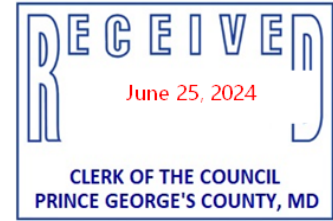




June 25, 2024



GN Seabrook LLC
10836 Rockland Drive,
Laurel, MD 20723

Re: Notification of Planning Board Action on
Detailed Site Plan - DSP-23034
9395 Lanham Dunkin

Dear Applicant:

This is to advise you that, on June 20, 2025, 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 27-3605 of the Prince George's County Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice (**June 25, 2024**) 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 27-3301(c) of the Zoning Ordinance), 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,
Sherri Conner, Acting Chief
Development Review Division

By: Natalia Gomez Rojas
Reviewer

Attachment: PGCPB Resolution No. **2024-047**

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

PGCPB No. 2024-047

File No. DSP-23034

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is located on the south side of MD 564 (Lanham-Severn Road), approximately 910 feet west of its intersection with Seabrook Road and within the Neighborhood Activity Center Zone (NAC); and

WHEREAS, prior to April 1, 2022, the subject property was located in the prior Commercial Miscellaneous (C-M) Zone; and

WHEREAS, on March 25, 2024, the applicant, GN Seabrook LLC, submitted an application for approval of a detailed site plan, known as DSP-23034 for 9395 Lanham Dunkin, proposing to retrofit an existing 2,427-square-foot structure with a drive through at the subject property, as well as the associated site improvements for an eating and drinking establishment with a drive-through service; and

WHEREAS, pursuant to Section 27-1903(c) of the Zoning Ordinance, proposals for development in the NAC Zone may utilize the Zoning Ordinance effective prior to April 1, 2022 (prior Zoning Ordinance), for a period of two years, until April 1, 2024, and that this deadline was extended to April 1, 2026, in accordance with Council Resolution CR-22-2024 approved on March 26, 2024; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the prior Zoning Ordinance and the subject property's prior C-M zoning; and

WHEREAS, in consideration of evidence presented at a public hearing on May 30, 2024, regarding, the Planning Board finds:

1. **Request:** This detailed site plan (DSP) approves to retrofit an existing, vacant 2,427-square-foot structure with a drive through, as well as the associated site improvements for an eating and drinking establishment with a drive-through service.
2. **Development Data Summary:**

	EXISTING	EVALUATED
Zone (s)	NAC	C-M
Use(s)	Vacant building previously used as a bank	Eating or drinking establishment with drive-through service
Gross acreage	0.61	0.61
Parcels	1	1
Gross floor area (sq. ft.)	2,427	2,427

Parking Requirements (Per Section 27-568(a) of the prior Zoning Ordinance)

	REQUIRED	EVALUATED
Eating or drinking establishment with drive-through service: 1 space per 3 seats for 14 seats, plus 1 space per 50 sq. ft. of GFA for 250 GFA	10	11
Total	10	11
90-degree nonparallel (9.5 feet x 19 feet)	-	11
Handicap van-accessible (included in the total number of required and provided parking spaces)	1	1

Loading Spaces (Per Section 27-582(a) of the prior Zoning Ordinance)

	REQUIRED	EVALUATED
Loading spaces for commercial use (12 feet x 33 feet)	1	1

Bicycle Spaces

This DSP includes two U-shaped bicycle racks, which are located at the building entrance, to support multimodal transportation.

3. **Location:** The subject site is in Planning Area 70 and Council District 3. Geographically, it is located on the south side of MD 564 (Lanham-Severn Road), approximately 910 feet west of its intersection with Seabrook Road.
4. **Surrounding Uses:** The subject site is bound to the north by MD 564, with commercial uses in the NAC Zone (prior C-S-C) beyond. To the east, the site is adjacent to a gas station and other auto-oriented commercial uses zoned NAC (prior C-M). To the south, the subject site abuts the Pennsylvania Railroad track, with single-family detached houses in the Residential, Single-Family-95 (RSF-95) Zone (prior R-80) beyond. To the west is a commercial establishment also zoned NAC (prior C-M).
5. **Previous Approvals:** The property is known as Parcel A, located on Tax Map 44 in Grid D1. Parcel A was created in approximately 1958 and recorded in Plat Book WWW 32 page 54 in 1958 (5-58045). The existing building on the property was built prior to 1977.

The property is subject to Preliminary Plan of Subdivision (PPS) 12-2366, for which no records are available. Based on the approved development, a new PPS and final plat are not required at this time. Pursuant to Section 24-111(c)(2) of the prior Subdivision Regulations, resubdivision of the property is not required for this DSP, because the property was platted prior to October 27, 1970, and because total development on the property does not exceed 5,000 square feet.

6. **Design Features:** The DSP plans to reconfigure the improvements on the subject property, which was previously used as a bank with drive-through service, as an eating and drinking establishment with a drive-through service. The 2,427-square-foot, 15-foot-tall building is roughly located in the center of the site and fronts on MD 564. It will be retrofitted and not razed, so the existing gross floor area will remain the same.

The existing building also has an associated drive through, which will be reconfigured to better serve the approved eating and drinking establishment. One drive-through lane will be located to the east of the building, and associated parking will be distributed between the front of the building and the west side of the site, as shown in the DSP included in the application package.

Architecture

The approved retrofit is designed to preserve and enhance elements of the existing building and to provide a strong street presence, delivering a modern aesthetic that features an open layout floor plan and large windows for more natural light. The primary entrance to the building will be maintained along the front façade of the building facing MD 564 and will be characterized by glass display windows and a roof overhang composed of wood-tone lap siding and fascia, with alternating pink and white metal trim accents. The multi-toned brick veneer and exterior finishes will contrast with the characteristically ‘Dunkin’ orange and pink motif, to add visual interest.

The existing, oversized canopy, which was previously allowed for the simultaneous service of multiple drive-through bank customers, will be removed from the eastern façade of the building and will be replaced with a canopy scaled to serve drive-through customers without detracting from the visual weight of the building’s main pedestrian entrance.

Access and Circulation

This DSP will maintain a drive-through element, and the building will continue to be encircled by the drive through and drive aisles. The pick-up window for the drive through will be situated on the east side of the building, in the location of the former teller window. Moreover, a new drive-through display and speaker post will be located at the south (rear) of the building, to allow for orders to be taken prior to proceeding to the pick-up window.

The two existing access points on MD 564 will be used as the main access for the approved establishment. A 12-foot by 33-foot loading zone will be located at the southern end of the improved area, next to existing vegetation that borders the Pennsylvania Railroad tracks. The on-site parking lot and drive aisles will also be retrofitted to better serve the approved use. Ten parking spaces are required, and 11 will be provided, including one handicap van-accessible parking space and associated access aisle.

Additional modifications include slight changes to curbs and pavement, as well as associated striping and markings to accommodate safe and efficient vehicular circulation through the site and to ensure conformance to the requirements of Section 27-274(a)(2). These modifications will provide for single-direction vehicular traffic between the drive-through entrance and exit, and will allow for the accommodation of six vehicles between the entrance of the drive through and the ordering point and an additional four vehicles between the ordering point and the pick-up window, in order to prevent any conflicts between vehicles utilizing the drive through and other vehicles and pedestrians traveling through the property.

Signage

The DSP includes a 19.49-square-foot internally illuminated wall-mounted sign, facing MD 564. In addition, the applicant plans to re-use and relocate the existing freestanding sign located on the north end of the site, adjacent to the right-of-way (ROW) of MD 564. The existing, internally illuminated sign is 15 feet in height and meets the requirements of Section 27-614 of the Zoning Ordinance, for freestanding signage. The sign will be moved slightly southeast, in order to connect the approved sidewalks and Americans with Disabilities Act (ADA) ramp.

Lighting

The photometric plan submitted with this application shows building-mounted and pole-mounted lighting on the site. Lighting will include existing wall pack and soft lights, which are to remain; new recessed-can downlights, within the canopies and above the drive-through window; and pole-mounted lighting, to serve the western parking and entrance area.

Loading and Trashing Facilities

The subject DSP includes one loading space on the south end of the property. The plans submitted with this application show the location of the dumpster. The dumpster is adequately screened with an 8-foot-high enclosure.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prior Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the C-M Zone, and the site design guidelines of the prior Zoning Ordinance:

- a. This application is subject to the requirements of Section 27-459, C-M Zone, of the prior Zoning Ordinance as follows:

(b) Landscaping and screening.

- (1) Landscaping and screening shall be provided in accordance with Section 27-450.**

In accordance with Section 27-450 of the Zoning Ordinance, "Landscaping, screening, and buffering of all development in the Commercial Zones shall be in accordance with the provisions of the

Landscape Manual.” Compliance with the 2010 Prince George’s County Landscape Manual (Landscape Manual) has been addressed in Finding 8 below.

(c) Uses

(1) The uses allowed in the C-M Zone are as provided for in Table of Uses I (Division 3 of this Part).

The subject DSP plans to develop an eating and drinking establishment, with drive-through service. Per Section 27-461(b), this use is permitted by right in the C-M Zone, subject to Footnote 24. The referenced footnote requires that a DSP, in accordance with Part 3, Division 9, be approved. Therefore, this DSP is filed in accordance with this requirement.

(d) Regulations.

(1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the C-M Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Table (Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.

Compliance with these regulations is addressed as follows:

- The DSP complies with Off-Street Parking and Loading (Part 11) as discussed in Finding 2 above;
- The DSP complies with Signs (Part 12) as discussed in Finding 6 above;
- The DSP complies with the Landscape Manual as discussed in Finding 8 below.
- Compliance with General (Part 2) as applicable is demonstrated on the site plan included with this DSP application.
- Division 1 of Part 6 contains the purposes of commercial zones, as well as general regulations. The approved eating and drinking establishment with a drive-through service is appropriately located to serve County residents and businesses and demonstrates compliance with the general purposes of the commercial zones. The DSP complies with all applicable general regulations in Division 1, as follows:

The following table demonstrates the projects compliance with the regulations of the C-M Zone (Division 4):

Setback	Required	Evaluated
Street	10 feet (minimum)	±58 feet
Side Yard	0 feet (minimum)	±56 feet ±34 feet
Rear Yard	0 feet (minimum)	± 63 feet

- Division 5 of part 6 provides additional requirements for specific uses. There are no additional requirements for the approved eating and drinking establishment with a drive through.
- b. Section 27-274(a) of the prior Zoning Ordinance provides site design guidelines for a DSP. The applicable design guidelines are described as the following:

(2) Parking, loading, and circulation.

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site...**

The approved plans involve adding crosswalk markings along the frontage of MD 564 and constructing a sidewalk connection from the ROW of MD 564 to the subject site. The parking spaces are positioned in front of the building and on the west side, near the entrance, for easy accessibility and to prevent any conflicts with pedestrians.

- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians...**

One 12-foot by 33-foot loading zone is located at the furthest southern extent of the site's improved area, adjacent to existing vegetation at the rear of the site, which abuts the Pennsylvania Railroad tracks. The loading area is located at the back of the building, to minimize conflicts with vehicles and pedestrians, and is designed to be visually unobtrusive from MD 564.

- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers...**

The two existing access points on MD 564 will be used as the main access for the approved establishment. Adequate space for queuing has been provided, and pavement markings clearly indicate flow patterns and lane markings. An ADA-compliant sidewalk has been designed to provide direct pedestrian access to the property along MD 564, leading into the subject site. Crosswalk striping has also been approved to connect the sidewalk along the site's frontage, across a drive aisle, and leading to the main entrance of the building. Crosswalks are also provided across the two vehicular access points on MD 564. There are no additional pedestrian circulation areas planned.

As previously mentioned, the approved modifications entail minor changes to curbs and pavement, along with associated striping and markings. These modifications aim to ensure safe and efficient vehicular circulation through the site. The plans submitted also demonstrate that both pedestrian and vehicular circulation will be safe, efficient, and convenient. This will be achieved by separating vehicular and pedestrian routes, except for designated crosswalks, where pedestrians can safely cross the vehicular route.

(3) Lighting.

(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character...

Lighting for this DSP has been discussed in Finding 6 above, demonstrating an adequate variety of lighting fixtures to illuminate entrances, pedestrian pathways, drive aisles, and parking areas throughout. More importantly, the exterior light fixtures provide suitable quality of light to enhance user safety and minimize any potential vehicular or pedestrian conflict in the evening. In addition, the light fixtures are durable and compatible with the scale, use, and architecture of the site. The pole-mounted lighting will be directed on-site to serve the southwest parking and entrance area.

(4) Views.

(A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.

The building is situated in the center of the parcel, providing a wider view of the site and the nearby public areas. The approved retrofit aims to maintain and improve the existing features of the building, to create an impressive street presence, while also delivering a modern and organic appeal.

In order to improve the visual appearance of the building, the oversized bank canopy on the eastern façade of the building will be replaced with a smaller one that is better suited for serving drive-through customers, without detracting from the visual weight of the building's front façade and primary entrance. The vegetation situated behind the site, between the loading area and the property's southern boundary, will be retained. In addition, landscaping will be implemented as part of the development, to add a vertical green element to the front of the property and enhance its overall appearance.

(5) Green Area.

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use...**

All existing vegetated areas on-site will be preserved and additional landscaping will be implemented, according to the Landscape Manual, increasing the green space of the site.

(6) Site and streetscape amenities.

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site...**

The business model of the approved development is to serve food quickly, whether clients intend to dine in, order at the counter to go, or drive through. In service of this purpose, the submitted plans show the provision of bike racks at the building entrance. Existing streetscape elements, a bus shelter with a bench and a trash receptacle, shall remain.

(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts...**

Minor modifications to the site are planned to improve circulation throughout the site, and additional development will occur primarily in areas of the site which have already been improved. The site is generally level, and minimal to no grading will occur.

(8) Service Areas.

(A) Service areas should be accessible, but unobtrusive.

The plans submitted with this application indicate that the dumpster and one loading space are conveniently located and not obstructive. The dumpster will be accessible from both the rear exit of the building and the loading zone, which is situated away from main roads. It will be enclosed with an 8-foot-high brick wall and two heavy duty galvanized steel framed gates.

(9) Public Spaces.

(A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development.

This requirement is not applicable to the subject DSP because it is not considered to be a large-scale commercial, mixed-use, or multifamily development.

(10) Architecture.

(A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.

(B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.

(C) These guidelines may be modified in accordance with Section 27--277.

A detailed discussion of the approved architecture has been addressed in Finding 6 above. The architecture of the building will contribute to the variety of building forms, with a unified, harmonious use of materials and styles.

(11) Townhouses and Three-Story Dwellings.

This requirement is not applicable to this DSP because it does not include any townhouse or three-story units.

8. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of Section 4.2, Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual.
- a. **Section 4.2, Requirements for Landscape Strips Along Streets**—Along MD 564, the applicant is using Option 2 to fulfill the requirements of Section 4.2, by providing a minimum 10-foot-wide landscape strip with an average width of at least 15 feet. The required planting is one shade tree and five shrubs per 35 linear feet of frontage. The submitted landscape plan shows conformance, as the applicant will provide 3 shade trees and 55 shrubs on the existing 105 linear feet of frontage.
 - b. **Section 4.3, Parking Lot Requirements**—Section 4.3 requires a percentage of the parking lot, determined by the size, to be planting area. The parking lot area in this DSP is approximately 5,000 square feet. Option 1, in Section 4.3-1, Parking Lot Interior Planting Requirements, requires a minimum 3-foot-wide landscape strip between the parking lot and any adjacent property line, with 15 shrubs per 35 linear feet of parking lot adjacent to a property. The submitted landscape plan shows compliance by including 34 shrubs, when 29 are required, per Section 4.3-1.

Relative to Section 4.3(c)(2), Parking Lot Interior Planting Requirements, there is no requirement for parking lots less than 7,000 square feet, such as the one in this DSP.
 - c. **Section 4.4, Screening Requirements**—The site is subject to Section 4.4, which requires screening of loading spaces and trash facilities. The submitted DSP shows that both the approved loading space and approved trash dumpster are located on the southern end of the site. The dumpster will be enclosed with an 8-foot-high brick wall and two heavy duty galvanized steel framed gates. The loading space will be screened from the ROW by the building.
 - d. **Section 4.9, Sustainable Landscaping**—Section 4.9 requires that a certain percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs) be native species (or the cultivars of native species). The minimum percentage of plants of each plant type, required to be native species and/or cultivars, is 50 percent for shade trees and ornamental trees, and 30 percent for evergreen trees and shrubs. Accordingly, the submitted landscape plan shows conformance to this requirement.
9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance (S-009-2024) because the site is less than 40,000 square feet in size and has no previous tree conservation plan approval. A Natural Resources Inventory (NRI) equivalency letter (NRI-012-2024) has been issued for the site. The NRI was issued based on the standard woodland conservation exemption and that no regulated environmental features will be impacted.

10. **Prince George’s County Tree Canopy Coverage Ordinance:** Per Section 25-127(a), this DSP is exempt from the Tree Canopy Coverage Ordinance because it proposes less than 5,000 square feet of disturbance.

11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The Planning Board has reviewed and adopts referral comments that are incorporated herein by reference and are summarized, as follows:

- a. **Historic Preservation and Archeological Review**—In a memorandum dated April 19, 2024 (Stabler, Smith, and Chisholm to Gomez), approval of the DSP was recommended without conditions.
- b. **Community Planning**—In a memorandum dated April 25, 2024 (Clouatre to Gomez), the following comments were offered:

While master plan conformance is not a required finding for this DSP, “the applicant should consider a pedestrian-oriented site design rather than a design that is primarily for motorists, particularly given the site’s proximity to the Seabrook MARC station. The Transportation Planning Section shall evaluate the applicant’s proposed new design.”

In response to the recommendation above, Transportation Planning confirmed that the approved vehicular, pedestrian, and bicycle access is acceptable and meets the findings for pedestrian and bicycle transportation purposes (see referral memo from Transportation Planning in Finding 11.c.).

- c. **Transportation Planning**—In a memorandum dated April 24, 2024 (Smith to Gomez), the following comments were offered:

Master Plan Right of Way

The site is subject to the 2009 *Countywide Master Plan of Transportation* (MPOT) and 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment*. The property fronts MD 564 and is identified as a collector roadway (C-314) with 80-foot ROW width. No ROW dedication is being proposed with this application.

Master Plan Pedestrian and Bicycle Facilities

The MPOT facilities are not recommended with this application as they are beyond the scope of the approved DSP. However, the site has an existing sidewalk along its frontage to facilitate connectivity to adjacent properties. The site also includes marked paths from the roadway frontage to the building and along both vehicular access points.

Parking, Loading, and Circulation

The site plan includes a sidewalk along the frontage, marked crosswalks across both access points, and a direct path to the building entrance that provides a marked pedestrian circulation. Vehicular access is approved from two driveways along MD 564. Within the site, there is a designated lane for drive-through movement and a pass-by lane for

vehicles leaving the site. The approved development requires 10 parking spaces, of which 11 are provided, to include one ADA-accessible parking space. One loading space is provided as well. Designated space for bicycle parking is also provided near the building entrance. The Planning Board finds the pedestrian and vehicular circulation, loading area, and parking to be sufficient.

The application is acceptable and consistent with the site design guidelines, pursuant to Subtitle 27, and meets the findings for pedestrian and bicycle transportation purposes.

- d. **Subdivision**—In a memorandum dated April 29, 2024 (Diaz-Campbell to Gomez), the following condition was provided:

“This property is not required to have an approved certificate of adequacy in accordance with Section 24-4503 of the Subdivision Regulations, because the proposed development is exempt from filing a new PPS and final plat in accordance with the prior Subdivision Regulations. A new PPS, as well as an associated Certificate of Adequacy (ADQ), will be required at such a time any new development is proposed which does not meet any of the exemptions from filing a PPS and final plat.”
- e. **Environmental Planning**—In a memorandum dated April 22, 2024 (Rea to Gomez), approval of the subject DSP, with no conditions, was recommended.
- f. **Permit Review Section**—In a memorandum dated April 30, 2024 (Jacobs to Gomez), recommended four conditions which have been included herein, as applicable.
- g. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Prince George’s County Planning Department has not received any written correspondence from DPIE for this subject application.
- h. **Price George’s County Police Department**—The Prince George’s County Planning Department has not received any written correspondence from the Police Department for this subject application.
- i. **Prince George’s County Fire/EMS Department**—In an email dated March 25, 2024 (Reilly to Gomez), the Fire/EMS Department indicated they had no comments on the subject application.
- j. **Prince George’s County Health Department**—In a memorandum dated April 29, 2024 (Adepoju to Gomez), five recommendations were provided with respect to health-related issues on the property. Two of these recommendations have been included as conditions of approval herein, as appropriate, and the remaining three will have to be addressed at the time of permitting.
- k. **Washington Suburban Sanitary Commission (WSSC)**—The Prince George’s County Planning Department has not received any written correspondence from WSSC for this subject application.

12. **Community Feedback:** The Prince George’s County Planning Department heard the concerns from two citizens prior to the Planning Board hearing on May 30, 2024. Mr. Dorian Smith and separately Ms. Ashley Williams from the Seabrook Acres Neighborhood Association stated concerns regarding the traffic conditions on MD 564. As discussed in Finding 13 below, Mr. Smith also provided testimony during the hearing. Transportation adequacy is not relevant to the approval of a DSP, but rather at the time of PPS. This site has an approved PPS. Pursuant to Section 24-111(c)(2) of the prior Subdivision Regulations, a new PPS is not required for the proposed development because the property was platted prior to October 27, 1970, and total development on the property does not exceed 5,000 square feet. Findings regarding site access and on-site circulation can be found in Findings 6, 7b and 11c above.
13. **Planning Board Hearing:** Prior to the hearing, and in accordance with the Planning Board’s procedures, the applicant provided an exhibit, known as Applicant Exhibit 1, which requested to remove Condition 1c which read “Provide seating and trash receptacles within the property’s frontage.” At the hearing, staff agreed with the deletion of Condition 1c and noted that Applicant Exhibit 1 was timely submitted into the record.

During the hearing, Mr. Smith testified regarding traffic safety and congestion along MD 564. He specifically cited issues with the traffic pattern he attributed to curb cuts for commercial centers and traffic turning on Carter Avenue (which intersects with MD 564) to reach MD 450 (Annapolis Road). He also noted a lack of sidewalks in the area. During the hearing, staff explained that adequacy of transportation facilities is not tested at the time of DSP, but rather at the time of PPS. This site has an approved PPS. Pursuant to Section 24-111(c)(2) of the prior Subdivision Regulations, resubdivision of the property (i.e., a new PPS) is not required for the proposed development because the property was platted prior to October 27, 1970, and total development on the property does not exceed 5,000 square feet. The applicant’s attorney also explained that, while the adequacy of transportation systems is not relevant to this DSP, the applicant anticipates that most vehicular trips to the proposed development will be pass-by trips that are already on the network.

At the close of the hearing, the Board voted to adopt the findings of staff and approve Detailed Site Plan DSP-23034, subject to the condition contained in the technical staff report, as revised by Applicant Exhibit 1.

14. Based on the foregoing analysis, and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, approved with the conditions below, represents a most 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 costs and without detracting substantially from the utility of the approved development for its intended use.
15. Section 27-285(b)(2) of the prior Zoning Ordinance is not applicable because there is no conceptual site plan.
16. Section 27-285(b)(3) of the prior Zoning Ordinance does not apply to this DSP because it is not a DSP for infrastructure.

17. Section 27-285(b)(4) of the prior Zoning Ordinance does not apply because the subject property does not have regulated environmental features (REF).

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-23034 for the above-described land, subject to the following condition:

1. Prior to certification of the detailed site plan (DSP), the following revisions shall be made, or information shall be provided:
 - a. Revise General Note 1 to include the plat recording reference of the subject property (Plat Book WWW 32 Plat 54).
 - b. Add the following note:

“During the construction phase, the applicant shall adhere to all applicable Prince George's County or State of Maryland regulations and laws regarding particulate matter, pollution, and noise.”
 - c. Revise Sheet 3 to include the height of the existing building.
 - d. Revise the front elevations on Sheet 5 and Sheet 7 to be consistent.
 - e. Label the width of the provided street connections.

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.

* * * * *

PGCPB No. 2024-047


File No. DSP-23034

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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, and Shapiro voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, May 30, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of June 2024.

Peter A. Shapiro
Chairman


By Jessica Jones
Planning Board Administrator

PAS:JJ:NGR:rpg

Laura Tallerico

Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel