-20018 for Dunkin Donuts Clinton, the Planning Board finds:

1. **Requests:** The subject application is for approval of a detailed site plan (DSP) for construction of an 1,802-square-foot eating and drinking establishment with drive-through service on Parcel B, within the existing Clinton Gardens shopping center.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	C-S-C/ C-O/M-I-O	C-S-C/ C-O/M-I-O
Use	Vacant	Eating and Drinking Establishment
Total Acreage	1.05	1.05
Parcels	1	1
Gross Floor Area (sq. ft.)	0	1,802

Parking and Loading

Eating and Drinking Establishment	Spaces Required	Spaces Provided
12 interior seats at 1 space/3 seats	4	4
500 sq. ft. at 1 space/50 sq. ft., excluding storage and patron seating	10	8
Existing shared parking (to remain)		8*
Total	14	20
Of which are required handicap-accessible van spaces	1	1
Loading		
1,802 sq. ft. GFA at 1 space/2,000–10,000 sq. ft. of GFA	0	0

Note: *Eight of the parking spaces provided on the property are included in a shared parking agreement (Liber 40728 Folio 577). A condition has been included herein, to require that the details of this parking agreement be included in the general notes and that the parking table be revised to add the parking requirements for all uses that share this parking area.

3. **Location:** The site is in Planning Area 81A and Council District 9. More specifically, it is located on the south side of MD 223 (Woodyard Road), west of MD 5 (Branch Avenue), approximately 165 feet east of its intersection with Pine View Lane, and is within Height Area E, of the Military Installation Overlay (M-I-O) Zone.
4. **Surrounding Uses:** The site is bounded to the north by MD 223, to the west by professional office space in the Commercial Office (C-O) Zone, to the east by commercial uses in the Commercial Shopping Center (C-S-C) Zone, and to the south by the Clinton Gardens Shopping Center in the C-S-C Zone and residentially-developed properties in the One Family Detached (R-80) Zone.
5. **Previous Approvals:** The site, known as Parcel B, is currently vacant and is part of the Clinton Gardens Shopping Center, which was originally constructed in approximately 2009. Parcel B is comprised of parts of land areas that were originally platted as Lots 1 and 2, recorded in the Prince George's County Land Records in Plat Book BB 6 page 16 in 1937, and property created by deed prior to 1982. Parcel B is subject to the provisions of Section 24-107(c)(7)(B) of the Prince George's County Subdivision Regulations, and is allocated a total of 20,000 square feet of development, together with the adjacent Parcels A and C, as stated on the record plat (Plat Book REP 210-84).

The development entitlement is more clearly recited in the prior DSP-06056 approval (PGCPB Resolution No. 07-64) for the development of Parcel A (now known as Parcels E and F recorded in Plat Book SJH 243-24). Parcel A (now Parcels E and F) utilized all but 10,229 square feet of the development entitlement, and 4,411 square feet of commercial use has been constructed on Parcel C. Therefore, 5,360 square feet remains in the development entitlement for the subject Parcel B.

The site is exempt from the requirement of filing a preliminary plan of subdivision since this application proposes 1,802 square feet of gross floor area on Parcel B, and it continues to be within the development limitations set forth by the current record plat (REP 210-84) for the site.

6. **Design Features:** The subject DSP proposes construction of an 1,802-square-foot eating and drinking establishment with drive-through service, specifically a Dunkin Donuts, and is accessed from an existing shared driveway on the southern portion of the site that provides access to Woody Terrace to the east and Pine View Lane to the west. The application includes the installation of a one-way drive-through on the north, west, and south sides of the building, and proposes the main entrance to the building, on the east side of the building. Sidewalks are proposed allowing pedestrian access from MD 223 into the site and crosswalks are provided at vehicular crossings for safe passage. A sufficient number of parking spaces is proposed on the east and south sides of the site. However, the Planning Board noted that details of the porous

asphalt are needed for the pervious parking spaces proposed on the eastern side of the site. In addition, because the site is relatively flat and shows limited elevation change on the site, the DSP is required to provide additional spot elevations to ensure that there is positive drainage. Conditions related to the additional spot shots and detailing have been included herein.

Architecture

The proposed architectural elevations propose a contemporary franchise look and feature a modern grey color scheme with accents of brown, orange, and pink. Visual elements faced with hardie plank siding, wood slats, and concrete panels are shown on the front façade and each side of the building. These elements will provide dimension and visual interest, with the main entrance to the building accented by glass panels and signage. The roof of the building is generally flat, with various levels across the building face to provide visual interest. The building will feature flat metal canopies above the window line across the front façade and along each side façade to the entrances, as well as over each drive-through window.

Lighting

The photometric plan submitted with this application shows building-mounted and pole-mounted lighting on the site, and provide sufficient lighting levels to illuminate the site's access, drive aisles, building entryways, and walking paths, complementing the building's façade and do not cause glare onto the adjacent properties.

Signage

A total of four building-mounted channel letter style signs are proposed, with two located on the north façade, and one on the east and south façades. The north and east façade signs include the Dunkin name over the entrance vestibules and the corporate 'DD' logo is proposed on the south façade. The building-mounted signs measure approximately 5 to 12 square feet and have been found acceptable. However, due to the number and variety of signs proposed, the Planning Board required a sign table to show conformance to the requirements of Sections 27-613 and 27-614 of the Prince George's County Zoning Ordinance, as conditioned herein.

In addition, it is noted that the site includes a number of directional signs to assist with drive-through traffic on the site and one proposed freestanding sign is located along MD 223, that includes the Dunkin name and advertises the drive through. The internally illuminated, double-faced sign is 25 feet in height and meets the requirements of Section 27-614 for freestanding signage.

Loading and Trash Facilities

Loading is not required for the eating and drinking establishment due to the size of the facility. However, a trash dumpster is proposed and located in the southern portion of the site and screened by an eight-foot-high board-on-board enclosure. The Planning Board noted that the enclosure is further screened by landscaping and is acceptable.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-S-C and C-O Zones and with the site design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in commercial zones. The proposed eating and drinking establishment is a permitted use in the C-S-C Zone, subject to Footnote 24, which requires a DSP. This application has been filed in fulfillment of this requirement as the proposed use is fully within the C-S-C-zoned portion of the parcel.
 - b. The DSP shows a site layout that is consistent with the requirements of Section 27-462(b) of the Zoning Ordinance and meets the specific regulations for development in commercial zones relating to setbacks.
 - c. Section 27-548.50 of the Zoning Ordinance sets forth criteria for the M-I-O Zone. The site is located within Height Area E, which limits the allowed building height. The maximum proposed building height of 12.5 feet meets the requirements of the M-I-O Zone.
 - d. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For example, grading will be minimized to the extent practicable, and all disturbed areas will be restored, and the architecture proposed for the building is constructed of durable, low-maintenance materials and employs a variety of architectural features and designs, such as window and door treatments and colors.
8. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of the Landscape Manual, specifically Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The required plantings and schedules are provided in conformance with the Landscape Manual, with the exception of Section 4.4 which is conditioned to be provided.
9. **Prince George's County Woodland and Wildlife Habitat Conservation:** The subject DSP is exempt from the Woodland and Wildlife Habitat Conservation Ordinance because the site has less than 10,000 square feet of existing woodlands on the site, and the property has no previous tree conservation plan approvals. In addition, a Standard Letter of Exemption (S-076-2020) was issued for the property on June 2, 2020.
10. **Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties zoned C-S-C and C-O are required to provide a minimum of 10 percent of

the gross tract area covered in TCC. The subject application provides the required TCC schedule demonstrating conformance with this requirement.

- 11. 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. **Community Planning**—The Planning Board adopts a memorandum dated December 9, 2020 (Tariq to Bishop), which noted that pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
 - b. **Environmental Planning**—The Planning Board adopts an email dated November 9, 2020 (Schneider to Bishop), which noted that a natural resources inventory (NRI) equivalency letter has been issued for the site (NRI-193-2016-01). The NRI was issued based on the standard woodland conservation exemption and that no regulated environmental features will be impacted. A stormwater management (SWM) concept plan and approval letter (12817-2020) were submitted and show the use of four micro-bioretenion facilities and pervious pavers with no SWM fee.
 - c. **Historic Preservation**—The Planning Board adopts a memorandum dated November 3, 2020 (Stabler to Bishop), which noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources.
 - d. **Transportation Planning**—The Planning Board adopts a memorandum dated December 2, 2020 (Saunders Hancock to Bishop), which provided an evaluation of the application and found the on-site circulation of this plan acceptable.
 - e. **Trails**—The Planning Board adopts a memorandum dated December 7, 2020 (Ryan to Bishop), which provided an evaluation for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. The Planning Board finds the pedestrian and bicyclist circulation on the site to be safe, efficient, and convenient, pursuant to Sections 27-283 and 27-274(a)(2) of the Zoning Ordinance, the relevant design guidelines for transportation, and concludes that the submitted DSP is deemed acceptable from the standpoint of pedestrian and bicycle transportation.
 - f. **Subdivision and Zoning**—The Planning Board adopts a memorandum dated December 8, 2020 (Gupta to Bishop), which provided an evaluation of the application that is incorporated into Finding 5 and found the application acceptable.

- g. **Permit Review**—The Planning Board adopts a memorandum dated December 16, 2020 (Shaffer to Bishop), which offered permit related comments that have been addressed by revisions to the plans, or have been included as conditions of approval in this approval, as appropriate.
 - h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopts a memorandum dated November 16, 2020 (Giles to Bishop), which provided comments from DPIE to be addressed at time of permits.
 - i. **Prince George’s County Health Department**—The Planning Board adopts a memorandum dated October 29, 2020 (Adepoju to Bishop), which provided numerous recommendations from the Health Department with respect to health-related issues on the property. These recommendations have been included as conditions of approval in this approval, as appropriate.
 - j. **Prince George’s County Police Department**—At the time of this approval, a memorandum had not been provided by the Police Department.
 - k. **Prince George’s County Fire/EMS Department**—The Planning Board adopts an email dated December 7, 2020 (Reilly to Bishop), from the Fire Department and provided no comments on this proposal.
 - l. **Washington Suburban Sanitary Commission (WSSC)**—At the time of this approval, a memorandum had not been provided by WSSC.
12. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
13. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) **The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(15).**

The site does not contain any regulated environmental features, or primary management area.

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-20018 for the above described land, subject to the following condition:

1. Prior to certification of the detailed site plan (DSP), the applicant shall make the following revisions to the plans:
 - a. Provide a note showing the total gross square footage of development on Parcels B, C, E, and F.
 - b. Provide a note stating that the dumpster facilities area is adequately screened by an enclosure and additional landscaping, in conformance with Section 4.4 of the 2010 *Prince George's County Landscape Manual*.
 - c. Provide details for the pervious paving proposed on the east side of the parking compound.
 - d. Provide additional spot shots on the property to demonstrate positive drainage on the site.
 - e. Add dimensions for the van accessible handicap parking space on the parking table and plan.
 - f. Provide the uses and zones of all adjacent lots and parcels on the site plan.
 - g. Demonstrate how the eight shared parking spaces on the property are being used toward the parking requirements for the other uses in the shopping center and include details of the shared parking agreement in the general notes on the site plan.
 - h. Correct the Zoning Ordinance Sign Sizing Note on Sheet 1 to reflect the freestanding sign height and area proposed.
 - i. Provide a signage area table demonstrating how the building-mounted and freestanding signs conform to Sections 27-613 and 27-614 of the Prince George's County Zoning Ordinance.
 - j. Provide the height of the sign proposed above the roof line to demonstrate that it is in conformance with Section 27-613(b)(1) of the Prince George's County Zoning Ordinance.
 - k. Provide all the signage dimensions and measurements in decimal values to maintain consistency in the DSP.

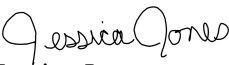
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 7, 2021, in Upper Marlboro, Maryland.

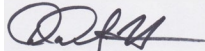
Adopted by the Prince George's County Planning Board this 28th day of January 2021.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: January 19, 2021