

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 March 28, 2019, regarding Detailed Site Plan DSP-18032 for Landover Crossing Shopping Center, the Planning Board finds:

1. **Request:** The detailed site plan (DSP), with the companion conceptual site plan CSP-18009 (PGCPB No. 19-40), request validation of the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 of the Prince George’s County Zoning Ordinance, validation of the existing building-mounted and freestanding signage in accordance with Sections 27-613(f) and 27-614(e), respectively, and to establish parking and signage standards for future tenants.

2. **Development Data Summary:**

Zone	EXISTING	APPROVED
Use	M-X-T	M-X-T
	Integrated shopping center	Integrated shopping center
Gross Acreage	19.61	19.61
100-Year Floodplain	N/A	N/A
Lots/Parcels	1	1
Gross Floor Area (GFA)	177,125 sq. ft.*	177,125 sq. ft.*
Parking Spaces	REQUIRED**	APPROVED
Integrated Shopping Center		
177,125 sq. ft. @ 1 space per 250 sq. ft.	709***	728
Standard Spaces (9.5 ft. x 19 ft.)	-	565
Compact Spaces (8.5 ft. x 16 ft.)	-	163
Total Number of Parking Spaces	709	728****
Handicapped Accessible @ 2% of total	15	19

Loading Spaces (12 ft. x 33 ft.)

4***

7****

3 for 100,000 sq. ft., plus 1 for each additional 100,000 sq. ft.

Notes: *The total square footage is shown incorrectly on the plan as 206,537 and the applicant indicated the correct number for the overall integrated shopping center is 177,125, consistent with the prior use and occupancy permit. Therefore, a condition has been included in this approval to provide the correct GFA of the overall integrated shopping center in the general notes and on the plan where appropriate. In addition, it is noted that the plan does not provide a schedule showing a breakdown of the tenant spaces and uses and their square footages which should be provided for future permitting. Therefore, a condition has been included in this approval to provide a schedule of tenant uses with their square footage.

**Per Sections 27-574 and 27-583 of the Prince George's County Zoning Ordinance, there is no specific required number of parking or loading spaces in the M-X-T Zone. The applicant has included an analysis to be approved by the Prince George's County Planning Board. See Finding 7 for a discussion of the parking analysis.

***Total number of parking and loading spaces required by Sections 27-568 and 27-582 of the Prince George's County Zoning Ordinance, respectively.

****The DSP shows 728 parking spaces and 7 loading spaces; however, a parking and loading schedule has not been provided showing the type and number of spaces proposed. A condition has been added to this approval requiring the applicant to revise the DSP to provide a parking and loading schedule to show the type and number of parking spaces proposed.

3. **Location:** The subject property is located in the southeast quadrant of the intersection of MD 202 (Landover Road) and Brightseat Road, in Planning Area 72, Council District 5. More specifically, the property is located at 8585 Landover Road in Landover, Maryland.
4. **Surroundings and Use:** The subject property is bounded to the north by the public right-of-way of MD 202, with vacant property in the Mixed Use-Transportation Oriented (M-X-T) Zone beyond; to the south and west by the public rights-of-way of Brightseat Road with satellite parking compounds for FedEx Field located beyond; and to the east by a monopole located on Parcel 30 in the Commercial Shopping Center (C-S-C) Zone, with the on-ramp for I-495/I-95 (Capital Beltway) beyond.
5. **Previous Approvals:** The subject property is known as Lot 1, of Landover Road K-Mart, recorded in Prince George's County Land Records in Plat Book NLP-145-90, as approved in 1989.

A review of aerial photographs of the site indicate that the existing commercial shopping center on Lot 1 was constructed in approximately 1975. Additionally, it is noted that this property was rezoned from C-S-C to M-X-T by the 2009 *Approved Landover Gateway Sector Plan and Sectional Map Amendment* (Landover Gateway Sector Plan and SMA) approved by the Prince George's County District Council in May 2009.

6. **Design Features:** The subject applications are not proposing any site improvements on the subject property, but instead request validation of the existing parking and signage for the commercial shopping center, in conformance with Section 27-574 and Sections 27-613(f) and Section 27-614(e) of the Zoning Ordinance, which require parking and signage in mixed-use zones to be approved by the Planning Board at the time of DSP review. The M-X-T Zone requires the approval of a CSP and DSP for all uses and improvements per Section 27-546(a) of the Zoning Ordinance, and these applications have been submitted to satisfy this requirement. The existing development on Lot 1, including signage, parking, and lot configuration, was legal at the time of rezoning to M-X-T.

Building-Mounted Signage—Seven existing building-mounted signs were previously permitted for existing tenants and are not proposed to change but are being validated within the M-X-T Zone with this application. Previous permits were approved allowing these signs, but the permit numbers are not reflected on the DSP and should be noted for clarification. Therefore, a condition has been added to this approval requiring the applicant to revise the DSP to reflect the permit numbers for the existing signs. Building-mounted signage standards, such as maximum square footage, have been shown with this application and will be used to review future proposed signs, as tenants change in the integrated shopping center.

Freestanding Signage—The DSP includes two existing, externally-illuminated, freestanding entrance signs on Brightseat Road, which are 27 square feet and approximately 3 feet in height, featuring the name of the shopping center. One existing 31-foot-high monument sign is shown at the intersection of Brightseat Road and MD 202 near the northern access to the property. The square sign features a flagpole on top and an illuminated cabinet with changeable panels for tenants on three sides, which total 579 square feet. Details of the freestanding and monument signs have been provided and found to be appropriate in size, type, and design, given the proposed location at a major intersection and the shopping center use to be served.

CONFORMANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. Conformance with the M-X-T Zone requirements, as follows:

Section 27-546. Site Plans.

(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:

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

The subject limited application is in conformance with the purposes of the M-X-T Zone, as the parking is appropriately designed, with respect to size and location, promoting the orderly redevelopment of properties within the area. The existing signage is made of high-quality materials and is appropriately designed for the proposed retail tenants and institutional uses with respect to size, location, materials, colors, and lighting.

Additionally, it is noted that the subject property is designed in accordance with the vision of the Landover Gateway Sector Plan and SMA. The property is developed with mixed commercial and institutional uses, and the approval of this application will enhance the economic status of the County and provide an expanding source of desirable employment opportunities and retail options for its citizens by allowing the property to continue to obtain new tenants.

(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 an SMA approved after October 1, 2006, specifically on May 19, 2009, through the approval of the Landover Gateway Sector Plan and SMA by the Prince George's County District Council. The site was developed in its current configuration prior to rezoning the property. The validation of the parking and signage on-site does not change the configuration or design of the property. Signage design guidelines and standards have been prescribed for the property, however no new signage is proposed at this time, and the applicant does not propose redevelopment at this time. Future redevelopment will be in accordance with the Sector Plan and M-X-T Zone, as recommended.

- (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;**

The submitted application is for validation of the on-site parking and existing signage and will not affect the property's existing physical integration with the adjacent development. It is noted that existing sidewalks are provided on most of the street frontage around the shopping center and create a more urban and pedestrian-friendly streetscape.

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

The existing commercial development is compatible with the surrounding M-X-T zoned property, which is currently mostly vacant, but would be required to develop in conformance with the zone.

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

The submitted application is for validation of existing parking and signage on-site and does not propose any changes to uses, buildings, or other improvements. It is noted that the existing tenant mix includes retail, commercial, and institutional uses, which has operated independently and demonstrated the ability to sustain an independent environment of continuing quality and stability.

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

This requirement does not apply to this application because it is existing, and staging is not required as there are no proposed site improvements.

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

The submitted applications are for validation of existing parking; however, there is an existing sidewalk along the majority of Brightseat Road. The pedestrian system will encourage pedestrian activity and provide connections to the surrounding community.

- (8) On the Detailed Site Plan, in areas of the 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); and**

This DSP is for validation of existing parking and signage on the property, and no new pedestrian improvements or gathering places are proposed.

- (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, or will be provided by the applicant, 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 property was placed in the M-X-T Zone by an SMA, but no new development is proposed.

- (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 DSP is for validation of existing parking and signage on the property, and no new development is proposed.

- (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.**

The overall site plan contains less than 250 acres; therefore, this application is not subject to this requirement.

- b. 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 existing buildings are in conformance with the regulations of the C-S-C Zone, as were applied with the construction of the buildings in approximately 1975. No changes to site improvements are proposed with these applications.

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 FAR information is not shown and should be added to the general notes on the DSP, as conditioned in this approval. The FAR of the existing buildings are 0.20 based on the GFA of 177,125 square feet. However, as stated previously, this should be confirmed and should exclude basement storage areas and mechanical element areas. The existing buildings are legal, and were developed prior to the property being zoned M-X-T.

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

The proposed uses are located on one lot and in more than one building.

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

The DSP shows the required information for the existing development, which is to remain unchanged.

- (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 landscaping, screening, and buffering were reviewed prior to the adoption of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), and the on-site landscaping is not being revised. See Finding 10 for further discussion.

- (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 site has frontage on, and direct vehicular access to, Brightseat Road.

- c. **Site Design Guidelines:** The findings of approval regarding conformance with Section 27-283, Site design guidelines, of the Zoning Ordinance, that further cross-references the same guidelines as stated in Section 27-274 of the Zoning Ordinance, are limited due to the nature of this DSP.

The site design guidelines address general matters such as parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, architecture, and townhouses. The buildings and parking are existing, and no new improvements are being proposed. The buildings were constructed under prior regulations, and many guidelines are not applicable to these applications. The following guidelines warrant discussion, as follows:

- (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear, or side, of structures to minimize the visual impact of cars on the site. Surface parking is provided to the interior of the site for the existing commercial shopping center and in convenient locations for the retail, commercial, and institutional uses on the site.

The dimensions of the parking spaces and drive aisle width meet the current requirements of the Zoning Ordinance and propose a minimum size of 9.5 by 19 feet for standard parking spaces and 8.5 by 16 feet for compact spaces, with a minimum drive aisle width of at least 22 feet.

- (2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive, and loading should also be located to the side or rear of the building and be visually screened from public roadways. Seven loading spaces are provided and are located to the rear of the buildings and in areas away from public view. However, it is noted that the plan does not provide a loading schedule. Therefore, a loading schedule should be provided to show the required and provided number of loading spaces for the integrated shopping center, as conditioned in this approval.
- (3) In accordance with Section 27-274(a)(8)(A), Service areas, these areas are encouraged to be located away from primary roads, effectively screened or enclosed, and not visible from public view.

Trash facilities appear to be shown on the southern and western sides of the site and are appropriately screened. However, these are not clearly labeled on the plan. Therefore, a condition has been included in this approval requiring the applicant to clearly label these locations on the plan, and screen or enclose them with an evergreen screen, or sight-tight fence, that is compatible with the building.

- d. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b). The DSP proposes 728 parking spaces for the existing integrated shopping center. Under Part II, Off-street Parking and Loading, of the Zoning Ordinance, a total of 709 spaces is usually required for this type of development in conventional zones and the existing parking on-site exceeds this.

The Planning Board adopted herein by reference a memorandum dated December 5, 2018, from Lenhart Traffic Consulting Inc., which provided the required parking analysis for this development. The submitted parking analysis evaluated parking utilization on the site on weekday and weekends based on the existing uses on the site and determined that the base requirement for the uses on-site is 608 parking spaces. The memorandum adopted herein by reference on March 4, 2019 noted that the submitted parking analysis is based on 206,537 square feet, which is incorrect. The Planning Board noted that, the actual square footage, as approved herein, is lower, which would result in a lower parking requirement. Therefore, the Planning Board noted that the submitted methodology and assumptions are still valid.

Based on the number of existing parking spaces on the property exceeding the normal requirements of the Zoning Ordinance, the Planning Board noted that the site has adequate parking.

- e. Section 27-583, Number of spaces required in M-X-T Zone, of the Zoning Ordinance contains requirements for determining the total number of loading spaces, as follows:
- (a) **The number of off-street loading spaces required in the M-X-T Zone are to be calculated by the applicant and submitted to the Planning Board for approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations.**
 - (b) **The number of off-street loading spaces required shall be calculated using the following procedures:**
 - (1) **Determine the number of loading spaces normally required under Section 27-582.**
 - (2) **Determine the number of loading spaces that may be readily shared by two (2) or more uses, taking into account the location of the spaces, the uses they will serve, and the number of hours and when during the day the spaces will be occupied.**
 - (3) **The number of loading spaces normally required (paragraph (1)) may be reduced by the number of spaces determined to be unnecessary through the use of shared loading spaces (paragraph (2)).**

The DSP proposes a mix of commercial, retail, and institutional uses within the existing buildings and proposes seven loading spaces, which exceeds the requirement of four spaces, under Section 27-582.

- 8. **2010 Prince George's County Landscape Manual:** This DSP is for validation of existing parking and signage on the property, and no revisions to site improvements are proposed. Therefore, conformance to the Landscape Manual is not required per Section 1.1(b).
- 9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The subject DSP is for validation of parking and signage only and do not affect previous findings of conformance with the Woodland and Wildlife Habitat Conservation Ordinance (WCO), as demonstrated by the approved Type 2 Tree Conservation Plan TCP2-140-03.

10. **Prince George's County Tree Canopy Coverage Ordinance:** This DSP is for validation of existing parking and signage on the property and does not propose any site disturbance or change in GFA. Therefore, the Tree Canopy Coverage Ordinance is not applicable, per Section 25-127(a)(1) of the WCO.
11. **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. **Community Planning**—The Planning Board adopted herein by reference a memorandum dated February 27, 2019 (Wooden to Bishop), which provided an analysis of the General Plan, master plan, and SMA and noted that master plan conformance is not required.
 - b. **Transportation Planning**—The Planning Board adopted herein by reference a memorandum dated March 4, 2019 (Thompson to Bishop), which noted that no new construction is proposed, and that access and circulation would remain the same and are acceptable. The transportation-related findings of adequacy are met because there is no development proposed at this time. In addition, an in-depth discussion of the DSP's conformance to the parking requirements of the M-X-T Zone was provided as discussed in Finding 7 above. The Planning Board determined that the plan is acceptable and meets the findings required for a DSP.
 - c. **Subdivision**—The Planning Board adopted herein by reference an email dated March 8, 2019 (Davis to Bishop), which noted that the application is in compliance with the record plat, and provided minor technical revisions, which have been incorporated into this approval, as appropriate.
 - d. **Permit Review**—The Planning Board adopted herein by reference a memorandum dated February 28, 2019 (Linkins to Bishop), which offered comments that are addressed, as necessary, by conditions in this approval.
 - e. **Environmental Review**—The Planning Board adopted herein by reference an email dated February 6, 2019 (Schneider to Bishop), which noted that this case has an approved TCP2-140-03 and noted that there were no environmental issues at this time.
13. As required by Section 27-285(b)(1) of the Zoning Ordinance, this DSP, if approved with the conditions below, 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.
14. As required by Section 27-285(b)(2) of the Zoning Ordinance, the Planning Board noted that this DSP, is in general conformance with the approved Conceptual Site Plan.

15. As required by Section 27-285(b)(4) for approval of a DSP, the Planning Board noted that there are no environmental features on-site and the application does not propose any new development. Therefore, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations.

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-18032 for Landover Crossing Shopping Center, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made to the plan or the following information shall be provided:
 - a. Provide the existing floor area ratio information in the general notes on the DSP.
 - b. Provide the correct square footage of the integrated shopping center on the DSP where appropriate.
 - c. Provide a parking and loading schedule to show the type and number of required and proposed parking and loading spaces, in accordance with Sections 27-574 and 27-583 of the Prince George's County Zoning Ordinance.
 - d. Provide a schedule of tenant spaces and uses including their square footage, which should exclude those portions of the basement that are used exclusively for storage or other areas used exclusively for mechanical elements.
 - e. Clearly label the trash facilities on the DSP, and screen or enclose them with a sight-tight fence or evergreen screen.
 - f. Note the permit numbers for the existing signs on the DSP.
 - g. Provide the plan's applicable record plat reference, NLP 145-90, in the general notes.

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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PGCPB No. 19-41
File No. DSP-18032
Page 13

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 Doerner, with Commissioners Geraldo, Doerner, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, March 28, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of April 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:gh