

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 13, 2018, regarding Detailed Site Plan DSP-17033 for EZ Tag and Title, the Planning Board finds:

1. **Request:** The subject application proposes to convert the use of an existing single-family dwelling used for residential purposes to commercial office use and to validate the parking compound previously constructed without a permit, within the Mixed-Use Transportation-Oriented (M-X-T) Zone and the Development District Overlay (D-D-O) Zone of the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment* (Port Towns Sector Plan and SMA). The property is located at 5505 Landover Road in Hyattsville, recorded in land records as Lot 5, Block 4 in Plat Book BB 9-49.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T/D-D-O	M-X-T/D-D-O
Use	Single Family Dwelling	Commercial Office
Acreage (gross)	0.11	0.11
Parcels	1	1
Gross Floor Area (GFA)	+/- 749 sq. ft.	+/- 749 sq. ft.

OTHER DEVELOPMENT DATA

Parking requirements per the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*:

The following table outlines the amount of parking that is required within the Port Towns D-D-O Zone for the proposed development:

Use	Description*	Minimum Required**	Maximum Allowed**	Total Provided
Office (749 sq. ft.)	1 space per 250 sq. ft.	3	3	3

Notes:

- * This describes the requirements of Section 27-568 of the Zoning Ordinance for the proposed use.
- ** The 2009 Port Towns Sector Plan and SMA stipulates that a minimum of 80 percent of the parking required by Section 27-568, be provided and that the maximum cannot exceed 100 percent of that requirement.

Parking Spaces	Minimum Required	Provided
Standard spaces (9.5 ft. x 19ft.) 1space / 250 sq. ft.	2	2
Handicap Parking (13 ft. x 19 ft.) 1space / 25 spaces	1	1
Total Parking Spaces	3	3
Loading Spaces	0	0

3. **Location:** The site is in Planning Area 69 and Council District 5. More specifically, it is located on the south side of MD 202 (Landover Road), approximately 225 feet southeast of its intersection with 55th Avenue.
4. **Surrounding Uses:** The subject site is bounded to the north by MD 202; west by a parking compound in the M-X-T Zone, which serves the Publick Playhouse; east and south by single-family dwellings in the M-X-T Zone. The subject site and all of the surrounding properties are located within the Annapolis Road Gateway Character Area of the D-D-O Zone established by the 2009 Port Towns Sector Plan and SMA.
5. **Previous Approvals:** The single-family dwelling was constructed *circa* 1942 and is approximately 749 square feet, based on the site plan submitted by the applicant. This structure predates when Prince George’s County began maintaining permit records and there are no associated permit records available. However, it is noted that in accordance with Permit Number 20830-1977, a rooftop sign was constructed on the building.
6. **Design Features:** The site includes an existing building formerly used as a single-family dwelling, approximately 300-square-foot, three-space parking area, which was constructed without permits. The two parking spaces shown on the southeast side of the building are 9 feet by 19 feet, which does not meet the minimum size requirements. The Planning Board noted that the plan can be revised to relabel and stripe these spaces to meet the minimum required size of 9.5 feet by 19 feet. This section of MD 202 has a master-planned right-of-way width of 120 feet, which extends 10 feet onto the subject property, and should be shown on the site plan. A portion of the proposed

handicap parking space, specifically the access aisle, is located within the master planned right-of-way, which is not allowed under Section 27-259 without authorization from the Prince George's County District Council. The plan allows for sufficient space to move the access aisle to the opposite site of the handicap parking space, outside of the master planned right-of-way.

The main vehicular entrance to the site, off of MD 202, is existing and is not proposed to be modified with this application. The required 22-foot-wide drive aisle can be accommodated on the property, outside of the master-planned right-of-way, as required, but is not delineated on the plan and should be shown along with traffic flow arrows for clarification. The access drive narrows to approximately 15 feet in width within the master-planned right-of-way, which is insufficient for two-way traffic. Therefore, the Planning Board recommended that the applicant work with the appropriate road agency to widen this access, if permitted.

Conditions have been included in this approval to address the above issues, including the redesign of the parking spaces for size and location, delineation of the travel lane width, identification of traffic flow arrows, the limits of the master planned right-of-way on the property, and marking of the existing pavement, excluding the access drive, within the master planned right-of-way as "No Parking".

Architecture

The application does not propose any exterior renovations. The existing building is described in detail in Findings 7 and 8 below.

Signage

This is discussed in detail in Finding 7(a) below.

Lighting

This DSP is proposing a new use but did not include a detailed lighting plan, showing lighting to illuminate the building entrances and parking area as required by the D-D-O-Z (page 152). The proposed lighting should provide a balanced pattern on the property, highlighting the building entrances and providing patrons with a bright and safe atmosphere, while not causing a glare onto adjoining properties. A condition has been included in this approval requiring that a detailed lighting plan be provided.

COMPLIANCE WITH EVALUATION CRITERIA

- 7. The 2009 Approved Port Towns Sector Plan and Sectional Map Amendment and Development District Overlay Zone**—The subject site is in the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment* (Port Towns Sector Plan and SMA), within the boundary of the Annapolis Road Gateway Character Area. This application purposes to convert an existing residential dwelling to a commercial office, which is a permitted use in this character area per the use table in the sector plan. The conversion does not involve an increase in gross floor area (GFA) but is subject to the Development District Overlay (D-D-O) Zone standards of the Port Towns Sector Plan and SMA because a commercial office use is a higher intensity use than the

previous residential dwelling. The sector plan states, “A change from a lower intensity to a higher intensity use for new development, where specified in the 2010 *Prince George’s County Landscape Manual*, shall also comply with the development district standards of this plan.” (page 150). The applicable standards are discussed below:

a. Architectural Standards (page 195)

1. Signage, General Design and Materials (page 196)

- (2) **Letters may not exceed 18 inches in height or width and three inches in relief. Signs may not come closer than two feet to an adjacent common lot line.**

- (6) **Prohibited Signs: Billboards, free-standing pole signs, monument signs, marquees, any kind of animation, roof signs, and signs painted on the exterior walls of buildings are prohibited. No internally lit, flashing, traveling, animated, or intermittent lighting may be on the exterior of any building whether such lighting is of temporary or long-term duration. Portable or wheeled signs and advertising device located outside any building shall not be permitted, pursuant to county regulations.**

The Planning Board noted that the limitations on the design and materials related to signage allowed in the development district were not consistent with the subject application, which originally included a roof sign on the property. During the review process, the applicant revised the plan to remove the roof sign and now proposes a building-mounted sign on the northern façade, facing MD 202. The sign is located above the entrance to the building and features the name of the tenant. The size, material, illumination, and square footage have not been provided with the DSP and should be shown for clarification. Conditions have been included in this approval requiring that the existing sign be removed and that details and specifications for the proposed sign be provided.

b. Parking and Loading Standards

1. Required Parking Spaces (page 198)

The minimum surface parking spaces shall be 80 percent of the minimum required parking and loading as stated by Section 27-568(a) of Part II of the Zoning Ordinance. The maximum number of surface parking spaces shall be equal to the minimum required by required parking and loading as stated by Section 27-568(a) of Part II of the Zoning Ordinance.”

The DSP proposes three parking spaces on-site, which conforms to the minimum and maximum allowed in this standard.

8. **Prince George's County Zoning Ordinance:** The Port Towns Sector Plan and SMA supersedes the table of permitted uses in the Zoning Ordinance for the M-X-T Zone.

a. Section 27-285(b)(2) of the Zoning Ordinance states the following:

(2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).

The sector plan (page 152) states that “the D-D-O Zone and the development district standards meet the purposes of and requirements for a conceptual site plan as set forth in Section 27-272 and Section 27-273, thereby, serving as the conceptual site plan for properties zoned M-X-T within the development district and satisfying the requirements of Section 27-547(d).”

b. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone:

(1) The proposed development is in conformance with the purposes and other provisions of this Division;

The proposed development is in conformance with the purposes of the M-X-T Zone as stated in Section 27-542(a), as follows:

(1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

The proposed commercial office use along a major roadway, MD 202, will provide the opportunity for new employment opportunities, and promotes the orderly redevelopment of land in accordance with this purpose.

(2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;

The subject project will further the stated goal of the Annapolis Road Gateway Character Area in transforming the existing auto-related corridor into a pedestrian-friendly, mixed-use boulevard by adding a commercial use to the mix of uses along this main street, in accordance with this purpose.

- (3) **To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

The subject project proposes a commercial office and converts the existing dwelling to a new use, promoting development and redevelopment within the corridor.

- (4) **To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;**

There are two bus stops, sidewalks, and a mix of uses in the vicinity of the subject site, in accordance with this purpose.

- (5) **To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**

The office use will further this purpose by providing a safe and functional site while encouraging the vehicular and pedestrian mobility for the convenience of people who live, work, or visit the area by concentrating a mix of uses and encouraging a 24-hour environment.

- (6) **To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;**

The use of the site as a commercial office, will blend harmoniously with the variety of land uses near the subject property, which include an existing theater, laundromat, and convenience store.

- (7) **To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**

The existing building is being converted to a commercial use, which improves the functional relationships by creating greater compatibility with nearby commercial uses. For example, the proposed commercial use is more compatible with the adjacent parking lot, which would typically be used at night, than the existing single-family dwelling.

- (8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;**

Conversion of the existing residential dwelling to a new commercial use represents efficiencies in the use of existing infrastructure and public facilities in the vicinity.

- (9) To permit a flexible response to the market and promote economic vitality and investment; and**

The existing residential building will be repurposed to a commercial use, will promote economic vitality by upgrading the structure and streetscape, and encouraging investment in the area.

- (10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

The architectural design of the existing building is not being revised with this application, but the applicant does propose removal of the roof-mounted sign that is not permitted, and construction of a new building-mounted sign, in conformance with the standards of the D-D-O. The freedom allowed, within the parameters of the development district standards of the Port Towns Sector Plan and SMA, gives incentive to the developer to create an adaptive reuse of the structure, contributing to the economic fabric of the surrounding area.

- (2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

The subject site was placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, specifically by the 2009 Port Towns Sector Plan and SMA. The use is permitted in the Table of Uses for the Annapolis Road Gateway Character Area. See Finding 7 for a detailed description of that conformance.

- (3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

This application is for a change of use and will not affect the property's existing physical integration with the adjacent development. The DSP is not subject to the landscape manual requirements, because the D-D-O standards replace all those contained in the 2010 *Prince George's County Landscape Manual*. However, it is noted that the application proposes some new landscaping along the front of the property. This will improve the appearance of the property, enhance sustainable development measures, and the overall environmental health for the Annapolis Road Gateway Character Area. The proposed landscaping is desirable and creates a better streetscape along the roadway but may be subject to removal if MD 202 is expanded in the future.

- (4) The proposed development is compatible with existing and proposed development in the vicinity;**

The conversion of the existing single-family dwelling to the commercial office use proposed in this DSP is compatible with the surrounding uses, which include a mix of residential and commercial tenants.

- (5) The mix of uses, and arrangement and design of buildings, and other improvements reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

The mix of uses in the area will be enhanced by the conversion of the existing dwelling to a commercial use, adding a new independent use along this roadway corridor.

- (6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

The subject DSP is not phased. The requested change in use does not propose any new construction and is designed to be self-sufficient, allowing the use to integrate into the mix of uses around the site at completion of the development.

- (7) **The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity with the development;**

The office use is located along a bus route and is approximately 100 feet south of a bus stop. The site is surrounded by sidewalks around the entire block, specifically, on the northern edge of the property along MD 202, which provides connections to the pedestrian system. The proposed change of use will not reduce or compromise the convenience or design of facilities provided for pedestrians in or around the development. However, the Planning Board noted that the site plan does not propose a pedestrian sidewalk from the building entrance to the public sidewalk along MD 202. Therefore, a condition has been added to this approval to add a six-foot-wide sidewalk connection from the primary entrance of the building to the sidewalk along MD 202.

- (8) **On the Detailed Site Plan, in areas of development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial).**

The existing single-family dwelling provides a moderate level of quality design, with a human-scaled building located near the roadway and proposed landscaping. The proposed change in use will not reduce or compromise the existing quality of urban design in the area.

- (9) **On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

The subject application is a DSP, therefore, this required finding does not apply.

- (10) **On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities**

shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant.

The Planning Board reviewed this aspect of the subject plan and concluded that the proposed development will operate adequately as the change of use has a *de minimus* impact on traffic in the area.

- (11) **On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

This requirement does not apply, as the property contains less than 250 acres.

- c. The DSP application is also in conformance with additional regulations of the M-X-T Zone, as follows:

Section 27-544. Regulations.

- (a) **Except as provided in Subsection (b), additional regulations concerning the location, size, and other provisions for all buildings and structures in the M-X-T Zone are as provided for in Divisions 3 and 4 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

The subject project is located in the area covered by the Port Towns Sector Plan and SMA. Regulations for proposed improvements are subject to the development district standards therein. See Finding 7 for a detailed discussion of conformance to those requirements.

Section 27-548. M-X-T Zone.

- (a) **Maximum floor area ratio (FAR):**
- 1. Without the use of the optional method of development — 0.40 FAR; and**
 - 2. With the use of the optional method of development — 8.00 FAR.**

The proposed floor area ratio (FAR) is 0.143, which is below the maximum permitted FAR of 0.4. The subject project is in conformance with this requirement. However, the Planning Board notes that the FAR is not included in the general notes and should be shown for clarification. A condition has been added to this approval requiring the FAR to be added to the general notes.

- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

The proposed land use is permitted in the M-X-T Zone and is located in one building. The subject project is in conformance with this requirement.

- (c) Except as provided for in this Division, the dimensions for the location, coverage and height of all improvements shown on the Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone**

Though improvements on the site were largely pre-existing, the proposed development regulations are as shown on the DSP.

- (d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.**

The subject project is exempt from the requirements of the 2010 *Prince Georges County Landscape Manual* (Landscape Manual) under the D-D-O Zone. However, the applicant is providing some landscaping on-site, which helps further the purposes of the M-X-T Zone.

- (e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

The property proposes a FAR of 0.143, based on the guidelines set forth above.

- (f) **Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

This project is not subject to this requirement, as the construction of new structures is not proposed.

- (g) **Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

The subject property has frontage and direct access to MD 202 in accordance with this requirement.

- (h) **Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (1/2) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the**

Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

As no townhomes are proposed as part of this development, the project is not subject to this requirement.

- (i) The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

As no multifamily buildings are proposed as part of this development, the project is not subject to this requirement.

- (j) As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for**

Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

This requirement is inapplicable to the subject project.

- d. The DSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, as follows:

The site is generally in conformance with the relevant site design guidelines for the few proposed improvements to the site. For instance, parking and loading are designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces are located to provide convenient access to the building. The parking spaces proposed do not include wheel stops and should due to their location directly adjacent to sidewalks and landscaped areas. A condition has been added to this approval requiring the addition of wheel stops for all of the parking spaces.

9. **The Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** The subject DSP is exempt from the WCO because the site is less than 40, 000 square feet and has no previous tree conservation plan approvals. A letter of exemption (No.-S-162-2017) has been issued and is valid until September 29, 2019. An NRI equivalency letter (NRI- 034-2018) has also been issued because there are not any regulated environmental features are located on the subject property. The NRI equivalency letter is valid until February 23, 2023.
10. **2010 Prince George's County Landscape Manual:** The development district standards contained in the Port Towns Sector Plan and SMA replace all those contained in the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Discussion of the DSP's conformance with the landscape-related development district standards is provided in Finding 7 above.
11. **Prince George's County Tree Canopy Coverage Ordinance:** The subject DSP is exempt from the Tree Canopy Coverage Ordinance because it does not propose any gross floor area or ground disturbance of more than 5,000 square feet.

12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the following concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Historic Preservation**—The Planning Board noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that this proposal will not impact any known Prince George’s County Historic Sites, Historic Resources, or archeological resources. While the site abuts the parking lot for the historic Publick Playhouse on the western property line, the historic site’s environmental setting does not extend over this parking compound.
- b. **Community Planning**—The Planning Board noted the DSP’s conformance with the D-D-O Zone and their findings have been incorporated into Findings 7 and 8 above.
- c. **Transportation Planning**—The Planning Board noted that the subject property was originally developed as a single-family dwelling in a residential subdivision, but now proposes a commercial use. The site is adjacent to MD 202, which is a master plan arterial roadway. This section of MD 202 has an ultimate right-of-way of 120 feet, 60 feet from the centerline of the roadway. The submitted DSP should be revised to show the ultimate right-of-way and no permanent structures should be placed within the designated right-of-way.

The subject property has existing access on MD 202 and no changes are proposed at this entrance. Any change in access needs to be coordinated with the Maryland State Highway Administration, as they control access along MD 202.

Parking on-site can accommodate three vehicles, of which one is designated as a handicap parking space. The Planning Board found the access and parking to be acceptable, and noted that this commercial use will have a *de minimus* impact on traffic in the area.

Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a detailed site plan.

- d. **Subdivision Review**—The Planning Board noted that the change in use is proposed in an existing structure and there are no subdivision-related issues with the application.
- e. **Trails**—The Planning Board noted the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) recommendations for the property and included a discussion of the applicable standards but noted that the change in use does not require any pedestrian changes on the property. Therefore, the application has been found acceptable.
- f. **Prince George’s County Fire/EMS Department**—At the time of this approval, comments have not been received regarding the subject project from the Fire/EMS Department.

- g. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of this approval, comments have not been received regarding the subject project from DPIE.
 - h. **Prince George’s County Police Department**—At the time of this approval, comments have not been received regarding the subject project from the Police Department.
 - i. **Prince George’s County Health Department**—At the time of this approval, comments have not been received regarding the subject project from the Health Department.
 - k. **Washington Suburban Sanitary Commission (WSSC)**—At the time of this approval, comments have not been received regarding the subject project from WSSC.
 - l. **Maryland State Highway Association (SHA)**—At the time of this approval, comments have not been received regarding the subject project from SHA.
13. As required by Section 27-285(b) of the Zoning Ordinance, the DSP will, if approved in accordance with proposed conditions, represent 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.
14. In addition, per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

There are no regulated environmental features found on the subject property; therefore, no preservation or restoration is necessary.

15. The subject application adequately takes into consideration the requirements of the D-D-O Zone and the Port Towns Sector Plan and SMA. No amendments to the development district standards are required for this development.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Detailed Site Plan DSP-17033 for the above described land, subject to the following conditions:

- 1. Prior to certificate approval of the Detailed Site Plan, the following revisions shall be made, or information provided:

- a. Revise the site plan to show the access drive travel lane width and traffic flow arrows.
- b. Revise the DSP to include a detailed lighting plan showing the locations and details of all light fixtures illuminating the building entrances and parking area, to be reviewed by the Urban Design Section as the designee of the Planning Board.
- c. Add the floor area ratio to the general notes.
- d. Provide the details and specifications for the proposed building-mounted sign, showing conformance to any applicable Development District Overlay Zone standards.
- e. Show the limits of the master-planned right-of-way of MD 202 on the subject property.
- f. Indicate the unpermitted portion of the existing pavement within the master-planned right-of-way of MD 202 to be marked as “No Parking”.
- g. Add a six-foot-wide sidewalk connection from the building entrance to the sidewalk along MD 202.
- h. Add wheel stops to the parking spaces.
- i. Indicate that the existing roof-mounted sign is to be removed.
- j. Redesign the parking configuration on-site to locate the parking spaces outside of the master-planned right-of-way of MD 202 and meet the required parking space size.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioners Washington and Doerner absent at its regular meeting held on Thursday, September 13, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of October 2018.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:gh