



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Detailed Site Plan

Que for the People (Federalist Pig)

DSP-19072

REQUEST	STAFF RECOMMENDATION
Redevelopment and expansion of an existing commercial structure for an eating and drinking establishment, excluding drive-through service.	APPROVAL with conditions

Location: On the west side of US 1 (Baltimore Avenue), approximately 89 feet north of Jefferson Street.	
Gross Acreage:	0.27
Zone:	M-U-I/D-D-O
Dwelling Units:	N/A
Gross Floor Area:	3,375
Planning Area:	68
Council District:	02
Election District:	16
Municipality:	Hyattsville
200-Scale Base Map:	207NE04
Applicant/Address: 5504 Baltimore Ave, LLC 6856 Eastern Ave, NW #225 Washington, D.C. 20012	
Staff Reviewer: Adam Bossi Phone Number: 301-780-8116 Email: Adam.Bossi@ppd.mncppc.org	



Planning Board Date:	07/29/2021
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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-19072
Que for the People (Federalist Pig)

The Urban Design staff has reviewed the subject application and appropriate referral comments. The following evaluation and findings lead to a recommendation of APPROVAL with conditions as described in the Recommendation section of this report.

EVALUATION CRITERIA

The detailed site plan (DSP) was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*;
- b. The requirements of the Zoning Ordinance in the Mixed Use–Infill (M-U-I) and Development District Overlay (D-D-O) Zones;
- c. The requirements of the 2010 *Prince George's County Landscape Manual*;
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- e. The Prince George's County Tree Canopy Ordinance; and
- f. Referral comments.

FINDINGS

Based upon the analysis of the subject application, Urban Design staff recommends the following findings:

- 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	PROPOSED
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 a 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 staff's comment. Those standards which are not met in the subject application are so noted below and evaluated by staff as to whether such deviation from development district standards should be supported:

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. This 10-foot-wide area within the ultimate right-of-way is noted as a public use easement on the plans. Due to the existing building, staff finds this departure from the standard acceptable.

- 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, staff finds this departure from the standard acceptable.

- 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 staff supports.

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.**

Staff recommends a waiver of this development district standard and a reduction of 15 of the 30 required parking spaces be granted, 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 staff supports.

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. Staff recommended a condition for the fence height to be reduced.

- 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 should be added to the plan to verify conformance with this standard, to which Staff has recommended a condition herein.

- 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 Staff supports.

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 plans indicate that the streetscape along US 1 will be 13 feet wide, including 5-foot-wide concrete sidewalk, 5-foot-wide landscape strip containing trees and shrubs, and a 3-foot-wide paved buffer, in accordance with this condition.

- 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. Staff has reviewed each relevant C-S-C regulation not replaced by development district standards and found that the subject project complies with those requirements.

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. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Historic Preservation**—In a memorandum dated June 21, 2021 (Stabler and Smith to Bossi), staff noted that 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**—In a memorandum dated June 30, 2021 (Saunders to Bossi), the Transportation Planning Section noted that 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**—In a memorandum dated June 24, 2021 (Gupta to Kosack), it was noted 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**—In a memorandum dated July 2, 2021 (Ryan to Guinn), it was noted 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. Staff finds the widened and improved frontage, along with the strategic placement of bicycle racks, to be reflective of the goals of the sector plan. Staff finds this treatment acceptable.
- f. **Permits**—In a memorandum dated June 29, 2021 (Bartlett to Guinn), the Permit Review Section noted technical corrections needed to the DSP, for which conditions have been recommended herein.
- g. **Environmental Planning**—In an email dated June 24, 2021 (Finch to Bossi), it was noted 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**—In a memorandum dated June 30, 2021 (Giles to Bossi), the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) stated 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**—In a memorandum dated May 28, 2021 (Adepoju to Bossi), the Health Department noted 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**—In an email dated June 24, 2021, (Woodroffe to Kosack and Capers), the SHA noted that an access permit would be required for frontage improvements in the State’s right of way along US 1.
 - k. **City of Hyattsville**—In a letter dated June 11, 2021 (Ward to Hewlett), the City of Hyattsville noted 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.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and:

- 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 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 and is included as a condition.
 - 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.

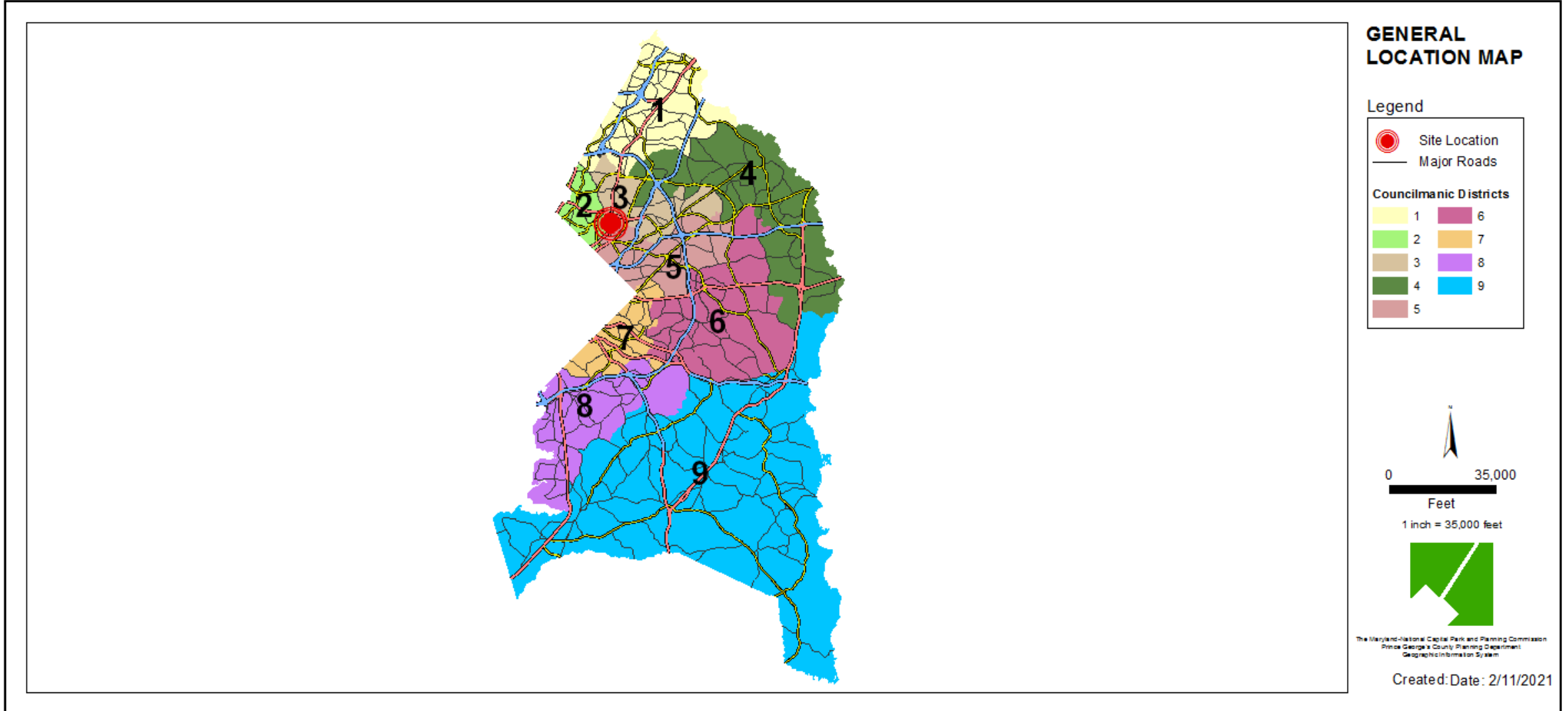
ITEM: 6

CASE: DSP-19072

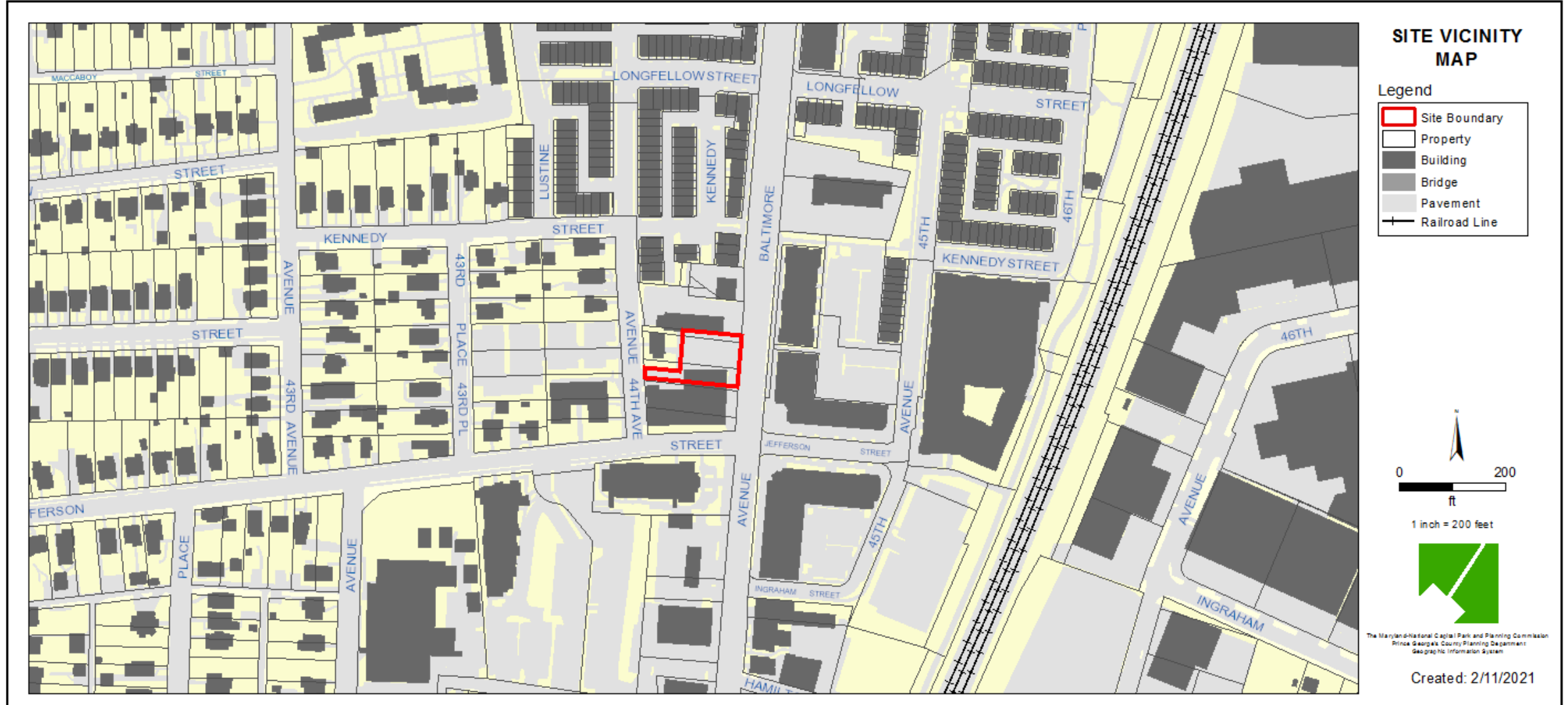
QUE FOR THE PEOPLE (FEDERALIST PIG)

THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT

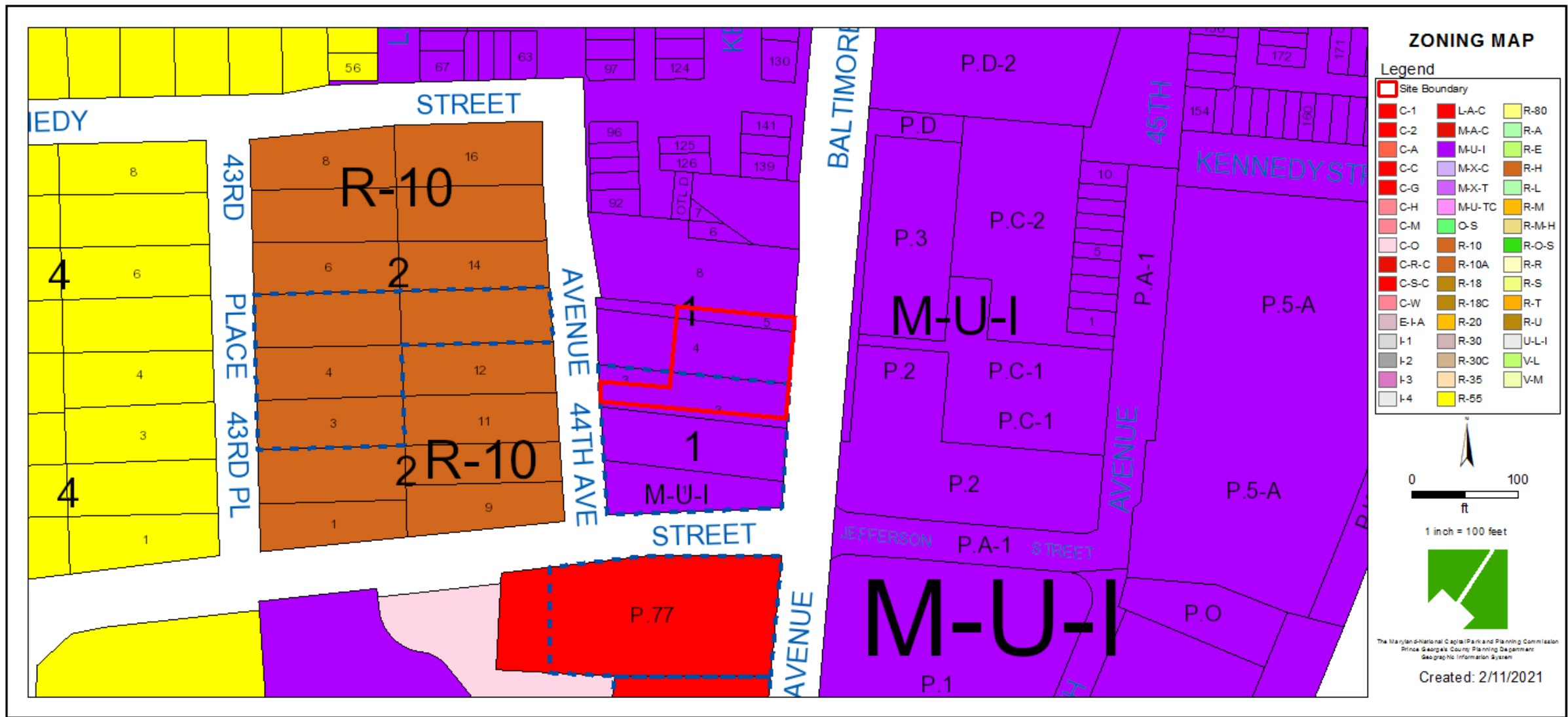
GENERAL LOCATION MAP



SITE VICINITY



ZONING MAP



ZONING MAP

Legend

- Site Boundary
- C-1
- C-2
- C-A
- C-C
- C-G
- C-H
- C-M
- C-O
- C-R-C
- C-S-C
- C-W
- E-I-A
- I-1
- I-2
- I-3
- I-4
- L-A-C
- M-A-C
- M-U-I
- M-X-C
- M-X-T
- M-U-TC
- O-S
- R-10
- R-10A
- R-18
- R-18C
- R-20
- R-30
- R-30C
- R-35
- R-55
- R-80
- R-A
- R-E
- R-L
- R-M
- R-M-H
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- R-R
- R-S
- R-T
- R-U
- U-L-I
- V-L
- V-M

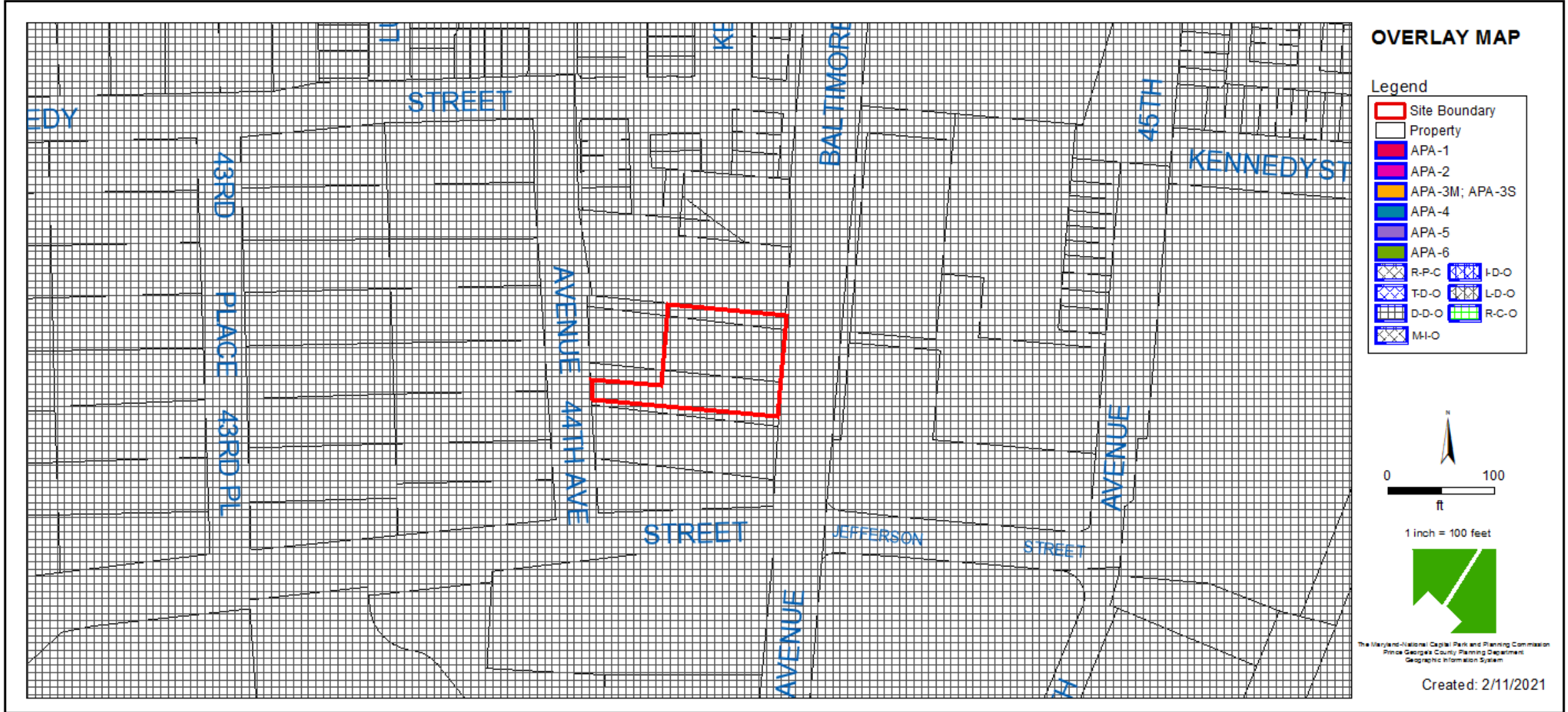
0 100
ft

1 inch = 100 feet

The Maryland-Historical Capital Parks and Planning Commission
Prince George's County Planning Department
Geographic Information System

Created: 2/11/2021

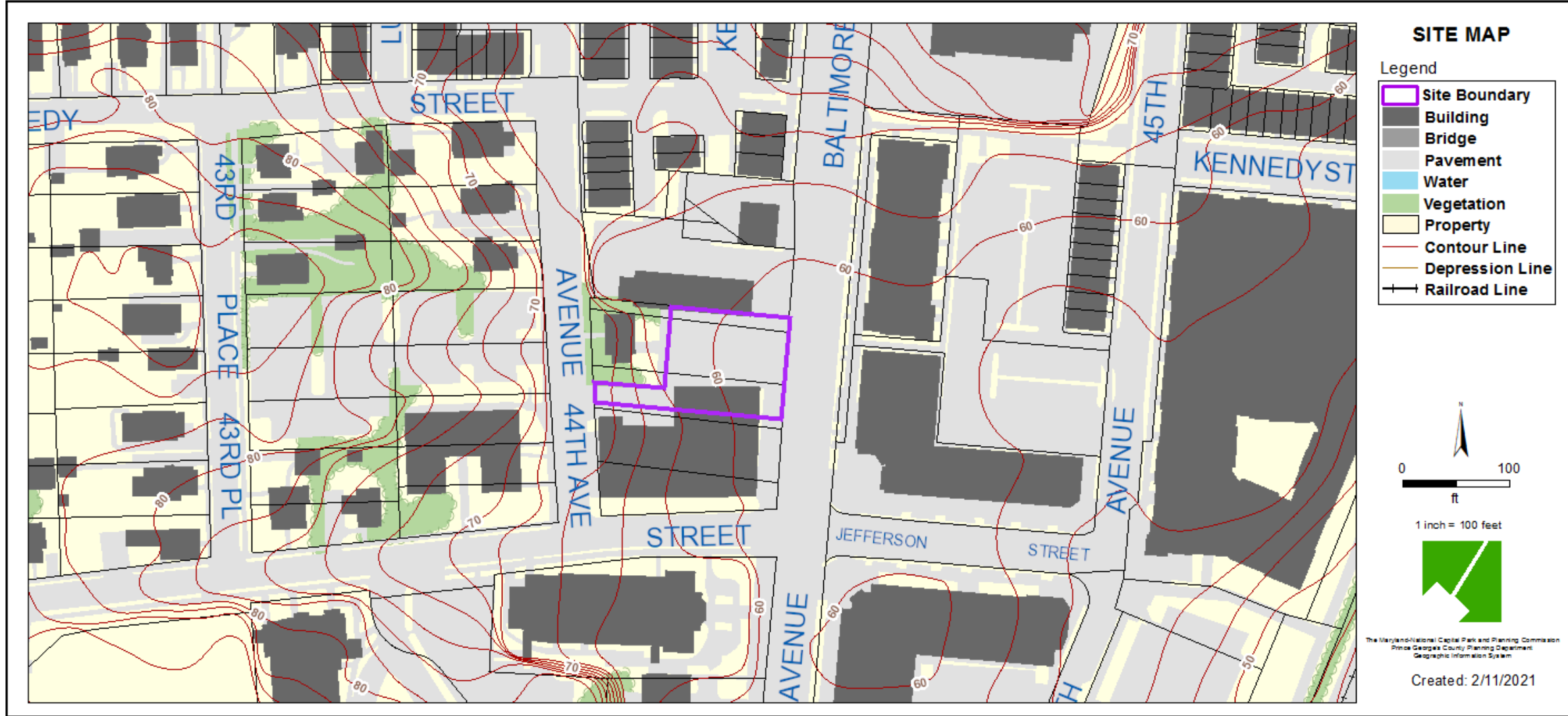
OVERLAY MAP



AERIAL MAP



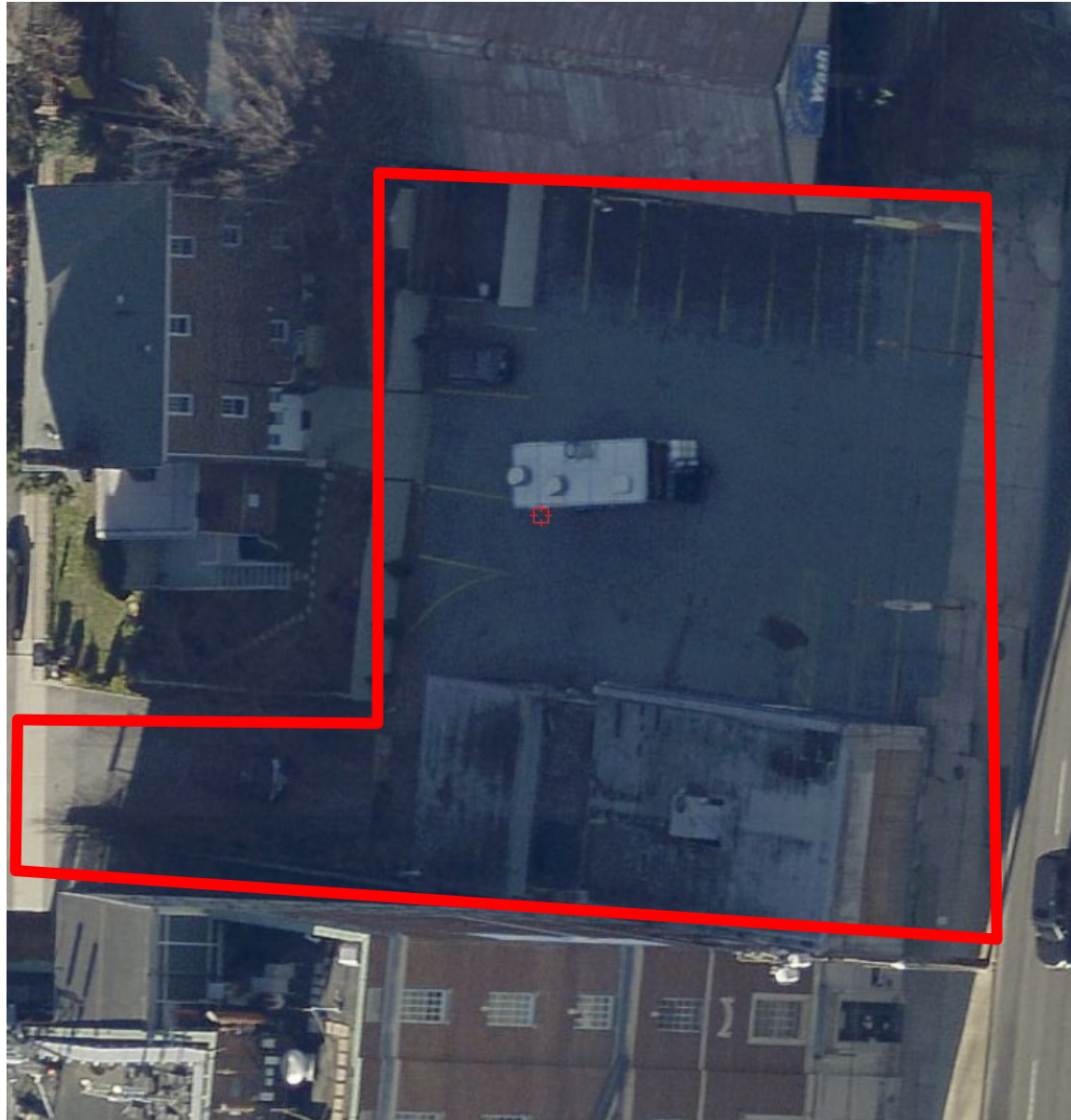
SITE MAP



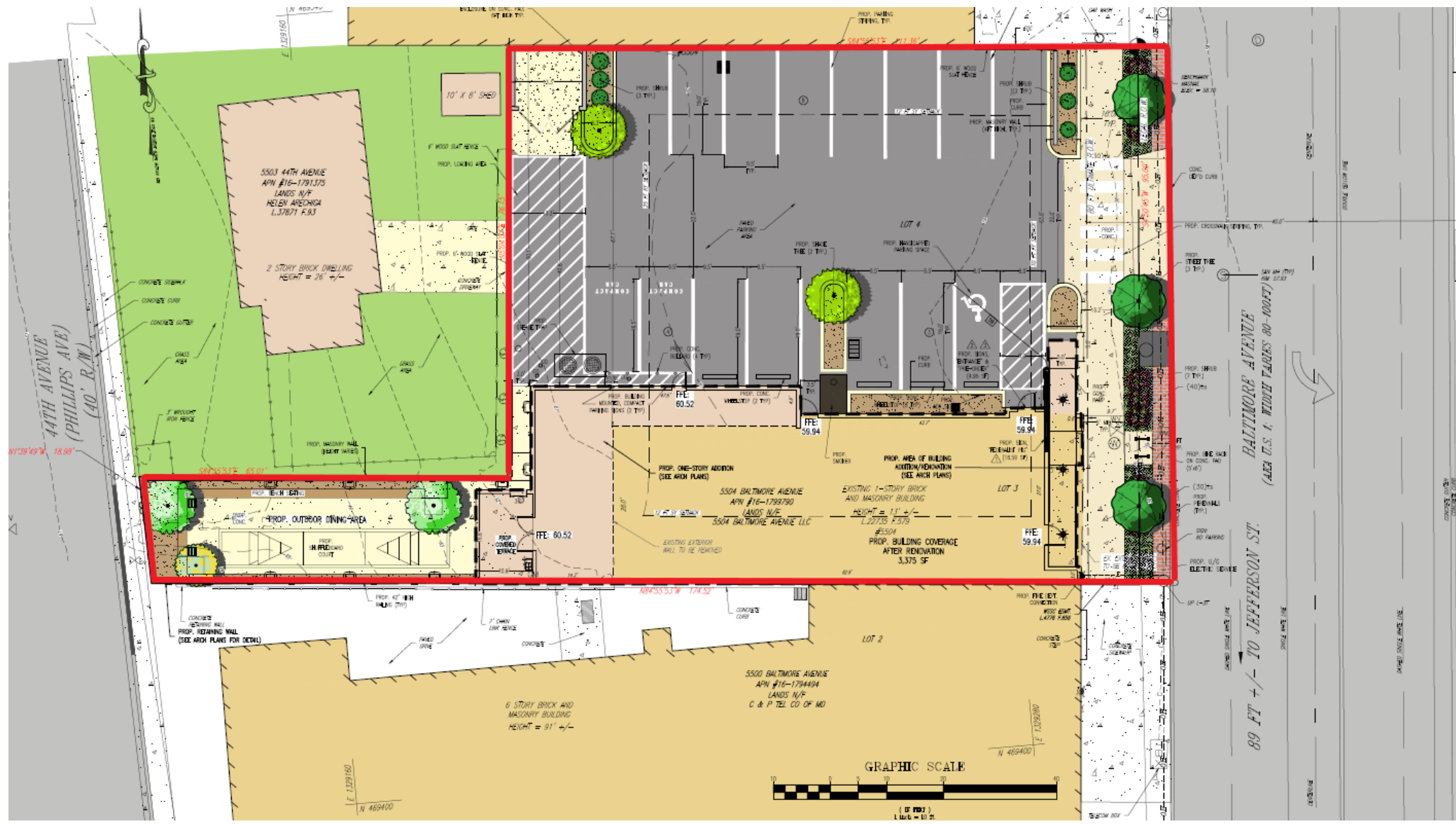
MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



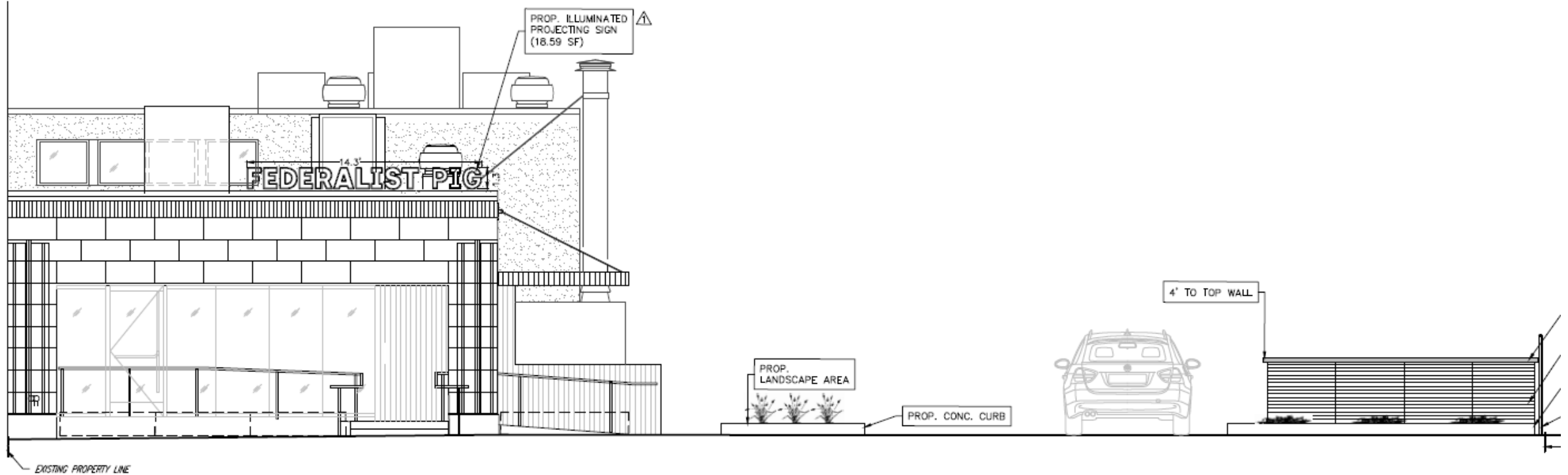
ILLUSTRATIVE SITE PLAN



EASTERN FAÇADE SHOPFRONT

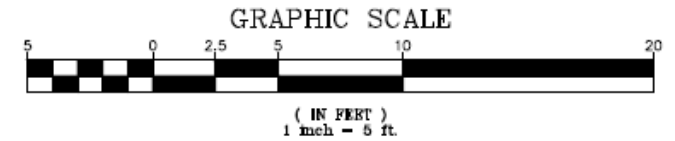


EASTERN FAÇADE AND FRONTAGE



FRONT ELEVATION - BALTIMORE AVE

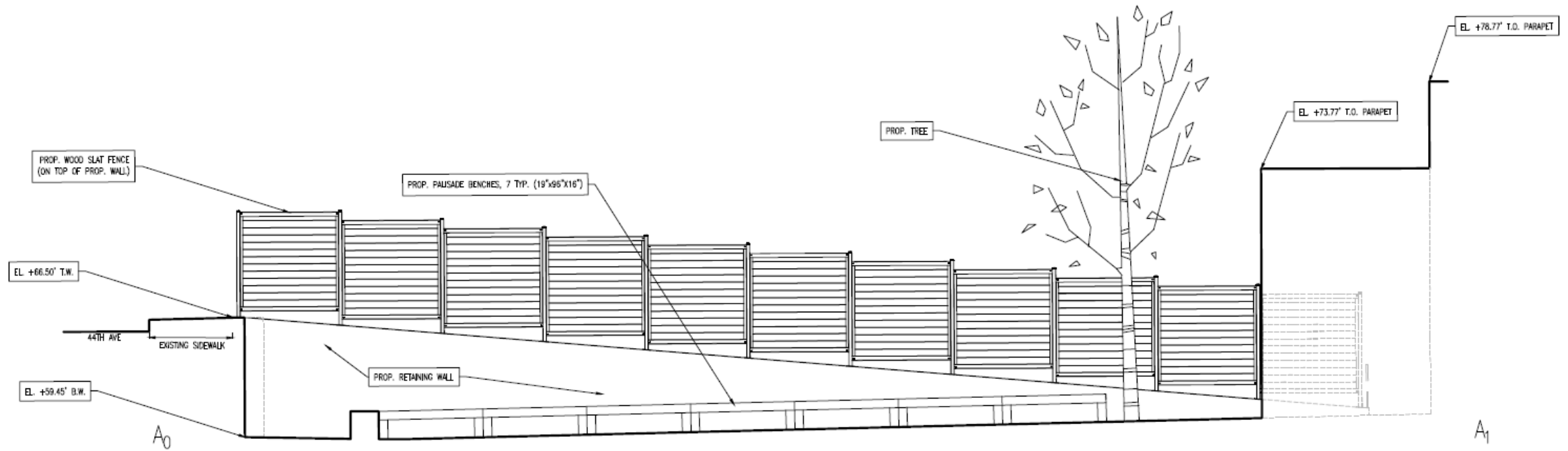
FED PIG MURAL



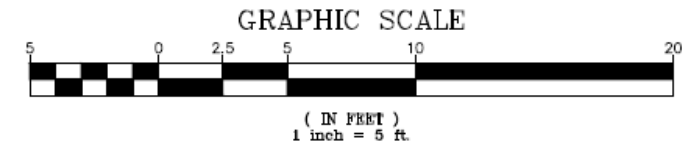
WESTERN FAÇADE OUTDOOR DINING AREA



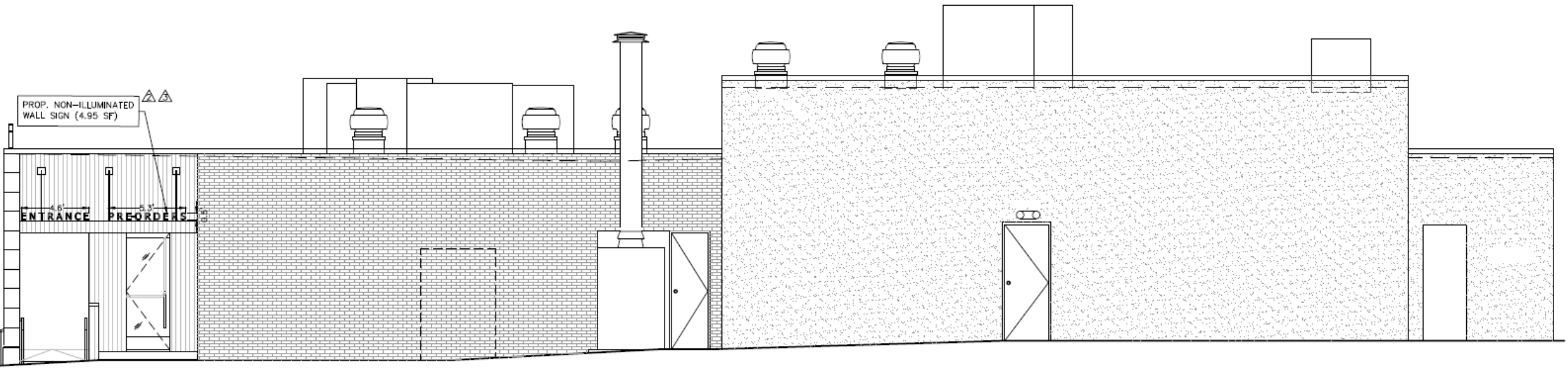
OUTDOOR DINING AREA



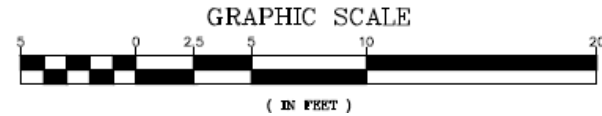
OUTDOOR SEATING AREA SECTION A₀,A₁ – FACING NORTH



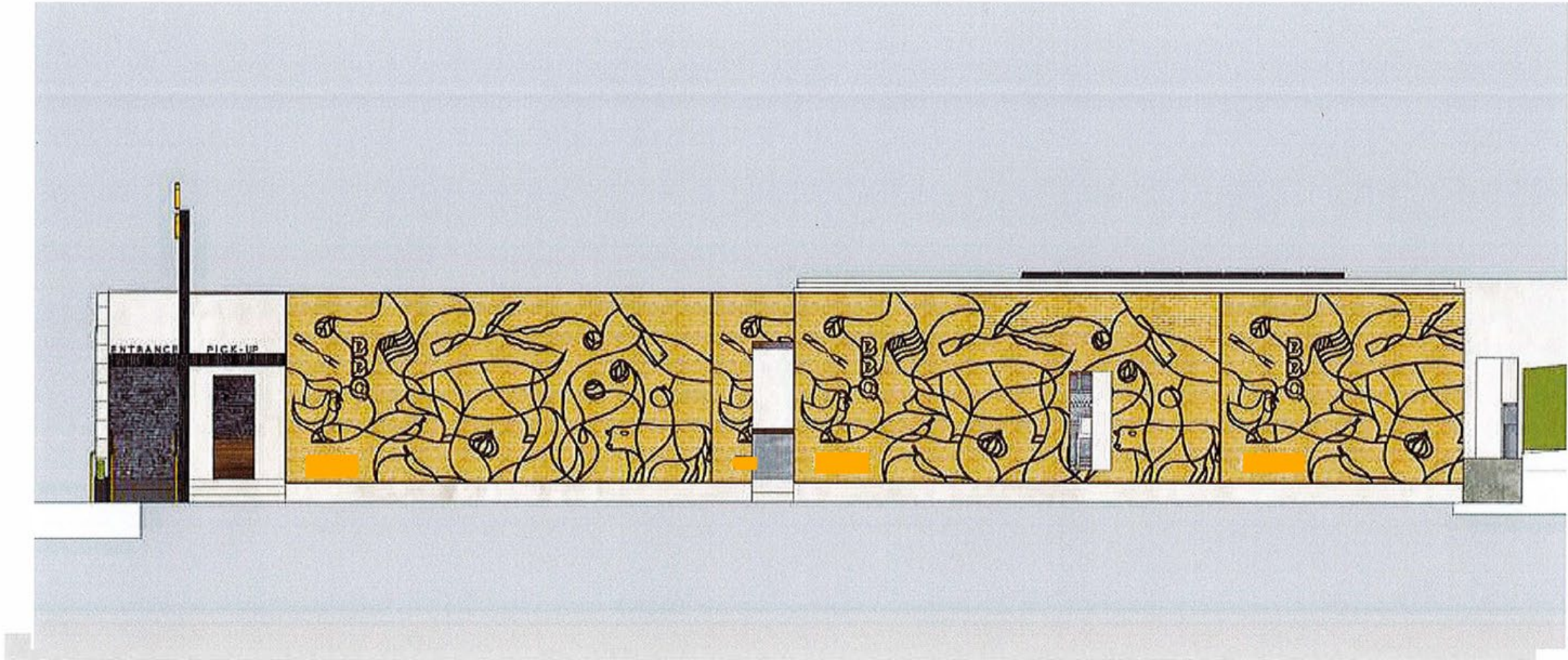
NORTHERN FAÇADE



SIDE ELEVATION



NORTHERN FAÇADE MURAL CONCEPT



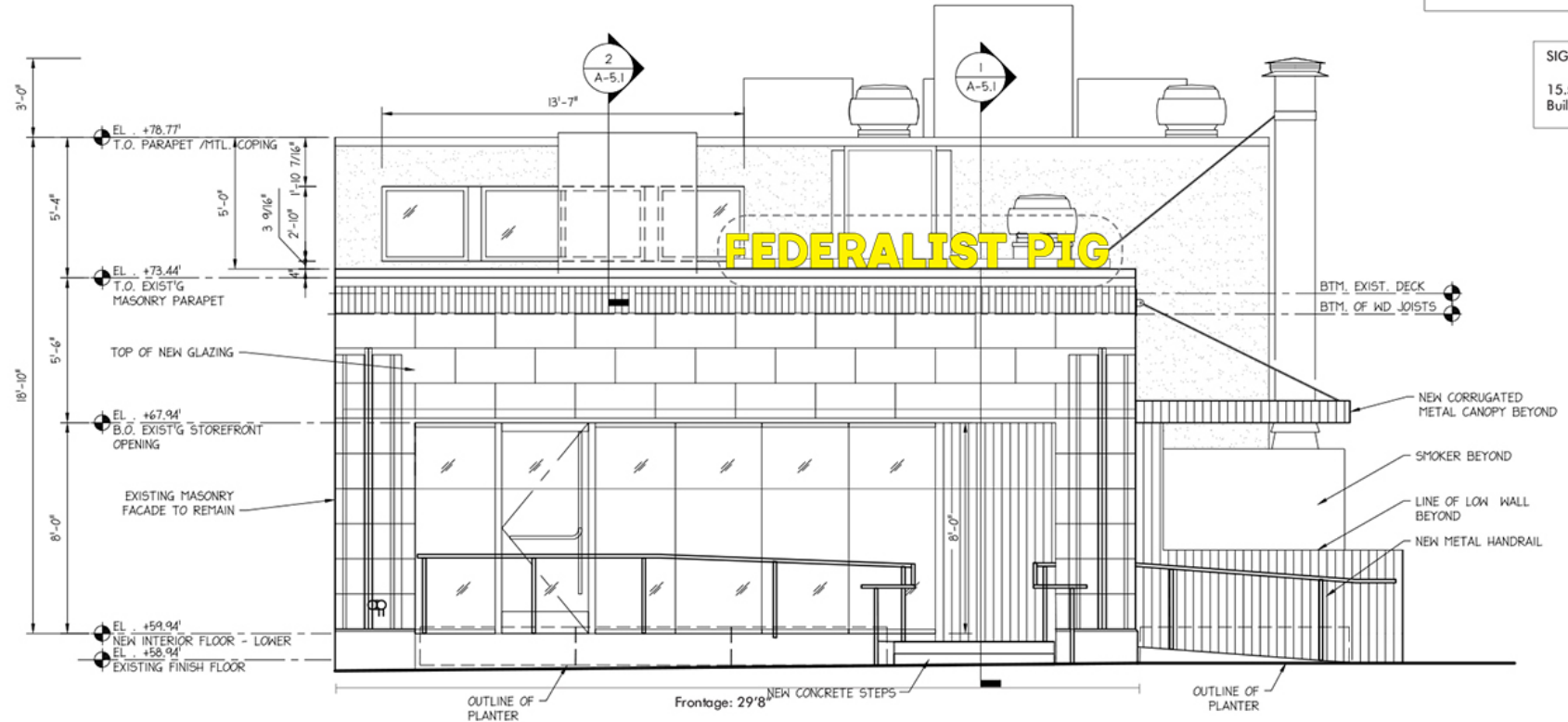
SIGNAGE

FEDERALIST PIG
5504 BALTIMORE AVE.
HYATTSVILLE, MD



- 1 Face-lit channel letter .063" aluminum; paint returns white
- 2 3/16" yellow translucent acrylic face
- 3 Raceway with LED power supplies
- 4 White LED lamps
- 5 120volt power feed via timedlock, w/service cut-off switch

SIGN AREA:
15.5" x 172" = 18.5 sq. Ft.
Building frontage: 29'8"



1 EASTERN ELEVATION
Scale: 3/16" = 1'-0"



Federalist Pig / Exter D112220

Larry Kanter + Associates | Nov 22, 2020
202.791.0446 | larry@lkasigns.com



STATEMENT OF JUSTIFICATION
QUE FOR THE PEOPLE (d/b/a FEDERALIST PIG)
DETAILED SITE PLAN NO. DSP-19072
6/21/2021

Applicant:

5504 Baltimore Avenue, LLC
6856 Eastern Ave NW #225
Washington, D.C. 20012
Contact: Steve Thornton

Attorney:

Gibbs and Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
Contact: Thomas Haller
301-306-0033

Engineer/Planner

Cornerstone Consulting Engineers & Architectural, Inc.
1176 N. Irving St.
Allentown, PA 18109
Contact: John Anderson
610-820-8200

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1.0 INTRODUCTION/OVERVIEW

The Applicant, 5400 Baltimore Avenue, LLC (the "Applicant") recently purchased property located at 5504 Baltimore Avenue, Hyattsville, Maryland 20710. The property which is the subject of the application (the "Subject Property") contains .2709 acres and is more particularly described as part of Lots 3, 4 and 5 on a plat of subdivision entitled "Pettit's Addition to Hyattsville", recorded in Plat Book LIB A Plat 18. The property is also described in the deed to the Applicant dated February 8, 2019 and recorded among the Land Records of Prince George's County at Book 41850 Page 105. The Applicant hereby requests approval of a Detailed Site Plan ("DSP") to convert the existing building on the Subject Property, previously used as an automobile parts and tire store with installation to an eating and drinking establishment, with no drive-through.

The property is zoned M-U-I/DDO and is located within the boundaries of the Gateway Arts District Sector Plan and Sectional Map Amendment adopted in 2004 ("Gateway Arts District Sector Plan" or "Sector Plan"). The Sector Plan identifies several Character Areas which determine the development standards for the properties so designated. The Subject Property is located within the Town Center ("TC") Character Area. The Sector Plan includes Development District Standards which are applicable within the designated Character Areas and includes a Table of Uses for the various Character Areas. The Gateway Arts District is unique in that if a property conforms to the Development District Standards applicable within a particular Character Area, no detailed site plan is required. However, development is subject to detailed site plan review under four circumstances listed on Page 140 of the Sector Plan. One of those circumstances is if a property is located within a "gateway and view terminus site" as designated by Map 11 of the Sector Plan. The Subject Property is located within a designated gateway and view terminus site, and therefore the proposed development is subject to detailed site plan review. This application is filed seeking approval of the proposed project in conformance with the requirements of the Sector Plan.

2.0 DESCRIPTION OF PROPERTY AND EXISTING IMPROVEMENTS

As indicated above, the property which is the subject of DSP-19072 contains approximately .2709 acres. The Subject Property is improved with a building which was constructed in or about 1940 which contains approximately 2400 square feet. The property is located on the west side of Baltimore Avenue, approximately 89 feet north of its intersection with Jefferson

Street. The property has long been used for service commercial purposes. Originally constructed as a dry cleaning establishment (known as the Bergman's Laundry Building), the property has most recently been altered to serve as an automobile parts and tire store. The existing building is located along the southern property line, with a small parking lot located between the building and the north property line. Lot 3 of the parcel assemblage extends from Baltimore Avenue to 44th Avenue, a predominantly residential street located to the rear of the commercial uses which front on Baltimore Avenue. The property only has 19 feet of frontage on 44th Avenue. The property is accessed from Baltimore Avenue through a single driveway entrance which will be maintained.

The Subject Property is bounded to the north by a carwash, also in the M-U-I/D-D-O Zone. To the west, the property is bounded by a single family detached home in the M-U-I/D-D-O Zone located at 5503 44th Avenue. This home, which has also been used as an office, was recently purchased by 5503 44th Ave LLC, an entity under the same ownership as the Subject Property. On the west side of 44th Avenue are multifamily buildings in the R-10 Zone. The property is bounded on the south by a six story building owned and utilized by Verizon (C&P Telephone Company of Maryland). To the east, across Baltimore Avenue are commercial uses within the EYA Arts District development (specifically, Elevation Burger, Hair Cuttery, a Thai Restaurant and a Chipotle Restaurant).



The existing building on the Subject Property (pictured above) is a single story building 30 feet wide and 85 feet long. The building has a front façade of concrete scored to create an

art deco look. The side of the building is constructed of painted brick:



3.0 SUMMARY OF DEVELOPMENT PROPOSAL

The Applicant proposes to convert the building to an eating and drinking establishment known as Federalist Pig, which will serve the finest barbeque in Prince George's County. The building will get a complete makeover, with the front façade retained:



A 963 square foot addition is being added to the rear of the building, increasing the total square footage from 2,412 square feet to 3,375 square feet. The 3,375 square feet includes the covered portico, covered terrace in the rear and the building addition. Behind the retained front façade, a covered portico will be created with stairs and a ramp to accommodate handicap accessibility to the new entrance to the restaurant. A projecting illuminated sign is proposed on the top of the façade wall, above the entrance stairs, that is 14.3' long and 1.3' high for a total area of 18.59 square feet. Along the side of the building, an open entrance will be provided for a ramp to the front door, with a sign above with the words "Entrance". This sign will be non-illuminated and measure 2.3 square feet (4.6' X .5'). A door will be provided next to this open entrance with a sign above reading "Pre-orders" for take-out customers. The pre-order sign will be 2.65 square feet in size (5.3' X .5'). On the side of the building will be a painted mural which will contain no advertising, but is intended to provide an artistic element to a building located in the Arts District and replace the existing paint. In the rear of the restaurant, a narrow driveway exists which slopes up to 44th Avenue. This 18-foot wide portion of the Subject Property will be excavated to allow for the creation of an outdoor patron area that will include games such as corn hole or darts and will include a seat wall. The wall constructed will be internal to the site and will increase in height with the slope such that at no point will the wall be more than four feet high as viewed from outside the property. Where necessary, a railing not exceeding 42 inches will be installed to ensure that the wall meets all safety requirements. The existing access to 44th Avenue is not functional and the space will be better used as part of the restaurant operation. The wall will vary in height from .96 feet to 7.09 feet along the courtyard side. Spot elevations have been added to the detailed site plan.

In addition to the improvements to the building, the existing parking area will be restriped to provide 15 parking spaces and a loading space. The streetscape will be improved with a sidewalk with landscape strip. The Sector Plan calls for a minimum of 12' in width, which can include a strip containing landscaping. The applicant is proposing a 5' sidewalk, a 5' landscape strip, and a 3' strip with brick pavers, for a total of 13'. Finally, a wall will be constructed north of the entrance to the site. This wall will be approximately four feet in height and extend approximately 18 feet to the north property line and then west approximately 15 feet. This wall will screen the parking located along the north property line. New window glazing will also be installed.

4.0 SUMMARY OF ZONING HISTORY AND APPLICABILITY OF DDOZ STANDARDS

As noted above, the property was zoned M-U-I/DDO by the Gateway Arts District Sector Plan and Sectional Map Amendment. The property was zoned C-M prior to 2004. The Sector Plan established the Development District Overlay Zone (DDOZ) that includes the Subject Property. No development or other modifications to the Subject Property has been proposed since 2004, and thus the property has not been subject to the Development District Standards.

The proposed project requires approval of a detailed site plan both because the Subject Property is located in a 'gateway and view terminus site' and because the proposed addition increases the size of the existing building by more than 10%. As referenced earlier, the Sector Plan establishes Character Areas and Development District Standards which are applicable within those Character Areas. Since the Subject Property is located in the Town Center Character Area, a spreadsheet listing the standards applicable to the Town Center Character Area is included with this Statement of Justification the spreadsheet identifies whether or not the proposed development conforms with the applicable standard. Where it does not, a request to apply an alternate standard is set forth below.

5.0 CONFORMANCE WITH GENERAL PURPOSES OF DETAILED SITE PLANS

The general and specific purposes of Detailed Site Plan (DSP) are contained in §27-281(b) and (c) of the Zoning Ordinance, and are expressed as follows:

- (b) General purposes.**
 - (1) The general purposes of Detailed Site Plans are:**
 - (A) To provide for development in accordance with the principles for the orderly, planned, efficient, and economical development contained in the General Plan, Master Plan or other approved plans;**
 - (B) To help fulfill the purposes of the zone in which the land is located;**
 - (C) To provide for development in accordance with the site design guidelines established in this Division; and**

- (D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.**

COMMENT: The Subject Property is zoned M-U-I and is located on the west side of Baltimore Avenue in the Gateway Arts District DDOZ. The property has been historically used for service commercial uses. The proposed re-use of the property and façade improvements will enhance the area and promote the re-use or redevelopment of nearby properties consistent with the Sector Plan. As such, the proposed DSP will fulfill the purposes of the M-U-I zone as intended for this location.

6.0 CONFORMANCE WITH THE PURPOSES OF THE M-U-I ZONE.

Paragraph (b) (1) (B) of Section 27-281 expresses that a DSP proposal needs to "...help fulfill the purposes of the zone in which the land is located." As previously noted, the Property is within the M-U-I Zone, with purposes outlined in Section 27-546.15 (a) and (b):

- (a) The general purpose of the M-U-I Zone is to permit, where recommended in applicable plans or requested by a municipality, a mix of residential and commercial uses as infill development in areas which are already substantially developed. The M-U-I Zone may be approved on properties which adjoin developed properties or otherwise meet plan recommendations and which have overlay zone regulations requiring site plan review, or on property owned by a municipality which requests the zone.
- (b) The specific purposes of the M-U-I Zone are:
- (1) To implement recommendations in approved Master Plans, Sector Plans, or other applicable plans by encouraging residential or commercial infill development in areas where most properties are already developed;
 - (2) To simplify review procedures for residential, commercial, and mixed residential and commercial development in established communities;
 - (3) To encourage innovation in the planning and design of infill development;
 - (4) To allow flexibility in the process of reviewing infill development;
 - (5) To promote smart growth principles by encouraging

efficient use of land and public facilities and services;

(6) To create community environments enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses; and

(7) To permit redevelopment, particularly in areas requiring revitalization, of property owned by a municipality.

COMMENT: The proposed development conforms with the general purposes of the M-U-I zone in that the Subject Property is in an area which is already substantially developed. In fact, the Subject Property is developed and is proposed to be renovated and devoted to a new use which is consistent with the development which has occurred in recent years along the eastern side of Baltimore Avenue. The proposed development further conforms with the general purposes of the M-U-I zone in that it was zoned by the Gateway Arts District Sector Plan for the purpose of encouraging redevelopment with non-service commercial uses.

The proposed application has also met the specific purposes of the M-U-I zone. The project will enhance the streetscape, renovate an older dilapidated building and provide a gathering space in a growing area of Hyattsville. The goal of the Town Center Character area is to enhance walkability by encouraging pedestrian-oriented development with an attractive streetscape and landscaping. Since the Town Center is envisioned as active community and arts centers, several uses, including restaurants, are supported. Thus, the proposed use contributes to implementing the vision of the Town Center Character Area.

7.0 CONFORMANCE WITH SPECIFIC PURPOSES OF THE DETAILED SITE PLAN

Sec. 27-281 (c) lists the specific purposes of a detailed site plan. There are four specific purposes listed, each of which is addressed below:

Sec. 27-281 (c) (1) (A): To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site.

COMMENT: The submitted Detailed Site Plan demonstrates the location of the existing buildings, structures and parking on site. The existing building will be retained and a small addition, as well as an outdoor patron area, will be added to the rear of the building.

Sec. 27-281 (c) (1) (B): To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site.

COMMENT: All modifications to the site are shown on the detailed site plan.

Sec. 27-281 (c) (1) (C): To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site.

COMMENT: The proposed use is a restaurant. Although an outdoor patron area is proposed, there are no recreational facilities proposed. The architectural form of the building modifications is included. The proposed architectural modifications will improve the look of the building while maintaining the unique architectural façade. The landscaping which will be added will soften the streetscape, and the murals will add an artistic flair to an otherwise humble building. The applicant also proposes to add a bicycle rack along Baltimore Avenue.

Sec. 27-281 (b) (1) (D): To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.

The submitted DSP and Architectural Elevations demonstrate the necessary infrastructure and building form to be implemented ultimately. No other documents are required to assure that the Plan is implemented in accordance with the requirements of this subtitle.

8.0 CONFORMANCE WITH ZONING ORDINANCE SECTION 27-546.18

Section 27-546.18 sets forth certain regulations applicable to development in the M-U-I Zone. Specifically, the section provides as follows:

(a) Except as provided in Subsection (b), the regulations governing location, setbacks, size, height, lot size, density, and other dimensional requirements in the M-U-I Zone are as follows:

1. R-18 Zone regulations apply to all uses in Section 27-441(b) (3), Miscellaneous;

COMMENT: Does not apply.

2. R-18 Zone regulations apply to all uses in Section 27-441(b) (6), Residential/Lodging, except hotels and motels;

COMMENT: Does not apply.

3. C-S-C Zone regulations apply to hotels and motels and all other uses; and

COMMENT: The property is subject to the regulations of the C-S-C Zone subject to the modifications set forth in the Development District Standards applicable in the Town Center Character Area.

4. Multifamily residential densities up to forty-eight (48) units per acre are permitted

COMMENT: Does not apply.

(b) Where an owner proposes a mix of residential and commercial uses on a single lot or parcel in the M-U-I Zone, the site plan as approved shall set out the regulations to be followed. The approved regulations may reduce parking requirements by thirty percent (30%), where evidence shows that proposed parking will be adequate, notwithstanding provisions in Part 11. (CB-10-2001; CB-42-2003)

COMMENT: No mix of uses is proposed.

9.0 CONFORMANCE WITH THE DEVELOPMENT DISTRICT OVERLAY ZONE STANDARDS OF THE GATEWAY ARTS DISTRICT SECTOR PLAN AND REQUEST FOR WAIVERS

The Gateway Arts District DDOZ contains certain Development District Standards. As discussed above, the Sector Plan provided Development Standards for each Character Area. As a result, the Applicant has addressed conformance to the architectural standards set forth in the DDOZ applicable to the

Town Center Character Area in a Compliance Matrix attached hereto as Exhibit "A". Since the Design Standards set forth in the DDOZ are primarily intended to govern new construction, there are certain provisions which the applicant cannot comply with which are the result of modifications being made to an existing structure.

Based on the above, the design team has addressed conformance with the applicable Design Standards. The analysis of conformance with the Development District Standards indicates that modifications are required to a relatively small number of the DDOZ Design Standards. Where the proposed Detailed Site Plan does not conform with a specific standard, a modification to that standard is requested. Modifications of the Development District Standards are permitted through the process described in Section 27-548.25(c) of the Zoning Ordinance:

"If the applicant so requests, the Planning Board may apply development standards which differ from the approved Development District Standards, unless the Sectional Map Amendment provides otherwise. The Planning Board shall find that the alternative Development District Standards will benefit the development and the development district and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or sector plan."

The modifications of the Development District Standards requested by the Applicant are addressed below.

9.1 SITE DESIGN; BUILDING AND STREETScape SITING-BUILD-TO-LINE (P. 144)

The Sector Plan establishes build-to-lines along US 1. The intent, as stated in the Sector Plan, is to "create a consistent streetwall and a pleasant, inviting streetscape along commercial and mixed-use streets". The existing structure is located on US 1 at the same location and forming the same streetwall as the building to the south. The art deco façade is to be preserved to retain both the consistent streetwall and the architectural character of the building.

Currently, the right of way of US 1 along the frontage of the Subject Property is 60 feet wide, and the existing building is 10.2-10.3 feet behind the right of way line. However, the 2009 Master Plan of Transportation increased the right of way width along this section of US 1 to 80 feet. Thus, the existing building is set back only .2-.3 feet behind the ultimate right of way line. For that reason, an amendment is requested.

The Applicant has reviewed other properties in the area to determine how this increase in right of way width has been addressed in other cases. Rather than require dedication of the additional right of way, even in subdivision cases, the Planning Board has required that a public use easement be established from the existing right of way line to include the sidewalk and public areas. For example, in Preliminary Plan 4-17008, approved in 2019, the Planning Board made the following finding:

"Master Plan, Site Review The subject property's main frontage is along US 1 (Baltimore Avenue), a four-lane collector (C-209) within an ultimate 80-foot ROW; 40 feet from the road's center line to the subject property line. The PPS has a 30-foot ROW from the centerline to the subject property line. The applicant has stated that consistent with previously approved PPS 4-15016 they will provide a "pedestrian access easement" to the City of Hyattsville to ensure full public access to the proposed development abutting US 1. This easement will ensure public access to sidewalks along the US 1 frontage of the subject property inside the owner's property line. The specific condition from the approved PPS (4-15016) PGCPB Resolution No. 16-118 Resolution is listed below: 9. Prior to approval of the final plat of subdivision, the following draft public access easements on the subject property shall be submitted to the Maryland-National Capital Park and Planning Commission for review and approval, and then fully executed with the agreement of the City of Hyattsville. The easement documents shall set forth the rights, responsibilities, and liabilities of the parties. Prior to recordation of the final plat, the easements shall be recorded in land records and the liber/folio of the easement shall be indicated on the final plat and the limits of the easements reflected consistent with the approved preliminary plan of subdivision and detailed site plan: b. A public pedestrian access easement agreement with the City of Hyattsville, whose approval shall not be unreasonably withheld, to ensure full public access to the walkways within the proposed development abutting the Baltimore Avenue (US 1) right-of-way in accordance with the approved preliminary plan of subdivision. The easement(s) and liber/folio of the recorded easement(s) document shall be reflected on the final plat. If an agreement for the easement is not reached between the applicant and the City of Hyattsville, the applicant shall revise the detailed site plan to show the right-of way dedication 10 feet in width along US 1 and dedicate the right-of-way with the

final plat. The applicant may proceed to request final plat approval without the agreement of the City of Hyattsville where the Planning Board shall determine if the easement agreement with the City of Hyattsville has been unreasonably withheld. This condition of approval of PGCPB Resolution No. 16-118 (4-15016), remains applicable to this site and has been carried forward as a condition of approval of this application."

The Applicant is willing to provide a public use easement consistent with those required by other properties. Doing so will preserve the existing streetwall and will ensure public access to the sidewalk. Given these circumstances and the method by which this issue has been addressed in past cases, the Planning Board can find that the alternative Development District Standard proposed will benefit the development and the development district and will not substantially impair implementation of the Sector Plan.

9.2 SITE DESIGN; BUILDING AND STREETScape SITING (P. 144)

Within Town Center Character Area, "all buildings shall be built out to a minimum of 80 percent of the site frontage." The existing building is 30 feet wide, occupying 36.8% of the site frontage. The Applicant requests an amendment of 43.2% from this requirement. First, this is an existing building. While an addition is proposed to the rear of the building, the width of the building is not proposed to change. Second, the building has an existing façade which will be retained and restored to preserve the existing building architecture. Finally, the Applicant desires to retain some off-street parking and to access that parking from the existing curb cut on US 1. Even with the parking provided, an amendment is required. As a result of all of these reasons, it is not possible to comply with this Design Standard, and an amendment is requested. Given the unique circumstances as described above, the Planning Board can find that the alternative Development District Standard proposed will benefit the development and the development district and will not substantially impair implementation of the Sector Plan.

9.3 ACCESS AND CIRCULATION (p. 147)

The Sector Plan contains guidance on site access and circulation. One of the requirements applicable in the Town Center Character Area is that "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 Subject Property has

18.98 feet of frontage on 44th Avenue, and currently there is a narrow one-way driveway that allows access to the rear of the building. However, the existing building extends far enough into the lot to render that entrance unusable as a two-way access to the main parking lot. Rather, the Applicant proposes to retain the existing driveway entrance on US 1 to access the parking lot. In addition, the Applicant proposes to convert the existing rear driveway area into an outdoor patron area, enclosed by a wall, and to extend the existing building 14 feet in order to make it functional for the proposed use. In order to retain the existing US 1 access, an amendment to this Design Standard is required.

Currently, 44th Avenue is a residential street. With the exception of the Subject Property, none of the other uses fronting on US 1 have a driveway accessing the property from 44th Avenue. Introducing commercial traffic or loading vehicles onto 44th Avenue would not encourage compatibility. Illustration 10 set forth on page 160 of the Sector Plan illustrates how the requirement is intended to be implemented. It envisions a serviced alley that would access residential garages and commercial parking areas. The unique circumstances which exist in this case, with a narrow driveway and a main residential street, are not the circumstance encouraged or contemplated by the Sector Plan. In this case, allowing the rear of the site to be converted to a practical use to enhance the viability of the proposed eating and drinking establishment and allowing the existing entrance on US 1 to continue to provide access is preferred. For these reasons, an amendment to the Design Standard is appropriate and the Planning Board can find that the alternative Development District Standard proposed will benefit the development and the development district and will not substantially impair implementation of the Sector Plan.

9.4 PARKING AND LOADING (p. 148)

The Sector Plan addresses parking for certain types of uses and certain circumstances. For example, the number of parking spaces required varies depending on whether a parking district is established in the Arts District or by a municipality. These are set forth in Standards 6 and 7 on page 148 of the Sector Plan as follows:

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. Departure from the provisions of Section 27-568(a) requires a detailed site plan review.

Based upon the above provisions, it is the Applicant's understanding that for developments under 35,000 square feet, the maximum number of required parking spaces is 80% of the requirements in Section 27-568, as stated at the end of Standard 6 ("This section's requirements shall apply to all development under 35,000 SF of GFA"). If a parking district is established, then the minimum parking would be reduced to 50% of the amount determined in Section 27-568. Thus, the range of parking allowed is no less than 50% and no more than 80% of the requirements in Section 27-568. In this case, no parking district has been established within the City of Hyattsville. Therefore, the minimum number of parking spaces required is 80% of the total number of spaces required by Section 27-568. In this case, 24 parking spaces would be required and 15 are provided.

As discussed above, while the Subject Property is limited in site area, the applicant proposes to restripe and repurpose the existing parking area to maximize its useable area. Within this area, the Applicant can provide 15 parking spaces (12 full size, two compact and 1 handicapped space) and 1 loading space. Landscaping will also be provided in accordance with the Sector Plan and tree canopy coverage requirements. For a restaurant with a seating capacity of 88 customers, 29.3 parking spaces are typically required by Section 27-568. Since the Sector Plan

requires parking within a range of 50-80% of this requirement, the number of spaces required is between 15-24. With 15 parking spaces provided—and assuming that the parking district is not in effect which would trigger 50% of the requirement, the Applicant requires an amendment of this standard of the Sector Plan.

The Applicant submits that an amendment of this Development District Standard is appropriate in this instance. Pursuant to Section 27-548.25(e), “if a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.” In this instance, the Applicant submits that the off-street parking proposed is sufficient to support the proposed use because there are numerous alternative methods both to park as well as travel to the restaurant. First, the Applicant has maximized the number of parking spaces that can be provided on site, and additional spaces are not available. Second, several public parking options are available within close proximity to the restaurant, which are depicted on the map below taken from the City of Hyattsville website:



Third, the Subject Property is located along US 1, which is served by Metro Bus service. In fact, there are Metro Bus stops on US 1 and on Jefferson Street in close proximity to the Subject Property. Thus, public transportation facilities are readily available. Fourth, there is a bike share station located just across the street at the corner of US 1 and Jefferson. Fifth, the Applicant will be providing bike racks on the property to encourage both employees and patrons to ride bicycles. Sixth, approximately half of the business generated by the restaurant is take out and/or delivery, a trend which has only been solidified by the current pandemic. Finally, As can be seen from the map above, on-street parking is available on the east side of US 1, with the exception of rush hours (6-9 am and 4-7 pm Monday-Friday) directly across from the restaurant (outlined in red). On street parking is also available on the west side of US 1 just north of the restaurant. Two public parking lots are available as well. Lot 5, on the south side of Jefferson Street is approximately 500 feet away while Lot 1, located at Hamilton Street, is approximately 900 feet from the Subject Property. Finally, the Applicant has provided a parking plan to the City of Hyattsville to incentivize its employees to park off-site with the goal being to preserve the maximum number of on-site parking for its patrons. The restaurant anticipates between 8-10 employees will be working each shift, including a supervisor and manager. A copy of the parking plan is attached hereto as Exhibit "B". Under the plan, employees will be encouraged to utilize public transportation, and the applicant will reimburse the employees for 100% of the cost of utilizing public transportation. The West Hyattsville Metro Station is less than two miles from the restaurant and a bus stops at Gallatin Street and Church Street within just a few minutes. Employees who are unable to access public transportation will utilize one of the lots depicted on the image above. They will be reimbursed at a per diem rate of \$2.00, which is equivalent to four hours of parking. In addition, two monthly parking passes will be reserved in Lot 2 for management.

The Subject Property is located within an urban area of Prince George's County where pedestrian activity is high, allowing local residents to walk to the restaurant. Given the availability of parking on site, the many other options available to patrons, and the incentives being offered to the employees to utilize public transportation, the Applicant submits that the off-street parking is sufficient and that the Planning Board can find that (if required) the alternative Development District Standard proposed will benefit the development and the development district and will not substantially impair implementation of the Sector Plan.

9.5 PARKING AND LOADING—SITING AND ACCESS (p. 149)

The Sector Plan contains Development Standards related to the siting and access to loading spaces. Specifically, "Loading facilities shall only be located at the rear of the building and accessed from a side street or alley." The Applicant proposes to provide a loading space at the rear of the parking lot, immediately adjacent to the dumpster enclosure. As discussed above, there is a narrow driveway which can be accessed from 44th Avenue, but access to this driveway is from a residential street. The proposed loading space is easily accessible, is the least intrusive location on the property and, given the nature of the use, can be easily accessed during non-business hours to ensure there is no conflict between loading and customers. The Applicant proposes to construct a four foot wall to the north side of the entrance to US 1 which will screen the parking and loading areas on site. Given the limited site area, the desire to move loading away from the residential street to the rear, and the screening provided by the Applicant, the Planning Board can find that the alternative Development District Standard proposed will benefit the development and the development district and will not substantially impair implementation of the Sector Plan.

9.6 Façade Fenestration (p.152)

The Sector Plan contain building design standards. One of those standards requires that "all facades should have substantial fenestration on all stories, including those facing the rear, alley, driveways, parking lots or other open areas. As noted above, the existing front façade of the building, representing the era in which it was constructed, will be retained. The only side elevation that is visible is the north elevation of the building, which is constructed of cinder block. While improvements will be made to enhance the entrance to the building and highlight the front façade which will improve fenestration along the side elevation, no additional fenestration is proposed. Rather, the entire side of the building west of the restaurant entrance will be painted with an attractive mural. This mural is consistent with the emphasis on art in Hyattsville and will enhance the visual interest of the side of the building. The Applicant submits that providing the mural is consistent with the intent of the sector plan to provide features which add visual interest and architectural diversity. Since this is being accomplished in a manner which is different from the standard, an amendment is requested. The

overall changes to the building, and the addition of an art feature will substantially improve the aesthetics of the building, and the Planning Board can find that the alternative Development District Standard proposed will benefit the development and the development district and will not substantially impair implementation of the Sector Plan.

10.0 CONFORMANCE WITH CRITERIA OF APPROVAL--DETAILED SITE PLANS

The Planning Board must also find that the Detailed Site Plan satisfies the criteria of approval set forth in Section 27-285(b) of the Zoning Ordinance. These criteria are set forth below.

(b) Required findings.

(1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.

COMMENT: The proposed development does represent a reasonable alternative for satisfying the site design guidelines. The proposed development improves an existing structure and adds a use to the US 1 corridor that is consistent with other uses in the immediate vicinity. The change in use removes a service commercial use not otherwise allowed by the current Sector Plan. The modifications to the building proposed enhance the property architecturally and aesthetically and the addition of streetscape improvements will contribute to the transformation of the US 1 corridor.

The design guidelines are set forth in Sections 27-283 and 27-274 of the Zoning Ordinance. Section 27-283 applies to Detailed Site Plans, and states that the site design guidelines are the same as those required for a Conceptual Site Plan, which are contained in Section 27-274. However, the guidelines shall only be used in keeping with the character and purpose of the proposed type of development.

The Site Design Guidelines address General Matters, Parking, Loading and Circulation, Lighting, Views, Green Area, Site and Streetscape Amenities, Grading, Service Areas, Public

Spaces, Architecture and Townhouses. Those that are relevant are addressed below.

Section 27-274(a) (1) General. The proposed plan should promote the purposes of the Conceptual Site Plan. The purposes of Conceptual Site Plans are listed in Section 27-272. The General Purposes include providing for development in accordance with the Master Plan and helping fulfill the purposes of the zone in which the land is located. In this case, the Subject Property was placed in the M-X-T zone from the C-M zone to promote a mix of uses in this area between the north and southbound lanes of Baltimore Avenue. The proposed use fulfills this goal of the Sector Plan.

The Specific Purposes of set forth in Section 27-274 are addressed below.

Section 27-274(a) (2) Parking, Loading and circulation. General guidance is given regarding the location of parking and loading facilities. This project is an existing building with existing parking. Due to the date of its development, no landscaping currently exists. The Applicant proposes to enhance the parking lot and bring it to current standards. Screening of the parking will be provided by a low wall along the eastern and northern property lines.

Section 27-274(a) (3) Lighting. A photometric plan is included with the application that shows that there is no light spillage beyond the property, with the exception of light to illuminate the sidewalk along Baltimore Avenue. The site is illuminated only to the extent necessary to serve the needs of the use.

Section 27-274(a) (4) Views. The guidelines encourage creating scenic views from public areas. Given the small size of the site and the current condition, the Applicant is improving the views into the site by retaining the existing building façade, adding landscaping and adding artistic elements in the form of murals.

Section 27-274(a) (5) Green Area. Landscaping is being added to the site which does not currently exist.

Section 27-274(a) (6) Site and streetscape amenities. The streetscape will be enhanced with a five foot wide sidewalk and tree pit which satisfies the requirements of the Sector Plan.

Section 27-274(a)(7) Grading. The Applicant is proposing to install an open air space to the rear of the restaurant that will require the grading of approximately 4,800 square feet. This area will be used as a patron area with a seat wall and games.

Section 27-274(a)(8) Service areas. The service areas are proposed to the rear of the site to the extent possible.

Section 27-274(a)(9) Public spaces. A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. The proposed development a single use and is not a large-scale commercial, mixed use or multifamily development.

Section 27-274(a)(10) Architecture. The architecture modifications being proposed will improve the look of the existing structure. The retention of the front façade, the addition of handicapped accessibility and the murals all will improve the architecture of the building.

Section 27-274(a)(11) Townhouses and three family dwellings. This consideration is inapplicable to the proposed DSP as there are no townhouses or three family dwellings proposed.

Section 27-276(b)(4) provides as follows:

"The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5)."

In this case, no regulated environmental features exist on the site.

11.0 CONCLUSION

Based on the above, the Applicant submits that with the modifications requested, the proposed development conforms with the applicable DDOZ Design Guidelines and Standards. In addition, the proposed Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed

development for its intended use. With the modifications requested, the proposed development conforms with the DDOZ Design Guidelines and Standards.

Respectfully Submitted

A handwritten signature in blue ink, appearing to read 'T. Haller', with a long horizontal flourish extending to the right.

Thomas H. Haller, Esq.
Gibbs and Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
(301)306-0033 (P)
(301)306-0037 (F)
thaller@gibbshaller.com

EXHIBIT “A”

<u>Standards Applicable to the TC Character Area</u>	<u>Permit Review Required</u>	<u>Applicability to Federalist Pig Property</u>														
<u>SITE DESIGN</u>																
<p><u>Building and Streetscape Siting</u></p> <p><i>Create a consistent streetwall and a pleasant, inviting streetscape along commercial and mixed-use streets and a coherent visual appearance along neighborhood residential streets. Enhance the green, shaded identity of neighborhood streets and extend this identity to commercial and mixed-use areas. Develop walkable neighborhoods with contiguous linkages that support residential sociability, commercial activity, and the use of alternative modes of transportation.</i></p>																
<p>Development shall meet all applicable build-to lines with the optional variation shown in Table 1.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th colspan="4" style="text-align: left;">Table 1: Build-to Line (Distance in feet)</th> </tr> <tr> <th rowspan="2" style="width: 30%;">Buildings/Location</th> <th colspan="2" style="width: 40%;">Build-to Line</th> <th rowspan="2" style="width: 10%;">Allowable Variation</th> </tr> <tr> <th style="width: 15%;">From face-of-curb</th> <th style="width: 25%;">From edge of R-O-W</th> </tr> </thead> <tbody> <tr> <td style="width: 30%;">Along US 1, excluding the segment from Jefferson Street to Farragut Street (the ultimate right-of-way for US 1 from Oliver Street to Hamilton Street shall be 60 feet to 80 feet)</td> <td style="width: 15%; text-align: center;">-----</td> <td style="width: 25%; text-align: center;">10-12</td> <td style="width: 10%; text-align: center;">+4</td> </tr> </tbody> </table>	Table 1: Build-to Line (Distance in feet)				Buildings/Location	Build-to Line		Allowable Variation	From face-of-curb	From edge of R-O-W	Along US 1, excluding the segment from Jefferson Street to Farragut Street (the ultimate right-of-way for US 1 from Oliver Street to Hamilton Street shall be 60 feet to 80 feet)	-----	10-12	+4	X	<p>Amendment required. The existing building is 10.2-10.3 feet from the existing right of way of US 1. However, the 2009 MPOT increased the ultimate right of way width to 80', reducing the building setback from the ultimate ROW to .2-.3 feet.</p>
Table 1: Build-to Line (Distance in feet)																
Buildings/Location	Build-to Line		Allowable Variation													
	From face-of-curb	From edge of R-O-W														
Along US 1, excluding the segment from Jefferson Street to Farragut Street (the ultimate right-of-way for US 1 from Oliver Street to Hamilton Street shall be 60 feet to 80 feet)	-----	10-12	+4													
<p>Buildings along the segment of US1 from Jefferson Street to Farragut Street should be sited to maintain a consistent front building line to define the public realm</p>		N/A														

of the street, wherever possible. If no established setbacks of the existing front building line exists, a build-to line between 10 and 12 feet from the right-of-way-line should be established. This is a DSP standard.		
All buildings shall be built out to a minimum of 80 percent of the site frontage.	X	Amendment required. The existing building occupies 36.8% of the frontage on US 1. An amendment of 43.2% is requested.
Development on lots or parcels greater than four acres in size should place utility lines underground or relocate them to the rear of the property in coordination with the appropriate utility. This standard applies only to new utilities to be placed with proposed development or redevelopment.		N/A
Building sidewalls should abut the sidewalls of adjacent buildings, if possible.		Conforms. The sidewall of the existing building abuts the sidewall of the adjacent building. No building proposed along northern property line.
Buildings on corner lots should not have blank exterior walls at the pedestrian level.		N/A
<u>Access and Circulation</u> <i>Develop pedestrian-friendly streets by minimizing driveway access across sidewalks, minimizing the use of drive-through services, creating drive-aisles and alleys to access service areas, and providing safe bicycle and pedestrian routes.</i>		
Access to parking lots and loading facilities on adjacent properties should be shared.		None abut the property. There is no opportunity to share parking.
Sidewalks a minimum of five feet in width shall connect to dwelling entrances, parking, recreational facilities, auxiliary buildings, recycling, and dumpster areas.	X	Complies.
Sidewalks shall not be made of asphalt.	X	Complies. Sidewalks will be concrete.
Sidewalk materials and design shall be continuous across driveways and driveway aprons.	X	Complies.
There shall be a max of two access driveways per lot/parcel from a public street to parking.	X	Complies. Existing single driveway will be retained.
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	X	Amendment required. The building does not allow the rear street to serve as access to

		parking. The access will be closed to allow for an outdoor gaming area.
Sites greater than four acres in size should have private drive aisles or public alleys to provide access to the rear of buildings and the interior of the lot or parcel for access to parking, dumpsters, and service entrances		N/A
Drive-through services shall be located only on the rear of a building	X	N/A
Drive-through services shall not be allowed except where accessed from a side street or alley.	X	N/A
<u>Parking and Loading</u> <i>Provide adequate parking and encourage shared parking without encroaching upon adjacent neighborhoods. Avoid unsightly expanses of asphalt and reduce the negative environmental impacts associated with impervious surfaces. Move unsightly parking and loading elements to the rear of the site.</i>		
Parking for an artist studio use shall be provided at the rate of one space per 2,500 square feet of gross floor area.	X	N/A
Parking for a residential or live/work use shall be a minimum of 1.5 on-site spaces per unit. Additional spaces up to a maximum of 3.5 spaces per unit may only be provided in an on-site parking structure.	X	N/A
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.	X	Amendment required. No parking district exists in the Arts District or in the City of Hyattsville. Per last sentence, 80% of parking required by Section 27-568 is the maximum that can be provided. Thus, the maximum allowed is 24 parking spaces. 15 parking spaces is provided.
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.	X	Amendment required. If a parking district existed in the Arts District or in the City of Hyattsville the parking could be reduced by 50%. The Applicant proposes 50% of required parking even though no parking district has

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. Departure from the provisions of Section 27-568(a) requires a detailed site plan review.		been established.
Where shared parking is utilized, the applicant shall provide details of the development's proposed uses and required parking along with a letter from the parking lot manager certifying that the lot has the capacity to accommodate all parking needs and that the parking owner has entered into an agreement to share the number of spaces required.	X	N/A. No shared parking is proposed.
When off-site parking is used to meet the parking requirements, the applicant will need to provide satisfactory documentation to show that parking is provided off site.	X	No off-street parking is proposed to meet the parking requirements.
Structured parking for a multifamily residential use shall be located on the interior of the block, at the rear of the property or underground and accessed from a side street, alley or entrance drive-aisle with a secured door.	X	N/A
Residential unit garages should be located at the rear of the property and accessed from a side street or alley.	X	N/A
Loading facilities shall only be located at the rear of the building and accessed from a side street or alley.	X	Amendment required. The loading space is located in the parking lot accessed from US 1.
Parking shall not be located between the sidewalk or street and the building.	X	Conforms.
Structured parking should be located on the interior of the block, at the rear of the property, or underground and accessed from a side street or alley. Structured parking should not be located to overshadow historic landmarks, historic neighborhoods or views of signature buildings		N/A
<u>Fencing, Walls, Screening, and Buffering</u> <i>Delineate and protect private property while allowing for surveillance of public and private areas to increase safety. Improve the appearance of the character areas by screening unsightly elements, restricting inappropriate materials, and creating utilitarian and decorative walls. Protect the character of adjacent traditional one-family neighborhoods.</i>		
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.	X	Conforms. All walls visible from outside the site are four feet high or less.
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	X	Conforms.

include masonry, wood, decorative metal, or brick		
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).	X	Conforms.
<u>Dumpsters, Services, Utilities, Outdoor Storage, and Stormwater Management</u> <i>Promote an attractive, positive image of the Arts District by locating unsightly elements to minimize their visual impact. Protect and enhance ecological functions within watersheds. Reduce the impact of stormwater.</i>		
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 <i>Low-Impact Development Strategies—An Integrated Design Approach</i> , published by DER.		Conforms.
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.	X	Conforms.
Dumpsters on adjacent properties should be consolidated, where possible		N/A
<u>Signage</u> <i>Retain the small-town character by decreasing visual clutter and improving the overall appearance of signage.</i>		
Freestanding pole, monumental signs, or billboard shall not be allowed.	X	Conforms
<u>Lighting</u> <i>Create a softly lit environment by evenly lighting public areas at minimal intensities, avoid deep shadows and harsh lighting, minimize light pollution and glare, and reduce the contrast between light and dark areas to improve safety and deter crime</i>		
Gas stations should not be illuminated by a high level of lighting (above 10 Lux) and should use a minimum color-rendering index (CRI) of 65. This lighting should be shielded not to exceed 15 feet in radius from any given pump.		N/A
Illumination shall be provided for main entrances, passageways, parking lots, recycling areas, service entrances and areas, alleys, pathways, parks, and plazas.	X	Conforms. A photometric plan has been provided with the detailed site plan.
Grade changes in public spaces such as stairs, inclines, ramps, and steps should be illuminated from above or at the ground level		Conforms.
Fixtures should be located and shielded so that light does not spill		Conforms. A

from a parking lot onto an adjacent one-family residential property or into residential building windows.		photometric plan has been provided with the detailed site plan.
<u>Landscaping</u> <i>Use plants with interesting foliage, colors, and shapes to create a shady and colorful environment that emphasizes the diversity, creativity, and exuberance of the Arts District. Allow for unique yards and a streetscape that add to the overall character of the street. Increase appreciation for neighborhoods by providing well-maintained trees, gardens, flowers, and shrubs.</i>		
Existing trees should be preserved where feasible.		Conforms. There are no existing trees on site.
Shade trees with a minimum of 2½- to 3-inch caliper shall be provided at the 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.	X	Conforms. The site contains 11,801 square feet. A total of 3 trees are required and eight are provided.
Parking lots shall be planted with a minimum of one shade tree per every ten spaces in the provided corners, bump-outs, or islands.	X	Conforms. Two trees are required and two are provided.
The property owner should install hose bibs on the outside of new buildings in locations appropriate for watering street trees and landscaping and cleaning sidewalks where this does not interfere with entrance embellishments.		N/A
<u>BUILDING DESIGN</u>		
<u>Building Height</u> <i>Create a “street room” and avoid overwhelming the street, landmark buildings, and one-family neighborhoods with buildings that frame the street. Allow sufficient height to ensure that new office, residential, and commercial mixed-use development is profitable. Protect one-family residential neighborhoods from encroachment.</i>		
Buildings adjacent to a one-family residential dwelling or a historic landmark shall have a maximum height of 42 feet. Buildings adjacent to a historic landmark shall have a height that is architecturally compatible with that landmark.	X	Conforms.
Residential or live/work buildings on US 1, Alt. US 1 and 38 th Street should have a minimum height of 28 feet. The minimum height of commercial buildings on these streets should be 18 feet.		N/A
The maximum height of multifamily residential buildings shall be 70 feet.	X	N/A
The maximum height of townhouse buildings shall be 45 feet	X	N/A

<p>A bay window, oriel, entrance vestibule, or balcony may project up to three feet beyond the front or rear building line, if the projection is not more than ten feet long (measured along the building). Cornices and eaves may project up to two and one half feet beyond the building line. The projection shall be at least two feet from any lot line</p>	<p>X</p>	<p>N/A</p>
<p><u>Building Openings</u></p> <p><i>Develop user-friendly buildings by defining entrances and character through the shape, position, and detailing of doors and windows. Promote public safety through the natural surveillance and private oversight of public areas. Create an attractive and lively commercial area by highlighting storefronts. Provide doors and windows to appropriately articulate buildings with an industrial character, contribute to improved safety, and increase the user-friendliness of buildings.</i></p>		
<p>The main entrance(s) of buildings with ground floor retail uses should be located on the primary street and address the sidewalk with appropriate lighting and signage. Buildings on corners should consider locating main entrances on the corners.</p>		<p>N/A</p>
<p>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.</p>		<p>Conforms. The included design elements are a) retention of existing architectural façade; b) a portico; and c) plantings.</p>
<p>The ground floor of commercial structures with first-floor retail uses shall contain at least 60 percent two-way visually transparent material.</p>	<p>X</p>	<p>N/A</p>
<p>All facades should have substantial fenestration on all stories, including those facing the rear, alley, driveways, parking lots or other open areas.</p>		<p>Amendment required. Side elevation includes entrances but does not add additional fenestration. A mural is proposed to provide visual interest.</p>
<p>Multifamily buildings should have transparent lobby and entrance windows facing the street</p>		<p>N/A</p>
<p><u>Unit Design</u></p> <p><i>Develop high-quality, pedestrian-oriented commercial and residential structures compatible with the scale of adjacent neighborhoods and town centers through the use of texture, color, and massing. Retain the historic character of buildings and restore original building details, when possible. Allow for unique composition and details in new buildings while ensuring compatibility with existing neighborhoods.</i></p>		

Residential units shall not be located on the ground floor on 34 th Street, 38 th Street and on US 1 south of Jefferson Street.	X	N/A
Commercial buildings shall have a minimum ground floor height of 12 feet	X	Conforms.
Artist live/work units shall have a minimum gross floor area of 700 square feet	X	N/A
Architecture <i>Develop high-quality, pedestrian-oriented commercial and residential structures compatible with the scale of adjacent neighborhoods and town centers through the use of texture, color, and massing. Retain the historic character of buildings and restore original building details, when possible. Allow for unique composition and details in new buildings while ensuring compatibility with existing neighborhoods.</i>		
The historic character of buildings should be retained and, where possible, details of the original building should be restored.		Conforms. Existing masonry building façade to be retained.
Developments should emphasize the division between street level and the upper stories through design features such as aligned windows, awnings, patterned bands, and cornices		N/A. Existing building is one story.
Parking structures should relate to the architecture of the main building		N/A
New buildings greater than 45 feet in width should be designed to visually break up the length of the building		N/A. No new building proposed.
Buildings that exceed 130 feet in frontage on any street should be articulated through massing, material, color, opening, and detail changes to appear as multiple buildings rather than one single building.		N/A
Buildings intended for institutional use should highlight the main entrance through massing changes, architectural details, and appropriate lighting and plantings.		N/A
The ground floor of any commercial/mixed-use structure on US 1, Alt. US 1 and 38 th 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		Conforms. The existing façade will be retained and a portico added. This will provide decorative architectural detailing.
Design of multifamily buildings should be compatible with the scale and proportion of adjacent residential neighborhoods		N/A
New buildings should be faced on any facade fronting a public street with quality materials such as brick, stone, wood, masonry, or stucco compatible with the character of the surrounding neighborhoods.		N/A. This is an existing building.

<p><u>Architecture for Signature Buildings</u></p> <p><i>Locate architecturally unique buildings on sites important to the visual quality of the town center, such as the far side of a T-intersection where roads connect the Arts District to other municipalities (a view terminus) and the corners of major road intersections (gateway views).</i></p>		
<p>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.</p>		<p>Conforms. The renovation of the existing building within this view terminus site will retain the existing façade.</p>
<p><u>Signage</u></p> <p><i>Provide attractive, durable signage to create a positive, attractive identity for businesses. Design signs to enhance the area as a whole while allowing for creative commercial expression and visual variety by incorporating bright colors, textures, and images. Avoid oversized signage and ensure that home occupations, civic, and institutional uses retain the aspect of residential structures. Ensure that storefront windows are clear of signage to reduce clutter and improve passive observation of the street to enhance safety.</i></p>		
<p>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.</p>	<p>X</p>	<p>Conforms. The “Federalist Pig” sign on front façade is internally lit.</p>
<p>Commercial signs painted on side or rear facades shall not exceed 30 percent of the facade area.</p>	<p>X</p>	<p>Conforms. The mural on the side of the building will not contain advertising.</p>
<p>Neon signs, signs with moving parts, or blinking lights should not be greater than 20 square feet in area.</p>		<p>N/A</p>
<p>Sign locations should be incorporated into the overall architectural design of the building</p>		<p>Conforms.</p>
<p>Letters and logos painted on storefront windows and doors should not exceed more than 25 percent of the window area</p>		<p>N/A</p>
<p>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</p>	<p>X</p>	<p>Conforms. The wall mural along US 1 is oriented toward pedestrians.</p>
<p>Signs should be lit externally, where the light does not exceed the area of the sign or spill onto the building facade</p>		<p>Conforms. “Entrance” and “Pre-Order” signs on side doors are externally lit.</p>
<p>Only banners suspended and permanently braced perpendicular to the building are permitted</p>	<p>X</p>	<p>N/A</p>

Sign area shall not exceed the regulations of Sections 27-613(c), (f), and 27-107.01 of the Zoning Ordinance	X	Conforms. 60 sf of sign area permitted. Total of all building signs is 23.54 sf.
Roof-mounted signs should not extend beyond the roofline by more than three feet		Conforms. Sign on front façade is 1.3 ft high
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	X	Conforms. Building wall mural conforms. No advertising or logos are proposed.
<u>PUBLIC SPACE</u>		
<u>Streetscape</u> <i>Emphasize the positive identity of the Arts District by providing attractive and well-maintained streetscapes that enhance the comfort and provide connectivity for pedestrians. Provide an attractive strip for street trees, landscaping, and sidewalk paving to buffer pedestrians from traffic, beautify the street, and allow space for cafes, seating, bicycle racks, gardens, trash receptacles, and other amenities</i>		
The streetscape is the area from the face of the curb to the build-to line. The streetscape should include a sidewalk (pedestrian walkway and street furniture zone) and a strip containing street trees, landscaping, and a paved area for pedestrian amenities. On streets with on-street parking, bump-outs containing tree boxes should be considered. ¹		Conforms, although this standard does not apply in the City of Hyattsville.
The streetscape on US 1, 34 th and 38 th 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. ¹	X	Conforms. The sidewalk is 13 ft wide and includes a 5' sidewalk, 5' strip containing trees/landscaping and a three foot street buffer.
All streets shall have a sidewalk on both sides wherever possible.	X	Conforms.
On US 1, Alt US 1 and 38 th Street, tree boxes shall be at least 5 feet wide, 10 feet long, and 4 feet deep. On all other streets tree boxes shall be at least 4 feet wide, 8 feet long, and 4 feet deep. All tree boxes shall be spaced 30-40 feet apart.	X	Conforms. The tree pit will be more than 10 ft long and is at least 4 ft deep.

¹ The City of Hyattsville is exempt from this standard.

Street trees shall be shade trees and shall be a minimum of 2½- to 3-inch caliper	X	Conforms.
<u>Parks and Plazas</u> <i>Create attractive parks, greens, gardens, and plazas on public land and within private developments for rest, contemplation and/or active enjoyment. Enhance visual interest through public art, fountains, archways, and other amenities. Encourage unique design and visual features that tie the area to the Arts District.</i>		
At least one tree with a minimum 2½- to 3-inch caliper should be planted per every 1,000 square feet of proposed open space.		N/A
Walkways in parks and plazas shall have pedestrian-oriented lighting	X	N/A
A minimum of 1 shrub should be provided for every 100 square feet of area, and there should be a minimum of 3 varieties for spaces greater than 300 square feet		N/A

EXHIBIT "B"

5504 Baltimore Avenue, LLC / Federalist Pig?
5504 Baltimore Ave
Hyattsville, MD 20781

April 9, 2021

Hyattsville City Council
4310 Gallatin Street
Hyattsville, MD 20781

To Whom It May Concern:

On behalf of Federalist Pig, located at 5504 Baltimore Avenue, Hyattsville, MD 20781, I am writing to provide our plan for parking with regard to employees and guests.

We anticipate between 8 and 10 employees working a given shift including a supervisor and a manger. Employees are encouraged to utilize public transportation, which will be reimbursed at 100%. The West Hyattsville Metro Station stop is less than 2 miles from Federalist Pig, where employees can board the Bus to arrive at Gallatin St. at Church Pl and will then be a few minutes' walk/bike ride for the remainder of the commute. Employees who are unable to access public transportation will utilize Lots 1-5 and street parking, in which they will be reimbursed at a per diem rate of \$2.00 (equivalent to 4 hours parking in the Lots). Two monthly parking passes at Lot 2 have also been reserved for management.

Bicycle racks will be installed for employees, as well as guests to utilize. Capital Bikeshare station is also located at Baltimore Ave. & Jefferson Street. Guests with vehicles will utilize street meters or Lot pay stations if they intend to park rather than pick up to-go orders.

We will continue to monitor parking accessibility in the area to ensure employees and guests are aware of all available options.

Sincerely,

[Sign here]

Steven Thornton

Kevin Ward
Mayor



Tracey E. Douglas
City Administrator

June 11, 2021

Honorable Elizabeth Hewlett
Chairman
Prince George's County Planning Board
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

RE: Federalist Pig Restaurant Development - Detailed Site Plan (DSP-19072)

Dear Chairman Hewlett:

On Monday, June 7, 2021, the Hyattsville City Council reviewed the Detailed Site Plan application for the Federalist Pig Restaurant Development (DSP-19072).

The City Council voted in support of Detailed Site Plan (DSP) 19072 and the applicant's proposed departures from design standards, specifically the request for 43.2% site frontage as well as access to parking, loading facilities, and the rear of the lot along Baltimore Avenue.

Additionally, The City has reviewed the applicant's transportation mitigation strategy and we believe that the applicant is taking the necessary steps to diminish the need for on-site parking.

In addition to the applicant's request for modification to design standards, the City requests the applicant 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.

We thank the Planning Board in advance for consideration of these comments and look forward to your decision.

Sincerely,

A handwritten signature in black ink, appearing to read 'KW', with a stylized flourish at the end.

Kevin Ward
Mayor

cc: City Council
Adam Bossi, Planning Coordinator, M-NCPPC
Tom Haller, Applicant's Representative, Gibbs and Haller



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division
Transportation Planning Section


14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco


301-952-3680

July 2, 2021

MEMORANDUM

TO: Rachel Guinn, Development Review Division

FROM: Benjamin Ryan, Transportation Planning Section, Countywide Planning Division 

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division 

SUBJECT: Detailed Site Plan for Pedestrian and Bicycle Transportation Master Plan Compliance

The following detailed site plan (DSP) was reviewed for conformance with the Zoning Ordinance, the *Approved Countywide Master Plan of Transportation (MPOT)*, and the *2004 Approved Sector Plan for the Prince George's County Gateway Arts District* to provide the appropriate pedestrian and bicycle transportation recommendations.

Detailed Site Plan Number: DSP-19072

Development Case Name: Que for the People

Type of Master Plan Bikeway or Trail

Municipal R.O.W.	<u> </u>	Public Use Trail Easement	<u> </u>
PG Co. R.O.W.	<u> </u>	Nature Trails	<u> </u>
SHA R.O.W.	<u> X </u>	M-NCPPC – Parks	<u> </u>
HOA	<u> </u>	Bicycle Parking	<u> X </u>
Sidewalks	<u> X </u>	Trail Access	<u> </u>

Detailed Site Plan Background	
Building Square Footage (non-residential)	3,375 Square-Feet
Number of Units (residential)	N/A
Abutting Roadways	US 1 (Baltimore Avenue), 44 th Avenue
Abutting or Nearby Master Plan Roadways	US 1 (Baltimore Avenue – C-209)
Abutting or Nearby Master Plan Trails	Planned Bicycle Lane: Baltimore Avenue Planned Side Path: Baltimore Avenue
Proposed Use(s)	Eating or Drinking Establishment
Zoning	M-U-I
Centers and/or Corridors	Baltimore Avenue Corridor
Prior Approvals on Subject Site	N/A

Previous Conditions of Approval

There are no binding prior conditions of approval on the subject property specific to pedestrian or bicycle improvements that are relevant to this subject application. While the subject site is within a designated 2002 General Plan Corridor, as a detailed site plan application it is not subject to 24-124.01 of the subdivision regulations and the "Transportation Review Guidelines, part 2."

Proposed Pedestrian and Bicycle Infrastructure

The submitted plans display significant improvements to the subject property's frontage. Specifically, the applicant proposes a three-foot-wide section of brick pavers, a five-foot-wide landscape strip, and a five-foot-wide sidewalk, resulting in a total of thirteen-feet of width. The brick pavers are proposed to be located directly against the frontage of Baltimore Avenue. The sidewalk is proposed to be located against the frontage of the building and the landscape strip is proposed to be located in between the brick pavers and the sidewalk. Two bicycle racks have been proposed to be located within the landscape strip. The applicant's submission displays a notation indicating a six-foot-wide crosswalk crossing the drive aisle at the point of vehicle entry. Additionally, the applicant intends to close the point of vehicle entry along the portion of the subject site that fronts along 44th Avenue.

Review of Master Plan Compliance

This development case is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT), which recommends the following facilities:

Planned Bicycle Lane: Baltimore Avenue

Planned Side Path: Baltimore Avenue

Comment: Baltimore Avenue provides frontage along the east side of the subject property. No additional right-of-way is being sought with this application. The Maryland State Highway Administration (SHA) can require the construction of the master plan recommended bike lane or side path along Baltimore Avenue as appropriate, or they may be installed by SHA as part of a future roadway repaving or capital improvement project.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The subject property is within the 2004 *Approved Sector Plan for the Prince George's County Gateway*

Arts District (Plan). Within the Plan, the subject property falls within the Town Center Character Area (Map p.12). The Transportation Systems section of the Gateway Arts Plan lists several objectives to better serve the overall transportation network. Objectives 4-6 from the Transportation Systems (p.39) are listed below:

4. Define the streetscape as an inviting public space.
5. Enhance crosswalks and sidewalks so that the area is recognized as pedestrian-friendly.
6. Identify safe and practical measures to accommodate those who choose to bicycle to and within the sector plan area.

Conformance to the Zoning Ordinance

Detailed Site Plans are subject to the following design standards, per Section 27-274(a)(2):

(C) Vehicular and Pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

(viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on site;

(ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and

(xi) Barrier-free pathways to accommodate the handicapped should be provided.

Section 27-274(a)(6) which reads:

(A) Site and streetscape amenities should contribute to an attractive coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:

(i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;

Comment: As previously mentioned, the applicant's submission includes a five-foot-wide sidewalk along the frontage of the building, a five-foot-wide landscape strip, and a three-foot-wide section of brick pavers along the frontage of Baltimore Avenue, resulting in a thirteen-foot-wide frontage. Bicycle racks are located within the landscape strip and a crosswalk crossing the drive aisle where vehicles enter the site has been provided. Staff finds the widened and improved frontage, along with the strategic placement of bicycle racks and a crosswalk, to be reflective of the goals of the sector plan and meet the requirements of the zoning ordinance.

Recommended Conditions of Approval

Based on the findings presented above, staff conclude that the pedestrian and bicycle transportation site access and circulation of this plan is acceptable, consistent with the site design guidelines

DSP-19072: Que for the People

July 2, 2021

Page 4

pursuant to Sections 27-283 and 27-274, the relevant design guidelines for transportation, and conclude that the submitted detailed site plan is deemed acceptable from the standpoint of bicycle and pedestrian transportation.

MEMORANDUM

June 30, 2021

TO: Adam Bossi, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director *mog 6/30/2021*
Site/Road Plan Review Division, DPIE

Re: Que for the People (Federalist Pig)
Detailed Site Plan No. DSP-19072

CR: Route 1 (Baltimore Avenue)
CR: Jefferson Street

This is in response to the Detailed Site Plan No. DSP-19072 referral, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is located along Route 1(Baltimore Avenue), approximately 89 feet north of Jefferson Street.
- Jefferson Street is a City of Hyattsville maintained road; therefore, coordination with City of Hyattsville will be required to determine frontage improvements.
- Route 1 (Baltimore Avenue) is a State maintained road; therefore, approval is required from the State Highway Administration (SHA).
- The applicant proposes to convert an automobile parts and tire store into an eating and drinking establishment, excluding a drive-through service.
- The proposed Detailed Site Plan No. DSP-19072 is consistent with the approved Concept Plan number 2541-2020, dated August 7, 2020.
- DPIE has no objection to the proposed Detailed Site Plan No. DSP-19072
- This memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:

- a) Final site layout, exact impervious area locations are shown on plans.
- b) Exact acreage of impervious areas have not been provided.
- c) Proposed grading is shown on plans.
- d) Stormwater volume computations have not been provided.
- e) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth.
- f) Disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion and sediment control practices are not included in the submittal.
- g) A narrative in accordance with the code has not been provided.
- h) Applicant shall provide items (a-g) at the time of filing final site permits.

If you have any questions or require additional information, please contact Mr. Steve Snyder, P.E., District Engineer for the area, at 301.636.2060.

MG:NGA:ag

cc: Steve Snyder, P.E., District Engineer, S/RPRD, DPIE
5504 Baltimore Avenue , LLC, 6856 Eastern Avenue Suite 225 Washington, DC 20012
Cornerstone Consulting, 1176 North Irving Street Allentown, PA 18109



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division
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14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
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www.mncppc.org/pgco

301-952-3680

June 30, 2021

MEMORANDUM

TO: Adam Bossi, Urban Design Section, Development Review Division

VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division

FROM: *CSH* Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-19072-01: Que for the People
Transportation Findings and Recommendations

Proposal

The Transportation Planning Section has reviewed the site plan noted above. The applicant is proposing the redevelopment of an existing 0.2709-acre lot into an eating and drinking establishment with no drive through services. The plans for this site include a makeover of the existing building and the addition of 963 square feet to the building footprint. The new proposed total is 3,375 square footage post building construction.

Background

The subject site is located within the M-U-I Zone and D-D-O of the *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*. The site is located on the west side of US 1 between the Jefferson Street and Longfellow Street intersections. The site is developed with a commercial building of approximately 2,400 square feet will be converted to an eating and drinking establishment with no drive through services.

The sidewalk, building, and parking placement appear to meet the standards of the D-D-O. It is noted that there is not a parking district within the City of Hyattsville.

Sidewalk

The existing right of way along US 1 is 60 feet, or 30' from the centerline. The Master Plan of Transportation was modified in 2009 to reflect an ultimate right-of-way width of 80' along this section of US 1, or 40' from centerline. A review of other projects approved within this section of US 1 over the past few years reveals that 60' of dedication was retained and a public use easement was established over the sidewalk areas between the curb and the buildings. The applicant proposes to provide a public use easement for the area within the existing right of way and the building. 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.

Building

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 sidewalk, building, and parking placement appear to meet the standards of the D-D-O Zone.

Parking

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. The applicant proposed to provide 15 parking spaces (12 full size, two compact and one handicapped space) and one loading space. A parking plan has been included in the submitted Statement of Justification and additional parking is available offsite.

Conclusion

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

June 29, 2021

MEMORANDUM

TO: Rachel Guinn, Urban Design

FROM: Jason Bartlett, Permit Review Section, Development Review Division

SUBJECT: Referral Comments for DSP-19072, Que For The People (Federalist Pig)

1. Show height and GFA of proposed one-story addition on the plan
2. Is all outdoor seating in the rear dining area provided by bench seating? If tables/seats as well, show on site plan.
3. Show height and SF of Proposed Covered Terrace on plan.
4. Parking & Loading Schedule should show "Required" and "Provided". An asterisk or asterisks should be provided anywhere an explanation is appropriate, as exemplified in the excerpt below:

5. OFF-STREET PARKING REQUIREMENTS:
REQUIRED (EATING ESTABLISHMENT; NO DRIVE-THROUGH):

1 REGULAR SPACE PER 3 SEATS
88 SEATS PROPOSED
88/3 = 29.3
REQUIRED: 30 REGULAR PARKING SPACES
PROVIDED ~~PROPOSED~~: 15 PARKING SPACES (12 REGULAR + 2 COMPACT + 1 HANDICAPPED)*

6. OFF-STREET LOADING REQUIREMENTS:
REQUIRED (ALL OTHER USES):
BETWEEN 2,000-10,000 OF GFA = 1 SPACE
PROVIDED: ?

* Explain how you are required 30 and allowed to provide 15. For example: "Modification to Development Design Standard granted by the Planning board."

5. An additional sheet should be added to the site plan containing the spreadsheet pages from the SOJ listing the standards applicable to the Town Center Character Area

identifying whether or not the proposed development conforms with the applicable standard, or an alternate standard was granted by the Planning board, to include nonconformance to 9.1, 9.2, 9.3 and 9.4

6. No further comments.

June 24, 2021

MEMORANDUM

TO: Jill Kosack, Planner IV, Development Review Division
Will Capers, Planning Supervisor, Urban Design Section

VIA: Sherri Conner, Planning Supervisor, Subdivision Section *SC*

FROM: Mridula Gupta, Planner Coordinator, Subdivision Section *MG*

SUBJECT: DSP-19072; Que for the People (Federalist Pig)

The subject property considered in this detailed site plan (DSP) is located on Tax Map 42 in Grid C-4 and is described as Parts of Lots 3, 4 and 5 on a plat of subdivision entitled "Pettit's Addition to Hyattsville" and recorded among the Land Records of Prince George's County in Plat Book LIB A, plat 18 dated September 1930. The subject site is 0.27 acres and is zoned Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O).

The DSP proposes to convert an existing building into an eating and drinking establishment. Specifically, a 963 square foot addition is proposed at the rear of the building, increasing the gross floor area (GFA) from 2,412 square feet to 3,375 square feet. Additionally, the applicant proposes to renovate the interior and exterior of the existing building, which was built around 1940 and was used formerly as an automobile parts and tire store. The site is documented to have been used for commercial purposes since at least 1940.

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 thus no longer conforms to Plat Book LIB A plat 18, and thus is not the subject of a record plat.

The development proposed under DSP-19072 is exempt from filing a PPS pursuant to Section 24-107(c)(7)(C) of the Subdivision Regulations which states:

- (c) The following shall be exempt from the requirement of filing a preliminary plan and final plat of subdivision, except for any portion of land within the Interim Land Use Control (ILUC) Area subject to Sec. 24-120.03(b) of this Subtitle and consistent with Part 18 of the Zoning Ordinance unless otherwise noted below:**

(7) Any subdivision of land by deed of a lot prior to January 1, 1982, provided:

(C) The development proposed is in addition to a development in existence prior to January 1, 1990, and does not exceed five thousand (5,000) square feet of gross floor area.

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 GFA. Therefore, development proposed under DSP-19072 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.

The referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. All property line bearings and distances must be clearly shown on the DSP and be consistent with the legal description of the property or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.



Division of Environmental Health/Disease Control

Date: May 28, 2021

To: Adam Bossi, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP-19072, Que For the People, (Federalist Pig)

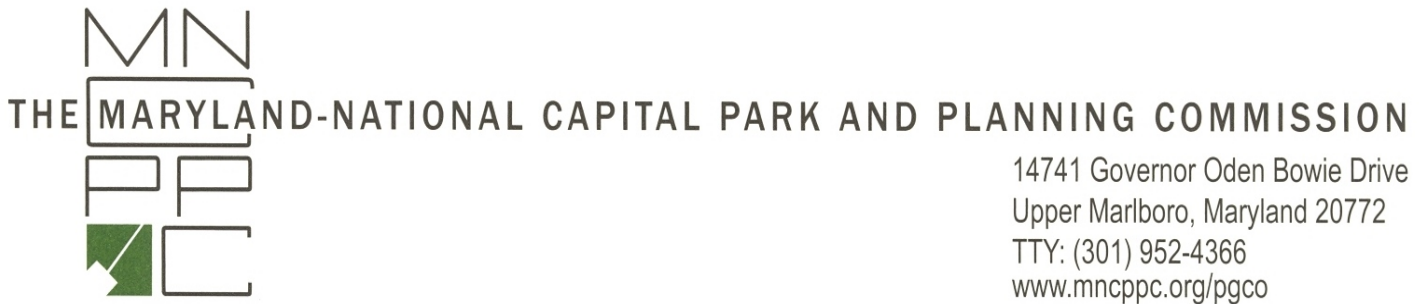
The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the detailed site plan submission for the Que For the People (Federalist Pig) located on 5504 Baltimore Avenue and has the comments / recommendations:

1. Health Department permit records indicate there are approx. 5 existing carry-out/convenience store food facilities and no markets/grocery stores within a ½ 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.
2. The applicant should submit plans to the Department of Permits Inspection and Enforcement's (DPIE) Plan Review Department for the proposed food service facility and apply for a High HACCP Food Service Facility Permit.

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711
www.princegeorgescountymd.gov/health



Countywide Planning Division
Historic Preservation Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

301-952-3680

June 21, 2021

MEMORANDUM

TO: Adam Bossi, Urban Design Section, Development Review Division

VIA: Howard Berger, Historic Preservation Section, Countywide Planning Division **HSB**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**

SUBJECT: **DSP-19072 Que For The People (Federalist Pig)**

The subject property comprises 0.27-acres and is located along Route 1 (Baltimore Avenue), approximately 89- feet north of Jefferson Street. The subject application proposes the redevelopment and expansion of an existing commercial structure for an eating and drinking establishment, excluding drive-through service. The subject property is Zoned D-D-O and M-U-I.

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. A Phase I archeology survey will not be 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) and contains Bergmann's Laundry (68-041-35) a documented property. Bergmann's Laundry is a low-lying one-story building with a façade of cut limestone with various Art Deco motifs. Interestingly, the parking area was a food establishment in the 1940s called the Federal Diner. In the mid 1950s it was known as Fred's Diner and had a successful following of Hyattsville residents. Historic Preservation Section staff recommend approval of DSP-19072 Que for the People (Federalist Pig) with no conditions.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

Prince George's County Planning Department
Community Planning Division

301-952-3972
June 4th, 2021

MAJOR ISSUES MEMORANDUM

TO: Adam Bossi, Planner Coordinator, Urban Design Section, Development Review Division

FROM: Kendra Hyson, Senior Planner, Long-Range Planning Section, Community Planning Division
David A. Green, MBA, Master Planner, Community Planning Division

SUBJECT: Que for the People (Federalist Pig) – DSP-19072

Location: 5504 Baltimore Ave. Hyattsville, MD 20781

Size: .2709 Acres

Existing Use: Automotive

Proposal: The applicant proposes to convert the current building, previously functioning as an automotive and tire repair shop, to an eating and drinking establishment known as the Federalist Pig. The building will get a complete makeover, except for the front façade which will be retained. A 963 square foot addition will be added to the rear of the building, increasing the total square footage from 2,412 square feet to 3,375 square feet.

Major Issues: The Community Planning Division has identified no major issues.

From: [Kosack, Jill](#)
To: [Bossi, Adam](#); [Guinn, Rachel](#)
Subject: FW: SDRC RESPONSE: ACCEPTANCE of DSP-19072 QUE FOR THE PEOPLE (FEDERALIST PIG) {DUE 6-28-2021}
Date: Thursday, June 24, 2021 7:51:20 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
Importance: High

From: Finch, Kim <Kim.Finch@ppd.mncppc.org>
Sent: Thursday, June 24, 2021 6:36 PM
To: Kosack, Jill <Jill.Kosack@ppd.mncppc.org>
Cc: Capers, William <William.Capers@ppd.mncppc.org>; Reiser, Megan <Megan.Reiser@ppd.mncppc.org>; Nickle, Suzanne <Suzanne.Nickle@ppd.mncppc.org>
Subject: FW: SDRC RESPONSE: ACCEPTANCE of DSP-19072 QUE FOR THE PEOPLE (FEDERALIST PIG) {DUE 6-28-2021}
Importance: High

EPS has completed the review of the above application. The site is 0.27 acres in size and located in the M-U-I/D-D-O. 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. A SWM Concept Approval letter #2541-2020-00 was is for the site exempting the application from SWM requirements because there is less than 5000 Square feet of disturbance on the site. This e-mail is submitted in-lieu of a referral memo because there are no environmental issues associated with this application.

Kim I. Finch

*Master Planner | Environmental Planning Section
Countywide Planning Division*



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772
301-952-3506 | kim.finch@ppd.mncppc.org



From: [Kwesi Woodroffe](#)
To: [Kosack, Jill](#); [Capers, William](#)
Cc: [PGCReferrals](#); [Bossi, Adam](#)
Subject: RE: SDRC RESPONSE: ACCEPTANCE OF DSP-19072 QUE FOR THE PEOPLE (FEDERALIST PIG) {DUE 6-28-2021}
Date: Thursday, June 24, 2021 9:21:47 AM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
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[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good morning Jill/ Will.

I previously reviewed the referral and didn't have any significant comments.

The Applicant will need an Access Permit for the proposed improvements in the State's right of way along Baltimore Ave. Once detailed engineering plans and supporting documentation become available, a formal, electronic submittal should be made for a comprehensive review.

Electronic submittals may be made using the following link: [Login | MDOT SHA's On-Line Access Management \(force.com\)](#).

Thanks, Kwesi

Kwesi Woodroffe
Regional Engineer
District 3 Access Management
MDOT State Highway Administration
KWoodroffe@mdot.maryland.gov
301-513-7347 (Direct)
1-888-228-5003 – toll free
Office Hours
M-Thurs.: 6:30a-3:30p
Fr: 6:30a-10:30a
9300 Kenilworth Avenue,
Greenbelt, MD 20770
<http://www.roads.maryland.gov>



Tree Canopy Coverage Schedule for Sec. 25-128

Project Name:	TCP2#:	DRD Case #:	Area (acres)
Federalist Pig			
Site Calculations:	Zone 1:		
	Zone 2:		
	Zone 3:		
	Zone 4:	M-U-I	0.27
	Total Acres:		
Total Acres (gross acres)	% of TCC required	TCC Required (Acres)	TCC Required in (SF)
0.27	10.0%	0.03	1176
A. TOTAL ON-SITE WC PROVIDED (acres) =	0.00	acres	0
B. TOTAL AREA EXISTING TREES (non-WC acres) =	0.00	acres	0
C. TOTAL SQUARE FOOTAGE IN LANDSCAPE TREES =			1230
D. TOTAL TREE CANOPY COVERAGE PROVIDED =			1230
E. TOTAL SQUARE FOOTAGE REQUIRED =			1176
			Requirement Satisfied

Credit Categories for Landscape Trees	TCC Credit per Tree Based on Size at Planting (SF)	Number of Trees	TCC Credit (SF)
Deciduous - columnar shade tree (50' or less height)	2 - 1/2 - 3" = 65		0
	3 - 3 1/2" = 75		0
Deciduous - ornamental tree (20' or less height with equal spread). Minimum planting size 7 - 9' in height	1 - 1/2 - 1-3/4" = 75		0
	2 - 2 1/2" = 100	3	300
	2 - 1/2 - 3" = 110		0
Deciduous - minor shade tree (25-50' height with equal spread or greater). Minimum planting size 8-10' in height	2 - 1/2 - 3" = 160	3	480
	3 - 3 1/2" = 175		0
Deciduous - major shade tree (50' and greater ht. with spread equal to or greater than ht) Minimum planting size 12 to 14' in height	2 - 1/2 - 3" = 225	2	450
	3 - 3 1/2" = 250		0
Evergreen - columnar tree (less than 30' height with spread less than 15')	6 - 8' = 40		0
	8 - 10' = 50		0
	10 - 12' = 75		0
Evergreen - small tree (30-40' height with spread of 15-20')	6 - 8' = 75		0
	8 - 10' = 100		0
	10 - 12' = 125		0
Evergreen - medium tree (40-50' height with spread of 20-30')	6 - 8' = 125		0
	8 - 10' = 150		0
	10 - 12' = 175		0
Evergreen - large tree (50' height or greater with spread of over 30')	6 - 8' = 150		0
	8 - 10' = 200		0
	10 - 12' = 250		0
TOTAL NUMBER OF TREES/TCC CREDIT (SF)		8	1230

(Manually enter information/figures into shaded areas)

John B. Anderson
 Prepared by _____

7/1/2021
 Date _____

Additional Back-up

For

Detailed Site Plan DSP-19072
Que For The People
(Federalist Pig)

APPLICANT’S PROPOSED REVISIONS
DSP-19072
QUE FOR THE PEOPLE
PLANNING BOARD AGENDA JULY 29, 2021

- A. 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 ~~and is included as a condition~~ 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.