

Case No. DSP-11017  
Hyattsville Subway Sandwich Shop

Applicant: Jagjot Khandpur

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION,  
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 12-98, to approve with conditions a detailed site plan for the establishment of a 1,400-square-foot Subway sandwich shop on the subject property, located in Planning Area 68 and Council District 2, located on the western side of Baltimore Avenue (US 1), approximately 790 feet south of its intersection with Farragut Street in Hyattsville, is:

AFFIRMED, as the basis for this action, the District Council adopts the findings and conclusions stated by the Planning Board in its Resolution, PGCPB No. 12-98, as its findings and conclusions in this case, except as otherwise provided herein.

Affirmance of the Planning Board's decision is subject to the following conditions:

**Site Design Standard 5**—To allow the proposed building to be built out to 62.8 instead of 80 percent of the site frontage.

**Access and Circulation Standard 6**—To allow access to parking and the rear of the lot or parcel to be located on an arterial street and not on a side street or alley, and to measure more than 18 feet.

**Parking and Loading Standard 7**—To allow the minimum number of off-street surface parking spaces to be five instead of the eight that would be required by the schedule contained in Section 27-568(a) of the Zoning Ordinance.

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. Add the deed reference "Liber 32700 at Folio 237" to the plan notes.
  - b. Add the underlying property information to the plan drawing.

- c. Add the material label of “stucco” to the yellow-colored portions of the front façade elevation drawing, if it is to remain an architectural material for the project.
- d. Revise the parking schedule as follows:
  - (1) To reflect that the total number of parking spaces required is 8 (1 per 3 seats) for the 18 seats provided, and two for the 80 square feet of gross floor area (excluding any area used exclusively for storage or patron seating, and any exterior patron service area).
- e. The proposed outdoor lighting shall be evaluated for full cut-off optics fixtures to ensure that off-site light intrusion into adjacent and environmentally-sensitive areas designated by the 2005 *Approved Countywide Green Infrastructure Plan* is minimized, and so that sky glow does not increase as a result of this development.
- f. A minimum of five bicycle parking spaces shall be provided at a location convenient to the building entrance. The location and number of spaces (bicycle racks) shall be approved by the Urban Design Section and trails coordinator.
- g. The streetscape and sidewalk treatment along the subject site’s frontage of Baltimore Avenue (US 1) shall be consistent in form and materials to the existing improvements immediately to the north of the subject site along the EYA development’s frontage of US 1.
- h. The surface material for the sidewalk shall be continued across the site’s ingress/egress point along Baltimore Avenue (US 1), or a high-visibility crosswalk shall be provided at this location.
- i. The applicant shall revise the landscape plan for the project to make it congruent to the detailed site plan for the case in all respects except that the landscape plan will provide landscaping in addition to all other information on the detailed site plan. Both plans shall be clearly legible. The Urban Design Section, as designee of the Planning Board, shall ensure that the plans are consistent with each other and both are clearly legible.
- j. The handicapped parking space shall be dimensioned as 16 feet by 19 feet.
- k. The dumpster detail shall be revised to indicate face brick to match the color of the brick to be utilized on the first story of the building as the external sheathing architectural material.
- l. General Note 4 on the detailed site plan shall be corrected to indicate that the proposed building height is 20 feet, 1 inch as indicated within the building footprint and by the submitted building elevations.

- m. General Note 6 on the detailed site plan shall be revised to indicate the square footage of the landscaped area on the site as green area, not “0 square feet” as is currently indicated.
- n. General Note 7 shall be revised to reflect the actual lot coverage of the site, not 6.367 or 100 percent.
- o. The limits of disturbance shall be indicated on the detailed site and landscape plans and General Note 8 shall be corrected if and as necessary if the disturbed area varies from the 4,750 square feet currently indicated in General Note 8 on both the detailed site and landscape plans.
- p. General Note 11 on the detailed site and landscape plans shall be revised to read:
  - “Property dimensions depicted hereon compiled and computed from land records data.”
- q. The statement that “This site is not subject to any previous approvals” shall be removed from the detailed site plan as the site is subject to approval of a plat recorded in plat book A-18.
- r. General Note 12 of the detailed site and landscape plans that refer to “this survey” shall be removed as the subject documents are not surveys.
- s. The applicant shall revise the architecture for the project as follows:
  - (1) Storefront glass shall comprise a minimum of 60 percent of the front façade.
  - (2) The front elevation shall be revised to provide brick as per the applicant’s exhibit, except to provide brick below and on the sides of the front windows. Both side and rear elevations shall be revised to provide brick instead of EIFS on all surfaces up to the line labeled “Roof Elevation.” All brick shall be of one color, and all of the pilasters shown on the applicant’s exhibit shall be retained as visual accents by protruding from the surrounding brick surface no less than one inch. The side elevation labeled as #2 on the applicant’s exhibit shall be revised to reduce the height of the window and awning to be consistent with the height of the window and awning on the rear façade. All windows and doors shall have green canvas canopies. Final design of the facades shall be approved by the Planning Board or its designee.
  - (3) The stucco “crown” shall be embellished to add dentil molding.
  - (4) The internally-lit sign shall be replaced with a wooden painted sign, lit by a gooseneck spotlight.

- (5) The dumpster enclosure shall be sheathed in red brick and the gates of the enclosure shall be of a green, non-wood, low sheen, durable material. The color shall match that of the canvas awnings of the front façade.
- (6) The window proposed on the north side of the proposed structure shall indicate that the window is non-operable.

Final design of the architectural improvements to the proposed building shall be approved by the Planning Board or its designee.

- t. The applicant shall add a general note to the plans stating that: "The applicant intends to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control."

2. The maximum number of seats in the Subway sandwich shop shall be no more than 18.

Ordered this 12th day of February, 2013, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson, and Toles.

Opposed:

Abstained:

Absent: Council Member Turner.

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND, SITTING AS THE DISTRICT COUNCIL FOR THAT PART OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT IN PRINCE GEORGE'S COUNTY, MARYLAND

By: \_\_\_\_\_  
Andrea C. Harrison, Chair

ATTEST:

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Redis C. Floyd  
Clerk of the Council