

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 www.mncppc.org/pgco/planning/plan.htm.

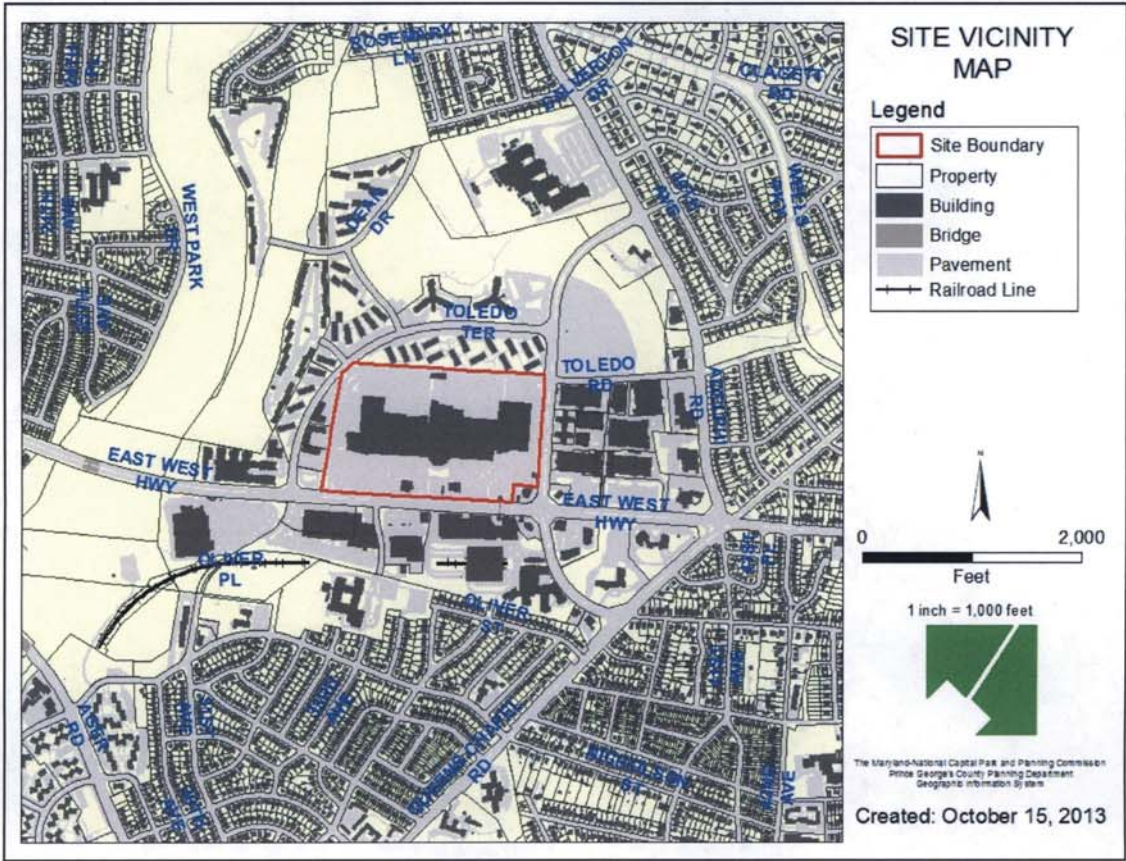
Detailed Site Plan

DSP-99044-07

Application	General Data	
Project Name: Prince George's Plaza, Parcel A-1 Chick-fil-A Location: Located at the northeastern quadrant of the intersection of East-West Highway (MD 410) and Belcrest Road. Applicant/Address: Chick-fil-A 5200 Buffington Road Atlanta, GA 30349	Planning Board Hearing Date:	10/31/13
	Staff Report Date:	10/16/13
	Date Accepted:	08/29/12
	Planning Board Action Limit:	Waived
	Plan Acreage:	51.03
	Zone:	C-S-C/T-D-O
	Dwelling Units:	N/A
	Gross Floor Area:	5,030 sq. ft.
	Planning Area:	68
	Tier:	Developed
	Council District:	02
	Election District:	17
	Municipality:	Hyattsville
200-Scale Base Map:	208NE03	

Purpose of Application	Notice Dates	
Amending the Table of Uses of the 1998 <i>Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone</i> to permit a freestanding eating and drinking establishment with drive-through.	Informational Mailing:	04/19/12
	Acceptance Mailing:	08/21/12
	Sign Posting Deadline:	10/01/13

Staff Recommendation		Staff Reviewer: Meika Fields Phone Number: 301-780-2458 E-mail: Meika.Fields@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-99044-07
Prince George's Plaza, Chick-fil-A

The Urban Design staff has reviewed the detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions as described in the Recommendation section of this report.

EVALUATION

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

- a. The requirements of the Zoning Ordinance in the Commercial Shopping Center (C-S-C) and Transit District Overlay (T-D-O) Zones.
- b. The requirements of the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone*.
- c. The requirements of Preliminary Plan of Subdivision 4-97084.
- d. The requirements of Detailed Site Plan DSP-99044.
- e. The requirements of the 2010 *Prince George's County Landscape Manual*.
- f. The requirements of the 1993 Prince George's County Woodland Conservation and Tree Preservation Ordinance.
- g. The requirements of the Prince George's County Tree Canopy Coverage Ordinance.
- h. Referral comments.

FINDINGS

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

1. **Request:** The subject application requests approval of a DSP and an amendment to the Table of Uses of the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* (TDDP) to permit a freestanding eating and drinking establishment with drive-through, specifically a Chick-fil-A restaurant, in the Commercial Shopping Center (C-S-C) and Transit District Overlay (T-D-O) Zones. The location of the proposed building pad is along East-West Highway (MD 410) in the southwestern corner of the existing parking lot of Prince George's Plaza Shopping Center (also known as the Mall at Prince George's).

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone	C-S-C/T-D-O	C-S-C/T-D-O
Use(s)	Integrated Shopping Center	Integrated Shopping Center /Eating and drinking establishment with drive-through
Acreage	51.03	51.03
Building Square Footage/GFA	-	5,030
Total Square Footage/GFA	1,112,148	1,117,178

Parking

	MAX. PERMITTED	PROPOSED
Prince George's Plaza – 1,117,178 square feet (Preferred Ratio of <4.35 spaces/100 s.f.)*	4,860	3,385

***Note:** Per the TDDP, Mandatory Development Requirement page 7.

The total number of on-site parking spaces within Prince George's Plaza will be reduced with the subject application because the proposed pad site will be located in an area that is currently parking spaces.

	REQUIRED	PROPOSED
Loading Spaces for 984,010 gross leasable area (1 per 100,000 GLA + 1 each additional 100,000 GLA)	12	33**

****Note:** One new loading space is proposed for the eating and drinking establishment.

3. **Location:** The subject site is located at the northeastern quadrant of the intersection of East-West Highway (MD 410) and Belcrest Road, in Planning Area 68, Council District 2, in the Developed Tier. The Chick-fil-A pad site is located at the far eastern portion of the site, near MD 410.

4. **Surrounding Uses:** The subject site, Prince George's Plaza, is bounded to the south by East-West Highway (MD 410) and to the east by Belcrest Road. Surrounding the property are a variety of retail and multifamily uses in the C-S-C, C-O (Commercial Office), M-X-T (Mixed Use-Transportation Oriented), and R-18 (Multifamily Medium Density Residential) Zones.
5. **Previous Approvals:** The original existing development on the site was an enclosed shopping mall that was developed in the late 1950s. The original Detailed Site Plan, DSP-99044, and companion cases for Primary Amendments TP-00001, Secondary Amendments TS-99044A, and Departure from Design Standards DDS-515 were reviewed and approved by the District Council on July 10, 2001. The original DSP was designed for Phase I of the redevelopment of the mall and included the renovation of one of an existing pad site as an Outback Steakhouse, a portion of the streetscape improvements along East-West Highway in front of Outback Steakhouse, and the redesign of the area around the east end of the shopping center.

DSP-99044/01 was for the purpose of constructing a new anchor store (Target) and the addition of two tenants at the rear of the shopping center. The Planning Board granted a further amendment to Standard S8 in 2003, in conjunction with DSP-99044/01. Departure from Design Standards DDS-515 was also approved for conformance to Section 4.7, Buffering Incompatible Uses.

DSP-99044/02 was for the purpose of renovating the rear of the shopping mall to improve access into the center, repaving, and incorporating additional green area.

DSP-99044/03 was to allow two-way traffic in an existing drive aisle that was previously utilized for one-way traffic for loading purposes.

DSP-99044/04 was for the purpose of adding a restaurant pad site (Olive Garden) of 7,685 square feet.

DSP-99044/05 was for modification of the rear elevation on the east end of the structure to accommodate new tenants and to remove 19 parking spaces.

DSP-99044/06 was for the purpose of constructing a pad site for a sit-down restaurant (Famous Dave's) of 6,574 square feet. The approved Famous Dave's restaurant was never constructed. The subject application is in the same location as approved Famous Dave's.

Also, the property is subject to a Departure for Sign Design Standards (DSDS-440) approved in December of 1991.

6. **Design Features:** The proposed one-story 5,030-square-foot eating and drinking establishment with drive-through service is proposed in the southwestern corner of the Prince George's Plaza parking lot with frontage on East-West Highway (MD 410). The building, which is proposed to exhibit a contemporary industrial look, will feature a series of flat roofs at various heights to create visual interest. Beige colored brick will be used as the primary building material. Steel and wood will serve as accent materials, and the overall appearance is natural, monochromatic composition of beige and brown tones.

The windows propose multiple panes of glass. Metal green screen frames are proposed to be mounted below the windows along the East-West Highway and parking lot elevations to allow for climbing plants. Along the East-West Highway elevation, some improvements to the fenestration appear warranted. The three equally-sized windows proposed along this elevation appear small

and inconsequential with too much space in between. Modifications of the fenestration, including larger windows with less space in between each, would give this elevation the additional visual prominence that is warranted along East-West Highway.

The proposed building design deviates from Chick-fil-A's standard architectural model, which is a traditional, two-toned, red brick building with tower features. This model has been constructed in other areas of the County. While staff understands the applicant's desire for a new visual aesthetic for the brand at this location, staff does have concerns about the overall level of architectural detail provided, visual interest achieved, and quality of the provided materials. A material board has been provided by the applicant, which demonstrates some limited variation in the proposed brick tone. The wood panel sample provided on the material board appears to be a wood-like composite material, and staff is uncertain as to whether the final product will achieve an appearance of quality and durability. Some additional information regarding the final appearance of the wood wall feature would be useful. Staff recommends that the applicant provide improved graphics of the proposal that indicate a high-level of architectural detailing. Additional brick detailing, via modification to brick patterns, colors, and/or treatments should be provided for visual interest. This information should be provided for the evaluation of the Planning Board prior to their action on the DSP. Prior to certification, final architectural elevations should be provided that employ a high-level of architectural detailing, and quality building materials for the proposal.

Drive-Through Service Window—The planned configuration of the drive-through service queuing and departure areas ensures direct pedestrian access to the proposed restaurant from the streetscape and eliminates a previously proposed drive-through form that would have wrapped the building with paved loading and queuing areas. This new configuration represents a significantly improved approach over the initial layout of the proposed development. However, the drive-through component by its very nature is contrary to the goals for the Prince George's Plaza Transit District. It is not a transit oriented form of development and is designed to accommodate the automobile. The proposed drive-through and double queuing lanes are located directly adjacent to the pedestrian zone along East-West Highway. While a low wall would exist between the drive through and the pedestrian zone, vehicle exhaust and lighting associated with drive-through and queuing lane would provide negative impacts to the pedestrian realm. Queuing lanes for the drive-through begin 12 feet from the existing sidewalk. For this reason and the overall goals of the TDDP, staff recommends the removal of the drive-through feature.

Signage—The application proposes four building-mounted signs with red, script-style, internally-illuminated channel letters and directional signs for the drive-through. The proposed sign area complies with the applicable sign standards for sites within the C-S-C Zone. The building front measures 90 linear feet; therefore, 180 square feet of building-mounted signage is permitted. One-hundred and forty-five square feet of building-mounted signage is proposed. No additional freestanding signs are proposed. The final sign plan should reflect the elimination of the drive-through, menu boards, and directional drive-through signage, as the staff recommends the elimination of the drive-through service component.

The sign plan proposes a 50-foot-tall flag pole with a United States of America flag. As the proposed fast-food restaurant is located within an area with sit-down restaurants, where fast food is not generally permitted, staff recommends that the flag pole be lowered in height to reduce its visual prominence and blend in more with the adjacent uses. The flag pole should not exceed a height of 25 feet.

Green Features—The subject proposal has been designed to include green building techniques. A summary of those techniques has been provided by the applicant in an e-mail dated October 1, 2013 (Lynch to Fields). The following list indicates the green building features included in the subject proposal:

- a. Meeting EPA guidelines for construction activity pollution prevention.
- b. Including 25 percent concrete paving on site, which reduces the heat island effect that is linked with the use of dark paving materials such as asphalt.
- c. Incorporating a white roof to reduce heat island effect from the building.
- d. Reducing indoor water use from the building (fixtures and process equipment) by 45%.
- e. Reducing outdoor water use by 50% through high efficient irrigation system and drought-tolerant plant selection.
- f. Commissioning all building systems for effectiveness before building turnover.
- g. Prioritizing materials with recycled content in construction specifications.
- h. Providing building prototypes are 10% more efficient than conventionally designed buildings because of ENERGY STAR process equipment.
- i. Specifying low emitting flooring and paint products.

This information is largely provided for informational purposes as the County does not have a Green Building Code, like some other jurisdictions. Staff encourages the applicant to employ these and additional green building and environmental site design techniques.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-S-C and T-D-O Zones of the Zoning Ordinance and found to be in conformance as discussed below except for the proposed drive-through component of the plan.
 - a. **Amendment to the Use Table:** The subject application is for an eating and drinking establishment with a drive-through. The 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* (TDDP) only permits fast-food restaurants in Subarea 11 when within a wholly-enclosed shopping mall, or department, variety, or drug store; within an office building; within a hotel; or accessory to, and as an integral part of, an allowed recreational facility. The subject proposal is a fast-food restaurant, and does not meet the location requirements above; therefore, the use is prohibited by the TDDP. While the Zoning Ordinance does not differentiate between eating and drinking establishments and fast-food restaurants, the permitted uses within the TDDP supersedes the Table of Uses in the Zoning Ordinance for sites within the TDOZ.

The Zoning Ordinance, in Section 27-548.09.01(b)(1), Amendment of the Approved Transit District Overlay Zone, states the following:

(b) Property Owner.

- (1) A property owner may ask the District Council, but not the Planning Board, to change the boundaries of the T-D-O Zone, a property's underlying zone, the list of the allowed uses, building height restrictions or parking standards in the Transit District Development Plan. The Planning Board may amend the parking provisions concerning the dimensions, layout, or the design of parking spaces or parking lots.**

Comment: The section above allows the owner of a property to request an amendment of the list of allowed uses. The owner's representative has filed a request to amend the table of uses to allow a freestanding eating and drinking establishment with drive-through service on the subject site.

Additionally, Section 27-548.09(b)(5) states the following:

- (5) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms to the purposes and recommendations for the Transit Development District, as stated in the Transit Development District Plan, and meets applicable site plan requirements.**

Comment: The District Council has mandatory review of this project because the applicant is requesting an amendment to the use table that is only allowed if granted by the District Council. In regard to the change to the use table, the Planning Board provides a recommendation to the District Council.

Comment: Staff does not agree with the proposal to amend the use table to allow an eating and drinking establishment with a drive-through service for reasons of non-conformance to the purpose of the T-D-O Zone. Specifically, the drive-through service is not recommended for approval. The purposes of the T-D-O Zone and the TDDP contained in Section 27-548.03 of the Zoning Ordinance and on page 9 of the TDDP are stated below and following each is staff comment indicating how the subject proposal conforms to those purposes:

- (1) To enhance the development opportunities in the vicinity of transit stations;**

Comment: The subject proposal conforms to the above purpose by utilizing a development opportunity that is in close proximity to an existing transit station. The proposal will provide the residents of the area, as well transit riders, with an additional dining option.

(2) To promote the use of transit facilities;

Comment: The fast-food restaurant with drive-through service does not promote the use of transit facilities. It promotes the use of vehicles throughout the transit district. Staff recommends that the drive-through service be eliminated from the proposal.

(3) To increase the return on investment in a transit system and improve local tax revenues;

Comment: The subject site is currently being used for parking, which does not provide a return on the investment in the transit system nor improve local tax revenues. Through the redevelopment of this specific area of Prince George's Plaza the subject proposal will increase the utility and value of the property, thereby improving local tax revenues generated by the property.

(4) To create a process which coordinates public policy decisions, supports regional and local growth and development strategies, and creates conditions which make joint development possible;

Comment: The subject application conforms to the established development review process for the TDOZ, which has been created to coordinate public policy decisions, and support regional and local growth and development strategies.

(5) To create a process which overcomes deficiencies in ordinary planning processes and removes obstacles not addressed in those processes;

Comment: The subject application conforms to the established development review process for the TDOZ. The TDOZ allows for flexibility in the development process through the use of amendments to the TDDP. In this case, an amendment to the Table of Uses for the property as part of the detailed site plan is requested. Staff recommends that the amendment to the Table of Uses be approved, but that the drive-through service be eliminated from the proposal. This recommendation is consistent with the Planning Board's approval of DSP-99006, McDonald's Hyattsville (PGCPB Resolution No. 13-47), which is pending finality with the District Council.

(6) To minimize the costs of extending or expanding public services and facilities, by encouraging appropriate development in the vicinity of transit stations;

Comment: If approved with a condition to eliminate the drive-through service, the application will conform to the above TDOZ purpose by encouraging metro ridership and reducing burdens to the surrounding road network.

(7) To provide mechanisms to assist in financing public and private costs associated with development;

Comment: The TDDP does include mechanisms to assist in financing public and private costs associated with development. The Prince George's Plaza Transportation Demand Management District (TDMD) is in place, which requires that property owners pay a fee based upon the number surface parking spaces provided. These fees are to be utilized for the payment of transportation improvements in the TDOZ. These fees are not triggered

by the subject application because no new parking is proposed, and the proposal indicates a net decrease in parking on the site. No additional action by the applicant is necessary with regard to the above purpose.

(8) To provide for convenient and efficient pedestrian and vehicular access to Metro stations;

Comment: The primary pedestrian route between the subject site and the Prince George's Plaza Metro Station is East-West Highway. The subject application proposes connections to the existing pedestrian network, which is both convenient and efficient.

(9) To attract an appropriate mix of land uses;

Comment: If the drive-through service is eliminated, staff believes the proposal will be in keeping with the existing land uses in the area, and attract a mix of other appropriate land uses. The proposal will add another dining choice to Prince George's Plaza, which has retail/commercial land uses that serve the surrounding residential area.

(10) To encourage uses which complement and enhance the character of the area;

Comment: Staff recommends that the drive-through service be eliminated so as not to erode the character of existing and future development in the area. In order to complement the character and visual quality of the area, staff recommends that details of outdoor features such as attractive and durable outdoor seating, specialty paving, and landscaping be provided for approval by the Urban Design Section as designee of the Planning Board.

(11) To insure that developments within the Transit District possess a desirable urban design relationship with one another, the Metro station, and adjoining areas; and

Comment: The subject application conforms to the above purpose. The proposed building is oriented to create a greater street presence and help continue to enhance the urban edge along East-West Highway. This creates a desirable urban design relationship between the subject site, adjacent uses, and the metro station.

(12) To provide flexibility in the design and layout of buildings and structures, and to promote a coordinated and integrated development scheme.

Comment: The subject application conforms to the above purpose. An amendment of the TDDP's build-to line requirement was previously approved for Prince George's Plaza. The adjacent Outback Steakhouse and Olive Garden were developed to comply with this amended build-to line with the addition of a pedestrian zone along East-West Highway. The location of the subject proposal is consistent with those previous approvals. The retention of the existing pedestrian zone along East-West Highway with a low, variable height, brick wall promote the appearance of a coordinated development scheme.

In addition to the general purposes of the T-D-O Zone contained in the Zoning Ordinance, the purpose of Subarea 11 is stated on page 118 of the TDDP, which states:

To provide for retail, service and office uses. A mixed-use development should be considered in the future for this property given its close proximity to the Metro Station.

Comment: The subject proposal complies with the TDDP's purpose of providing additional retail space in Subarea 11.

- b. Section 27-548.08(c) lists the required findings for approving a DSP in the T-D-O Zone as follows:

(A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;

Comment: The DSP is in strict conformance with the mandatory requirements of the TDDP as discussed further in Finding 8 below.

(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;

Comment: The DSP is consistent with the guidelines and criteria for development contained in the TDDP as discussed further in Finding 8 below.

(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones;

Comment: The DSP meets all of the requirements of the T-D-O Zone and the applicable regulations of the underlying zone. The proposal also meets all of the applicable requirements of the 2010 *Prince George's County Landscape Manual* and the Tree Canopy Coverage Ordinance.

(D) The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;

Comment: The proposed restaurant, with the elimination of the drive-through service, is adequate to meet the purposes of the T-D-O Zone as described in Finding 7(a) above.

(E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development.

Comment: The proposed structure and use, if the proposed drive-through service is removed, will be compatible with the surrounding and existing development.

8. **The 1998 Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone (TDDP):** The subject property is defined as Subarea 11 in the

1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone (TDDP)*. This makes it subject to all of the district-wide mandatory development requirements and site design guidelines, along with subarea-specific mandatory development requirements and site design guidelines.

Section 27-548.08(c)(1) of the Zoning Ordinance requires that the Planning Board find that the site plan is in strict conformance with any mandatory development requirements and is consistent with the guidelines and criteria for development in the TDDP. The applicant submits that the DSP meets all of the applicable standards and, therefore, has not requested any modifications to these requirements. Staff reviewed the submitted DSP and found it to be in conformance with the applicable mandatory development requirements and consistent with the guidelines. However, the following requirements warrant discussion at this time:

S5 All primary and secondary pedestrian routes shall be constructed using special paving materials. (See Figure 7 for crosswalks)

Comment: Details of proposed specialty paving treatments for the sidewalks around the building, at major entrances, and within the outdoor seating areas should be provided on the plans. Additionally, an enlarged plan of the outdoor seating area should be provided that indicates the style of proposed specialty paving and locates outdoor furniture, the proposed trellis, and landscape features such as decorative planting.

G11 Primary entrances should be designed as one of the major architectural features so they are clearly identifiable and offer a sense of arrival.

Comment: Staff believes that the sense of arrival on the southern façade, facing East-West Highway, would be improved with a more balanced fenestration and an enhanced window treatment to give this elevation the prominence that is warranted due to its highly visible location.

S30 All new retail development shall provide four bike racks per 10,000 gross square feet of floor space with each rack holding a minimum of two bicycles.

Comment: Two bike racks with a five bike capacity each are indicated on the DSP near the two primary building entrances.

S31 At the time of Detailed Site Plan, the number of trash cans and locations shall be shown on the plan. Trash receptacles should be placed in strategic locations to prevent litter from accumulating in and around the proposed development.

Comment: This requirement has partially been met with this submission. The DSP identifies an area on the eastern side of the proposed structure as a dumpster enclosure. In addition to a dumpster enclosure, individual trash receptacles should be strategically located on the site to prevent litter accumulation. The DSP should be revised prior to certification to identify the locations of trash receptacles and include a detail of their design.

9. **Conformance to Preliminary Plan of Subdivision 4-97084:** The property is the subject of Preliminary Plan of Subdivision 4-97084. Preliminary Plan 4-97084 for Prince George's Plaza was approved and the resolution was adopted by the Planning Board on January 8, 1998 (PGCPB No. 97-355). The resolution for the approved preliminary plan contains four conditions. The following two conditions in **bold** relate to the review of this application:

1. **There shall be no additional direct access to MD 410 or Belcrest Road from either parcel within the subdivision.**

Comment: The DSP does not show any direct access to East-West Highway (MD 410) from the proposed Chick-fil-A restaurant.

4. **The following note shall be placed on the Final Plat of Subdivision:**

Any additional physical development on this property shall require Detailed Site Plan approval.

Comment: The property was record in Plat Book VJ 186-9 on April 2, 1999. The record plat does contain a note reflecting Condition 4. The applicant has submitted this revised DSP for the subject property in part to address the requirement of Condition 4 above.

10. **Conformance to Detailed Site Plan DSP-99044:** The Planning Board approved Detailed Site Plan DSP-99044 on April 12, 2001 (PGCPB Resolution No. 1-77). No conditions of that previous approval are relevant to the subject application.
11. **The 2010 Prince George's County Landscape Manual:** Per Section 27-450 of the Zoning Ordinance, landscaping, screening, and buffering of all development in commercial zones shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additionally, the TDDP (page 30) requires that all properties within the transit district satisfy the requirements of the Landscape Manual in addition to the mandatory development requirements and site design guidelines listed in the TDDP. The requirements apply as follows:
 - a. **Section 4.2, Requirements for Landscaped Strips along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. However, the TDDP contains a build-to line and specific streetscape requirements that supersede the requirements of Section 4.2 of the Landscape Manual. Along East-West Highway (MD 410), a 28-foot-wide pedestrian zone is required (per TP-00001) and, along Belcrest Road, a 20- to 40-foot-wide pedestrian zone is required. A low, variable height, brick wall with shade trees, shrubs, and specialty paving have been implemented on the site.
 - b. **Section 4.3, Parking Lot Requirements**—Section 4.3 specifies that proposed parking lots larger than 7,000 square feet provide planting islands and shade trees throughout the parking lot to reduce impervious area and the heat island effect. The DSP proposes the building in the location of an existing parking lot. Council Bill CB-17-2013 reduces the parking lot interior planting requirement down from 15 percent to five percent and only within the limits of disturbance of any existing parking compound. The parking compound within the limit of disturbance of the subject application is 37,222 square feet. An interior planting area of 8.5 percent with 28 shade trees is proposed, which exceeds the minimum five percent requirements of Section 4.3 as amended by CB-17-2013.
 - c. **Section 4.4, Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. An attractive screen wall should be provided between the loading space and East-West Highway to meet the requirements of this section.

- d. **Section 4.7, Buffering Incompatible Uses**—A departure from design standards, DDS-515, was approved from Section 4.7 along the northern property line adjacent to multifamily development and along the western property line adjacent to an office complex. This granted DDS remains valid. The DSP should provide a plan note that indicates the details of the granted departure from Section 4.7 of the Landscape Manual.
 - e. **Section 4.9, Sustainable Landscaping Requirements**—This DSP application is subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. The plant schedule does not designate which plants are native species. This information should be provided on the DSP prior to certification.
 - f. **Section 1.7 Certificate of Landscape Maintenance**—The Landscape Manual requires that all required landscaping, buffering, and screening be maintained in a healthy condition and in accordance with the approved landscape plan. Staff has noted the absence of some of the required shade trees during site visits, and recommends that all dead, diseased, or otherwise absent shade trees required by Prince George's Plaza be provided along East-West Highway. Prior to signature approval of the plans the applicant should submit a landscape plan for the entire frontage of East-West Highway, and indicate the disposition of the required trees. Prior to approval of use and occupancy permits for the Chick-fil-A the applicant should submit a Certificate of Landscape Maintenance in accordance with Section 1.7, which indicates that the required shade trees along East-West highway have been provided or replaced.
12. **Prince George's County Woodland Conservation Ordinance:** The property is subject to the 1993 Prince George's County Woodland Conservation and Tree Preservation Ordinance (WCO) because the site has a previously approved tree conservation plan. A tree conservation plan (TCPII-100-00) was approved for the site on August 7, 2001, and the site has been developed in conformance with that approval. The previous tree conservation plan had an overall requirement of 5.18 acres that was met with, 10.37 acres of off-site woodland credits.

The proposed development is in conformance with the previously approved Type II tree conservation plan (TCPII). The pad site for the Chick-fil-A will not impact any environmental features.

13. **Tree Canopy Coverage Ordinance:** The project is subject to the requirements of Subtitle 25, Division 3, The Tree Canopy Coverage Ordinance (TCC), because it will require a permit for more than 1,500 square feet of disturbance. Council Bill CB-19-2013 modified Section 25-128, Tree Canopy Coverage Requirements, to state:

Permits for redevelopment of a previously developed site, which does not qualify for an exemption under subsection 25-127(b), shall be subject to the tree canopy coverage requirements based on the area within the limit of disturbance as shown on any Site Plan.

Prior to CB-19-2013, the subject application would have been required to demonstrate tree canopy coverage for the entire legally described property, which has a gross tract area of the entire 51.03-acre property, Prince George's Plaza (Parcel A-1), and provide ten percent (5.1 acres) of tree canopy on the developed property. As the Prince George's Plaza is a previously developed site, the requirement for the subject property, pursuant to CB-19-2013, is ten percent of the limit of disturbance shown on the DSP.

Area of Disturbance = 1.48 acres (64,469 sq. ft.)

	REQUIRED	PROPOSED
Tree Canopy	6,447 sq. ft.	7,950 sq. ft.

The ten percent tree canopy coverage requirement is met on the subject site for the limit of disturbance of the proposed Chick-fil-A, as required by Section 25-128.

14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

a. **Community Planning Division**—In a memorandum dated September 12, 2013, the Community Planning Division stated the following:

- (1) The subject application is consistent with the 2002 General Plan Development Pattern policies for centers in the Developed Tier. The proposed restaurant will contribute to the development of a mixed residential and nonresidential center proximate to the Prince George's Plaza Metro station.
- (2) This application conforms to the overall land use recommendations of the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone*. While the transit district development plan does not specifically identify the intended future land uses for the parcels within the plan area, it does link the allowed/desired uses to the zone and provides a purpose statement on page 118 that calls for retail, service, and office uses with consideration of a mixed-use development in the future. In this case, the zoning of the property is C-S-C and the permitted use is generally in conformance with that zone, emphasizing commercial retail and office uses.

The proposed use of an eating and drinking establishment with drive-through service is not a permitted use per the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone*. The applicant is requesting an amendment to the development plan to permit the use. While the applicant should be commended for proposing an innovative drive-through configuration that strives to preserve the primary pedestrian network along East-West Highway, the drive-through component by its very nature is contrary to the goals for the Prince George's Plaza Transit District to create a pedestrian-friendly environment along East-West Highway.

Comment: A condition has been included in the Recommendation section of this report requiring the removal of the drive-through service from the proposed use.

b. **Transportation Planning Section**—In memoranda dated September 14, 2012, and October 15, 2013, the Transportation Planning Section offered the following:

The 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* (TDDP) guides the use and development of all properties within its boundaries. The findings and recommendations outlined below are based upon staff evaluation of the submitted site plan and the ways in which the proposed development conforms to the mandatory development requirements and guidelines

outlined in the TDDP. The TDOZ is a mapped zone which is superimposed over other land use zones in a designated area around a Metrorail station and which may modify certain requirements for development within those underlying zones.

Amendment

The pad site and proposed use for a 5,030-square-foot eating and drinking establishment with drive-through service will not promote the use of transit facilities. The proposed use with drive-through service will not increase transit service/metro ridership or decrease the use of the surrounding road network. It is not conducive to transit service but is designed to accommodate and increase automobile usage via its drive-through service. For these reasons staff does not support the proposed use with drive-through service in the TDOZ or adding eating and drinking establishments with drive-through service to the table of uses found in Section 27-548-09.01 of the Zoning Ordinance. The site plan should be revised to reflect the proposed use without drive-through service.

Parking

During the preparation of the TDDP, staff performed an analysis of all road facilities in the vicinity of the TDOZ. This analysis was based on establishment of a transit district-wide cap on the number of additional parking spaces (preferred and premium) that can be constructed or provided in the transit district to accommodate any new development. Pursuant to this concept, the TDDP recommends implementing a system of developer contributions to insure adequacy of the transportation facilities, based on the number of additional surface parking spaces, as long as the authorized total parking limits and their attendant, respective, parking ratios (Tables 5 and 6 of the TDDP) are not exceeded. The collected fee will be applied toward the required number of transportation improvements as summarized in the TDDP. These improvements are needed to ensure that the critical roadways and intersections in the transit district will remain adequate and will be operating at or above Level of Service E, as required by the TDDP.

The addition of the 5,030-square-foot eating and drinking establishment will bring the proposed gross floor area at Prince George's Plaza to 1,117,178 square feet. Overall there will be a reduction of 60 parking spaces with the construction of the proposed restaurant bringing the surface parking total to 3,385 spaces. The maximum number of surface parking spaces allowed is 4,860. Since the proposed application does not propose to increase the number of surface parking spaces which currently exists on the site, the proposed application, if approved, would not result in any reduction in the total number of available preferred and premium parking totals for retail uses within the transit district. Further, it is important to note that replacement or alterations to legally pre-existing parking spaces are exempt from meeting the TDDP transportation and parking mandatory requirements.

Circulation

The plan modifications are limited to a small section of the site along MD 410 and to the east of Toledo Place. On-site vehicular and pedestrian circulation patterns as proposed within the area should be revised to reflect the use without drive-through service.

Transportation Demand Management

It should be noted that the 1998 TDDP also authorized the Prince George's Plaza Transportation Demand Management District (TDMD), which requires that each property owner in the District to be a member and participate in the TDMD. The annual TDMD membership fee is \$5.00 for each surface parking space. The annual TDMD membership

fee for parking spaces in structures and surface spaces that are permanently reserved for handicapped occupant vehicles, carpools and vanpools are set at a rate of \$2.00 per space.

Comment: These fees are not triggered by the subject application because no net increase in parking spaces is proposed.

Trails

The applicant's proposal is consistent with Section 27-548-06(e), Regulations, which requires that the pedestrian system within a Transit District shall be oriented toward serving the Metro station, as well as other development within the District. The design orients sidewalks towards MD 410 in order to provide a connection to the areas sidewalk system which gives access to the nearby Prince George's Plaza Metro Station. A sidewalk is recommended around one or both sides of the building so that those entering the overall development are not required to pass through the Chick-fil-A restaurant.

The sidewalks are wide enough for a bicycle to use, and bicycles can ride on MD 410. Bicycle lanes are recommended for MD 410 in the functional master plan. Bicycle parking racks are recommended for the site and the applicant proposes bike racks close to the main entrances into the building.

Conclusion

In summary, the Transportation Planning Section determines that the site plan should be revised and that eating and drinking establishments with drive-through service should not be added to the table of uses allowed within the TDDP.

Comment: A condition has been included in the Recommendation section of this report requiring the removal of the drive-through service from the proposed use.

- c. **Subdivision Review Section**—In a memorandum dated October 15, 2012, the Subdivision Review Section stated that the subject property is Parcel A-1 on Tax Map 41 in Grid F-2, and is 51.03 acres. Parcel A-1 is in the Commercial Shopping Center (C-S-C) Zone and is located within Prince George's Plaza. Failure of the site plan and record plat to match will result in the building permits being placed on hold until the plans are corrected.
- d. **Historic Preservation**—In a memorandum dated September 5, 2013, the Historic Preservation Section found the subject application will have no effect on identified Historic Sites, Resources, or Districts.
- e. **Permit Review Section**—In a memorandum dated October 3, 2012, the Permit Review Section requested technical revisions to the plans. These revisions should be address prior to signature approval and have been included in the Recommendations Section of this report.
- f. **Environmental Planning Section**—In an e-mail dated August 31, 2012, the Environmental Planning Section indicated no issues with the proposal. The subject application has an approved Natural Resources Inventory NRI-080-12; and is in conformance with the previously approved Type II tree conservation plan (TCP11-100-00). The pad site for the restaurant will not impact any environmental features.

- g. **Fire/EMS Department**—The Prince George’s Fire/EMS Department issues standard comments for the proposal dated September 20, 2012. Every portion of the proposed building is required to be located within 500 feet of a fire hydrant.
- h. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated September 13, 2012, DPW&T indicated that the proposed DSP is consistent with the approved Stormwater Management Concept 38898-2007-01 dated May 7, 2012. The proposal does not impact any county-maintained roads.
- i. **Maryland State Highway Administration (SHA)**—In referral comments dated September 10, 2012, the SHA Access Management Division completed its review of the subject application. SHA indicated that the proposed use will not negatively impact East-West Highway (MD 193) operations, therefore SHA has no objections.
- j. **Prince George’s County Police Department**—The Prince George’s County Police Department reviewed the submitted plan and indicated that they have no crime prevention through environmental design (CPTED) concerns or recommendations.
- k. **Prince George’s County Health Department**—In a memorandum dated September 14, 2012, the Environmental Engineering Program of the Prince George’s County Health Department offered the following comments and recommendations:

- (1) There are nine existing carry-out/convenience store food facilities and two markets/grocery stores within a one-half 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.

Comment: This information is provided to the Planning Board for informational purposes.

- (2) Indicate how the project will provide connections for safe pedestrian access to the site via the existing pedestrian network.

Comment: The detailed site plan was revised to place the building closer to East-West Highway. Now there is a direct pedestrian connection from the sidewalk located along East-West Highway to a building entrance.

- (3) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

Comment: This requirement will be enforced at the time of permit; however, a note should be provided on the DSP indicating conformance with this requirement.

- (4) During the demolition/construction phases of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George’s County Code.

Comment: This requirement will be enforced at the time of permit; however, a note should be provided on the DSP indicating conformance with this requirement.

- l. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated September 12, 2013, WSSC offered comments on needed coordination with buried utilities and WSSC easements and the requirements for connection to the existing water and sewer lines.
- m. **Potomac Electric Power Company (PEPCO)**—At the time of writing of this technical staff report, no response has been received from PEPCO.
- n. **The City of Hyattsville**—In a letter dated March 19, 2013, Mayor Marc Tartaro wrote to state that the City of Hyattsville does not support the applicant's request for an amendment to the table of uses to permit eating and drinking establishments with drive-through service, as this request is inconsistent with the pedestrian and transit oriented intent of the Prince George's Plaza Transit District Development Plan. If the applicant requires a drive-through as part of the development, then the City is opposed to this proposed detailed site plan.

The City of Hyattsville recommended that additional sustainability measures be included in the design to further reduce existing stormwater impacts such as permeable pavement, additional landscape measures and other industry accepted stormwater management design standards.

Comment: While the application does propose a number of green building features, none of the described features have a particular emphasis on stormwater management. The TDDP includes a goal to minimize the negative impacts of development. The TDDP also emphasizes the importance of stormwater management within the plan area due to the location of the area within the Anacostia River drainage basin. TDDP standard P25 states:

Any development shall provide for water quality and quantity control in accordance with all Federal, State, and County regulations. Bioretention or other innovative water quantity or quality methods shall be used where deemed appropriate.

The site has an approved stormwater concept (38898-2007-01) that complies with County regulations. Sites with a previously developed or impervious existing condition typically have less stringent stormwater requirements than development of greenfield sites. Staff believes that additional bioretention areas or other innovative water quantity or quality methods should be employed. Staff recommends that the parking lot interior planting islands within the limit of disturbance be designed to capture stormwater runoff from the surface parking lot. This would provide additional irrigation for the long term survivability of the shade trees planted in this area and provide an additional measure of stormwater management. A detail of the proposed interior planting islands should be provided.

RECOMMENDATION

Based on the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and recommend to the District Council that it APPROVE the amendment to the use table with modification to delete the drive-through component of the eating and drinking establishment, and APPROVE Detailed Site Plan DSP-99044-07, Prince George's Plaza Chick-fil-A, subject to the following conditions:

1. Prior to signature approval of the plans, the applicant shall revise the detailed site plan or provide additional information as follows:
 - a. Revise the plan to remove the drive-through service window, vehicular lanes and all other plan elements associated with the feature and convert the area into parking, green space, and/or amenity space.
 - b. Revise the sign plan to reflect the elimination of the drive-through, menu boards, and directional drive-through signage.
 - c. The following revisions or additional information shall be provided regarding the architectural proposal:
 - (1) Revise the south building elevation facing East-West Highway to improve the appearance by enlarging the windows and reducing the space in between each window.
 - (2) Provide additional information/clarification regarding the final appearance and materials of the wood-like wall features.
 - (3) Provide additional brick detailing, via modification to brick patterns, colors, and/or treatments to provide visual interest along all elevations.
 - d. Indicate the correct gross tract area of Parcel A-1 in the general notes located on the coversheet.
 - e. Revise the sign plan to indicate that the flag pole shall not exceed a height of 25 feet.
 - f. Label the height and dimensions of the proposed dumpster enclosure; and provide details and specifications for review and approval by the Urban Design Section.
 - g. Provide details and specifications of specialty paving for the sidewalks around the building, at major entrances, and within the outdoor seating areas, compatible in design and color to the sidewalk within the streetscape of East-West Highway.
 - h. Provide an enlarged plan (at one inch equals ten feet) of the outdoor seating area that indicates the layout of specialty paving, outdoor furniture, the proposed trellis, and landscaping within and immediately surrounding the area. Details and specifications of outdoor furniture and the trellis shall be provided.
 - i. Identify the locations of outdoor trash receptacles and include details and specifications of their design.

- j. Provide an attractive screen wall between the proposed loading space and East-West Highway to meet the requirements of Section 4.4 of the 2010 *Prince George's County Landscape Manual*. The loading space shall be relocated and the screen wall shall be designed as an extension of the building.
 - k. Provide a plan note that indicates the details of the granted departure from Section 4.7 of the 1990 *Prince George's County Landscape Manual*. Notes incorrectly indicating an exemption from Section 4.7 of the 2010 *Prince George's County Landscape Manual* shall be removed.
 - l. Revise the plant schedule to designate which plants are native species.
 - m. Provide a plan note that indicates the applicant's intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
 - n. Provide a plan note that indicates the applicant's intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
 - o. Stormwater management features within the limit of disturbance of the proposed application shall be enhanced to capture stormwater runoff within the parking lot interior planting islands from the surface parking lot, subject to DPIE review. A detail of the proposed interior planting islands shall be provided demonstrating deficient soil volume for shade tree growth and development where trees are shown to be planted within the islands.
 - p. Submit a copy of an approved Stormwater Management Concept plan and letter consistent with the final approved layout and the condition above.
 - q. Provide a sidewalk around one or both sides of the building.
2. Prior to approval of use and occupancy permits for the proposed Chick-fil-A the applicant shall submit a certificate of landscape maintenance in accordance with Section 1.7 indicating that all dead, diseased, or otherwise absent shrubs and shade trees that are required along the East-West Highway frontage of Prince George's Plaza have been provided or have been replaced.

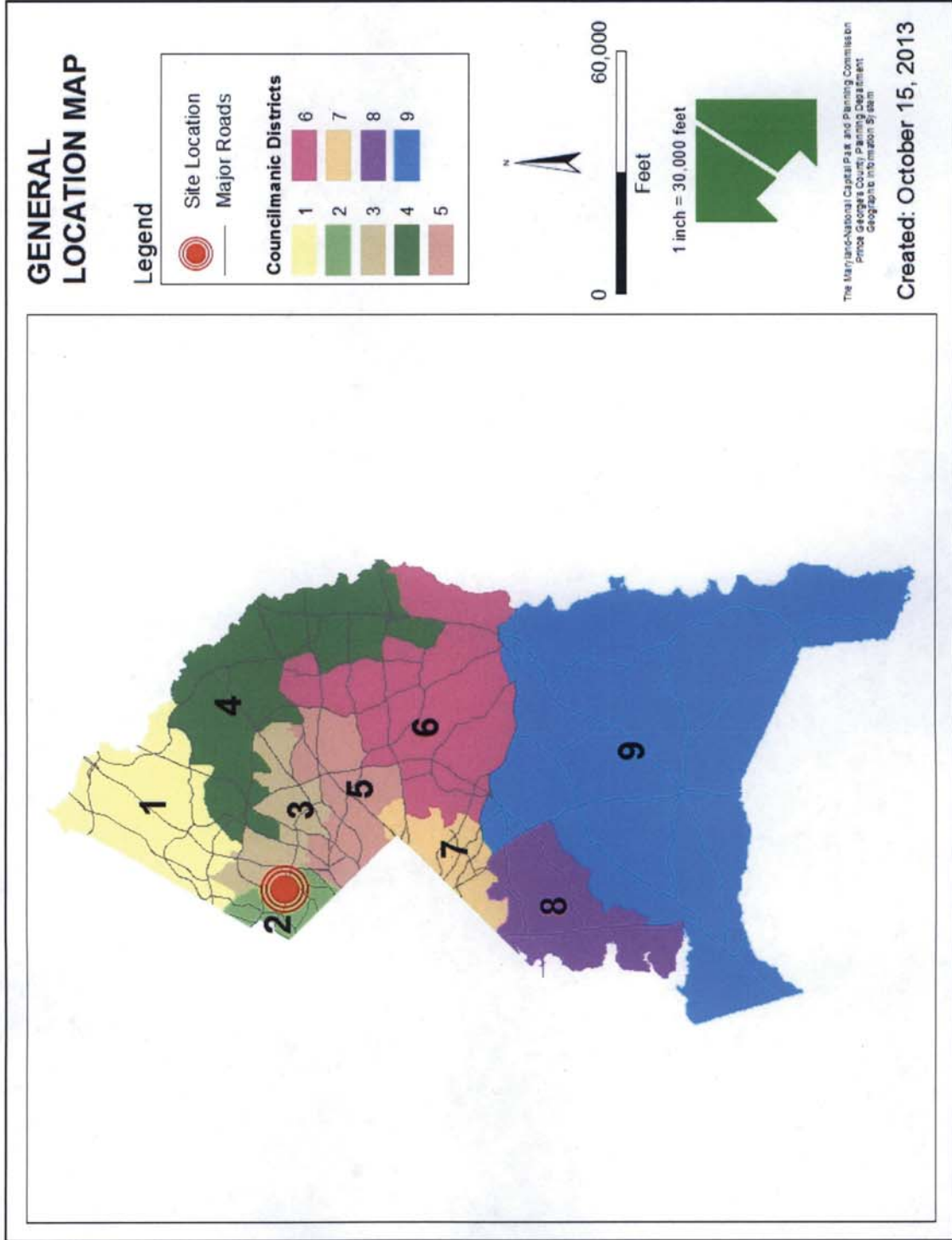
ITEM: 8

CASE: DSP-99044-07

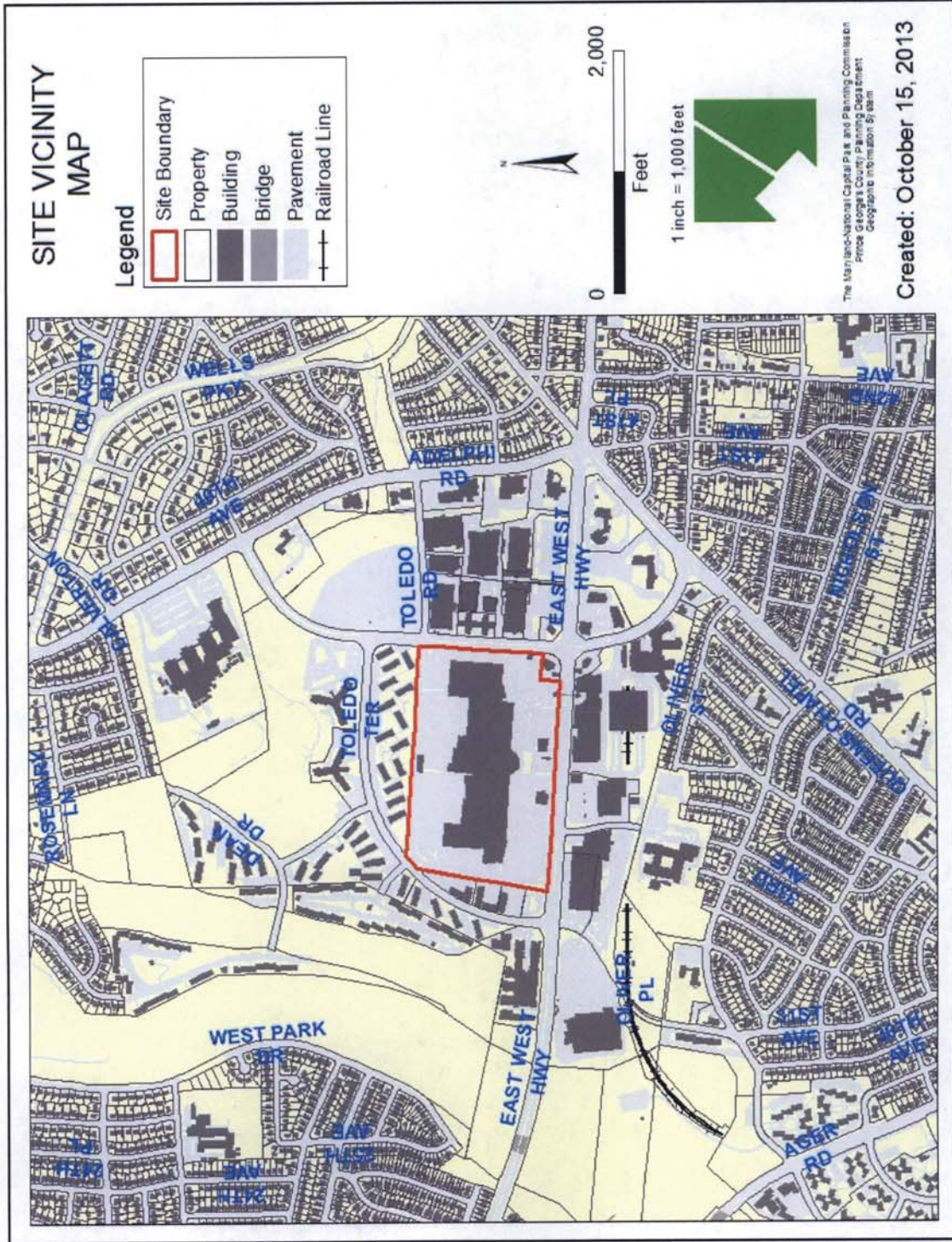
PRINCE GEORGE'S PLAZA, CHICK FIL-A



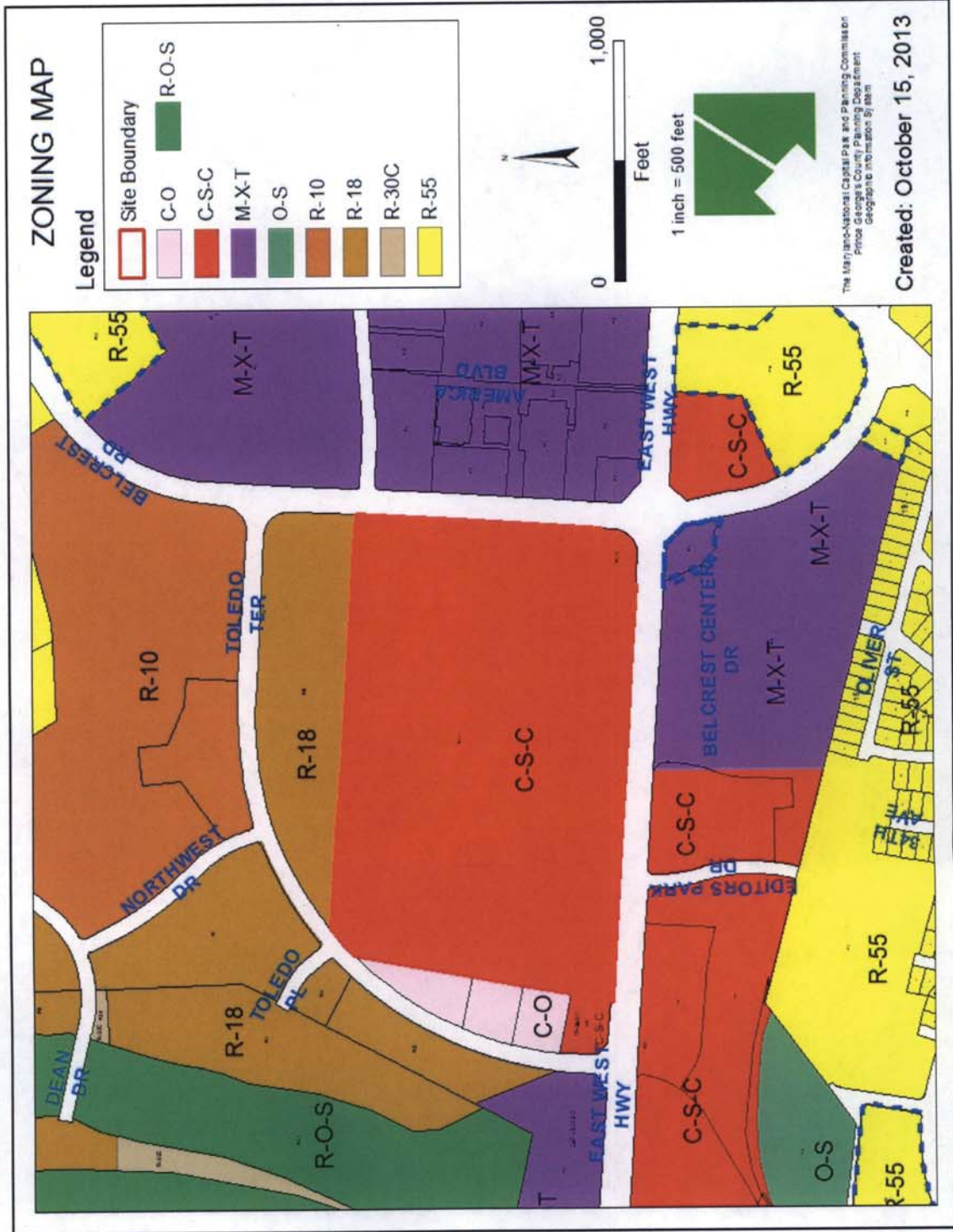
GENERAL LOCATION MAP



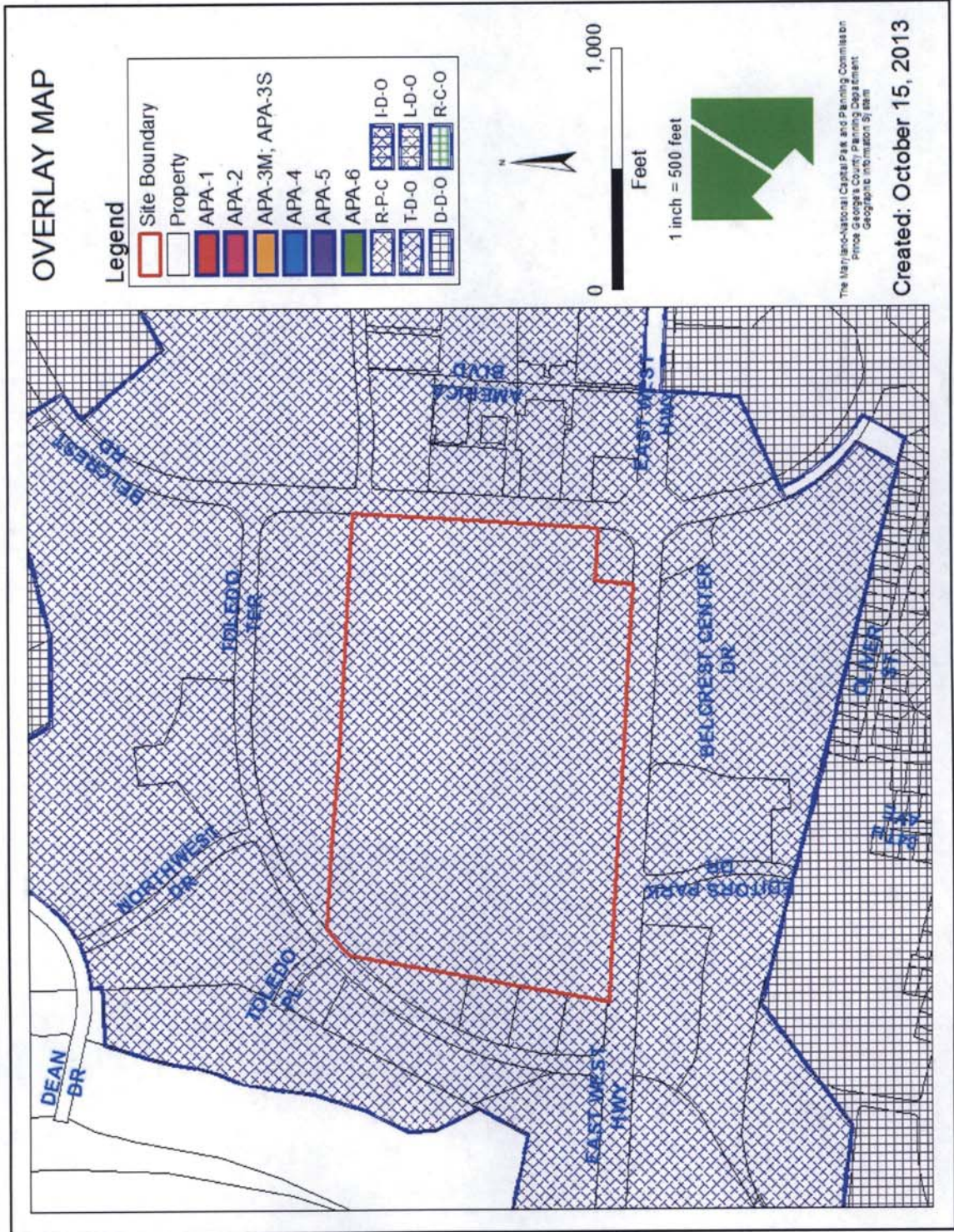
SITE VICINITY



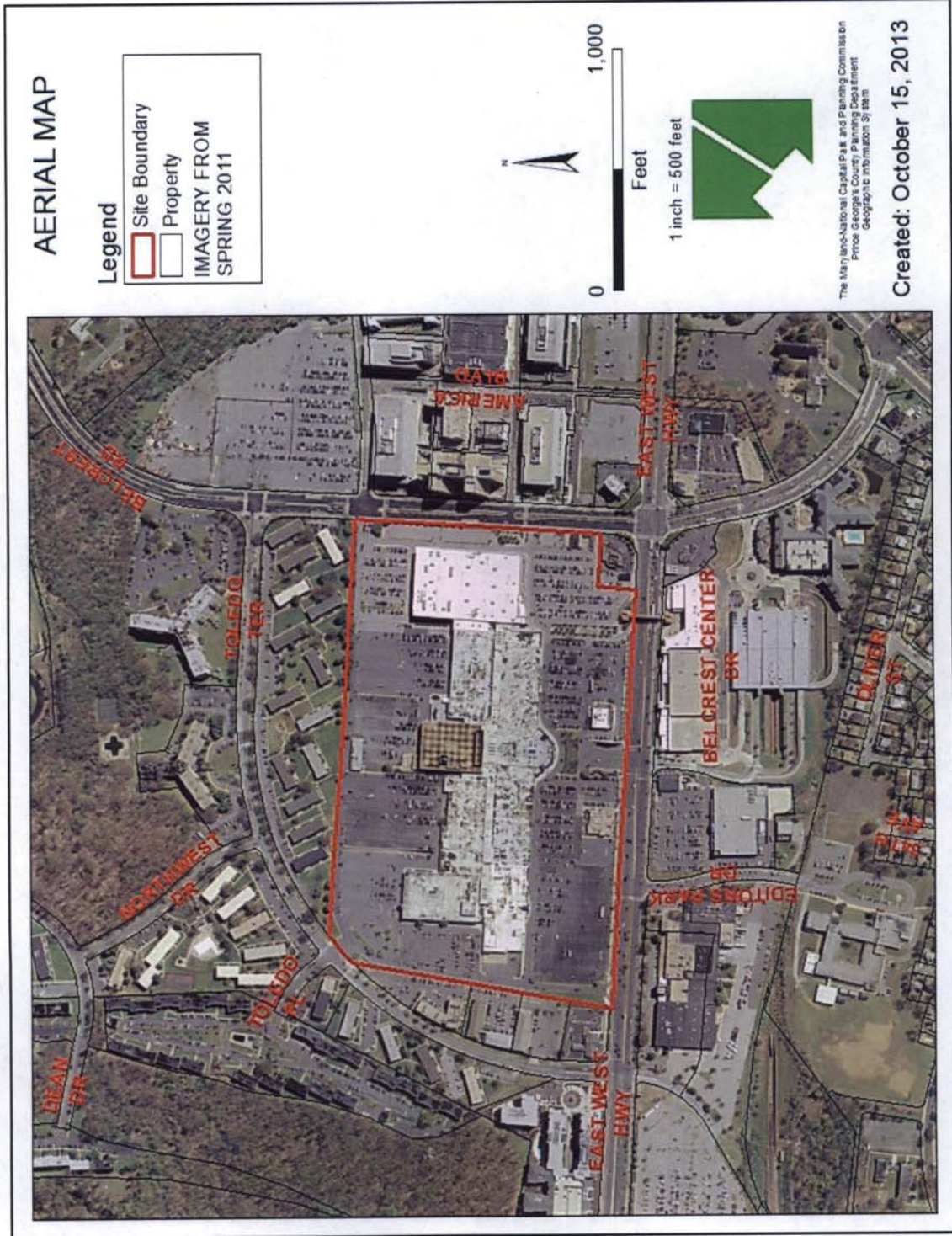
ZONING MAP



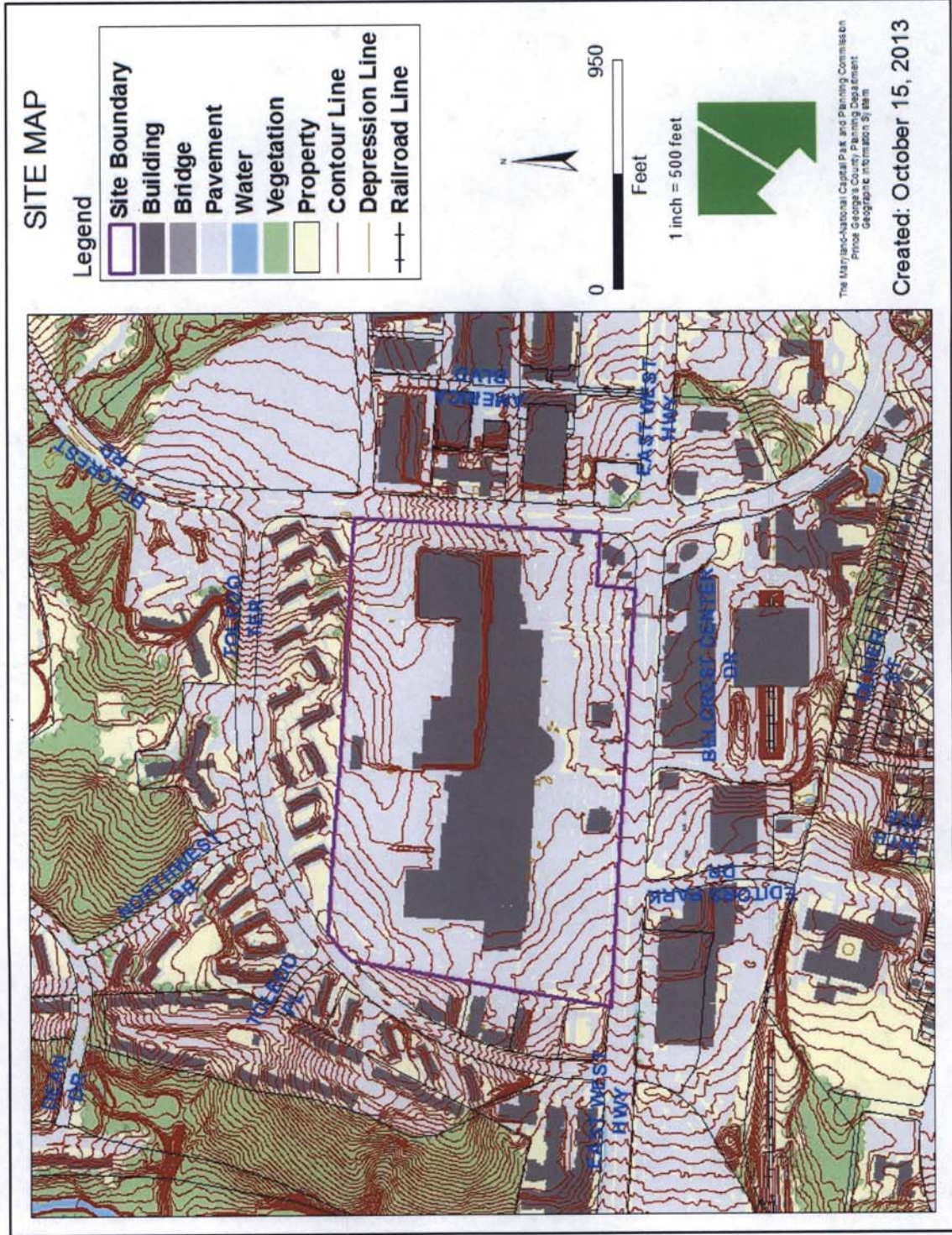
OVERLAY MAP



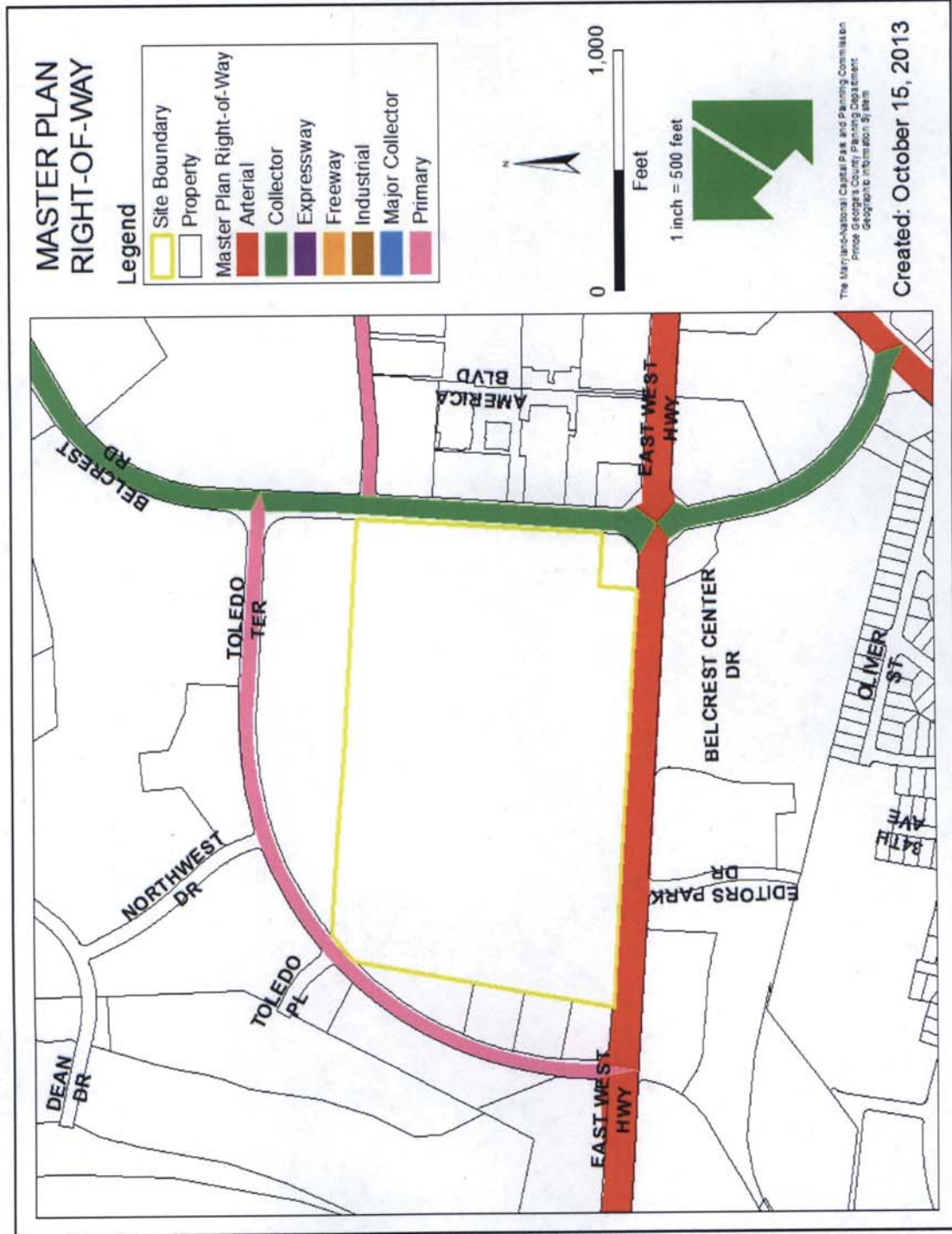
AERIAL MAP



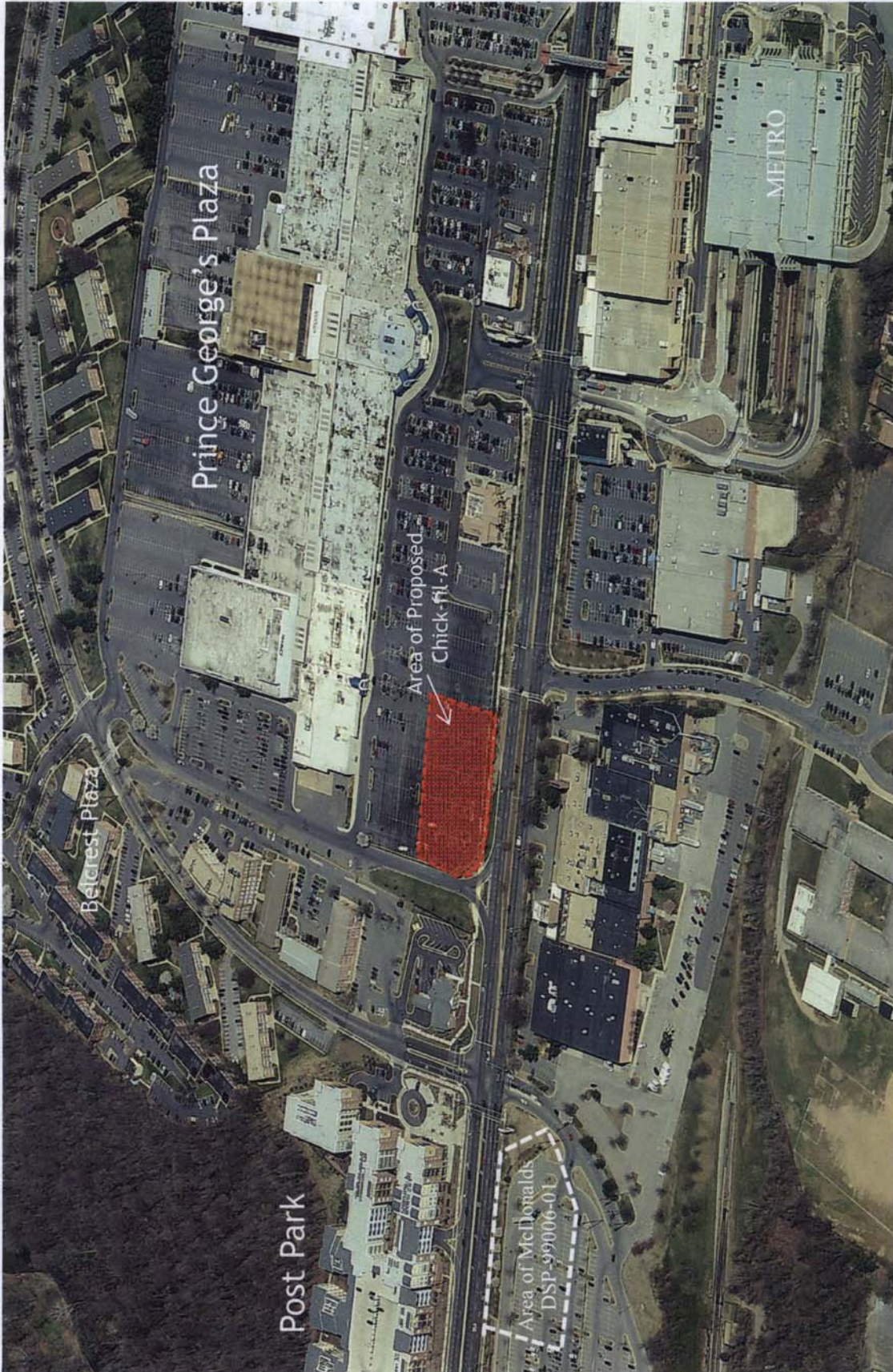
SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



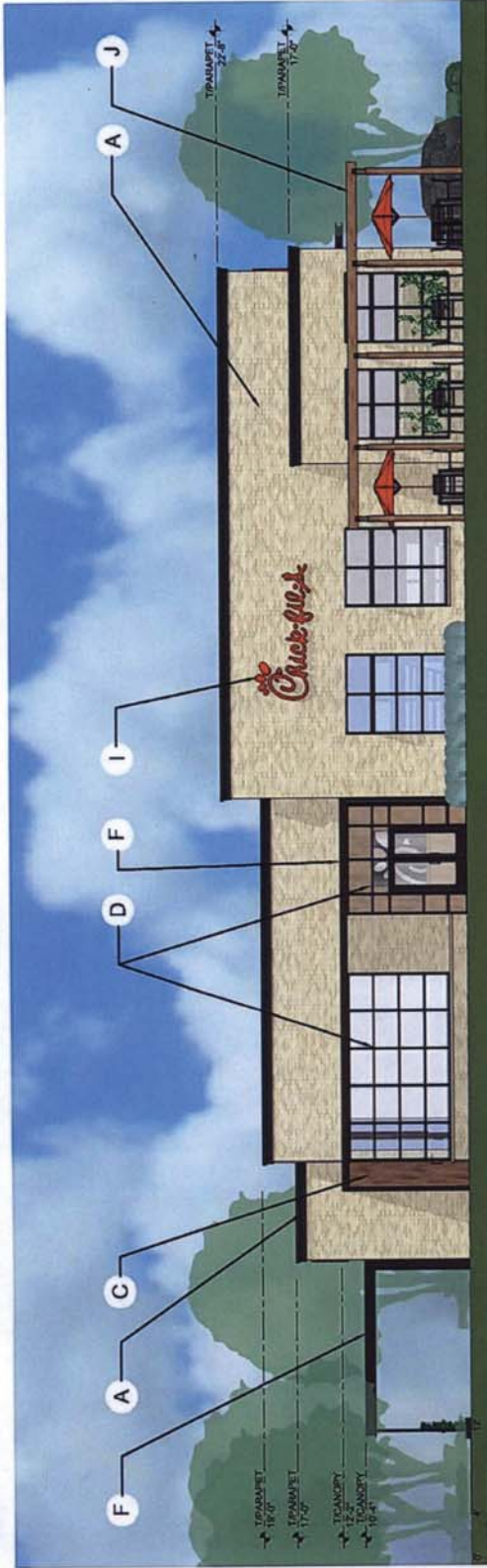
BIRD'S-EYE VIEW



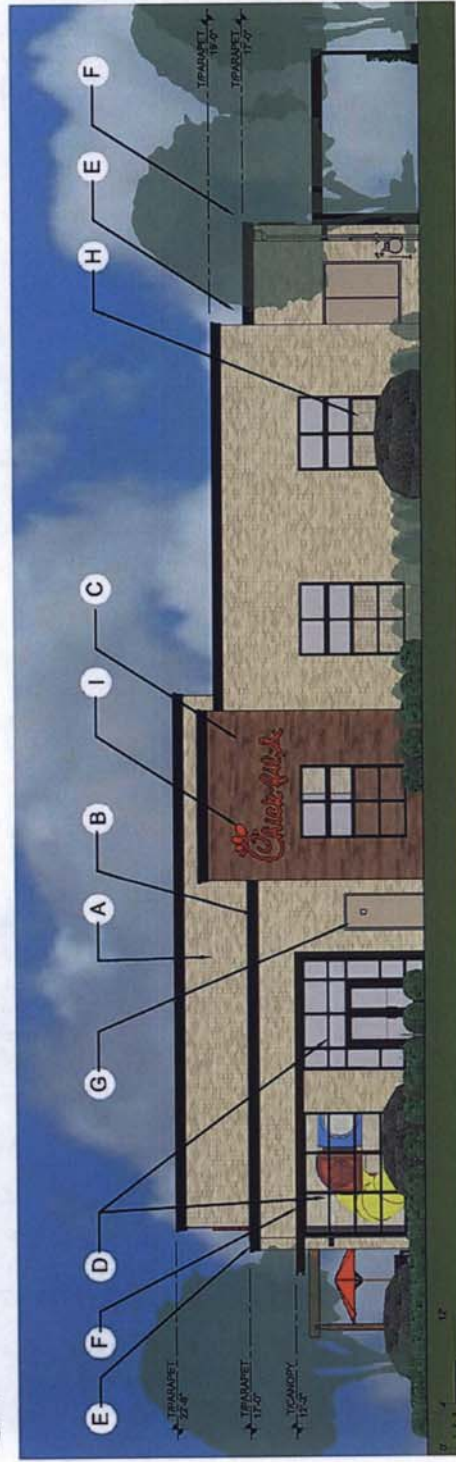
RENDERED LANDSCAPE PLAN



ARCHITECTURAL ELEVATIONS



2 PARKING ENTRY ELEVATION
3/16" = 1'-0"



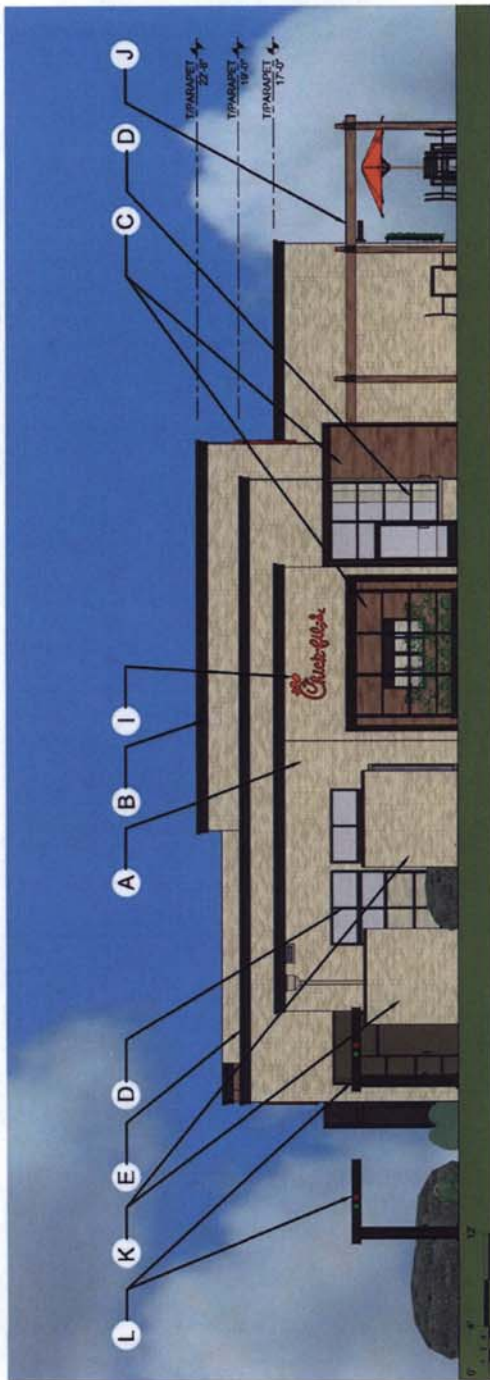
1 STREET ELEVATION
3/16" = 1'-0"

FINISH SCHEDULE:

- A. Brick #1: (Field) Belden Mayo Blend
- B. Brick #2: (Cornice) Belden Dark Chocolate
- C. Wood Composite Paneling; Revesta "Dark Burma"
- D. Stonefront: Dark Bronze
- E. Metal Coping: Dark Bronze
- F. Flat Prefinished Canopy to match Roof (to match Brick #1)
- G. Exterior Paint: Sherwin Williams
- H. Green-Screen: Summer Coatings "Matte Black"
- I. Chick-fil-A wall script signage by others Composite color
- J. Heavy Timber Trellis - wood to match Wood Composite color
- K. Trash Room/Dumpster Enclosure (in foreground)
- L. Order Point (in foreground)



ARCHITECTURAL ELEVATIONS



2 DRIVE-THROUGH ELEVATION
3/16" = 1'-0"



1 TOLEDO RD. ELEVATION
3/16" = 1'-0"

- FINISH SCHEDULE:
- A. Brick #1: (Field) Belden Mayo Blend
 - B. Brick #2: (Cornice) Belden Dark Chocolate
 - C. Wood Composite Paneling: Reaysia "Dark Burma"
 - D. Storefront: Dark Bronze
 - E. Metal Coping: Dark Bronze
 - F. Flat Prefinished Canopy to match Roof (to match Brick #1)
 - G. Exterior Paint: Sherwin Williams
 - H. Green-Screen: Sunter Coatings "Matte Black"
 - I. Chick-fil-A wall script signage by others
 - J. Heavy Timber Trellis - wood to match Wood Composite color
 - K. Trash Room/Dumpster Enclosure (in foreground)
 - L. Order Point (in foreground)



PERSPECTIVE IMAGES



S08 V9 Building A (Custom)

Prince George's Plaza FSU – Store #03062



PERSPECTIVE IMAGES



S08 V9 Building A (Custom)

Prince George's Plaza FSU – Store #03062



PREVIOUSLY SUBMITTED ARCHITECTURE
(NOT CURRENTLY PROPOSED)

EXTERIOR FINISHES	
(E1) BRICK # 1 JACOBLAR RED COLOR: DARK BROWN	(E2) ALUMINUM ARCHITECTURE METALS COLOR: DARK BROWN
(E3) BRICK # 2 JACOBLAR RED COLOR: DARK BROWN	(E4) ALUMINUM ARCHITECTURE METALS COLOR: DARK BROWN
(E5) STUCCO COLOR: DARK BROWN	(E6) ALUMINUM ARCHITECTURE METALS COLOR: DARK BROWN
(E7) ALUMINUM ARCHITECTURE METALS COLOR: DARK BROWN	(E8) ALUMINUM ARCHITECTURE METALS COLOR: DARK BROWN
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(E97) ALUMINUM ARCHITECTURE METALS COLOR: DARK BROWN	(E98) ALUMINUM ARCHITECTURE METALS COLOR: DARK BROWN
(E99) ALUMINUM ARCHITECTURE METALS COLOR: DARK BROWN	(E100) ALUMINUM ARCHITECTURE METALS COLOR: DARK BROWN



1 LEFT ELEVATION
NO SCALE



2 REAR ELEVATION
NO SCALE

DSP-99044-07

Chick-fil-A
2500 Buchanan Rd.
Atlanta, Georgia
30349-2988

ARCHITECTS
Hyattsville, MD
20886

TERESA RHOADS
ARCHITECTURE, P.C.
11227 WOODBURN
HYATTSVILLE, MD
20886

DATE: 8-2012

PROJECT: 11/8/12

ELEVATION RENDERING

ELEV-2





Prince George's County Planning Department
Community Planning Division

301-952-4225
www.mncppc.org

September 12, 2013

MEMORANDUM

TO: Meika Fields, Senior Planner, Urban Design Section, Development Review Division
VIA: Cynthia Fenton, Planner Coordinator, Community Planning Division *CF*
FROM: Roberto Duke, AICP, Planner Coordinator, Community Planning Division *RVD*
SUBJECT: **DSP-99044/07 Chick-Fil-A Prince George's Plaza**

DETERMINATIONS

- This application is consistent with the 2002 General Plan Development Pattern policies for centers in the Developed Tier.
- This application conforms to the land use recommendations of the 1998 Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone.
- The proposed use of an eating and drinking establishment with drive-through service is not a permitted use per the 1998 Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone. The applicant is requesting an amendment to the development plan to permit the use.
- The proposed addition of drive-through service is contrary to the goals of the Prince George's Plaza Transit District.
- The applicant should recalculate the parking requirement based on the standards established by the Transit District Development Plan.

BACKGROUND

Location: The northwest corner of the intersection of East West Highway and Belcrest Road
Size: 51.03 acres
Existing Uses: Prince George's Plaza mall and associated pad buildings
Proposal: The applicant seeks to develop a Chick-Fil-a restaurant at the northwest corner of the Prince George's Plaza mall property and requests an amendment to the use table of the 1998

Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone to permit the proposed use.

GENERAL PLAN, MASTER PLAN AND SMA

2002 General Plan: This application is located in the Developed Tier and is in a designated Center (Prince George's Plaza).

The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods.

The vision for Centers is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development.

Master Plan: 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone*

**Planning Area/
Community:** Planning Area 68/Hyattsville

Land Use: The *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* does not specifically identify future land uses for the subject property, identified as Subarea 11. A purpose statement provided on page 118 reads: "To provide for retail, service and office uses. A mixed-use development should be considered in the future for this property given its close proximity to the Metro station." In general, land uses are determined by uses permitted by the underlying zoning.

Environmental: Refer to the Environmental Planning Section referral for comments on the environmental element of the *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* and the 2005 *Countywide Green Infrastructure Plan*.

Historic Resources: None identified

Transportation: The property fronts East West Highway which is identified in the 2009 *Approved Countywide Master Plan of Transportation* as a four- to six-lane Arterial roadway (A-15) with a 100-120 foot right-of-way between New Hampshire Avenue and Pennsy Drive.

Public Facilities: The subject property is approximately 750 feet north of Nicholas Orem Middle School.

Parks & Trails: A future bike lane is identified by the Master Plan of Transportation along East West Highway. The subject property is located approximately 600 feet southeast of the Northwest Branch Stream Valley Park.

SMA/Zoning: The 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* retained the subject property in the C-S-C Zone.

PLANNING COMMENTS

Plan Conformance

The application is consistent with the development pattern policies of the 2002 Prince George's County Approved General Plan for regional centers in the Developed Tier. The proposed restaurant will contribute to the development of a mixed residential and nonresidential center proximate to the Prince George's Plaza Metro station.

The application generally conforms to the land use recommendations of the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone*. While the transit district development plan does not specifically identify the intended future land uses for the parcels within the plan area, it does link the allowed/desired uses to the zone and provides a purpose statement on page 118 that calls for retail, service, and office uses with consideration of a mixed-use development in the future. In this case, the zoning of the property is C-S-C and the permitted use is generally in conformance with that zone, emphasizing commercial retail and office uses.

The applicant is proposing an architectural design for the building that will serve as a model for other new regional Chick-Fil-a restaurants. The building, which will have an industrial look, will have a series of flat roofs at various heights to create visual interest. Beige colored brick will be used as the primary building material. Steel and wood will serve as accent materials. The windows will have multiple panes of glass. A metal green screen frames will be mounted below the windows along the East-West Highway and parking lot elevations to allow for climbing plants.

The transit district development plan does not permit eating and drinking establishments with drive-through service in the C-S-C Zone. However, the applicant has requested an amendment to the development plan to allow for the requested use.

This amendment will require the approval of the District Council. The transit district development plan emphasizes the importance of pedestrian access and circulation (see page 28) and identifies the public rights-of-way as the location of the primary pedestrian system and focus of pedestrian connectivity. The proposed design of the restaurant and associated parking and drive-through areas attempts to balance the pedestrian-oriented vision for the Transit District with the vehicular-oriented nature of drive-through uses by placing the stand-alone restaurant building close to the street and providing for pedestrian access from the street. While the applicant should be commended for proposing an innovative drive-through configuration that strives to preserve the primary pedestrian network along East West Highway, the drive-through component by its very nature is contrary to the goals for the Prince George's Plaza Transit District to create a pedestrian-friendly environment along East West Highway (Page 14).

Any potential amendment to the development plan to permit drive-through service would be detrimental to the transit district goals and desired development pattern. If, on the other hand, this application were amended or conditioned to preclude the drive-through component the proposed restaurant building would help reinforce the street-wall and pedestrian environment and would contribute positively to the transit district.

Other Comments

The planned configuration of the drive-through queuing and departure areas ensures direct pedestrian access to the proposed restaurant on multiple sides and eliminates a more suburban drive-through form that would wrap the building with paved loading and queuing areas. This configuration represents a significantly

DSP-99044/07 Chick-Fil-A Prince George's Plaza

March 22, 2013

Page 4

improved approach over the initial submittal of the proposed development. However, there are some questions as to the relationship of the pick-up window and departure area to the drive aisle along the rear side of the building. Traffic leaving the pick-up window comes to a T-intersection with a drive aisle and parking lot planting island after less than 40 feet of travel. The applicant should provide clarification or perhaps a circulation diagram to more clearly depict vehicle circulation patterns and surety that vehicle and pedestrian conflicts will be minimized.

The submitted site plans include a parking schedule that is based on incorrect calculations. The submitted parking schedule on Sheet C-2.0 is calculated by the Zoning Ordinance requirement for eating and drinking establishments based on spaces per seat. The transit district development plan bases parking calculations on spaces per 1,000 gross square feet of development. The applicant should recalculate required parking ratios based on the standards of the transit district development plan (see Standard P9 and Table 5 on page 59).

Perspective drawing PSP-4 indicates mechanical equipment will be mounted to the façade directly fronting East West Highway and will be visible above the screening wall. Consideration should be given to relocating all mechanical equipment so that none of it is visible from the pedestrian realm along East West Highway.

c: Ivy Lewis, Chief, Community Planning Division
Long-Range Agenda Notebook



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
www.mncppc.org

September 14, 2012

MEMORANDUM

TO: Meika Fields, Urban Design Section, Development Review Division

FROM: Eric Jenkins, Transportation Planning Section, Countywide Planning Division

VIA: Tom Masog, ^{EF} Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-99044/07, Chick Fil-A (Prince George's Plaza)

The Transportation Planning Section has reviewed the site plan noted above. The subject site consists of approximately 51.78 acres of land in the C-S-C within the *Prince George's Plaza Transit District Overlay Zone* (TDOZ). The property is located on the north side of MD 410 and adjacent to Toledo Road. It is located in Subarea 11 of the *Prince George's Plaza Approved Transit Development Plan* (TDDP). The applicant proposes to construct a 4,739 square foot eating and drinking establishment with drive through service. The TDDP does not allow this type of use without an amendment to the table of uses found in Section 27-548.09.01 of the Zoning Ordinance.

Review Comments

The TDDP guides the use and development of all properties within its boundaries. The findings and recommendations outlined below are based upon staff evaluation of the submitted site plan and the ways in which the proposed development conforms to the mandatory development requirements and guidelines outlined in the TDDP. The TDOZ is a mapped zone which is superimposed over other land use zones in a designated area around a Metrorail station and which may modify certain requirements for development within those underlying zones.

The TDDP for Prince George's Plaza does not permit eating and drinking establishments with drive through service. The applicant is requesting an amendment to the table of uses in accordance with Section 27-548.09.01 of the Zoning Ordinance. The applicant must demonstrate that the proposed development conforms to the purposes and recommendations for the transit district as stated in the TDDP.

The pad site and proposed use for a 4,739 square foot eating and drinking establishment with drive through service will not promote the use of transit facilities. The proposed use with drive through service will not increase transit service/metro ridership or decrease the use of the surrounding road network. It is not conducive to transit service but is designed to accommodate and increase automobile usage via its drive through service. For these reasons staff does not support the proposed use with drive through service in the TDOZ or adding eating and drinking establishments with drive through service to the table of uses found in Section 27-548-09.01 of the Zoning Ordinance. The site plan should be revised to reflect the proposed use without drive through service.

During the preparation of the TDDP, staff performed an analysis of all road facilities in the vicinity of the TDOZ. This analysis was based on establishment of a transit district-wide cap on the number of additional parking spaces (preferred and premium) that can be constructed or provided in the transit

district to accommodate any new development. Pursuant to this concept, the TDDP recommends implementing a system of developer contributions to insure adequacy of the transportation facilities, based on the number of additional surface parking spaces, as long as the authorized total parking limits and their attendant, respective, parking ratios (Tables 5 and 6 of the TDDP) are not exceeded. The collected fee will be applied toward the required number of transportation improvements as summarized in the TDDP. These improvements are needed to ensure that the critical roadways and intersections in the transit district will remain adequate and will be operating at or above Level of Service E, as required by the TDDP.

The addition of the 4,730 square foot eating and drinking establishment will bring the proposed gross floor area at Prince George's Plaza to 1,116,887 square feet. Overall there will be a reduction of 68 parking spaces with the construction of the proposed restaurant bringing the surface parking total to 3,377 spaces. The maximum number of surface parking spaces allowed is 4,859. Since the proposed application does not propose to increase the number of surface parking spaces which currently exists on the site, the proposed application, if approved, would not result in any reduction in the total number of available preferred and premium parking totals for retail uses within the transit district. Further, it is important to note that replacement or alterations to legally pre-existing parking spaces are exempt from meeting the TDDP transportation and parking mandatory requirements.

The plan modifications are limited to a small section of the site along MD 410 and to the east of Toledo Place; a private street. On-site vehicular and pedestrian circulation patterns as proposed within the area should be revised to reflect the use without drive through service.

It should be noted that the 1998 TDDP also authorized the Prince George's Plaza Transportation Demand Management District (TDMD), which requires that each property owner in the District to be a member and participate in the TDMD. The annual TDMD membership fee is \$5.00 for each surface parking space. The annual TDMD membership fee for parking spaces in structures and surface spaces that are permanently reserved for handicapped occupant vehicles, carpools and vanpools are set at a rate of \$2.00 per space.

In summary, the Transportation Planning Section determines that the site plan should be revised and that eating and drinking establishments with drive through service should not be added to the table of uses allowed within the TDDP.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
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MEMORANDUM

October 15, 2013

TO: Meika Fields, Urban Design Section, Development Review Division
FROM: Dan Janousek, Transportation Planning Section, Countywide Planning Division
SUBJECT: DSP-99044 Chick-Fil-A

Type of Master Plan Bikeway or Trail

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

*If a Master Plan Trail is within a city, county, or state right-of-way, up to an additional five feet of dedication may be required to accommodate construction of a trail.

Review Comments

This analysis is limited to the review of a Transit District Site Plan for the provision of basic, safe and adequate pedestrian and bicycle facilities, and adequate access to transit services via the transportation circulation system.

The property is situated in the approved parking area of the existing Prince George's Plaza on East West Highway (MD 410), which is on the west side of the road and adjacent to a suburban mall. To the south is the Northwest Branch Stream Valley Trail. To the east, within walking distance, is the Prince George's Plaza Metro Station. The site is close to the Nicholas Orem Middle School and a new elementary school. It is contained in the "Prince George's Plaza District" as described in the TDDP, and it is subject to the Mandatory Development Requirements described in the TDDP. It is further contained within the "West Hyattsville and Prince George's Plaza Transit District Overlay Zones" (CR-32-1997).

The applicant's proposal is in conformance with the mandatory development requirements of the TDDP as described within the *Prince George's Plaza Approved Transit District Development Plan (TDDP) for the Transit District Overlay* (June 1998). This TDDP is a regulating tool for the properties in the West Hyattsville and Prince George's Plaza Transit District Overlay Zones (CR-32-1997).

The proposal is for an eating and drinking establishment that provides food or beverage for consumption on or off premise. It is proposed to be developed freestanding, on a pad site, and it includes a drive-through service.

Zoning Ordinance Requirements

The Detailed Site Plan is also known as the "Transit District Site Plan". Zoning Ordinance Sections 27-548.08(c)(1)(A) thru 27-548.08(c)(1)(C) requires that a Transit District Development Plan "be in strict

conformance with any mandatory development requirements of the TDDP". It also requires that it be "consistent with, and reflects the guidelines and criteria for development" contained in, the TDDP, and that it "meets all the requirements of the Transit District Overlay Zone".

Section 27-548.08 Site Plan

The applicant has submitted the required information, specifically a general description of the proposed pedestrian system that appears to be adequate for the intended use. The applicant's proposal conforms with the required information to be submitted with a Detailed Site Plan as described in Section 27-546(b)(1) of the Zoning Ordinance. A statement regarding the "description of the relationship between vehicular and pedestrian circulation systems" is required site plan content.

No new curb cuts are proposed along MD 410. In this regard, the landscape plan incorporates pedestrian safety into its design, and clear lines of site for both automobiles and pedestrians are provided.

A direct sidewalk connection to the existing sidewalks and streetscape along east West Highway (MD 410) is shown on the plan. An effort should be made to extend this sidewalk around one or both sides of the building so that persons entering the overall development are not required to pass through the Chick-Fil-A restaurant.

The sidewalks and the pedestrian zone appear to be adequate to meet the purposes of the Transit District Overlay Zone as required by 27-548.08(c). The streetscape contains pedestrian scaled lighting and other amenities and is in strict conformance with the TDDP's District Wide Mandatory Development Requirements.

Pedestrian System Within a Transit District Oriented Toward Serving the Metro Station

The applicant's proposal is consistent with the "Regulations" contained within Section 27-548-06(e), which requires that the "pedestrian system within a Transit District shall be oriented toward serving the Metro station, as well as other development within the District." The design orients sidewalks towards MD 410 in order to provide a connection to the area sidewalk system which gives access to the nearby Prince George's Plaza Metro Station. This is in conformance with the requirements of the T-D-O (Transit District Overlay) Zone.

Bicycle and Trail Access

The sidewalks are wide enough for a bicycle to use, and bicycles can ride on MD 410. Bicycle Lanes are recommended for MD 410 in the functional master plan. Bicycle parking racks are recommended for the site and the applicant is providing racks close to the main entrance to the building (discussed later in this memo).

The site is close to the access to the Northwest Branch Trail, which on the east side of MD 410 south of Home Depot.

District Wide Mandatory Development Requirements for Pedestrian Access and Circulation S1 thru S6

The TDDP's Urban Design section contains mandatory Development Requirements for Pedestrian Access and Circulation. The requirements and guidelines begin on page 27 of the TDDP.

The following is a technical staff analysis of the mandatory development requirements and the guidelines and criteria for development that contained in the TDDP as they relate to the pedestrian and bicycle system and access to transit services and area land use.

S1 Primary Pedestrian Walkway

Analysis: The proposal shows a primary walkway system on the Detailed Site Plan that contains sidewalks and sidewalk amenities that are consistent with the TDDP, contributing to a strong pedestrian network. It does not conflict with or the overall design character of the area. The sidewalk system connects directly to the Prince George's Plaza Metro Station. Internal sidewalks and walk areas are proposed and appear to be adequate.

S2 Walkways Through Parking Lots

Analysis: There are no walkways on the proposal that would extend through any proposed parking lots. The sidewalk locations provided appear to be adequate for the intended use and they do not conflict with this Mandatory Development Requirement.

S3 Well Lit Walkways

Analysis: All walkways will be lighted

S4 Direct, Safe Pedestrian Links Between The Land Uses, Walkways, and The Metro Station.

Analysis: The proposed sidewalks connecting to the existing sidewalks and streetscape features on MD 410 appear to be adequate. The location will provide direct linkages between the transit district uses and ultimately to the Metro station.

S5 & S6 Special Paving Materials

Analysis: The special paving materials are provided on site and to the connection to MD 410.

District Wide Pedestrian Access and Circulation Site Design Guidelines G1, G2 (page 30)

G1 Minimize Vehicular and Pedestrian Conflicts

Analysis: The proposal does not conflict with this Mandatory Development Requirement. It minimizes vehicular and pedestrian conflicts by providing the existing streetscape on East West Highway and by minimizing the number of curb cuts along roadways.

G2 Barrier-Free Pedestrian Link(s)

Analysis: A barrier-free connection is provided from the main façade of the building to MD 410. A sidewalk connection to Toledo Road is recommended.

Landscape Planting and Design S7 (page 30)

S7 Landscape Screens and Buffers, and Pedestrian Safety

Analysis: The proposal does not conflict with this Mandatory Development Requirement. It does not appear to contain any landscape screens or buffers that would lessen the safety of pedestrian walkways.

District Wide Streetscape Mandatory Development Requirements P1, S8 (page 30)

P1 Streetscape Improvements

Analysis: The applicant will be responsible for any new streetscape improvements. This is enforced through the permitting process.

S8 thru S9 Visually Continuous and Unified Streetscape

Analysis: In terms of the pedestrian and bicycle circulation system, the applicant proposes a visually unified and continuous streetscape. There are no interruptions in the proposed pedestrian zone landscaping, pedestrian ways or lighting.

S13 Major Pedestrian Crossings

Brick crosswalks exist today along MD 410. The applicant is not proposing and changes to the existing crosswalks. SHA does not currently construct brick or allow brick in crosswalks. SHA is replacing bricks with a stamped concrete to look like brick material. Stamped concrete is more durable than brick and it will have a smoother surface if constructed properly.

Landscape Site Design Guidelines G3 (page 30)

G3 Landscape Screening

Analysis: The proposal does not conflict with this Mandatory Development Requirement. Landscaping should buffer parking areas wherever possible.

District Wide Mandatory Development Requirements for Streetscape P1, S8, S9, S10, S11, S12, S13 (pages 30-31)

P1 Streetscape Improvements – Phasing

Analysis: The proposal does not conflict with this Mandatory Development Requirement. It provides the existing streetscape on East West Highway (MD 410).

S8 Visually Continuous Streetscape

Analysis: The proposal does not conflict with this Mandatory Development Requirement. It appears to contain a continuous streetscape on MD 410 and the adjacent streets.

S9 Streetscape Elements

Analysis: The proposal does not conflict with this Mandatory Development Requirement. It provides the existing streetscape on MD 410.

S10 Traffic Lights

Analysis: The proposal does not conflict with this Mandatory Development Requirement. There are no new traffic lights proposed with this application.

S11 Limbing Street Trees

Analysis: The proposal does not conflict with this Mandatory Development Requirement. Trees will be pruned in the future according to the specifications of the TDDP.

S12 Tree Pits

Analysis: The proposal does not conflict with this Mandatory Development Requirement. The applicant states that tree pits will comply with County standards during construction

S13 Street Crossings

Analysis: The proposal does not conflict with this Mandatory Development Requirement. Major street crossings will conform to the County's standards. The proposal provides streetscape on MD 410.

Figure 8 (Page 32)

Analysis: The Street Sections Diagram indicates a pedestrian zone, approximately 40 feet wide, tapering to less than 40 feet at the intersection of Toledo Road and MD 410.

Bicycle Facilities Mandatory Development Requirements S29, S30 (page 41) Bicycle Facilities Site Design Guidelines G48, G49, G50, G51 (Page 41)

S29 & S30 Bicycle Parking G48, G49, G50, G51 Bicycle Parking, Lighting and Visibility

Analysis: The applicant proposes that bicycle parking on site close to the main entrance of the building. The TDDP requires that all new retail development shall provide four bicycle racks per 10,000 square feet of floor space with each rack holding 2 bicycle parking spaces.

Pedestrian Facilities Mandatory Development Requirements P20 (page 62)

P20 Developers Shall Provide Continuous Sidewalks

Analysis: The proposal will connect to the continuous sidewalk system that exists along MD 410.

Public Facilities (page 77-79)

The TDDP section title "Public Facilities" provides a summary of goals, objectives classifications and improvements for "Pedestrian/Bicycle/Multiuse Trail Network".

Analysis: The proposal conforms with this requirement in general, and it is connecting to the continuous sidewalk system that exists along MD 410. In terms of pedestrian and bicycle facilities, the application conforms to the TDDP requirements and guidelines, except for bicycle parking. Staff recommends that two additional bicycle parking spaces be provided close to the building entrance of the eating and drinking establishment in a concrete base.

The TDDP that depicts "proposed trails" on page 79 indicates that there is a proposed trail along the southern property line of the subject property that would connect the park system trail to the metro station.

Today, this trail connection is via MD 410. This is because in 2009, the District Council approved and adopted the *Approved Countywide Master Plan of Transportation*. This plan indicates that the preferred bicycle facility along MD 410 is an on-road bicycle lane, reflecting the current project concept. SHA has not indicated when or if a bicycle lane will be constructed on MD 410. The wide sidewalk along MD 410 functions as a shared use path. It can be used by both bicycle enthusiasts and those people who have less skill to access the Metro station from the surrounds.

Conclusion

Based on the preceding analysis, the proposed pedestrian walkways, lighting, and bicycle parking do not conflict with the *Prince George's Plaza Approved Transit District Development Plan for the Transit District Overlay* (June 1998). The site will be conveniently located along East West Highway (MD 410), and it will be accessible to the Prince George's Plaza Metro Station and the Northwest Branch Trail.

Staff recommends that the following condition be considered:

1. Install two u-shaped bicycle parking spaces for four total bicycle parking spaces close to the main entrance to the building anchored into a concrete base. Prior to certification, the detailed site plan shall show two u-shaped bicycle parking spaces near the main entrance to the building. Details of the bicycle parking and signage shall be provided on the detailed site plan. A bicycle parking area sign (MUTCD D4-3) shall be erected at the parking location (see MUTCD Part 9, Traffic Control for Bicycle Facilities, Section 9B.23.).
2. A sidewalk is recommended around one or both sides of the building so that persons entering the overall development are not required to pass through the Chick-Fil-A restaurant.

October 15, 2012

MEMORANDUM

TO: Meika Fields, Urban Design Section

VIA: Whitney Chellis, Subdivision Section *WCh*

FROM: Quynn Nguyen, Subdivision Section *QN*

SUBJECT: Referral for Chick-Fill-A Prince George's Plaza, DSP-99044-07

The subject property is Parcel A-1 on Tax Map 41 in Grid F-2, and is 51.03 acres. Parcel A-1 is in the Commercial Shopping Center (C-S-C) Zone and is located within Prince George's Plaza. The site plan shows the entire property boundaries and acreage of Prince George's Plaza. The applicant submitted a revised detailed site plan for the construction of a 4,739-square-foot Chick Fill-A restaurant on Parcel A-1.

The property is the subject of Preliminary Plan 4-97084. The Preliminary Plan of Subdivision 4-97084 for Prince George's Plaza was approved and the resolution was adopted by the Prince George's County Planning Board on January 8, 1998 (PGCPB No. 97-355). The resolution for the approved preliminary plan contains four conditions. The following conditions in bold relate to the review of this application:

1. **There shall be no additional direct access to MD 410 or Belcrest Road from either parcel within the subdivision.**

The DSP does not show any direct access to MD 410 from the proposed Chick Fill-A restaurant.

2. **Prior to final plat, the applicant shall secure a use and occupancy permit for the bank on proposed Parcel A-2, identifying the bank as a certified nonconforming use.**

The property was record in Plat Book VJ 186-9 on April 2, 1999. The DSP does not include the bank on Parcel A-2. The DSP is for the construction of a restaurant on Parcel A-1.

3. **The following note shall be placed on the Preliminary Plat prior to signature approval and on the Final Plat:**

This subdivision conforms to the requirements of the 1991 Adopted and Approved Transit District Development Plan for the Prince George's Plaza Transit District

Overlay Zone (TDOZ). Its approval in no way precludes the ultimate realization of the current TDOZ vision for this property: an eight-story community landmark hotel. This subdivision is solely for the purpose of refinancing and is not to be used as justification for any amendment to the TDOZ. This note is not to be construed as a use restriction on this property.

The property was record in Plat Book VJ 186-9 on April 2, 1999. The record plat does contain a note reflecting Condition 3. Conformance to the requirements of the 1991 Adopted and Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone should be reviewed further by Community Planning and Urban Design Section.

4. The following note shall be placed on the Final Plat of Subdivision:

Any additional physical development on this property shall required Detailed Site Plan approval.

The property was record in Plat Book VJ 186-9 on April 2, 1999. The record plat does contain a note reflecting condition 4. The applicant has submitted this revised detailed site plan for the subject property to address the requirement of Condition 4.

Parcel A-1 was record in Plat Book VJ 186-9 on April 2, 1999. The site plan shows the property boundary, bearing and distance of the Parcel A-1as reflected on the record plat. The plat contains four notes which have been address above, regarding the conditions of approved preliminary plan.

The DSP-99044-07 is in substantial conformance with the approved Preliminary Plan 4-97084 and recorded final plat, if the above comments have been addressed. Failure of the site plan and record plat to match will result in the building permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.

September 5, 2012

Referral Request – Response

The Historic Preservation Section review of DSP-99044/07 Chick-Fil-A Prince George's Plaza found the subject application, for construction of an eating and drinking establishment with drive-through service and to amend the Prince George's Plaza TDDP table of uses will have no effect on identified Historic Sites, Resources, or Districts.

Cecelia Garcia Moore
Principal Planning Technician
Historic Preservation Section
301-952-3756

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

October 3, 2012

MEMORANDUM

TO: Meika Fields, Urban Design Section, Development Review Division
FROM: Tempi Chaney, Permit Review Section, Development Review Division
SUBJECT: Referral Comments for Chick Fil-A Prince George's Plaza, DSP-99044/07

1. Demonstrate on the site plan the dimensions, height and setbacks of the proposed building and other structures on the lot.
2. The dumpster area should be clearly labeled on the site plan with the dimensions of the dumpster enclosures including the height.
3. Clearly mark the loading space on the site plan. The site plan demonstrates there is 1 – 12' X 33' loading space located somewhere behind the dumpsters but it should be clearly delineated on the site plan.
3. Signs have not been reviewed as part of this referral but the signs for this freestanding building should be reviewed and approved as part of this DSP. This includes building, freestanding and directional signs.
4. Have all District-Wide and Subarea mandatory development requirements for Prince George's Plaza TDOZ been met?

Fields, Meika

From: Schneider, Alwin
Sent: Friday, August 31, 2012 4:09 PM
To: Fields, Meika
Subject: DSP-99044/07 Chick-Fil-A

Meika,

This above referenced project has an approved NRI (NRI-080-12) and TCP2 (TCP2-100-00) and the site is currently total built out and has no environmental features. The pad site for the Chick-Fil-A will not impact any environmental features. The EPS has no issues or concerns with the current layout of the proposed project.

If you need a formal memo please let me know.

Thanks,

Chuck




Chuck Schneider
Planner
Environmental Planning Section
Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772
301-952-4383-p
301-953-3799-f
alwin.schneider@ppd.mncppc.org



Office of the Fire Marshal

Date: 9/20/2012

TO: Merka Fields Planner, Urban Design Section
Development Review Division

FROM: Kenny Oladeinde, Project Coordinator 
Office of the Fire Marshal

RE: DSP-99044/07

The following Preliminary Plan Referral has been reviewed by this office according to Departmental Procedures and Operational Guidelines of the Prince George's County Fire/ Emergency Medical Services Department.

Description: Chick Pk-A
District Q2

Please be advised Subtitle 11-276, titled required Access for *Fire Apparatus*, which states:

“(a) All premises which the Fire/EMS Department may be called upon to protect in case of fire or other emergencies and which are not readily accessible to fire apparatus from public streets shall be provided with suitable gates, access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus, and in accordance to Subtitle 4, the County Building Code Section 4-222.”

Private roads shall be: “(a) At least 22 feet in width.”

Subtitle 11-277, title *Fire Lanes States*:

“(b) Whenever the Fire Chief or his authorized representative shall find that any private entrance, exit sidewalk, vehicular driveway, interior private driveway, sidewalk, fire lane, or fire hydrant is obstructed by snow, debris, construction material, trash containers, vehicles, or other matter likely to interfere with the ingress or operation of the Fire Department or other emergency vehicles in case of fire, he may order the obstruction removed. To effectuate this Subsection, the Fire Chief or his authorized representative may order "no parking" fire lane signs erected and may designate the placement thereof. He may order that curbs be painted a distinctive color.”

Page Two

Please note and direct the owner to comply with aforementioned Subtitle. I have highlighted on the submitted drawings all areas which may contribute to the loss of emergency vehicle access due to its configuration. These locations shall be marked with painted yellow curbs and posted 'No Parking Fire Lane by order of the Prince George's County Fire/EMS Department' signs. The developer should contact the Fire /EMS Department's Office of Office of the Fire Marshal to assist in designating the fire lanes.

In addition, please be advised Subtitle 4-164. Fire Protection Systems; Section 912, Yard Hydrants. (a) Section 912.1 is added to read as follows: "Location and Performance of Fire Hydrants." Every building of more than one thousand (1,000) square feet in area shall be provided with sufficient fire hydrants located such that no exterior portion of the building is located more than five hundred (500) feet from a fire hydrant. The distance shall be measured as a hose line would be laid along paved streets, through parking lot entrances, and around obstructions, in accordance with the determination of the authority having jurisdiction. A fire hydrant is required within two hundred (200) feet of any required fire department connection, as hose is laid. The fire department connection must be located on the front, address side of the building and be visible from a fire hydrant or as approved by the Fire Code Official. Each hydrant shall provide a minimum of one thousand (1,000) gpm at a residual pressure of twenty (20) psi.

Also areas may be highlighted on the drawing in noted colors to show areas that do not accommodate the turning radius of a 43-foot wheel base vehicle or other comments. These areas need to be widened to allow emergency apparatus to turn.

Any courts or dead-end created should provide 43-foot turning radius within 200 feet of the end of the road.

These requirements should be incorporated into the final plat and a condition of release of the use and occupancy permit. If I may be of further assistance, please contact me at (301)-583-1830

mko

H: DSP-99044/07

Copy to: Christine Osei, Public Facilities Planner, Special Projects Section,
Countywide Planning Department, Maryland National Capital Park and
Planning Commission.



Rushern L. Baker, III
County Executive

PRINCE GEORGE'S COUNTY GOVERNMENT



Department of Public Works and Transportation
Office of Engineering



MEMORANDUM

September 13, 2012

TO: Meika Fields, Urban Design Section
Development Review Division, N-NCPPC

FROM: *For [Signature]* Dawit Abraham, P.E., Associate Director
Office of Engineering, DPW&T

RE: Prince George's Plaza, Chick Fil A
Detailed Site Plan No. DSP-99044-07

CR: East West Highway (MD 410)

CR: Toledo Road



In response to the Detailed Site Plan No. DSP 99044/07 referral, the Department of Public Works and Transportation (DPW&T) offers the following:

- The property is located on the Northeast corner of East West Highway (MD 410) and Toledo Road. MD 410 is a State-maintained road; therefore, coordination with the Maryland State Highway Administration is necessary. The project does not impact any County-maintained roadway.
- The proposed detailed site plan is consistent with approved Stormwater Management Concept Plan No.38898-2007-01 dated May 07, 2012.

If you have any questions or require additional information, please contact Ms. Elizabeth McKinney, the District Engineer for the area, at (301) 883-5710.

cc: Elizabeth McKinney, District Engineer, EISD, OE, DPW&T
Preit-Rubin, Inc., 200 South Broad Street, Philadelphia,
Pennsylvania 19102
Bohler Engineering, 16900 Science Drive, Suite 104, Bowie,
Maryland 20715



The Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772 301-952-3530
Development Review Division - 301-952-3749 (fax)

**** REFERRAL REQUEST ****

RECEIVED

SEP 06 2012

Date: 8/29/2012

~~TO:~~ **FROM:** JOESPH KATZENBERGER SHA

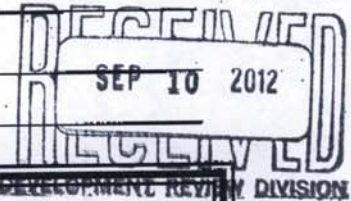
ACCESS MANAGEMENT

DIVISION M-NCPPC

~~FROM:~~ **TO:** MEIKA FIELDS-URBAN DESIGN

P.G. PLANNING DEPARTMENT

Subject: DSP-99044/07, CHICK FIL-A PRINCE GEORGE'S PLAZA



IDENTIFICATION OF MAJOR ISSUES DUE DATE*: 9/13/2012

***Note:** E-mail any major issues/problems to the reviewer by the above date.

SUBDIVISION REVIEW COMMITTEE DATE: 9/14/2012

REFERRAL DUE DATE: 9/28/2012

- Full Review of New Plan
- Revision of Previously Approved Plan
- Limited or Special Review
- Plans/Documents Returned for Second Review Following Revision by Applicant

NOTE: This case is being reviewed at: Planning Board level OR Planning Director level

COMMENTS: RESTAURANT

Related Cases:

REFERRAL REPLY COMMENTS:

THE SHA-ACCESS MANAGEMENT DIVISION COMPLETED ITS REVIEW
OF THE ABOVE NOTE PROJECT. THE SUBJECT DEVELOPMENT IS LOCATED
WITHIN THE PRINCE GEORGE'S PLAZA PROPERTY. THE PROPOSED USE WILL NOT
NEGATIVELY IMPACT MD 193 OPERATIONS. THEREFORE, SHA HAS NO OBJECTION.

M. Badley SHA 9/10/2012

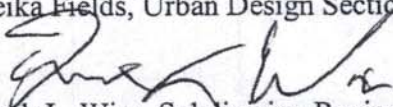
NOTE: IF YOU HAVE NO COMMENTS, PLEASE INDICATE ABOVE AND FORWARD OR FAX TO THE REVIEWER'S ATTENTION.



Division of Environmental Health

Date: September 14, 2012

To: Meika Fields, Urban Design Section, MNCPPC

From:  Frank L. Wise, Subdivision Review Specialist, Environmental Engineering Program

Re: DSP-99044.07, Chick Fil-A Prince George's Plaza

The Environmental Engineering Program of the Prince George's County Health Department has completed a health impact assessment review of the detailed site plan submission for Chick Fil-A Prince George's Plaza, and has the following comments/recommendations:

1. There are 9 existing carry-out/convenience store food facilities within a ½ mile radius of this location, but only 2 markets/grocery stores. 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. Indicate how the project will provide connections for safe pedestrian access to the site via the existing pedestrian network.
3. During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
4. During the demolition/construction phases of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

If you have any questions or need additional information, please contact me at 301-883-7651 or flwise@co.pg.md.us



Environmental Engineering 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

WSSC
PLAN REVIEW COMMENTS
M-NCPPC (PRINCE GEORGE'S)
SUBDIVISION REVIEW COMMITTEE

WSSC STANDARD COMMENTS APPLICABLE FOR ALL PLANS REVIEWED:

1. WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.
2. **Coordination with other buried utilities:**
 - a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.
 - b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.
 - c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.
 - d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSC's pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
 - e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
 - f. The applicant must provide a separate "Utility Plan" to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.
 - g. Upon completion of the site construction, utilities that are found to be located within WSSC's rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicant's expense.
3. Forest Conservation Easements are **not permitted** to overlap WSSC existing or proposed easements. Potential impacts to existing Forest Conservation Easements (due to proposed water and/or sewer systems) must be reviewed and approved by County staff.
4. **Unless otherwise noted:** ALL extensions of WSSC's system require a request for 'Hydraulic Planning Analysis' and need to follow the System Extension Permit (SEP) process. Contact WSSC's Development Services Center at (301-206-8650) or visit our website at www.wsscwater.com/Development_Services for requirements. For information regarding connections or Site Utility (on-site) reviews, you may visit or contact WSSC's Permit Services at (301) 206-4003.

DATE EMAILED TO MNCPPC: September 12, 2012

WSSC Comments
Subdivision Review Committee Meeting
Agenda Date: September 14, 2012

<u>Plan No.</u>	<u>Subdivision Name</u>
1. DSP-99044/07	Chick Fil-A

(Villarraga/Sullivan)

The required WSSC plan review fee of \$1,100.00 is outstanding. Invoice # 2012-124 was sent to applicant.

Hydraulic Comments:

Site Utility System reviews are required for projects with proposed water connections greater than 2-inch or sewer connections greater than 4-inch. Contact the WSSC Permit Services Unit on (301) 206-4003 for submittal requirements or view our website.

Hydraulic Planning Analysis may be requested from WSSC for pre-review of a proposed onsite system to address adequate flow and/or capacity concerns.

There is an 8- inch diameter water main located on or near this property and is available to serve the proposed site. WSSC records indicate that the pipe material is Cast Iron (CI). A 6-inch gravity sewer main is also available to serve the proposed site. Contact the Permit Services Unit at 301- 206-4003 for details regarding applying for service connections or visit our website.

The sewer main alignment should be revised to avoid deep and/or shallow sewer.

Design Comments:

Align water and/or service connection(s) to avoid environmental, storm water management facilities, ESOs, other utilities, landscaping, tree boxes and structures or paving impacts for future maintenance. *See WSSC Design Manual C-3.1*

Existing mains shown on plan should be labeled with correct pipe size, material and WSSC contract number.

Show right-of-way limits on plan for all existing and proposed water and sewer mains.

Provide proper protection of water supply where water main is below or parallel to sewer main, building drain, sewer house connection or septic field and when pipe crosses other utilities. *See WSSC Design Manual C-3.1*

Comments continued on next page...

Page 1 of 2

WSSC Comments
Subdivision Review Committee Meeting
Agenda Date: September 14, 2012

Plan No.

Subdivision Name

1. DSP-99044/07

Chick Fil-A

Comments continued:

Revise the plan to align any water and or sewer pipeline that conflicts with large storm drains, culverts, deep side ditches, etc. Maintain the required horizontal clearances from other utilities, retaining walls, sediment traps, street lights, paving, etc. Pipe crossings should be between 45 and 90 degree. *See WSSC Design Manual C-3.1*

Existing mains shown on plan should be labeled with correct pipe size, material and WSSC contract number.

COMMERCIAL SITES – Proposed water systems (greater than 3-inch diameter) with a developed length of more than 80 feet will require an outside meter setting in a vault. Show and label vault and required WSSC right-of-way.

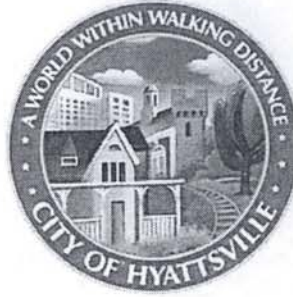
WSSC easements must be free and clear of other utilities, including storm drain systems, with the exception of allowed crossings designed in accordance with the WSSC Pipeline Design Manual. Under certain conditions (and by special request) storm drains may be permitted within the WSSC easement. However, this will be evaluated on a case by case basis and if allowed, will require execution of a special agreement between WSSC and the developer.

Owner must convey gratis to WSSC an easement on property for proposed water meter vault. Delineate and label the easement with applicable horizontal width shown on plan.

Any grading, change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Unit at (301) 206-8672 for review procedures and fee requirements. *See WSSC Design Manual, C-5.1 and Part Three, Section 11.*

Marc Tartaro
Mayor

Elaine Stookey
Acting City Administrator



March 19, 2013

Elizabeth M. Hewlett, Chairman
M-NCPPC Planning Board
County Administration Building
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

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Emergency
301/985-5050

PUBLIC WORKS
301/985-5032

COMMUNITY & ECON DEV.
301/985-5013

COMMUNITY SERVICES
301/985-5020

RE: Chick-fil-A Restaurant – DSP-99044/07

Dear Chairman Hewlett,

I am writing to convey to the M-NCPPC Planning Board the City of Hyattsville's opinion regarding the proposal to construct a Chick-fil-A Restaurant with a drive-through at Prince George's Plaza.

The City is appreciative of the applicants efforts to mitigate vehicular impacts within the TDOZ; however, the City of Hyattsville does not support the applicant's request for an amendment to the table of uses to permit eating and drinking establishments with drive-through service as this request is inconsistent with the pedestrian and transit oriented intent of the Prince George's Plaza Transit District Development Plan. If the applicant requires a drive-through as part of the development, then the City is opposed to this proposed detailed site plan.

The City is supportive of the applicant's proposed alternative compliance with landscape manual and tree canopy; however, we believe that additional sustainability measures should be included in the design to further reduce existing stormwater impacts beyond what is required of the applicant to meet minimum requirements as neighboring properties have had to incur significant financial costs to address the stormwater runoff from this site when developing their own properties. Acceptable additional sustainability improvements include but not limited to a permeable pavement, additional landscaped islands or other industry accepted stormwater management design standards.

We thank you for your consideration of these comments and we look forward to your decision regarding this matter.

Sincerely,

Marc Tartaro
Mayor

cc: City Council
Steve Adams, Urban Planning Supervisor, M-NCPPC
Honorable Will Campos, County Council, District 3
Dan Lynch, Attorney, McNamee, Hosea, Jernigan, Kim, Greenan and Lynch, P.A.

CITY OF HYATTSVILLE

4310 Gallatin Street, Hyattsville, MD 20781 | Tel 301/985-5000 | Fax 301/985-5007 | www.hyattsville.org

STATEMENT OF JUSTIFICATION

DSP-99044/07

Chick-fil-A; Prince George's Plaza

APPLICANT: Chick-fil-A
5200 Buffington Road
Atlanta, Georgia 30349

OWNER: PR Prince George's Plaza LLC
200 South Broad Street
The Bellevue, Third Floor
Philadelphia, Pennsylvania 19102

CORRESPONDENT: Daniel F. Lynch, Esq.
McNamee Hosea
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
(301) 441-2420 Voice
(301) 982-9450 Fax
DLynch@mhlawyers.com

REQUEST: Detailed Site Plan for an eating or drinking establishment with drive-through service (CB-19-2010), in this case a Chick-fil-A, in accordance with Section 27-548.08 of the Zoning Ordinance.

I. DESCRIPTION OF PROPERTY

1. Location: Located in the northwest quadrant of the intersection of East-West Highway and Belcrest Road.
2. Address: 3500 East-West Highway, Hyattsville, Maryland 20782
3. Proposed Use: Eating and Drinking Establishment with Drive-Through Service
4. Incorporated Area: Hyattsville
5. Councilmanic District: 2
6. Lot/Parcel: Parcel A-1

7. Total Area: .407 acres
8. Tax Map: 41/F-2
9. Zoned: C-S-C/TDOZ
10. Owner: PR Prince George's Plaza
11. Zoning Map (200 Sheet): 208NE03

II. INTRODUCTION

Chick-fil-A (hereinafter the "Applicant"), in accordance with Section 27-548.08 of the Zoning Ordinance, is pleased to submit a revision to Detailed Site Plan DSP-99044 for the purpose of constructing a pad site for a 4,686 square foot eating and drinking establishment with drive-through in the Prince George's Plaza Shopping Center located in Subarea 11 of the Prince George's Plaza Approved Transit Development Plan (hereinafter the "TDDP").

III. PROCEDURAL HISTORY

Prince George's Plaza was originally developed in the late 1950s. The original Detailed Site Plan, **DSP-99044**, and companion cases for Primary Amendments TP-00001, and Secondary Amendments TS-99044A, and for Departure from Design Standards DDS-515, were reviewed and approved by the District Council on July 10, 2001. The original Detailed Site Plan was designed for Phase 1 of the redevelopment of the mall and included the renovation of one of the pad sites for Outback Steakhouse and the redesign of the area around the east end of the shopping center. The first revision, **DSP-99044/01**, was for the purpose of constructing a new anchor tenant store (Target) and the addition of two tenants at the rear of the shopping center. The Planning Board granted a further amendment to Standard S8 in 2003, in conjunction with DSP-99044/01. A Departure from Design Standards, DDS-515, was also approved for conformance to Section 4.7, Buffering Incompatible Uses. The second revision, **DSP-99044/02**, was for the purpose of renovating the rear of the shopping center to improve access in the center, repaving and incorporating additional green area. The third revision, **DSP-99044/03**, was to allow two-way traffic in an existing drive aisle that was previously utilized for one-way traffic and loading purposes. The fourth revision, **DSP-99044/04**, was for the purpose of adding a restaurant pad site (Olive Garden) of 7,685 square feet. The fifth revision, **DSP-99044/05**, was for the modification to the rear elevation on the east side of the structure to accommodate new tenants and to improve 19 parking spaces. The sixth revision, **DSP-99044/06**, was for the purpose of adding a restaurant pad site (Famous Dave's) of 6,574 square feet. This additional pad site was never constructed. The site is also subject to a Departure from Sign Design Standards, DSDS-440, approved in 1991.

IV. PROJECT SUMMARY

The purpose of this revision to DSP-99044 is to construct a 4,686 square foot eating and drinking establishment with drive-through service. The pad site will be located in the southwest corner of the property adjacent to MD 410 (East West Highway). This area of the center is currently used for parking. The TDDP for Prince George's Plaza does not permit eating and drinking establishments with drive-through service. Thus, the Applicant is also requesting an amendment to the table of uses in accordance with Section 27-548.09.01 of the Zoning Ordinance.

V. CRITERIA FOR APPROVAL OF AMENDMENT OF APPROVED TRANSIT DISTRICT OVERLAY ZONE

Section 27-548.09.01 of the Zoning Ordinance requires an Applicant requesting an amendment in a TDOZ demonstrate that the proposed development conforms to the purposes and recommendations for the Transit District as stated in the Transit District Development Plan ("TDDP"). The purposes of the TDOZ and the Prince George's Plaza Transit District are contained in Section 27-548.03 of the Zoning Ordinance and page 9 of the TDDP. The Applicant believes that the proposed amendment to the Table of Uses for Subarea 11 complies with these purposes as follows:

(1) To enhance the development opportunities in the vicinity of transit stations;

COMMENT: Chick-fil-A is a nationally recognized restaurant chain that does not have a location within a 10 mile radius of the site. The Applicant believes that this location will provide the residents of the area as well transit riders with an additional dining option.

(2) To promote the use of transit facilities;

COMMENT: The provision of additional dining choices at Prince George's Plaza will make the center and the transit district more attractive to the public.

(3) To increase the return on investment in a transit system and improve local tax revenues;

COMMENT: As noted above, this area of the site is currently being used for parking. The addition of another national chain restaurant to this site will increase the value of the property and in turn increase the tax revenues generated by the property.

(4) To create a process which coordinates public policy decisions, supports regional and local growth and development strategies, and creates conditions which make joint development possible;

COMMENT: The Applicant will be coordinating the development of the property with State and local agencies.

(5) To create a process which overcomes deficiencies in ordinary planning processes and removes obstacles not addressed in those processes;

COMMENT: The TDOZ allows for flexibility in the development process through the use of amendments to the TDDP. In this case, the amendment to the Table of Uses for the property as part of the Detailed Site Plan process will allow further redevelopment of Subarea 11 in a manner that is more conducive to a changing market and to the proposed development of other subareas in the transit district.

(6) To minimize the costs of extending or expanding public services and facilities, by encouraging appropriate development in the vicinity of transit stations;

COMMENT: Additional retail commercial development within close proximity to the Prince George's Plaza Metro Station will encourage metro ridership and in turn decrease the use of the surrounding road network. In addition, the proposed Chick-fil-A will be an additional dining choice in close proximity to the metro as well as the surrounding residential communities. The Applicant will provide connections to the existing pedestrian network and further enhance an environment that encourages pedestrian traffic through the transit district.

(7) To provide mechanisms to assist in financing public and private costs associated with development;

COMMENT: In 1998, the TDDP authorized the Prince George's Plaza Transportation Demand Management District (TDMD). The TDMD requires each property owner participate in the TDMD and pay a fee based upon the number surface parking space. These fees are to be utilized for the payment of transportation improvements in the TDOZ.

(8) To provide for convenient and efficient pedestrian and vehicular access to Metro stations;

COMMENT: The site is located across East West Highway from the metro station. As noted earlier, the Applicant will provide connections to the existing pedestrian network and further enhance an environment that encourages pedestrian traffic through the transit district.

(9) To attract an appropriate mix of land uses;

COMMENT: The Applicant's proposal will add one more dining choice to the area. The plaza represents the main retail commercial land use in the TDOZ and additional commercial development was anticipated as for the parking area along East West Highway.

(10) To encourage uses which complement and enhance the character of the area;

COMMENT: The Detailed Site Plan and associated elevations of the building demonstrate that the proposed building will, through the use of architecture, compliment other properties in the area that have been developed in conformance with the guidelines set forth in the Transit District Development Plan.

(11) To insure that developments within the Transit District possess a desirable urban design relationship with one another, the Metro station, and adjoining areas; and

COMMENT: The Detailed Site Plan demonstrates that the proposed building complies with or exceeds the site design guidelines. Although the location of the building along East-West Highway does not meet the build-to line requirements it does conform to the amendment previously approved for the plaza. In addition, the Applicant has oriented the building to create a greater street presence and help continue to enhance the urban edge along East West Highway.

(12) To provide flexibility in the design and layout of buildings and structures, and to promote a coordinated and integrated development scheme.

COMMENT: As noted above, the build-to line requirement was previously approved for the plaza and the Outback Steakhouse and Olive Garden comply with the build-to line. The Applicant will also comply with the build-to line and in so doing maintain a coordinated layout on the site.

In addition to the general purposes of the TDOZ contained in the Zoning Ordinance, the purpose of Subarea 11 is stated on page 118 of the TDDP, which states:

To provide for retail, service and office uses. A mixed use development should be considered for the property given its close proximity to the metro.

The Applicant's proposal will comply with the TDDP's purpose of providing additional retail space in Subarea 11. With regard for the recommendation regarding "mix use development," since the approval of the TDDP, Post Park was approved and constructed. This development reduced the area for additional retail commercial development in the Transit District and increased the amount of residential development, thus creating a balanced mix of land uses in the Transit District.

VI. CRITERIA FOR APPROVAL OF A DETAILED SITE PLAN

The required findings for a Detailed Site Plan in the TDOZ are stated in Section 27-548.08(c) of the Zoning Ordinance. As will be demonstrated below, the Applicant complies with the criteria as follows:

- 1. The Transit District Site Plan is in strict conformance with any mandatory development requirements of the TDDP.**

Comment: The Detailed Site Plan is in strict conformance with the Mandatory Development Requirements except as specifically noted below:

Pedestrian Access and Circulation

The proposed development complies with Mandatory Development Requirements S-1 through S-6. With specific regard to S3, the photometric plan submitted in conjunction with the Detailed Site Plan demonstrates that pedestrian walkways will be lighted to a minimum standard of 1.25 footcandles.

Landscaping Planting Design

The proposed development will comply with S7 and G3. The Applicant has developed a landscape plan that incorporates pedestrian safety into its design. Clear lines of site for both automobiles and pedestrians are provided so as to allow for safe travel throughout Subarea 11. As recommended by G3, the surface parking will be screened from East West Highway, Toledo Terrace, and the corresponding pedestrian network via a low wall that was previously constructed.

Streetscape

The proposed development will comply with P1 (the streetscape improvements are in place) and S8 (a Secondary Amendment was previously approved for S-8) through S13

Architecture

The proposed development will comply with S14 and G4 through G15. Specifically, and as demonstrated on the architectural elevations submitted in conjunction with this Detailed Site Plan, the building fronts East-West Highway and has been oriented so that the longest side faces East West Highway and creates a greater street presence. In addition, the Applicant will use high quality materials, including brick. Finally, as demonstrated on the elevations, each side of the building has been given equal architectural treatment.

Plazas

The Applicant is not proposing any plazas as part of the application.

Parking and Loading

The proposed development complies with S17 through S23. Most of the parking associated with this project will be located behind the building, but there will be some spaces located to the east and west of the building, but as required by S17, no parking space will be located beyond the front build-to line.

Lighting

The proposed development will comply with S24 through S26. As indicated above, the Applicant has provided a photometric plan demonstrating that the minimum level of 1.25 footcandles on pedestrian walkways has been met. The details contained in the Detailed Site Plan demonstrate compliance with S24 and S27.

Signs

The Applicant has revised the approved sign plan for the plaza to include its proposed signage. The Applicant's proposed signage complies with P-2 through P-5 and complies with S28.

Bicycle Facilities

The Applicant is proposing to provide a bike rack on the pad site and within close proximity to the front entrance to the store.

Parking

As indicated above, the Chick-fil-A will be located in an area of the property that is currently improved with surface parking spaces. Therefore, this proposal calls for the reduction of surface parking spaces on the Prince George's Plaza property and is therefore in keeping with the intent of the TDDP goal to reduce the number of surface parking spaces.

Pedestrian Facilities

The proposed development complies with P20, in that a sidewalk was previously constructed along East-West Highway frontage.

Environment

The plaza property is exempt from the stormwater management requirements. The proposed development shows the locations of the trash cans and therefore complies with S31.

Parks and Recreation Facilities

The Applicant is not proposing residential development and therefore compliance with P34 is not required.

Subarea Requirements

As indicated, Chick-fil-A will be located in Subarea 11 of the Prince George's Plaza TDOZ. The proposed development will comply with the Mandatory Development

Requirements P92, P93, P94, P95 and P98. The Planning Board approved amendments to P96 and P97 as part of the original Detailed Site Plan approval.

With specific regard to S66, the loading area is completely screened from public view as shown on the detailed site plan as well as the elevations in conjunction this application.

With specific regard to S67, the Applicant is proposing to use high quality building materials (brick) and has designed the building to complement other buildings in the Transit District.

2. **The Transit District Site Plan is consistent with, and reflects the Site Design Guidelines and criteria contained in, the TDDP.**

Comment: The proposed Chick fil-A, as shown on the Detailed Site Plan is consistent with the applicable Site Design Guidelines contained in the TDDP.

3. **The Transit District Site Plan meets all the requirements of the TDOZ and applicable regulations of the underlying zone.**

Comment: The regulations for the TDOZ are contained in Section 27-548.06 of the Zoning Ordinance. The proposed Chick fil-A as shown on the Detailed Site Plan, complies with these regulations.

4. **The location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency and are adequate to meet the purposes of the TDOZ.**

Comment: The Applicant is proposing to develop an additional pad site on the Prince George's Plaza property, which has been developed to meet the purposes of the TDOZ. The Applicant will provide connections to the existing pedestrian network and further enhance an environment that encourages pedestrian traffic through the transit district.

5. **Each structure and use, in the manner proposed, is compatible with other structures and uses in the transit district and with existing and proposed development.**

Comment: The Applicant is proposing to orient the building so that the longest side faces East-West Highway and in so doing, create a larger presence along this main pedestrian and vehicular corridor.

6. **In addition to the findings above, the following is required for Detailed Site Plans:**

- a. **The Planning Board shall find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one is required).**

Comment: The property does not have an approved Conceptual Site Plan.

VII. CONCLUSION

Chick-fil-A has submitted a request to amendment to the Table of Uses for the TDDP for Prince George's Plaza in accordance with 27-548.09.01 of the Zoning Ordinance. In addition, Chick-fil-A is requesting the approval of a revision to the approved Detailed Site Plan for Subarea 11 (Prince George's Plaza). The Applicant believes that these requests meet with the requirements set forth in Sections 27-548.08 and 27-548.09.01 and respectfully request their approval.

Respectfully submitted,

MCNAMEE & HOSEA

By: _____
Daniel F. Lynch

Fields, Meika

From: Daniel F. Lynch <dlynch@mhlawyers.com>
Sent: Tuesday, October 01, 2013 5:20 PM
To: Fields, Meika
Subject: Chick-fil-a; DSP-99044-07

Meika,

Pursuant to our telephone conversation, please accept the following as some of the green building techniques incorporated into the design of the Chick-fil-a building:

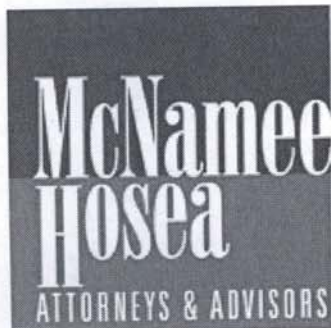
- Meeting EPA guidelines for construction activity pollution prevention
- 25% concrete paving on site to reduce the heat island effect on site
- White roof to reduce heat island effect from the building
- Reduce indoor water use from the building (fixtures and process equipment) by 45%
- Reduce outdoor water use by 50% through high efficient irrigation system and drought-tolerant plant selection
- Commission all building systems for effectiveness before building turnover
- Prioritize materials with recycled content in construction specifications
- Building prototypes are 10% more efficient than a conventionally designed building because of ENERGY STAR process equipment
- Low emitting flooring and paint products are specified
- Controllability of lighting and thermal comfort in administrative spaces to enhance productivity

If you need additional information on any bullet point, please let me know and I will have the architect provide further clarification. Thanks.

Daniel F. Lynch, Principal

McNamee Hosea
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
(301) 441-2420

888 Bestgate Road, Suite 304
Annapolis, MD 21401
(410) 266-9909



dlynch@mhlawyers.com

Case No.: SP-99044

Applicant: Preit-Rubin, Inc.

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

ORDER AFFIRMING PLANNING BOARD DECISION

IT IS HEREBY ORDERED, after review of the entire record, that the Planning Board's decision in Resolution PGCPB No. 01-77, approving with conditions a Detailed Site Plan for property described as approximately 51.78 acres of land in the C-S-C Zone, in the northwest quadrant of the intersection of East West Highway (MD 410) and Belcrest Road, Hyattsville, Maryland, is hereby:

AFFIRMED, for the reasons stated by the Planning Board in its resolution, which are hereby adopted as the findings of fact and conclusions of law of the District Council, with the following additions:

- A. The District Council agrees with the Planning Board that the Transit District Site Plan is in strict conformance with mandatory development requirements of the Transit District Development Plan, as modified in PGCPB No. 01-76. That Planning Board resolution recommends amendments to mandatory development requirements applicable to the subject property, amendments which are being approved by the District Council.
- B. The District Council agrees with the Planning Board and Technical Staff that streetscape and pedestrian zone improvements, the subject of Mandatory Development Requirement P-1, should be considered a priority for the subject property. Phasing of streetscape improvements is the subject of a condition to this approval.
- C. The District Council agrees with Planning Board and Technical Staff disposition of issues under Mandatory Development Requirements

P2, P33, P92, P93, P95, P98, S8, S17, S23, S30, S33, S64, S65, S3, S5, S11, S12, S13, S15, S16, S18, S19, S24, S25, S 28, S31, S32, S63, S66, and S67.

- D. The District Council agrees with the Planning Board that after amendment of the Transit District Development Plan, the subject site plan will be consistent with the TDDP.
- E. The District Council also agrees with the Planning Board that the site plan shows compliance with all C-S-C Zone requirements.
- F. The District Council agrees with the Planning Board that the proposed site plan conforms with applicable Transit District Mandatory Transportation and Parking Requirements and Site Design Guidelines. Conditions below address some of these requirements.
- G. The District Council agrees with Planning Board findings regarding Landscape Manual requirements. Full compliance with these requirements is addressed in the conditions below.

To protect adjacent properties and the neighborhood, affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to signature approval of the Detailed Site Plan, any changes to the plans required by the Primary Amendment TP-00001 shall be fulfilled.
2. Construction of Phase III streetscape improvements shall be completed prior to approval of the use and occupancy permit for the next anchor store or new pad site on the subject property.
3. Phase I streetscape improvements are along East West Highway from the existing ATM of the Chevy Chase Bank to the main entrance, as indicated on Staff Exhibit A, and shall also include a temporary brick paver sidewalk on the west side of the right-in-only driveway. All Phase I site improvements shall be completed before the certificate of occupancy for the Outback Steakhouse is issued by the Department of Environmental Resources.
4. Construction of all Phase II site improvements shown on Staff Exhibit A shall be completed prior to issuance by DER of the certificate of occupancy for the next anchor store or new pad site.

5. Prior to certificate of approval, the plans shall be revised to indicate the following:
 - a. The sidewalk located in the streetscape along East West Highway shall be at least 8 feet wide.
 - b. The streetscape/pedestrian zone shall be shown along the entire frontage of East West Highway. The design of the streetscape and associated plazas shall consider all of the issues in the finding discussing S8, under the comments of the Urban Design Section. These plans shall be referred to the Town of University Park and the City of Hyattsville for review and comment.
 - c. A three-foot-high brick wall shall be provided bordering the parking compound along the entire length of the East West Highway frontage. Final design details shall be determined by the staff and applicant.
 - d. A sidewalk and crosswalk shall be provided from the main entrance at East West Highway to the shopping center on the west side of the Outback Steakhouse, as shown in Figure 31 of the text.
 - e. The plans shall show an irrigation system to maintain the plant material in the plaza area adjacent to the pedestrian bridge and along the linear plaza.
 - f. The details and specifications of the bus shelters on Belcrest Road shall be reviewed and approved by the Transportation Planning Section and the Urban Design Section.
 - g. The plans shall show a raised pedestrian crossing, a minimum of 8 feet wide, across the right-in-only driveway from East West Highway.
 - h. The plans shall show only one bus pull-off area accommodating three or more buses along Belcrest Road, per the WMATA and DPW&T standards. The bus pull-off area along East West Highway shall be eliminated.

- i. Lighting fixtures shall be clearly delineated on the plans and shall be placed approximately 60 feet on center along East West Highway and 45 feet on center along the linear plaza.
- j. The crosswalk across East West Highway as shown in Figure 31 shall be shown on the plans pending approval by the State Highway Administration (SHA). If approved by SHA, this crosswalk shall be constructed in Phase III of the development.
- k. The plans shall be revised to conform to Section 4.3(a) and (c) of the Landscape Manual for Phases I and II.
- l. The Detailed Site Plan shall specify that all tree pits within the plazas shall be connected with a continuous noncompacted soil volume under the sidewalk. Soil system details shall be included in the plans and shall be approved by the Planning Board or its designee. "CU-Soil" or other equal product shall be used as a "structural soil" for shade trees planted in tree pits.
- m. A photometric plan shall be submitted for Phases I and III to demonstrate that the plazas and parking areas and areas around the building are lighted to a minimum of 1.25 footcandles.
- n. The plans shall indicate bicycle parking at 50 percent of the rate required in S30, and the plans shall be modified to indicate the location of the spaces and the details and specifications.
- o. Appropriate details and the following note shall be added to the Detailed Site Plan and the Sediment Control Plan:

"Prior to the final inspection and sign-off of permits by the Sediment/Stormwater or Building Inspector, any storm drain inlets associated with the development and all inlets on the subject subarea shall be stenciled with 'Do Not Dump, Chesapeake Bay Drainage.'"
- p. A Woodland Conservation Worksheet shall be added to the plans, and the plan shall be certified as a TCPII/100/00. The following note shall be added under the worksheet:

"S33 of the Prince George's Plaza TDDP requires the afforestation of at least 10 percent of the gross tract for all properties within the Prince George's Plaza Transit

District currently exempt from the Woodland Conservation and Tree Preservation Ordinance. Afforestation shall occur on-site or within the Anacostia Watershed in Prince George's County to the extent possible, with priority given to riparian zones and nontidal wetlands, particularly within the Northwest Branch sub-watershed."

- q. The location of the off-site woodland conservation mitigation for TCPII/100/00 shall be identified. If the proposed location is outside the Anacostia watershed, documentation shall be provided to the Environmental Planning Section to demonstrate that off-site woodland conservation sites have been diligently pursued on private property in the Anacostia watershed at three or more sites.
 - r. The applicant shall submit a Phase II Noise Study for the construction proposed on "Phase I," as shown on the Detailed Site Plan. The Noise Study shall be reviewed and approved by the Environmental Planning Section (as the successor to the Natural Resources Division) prior to certification of the Detailed Site Plan. The recommendations contained in the Phase II Noise Study shall be shown on the Detailed Site Plan and architectural drawings prior to certification.
6. Prior to the issuance of grading permits, a TCPII plan shall be approved, and easements for off-site mitigation shall be recorded.
 7. Prior to the issuance of a building permit for Phase I, a performance bond, letter of credit, or other suitable financial guarantee for the plaza area shall be submitted to the Development Review Division.
 8. Prior to the issuance of a building permit for Phase II, a performance bond, letter of credit, or other suitable financial guarantee for the plaza area shall be submitted to the Development Review Division.
 9. Prior to the issuance of a building permit for Phase II, architectural elevations shall be approved by the Planning Board.
 10. Prior to signature approval of the architecture for the Outback Steakhouse, the following modifications shall be made:

- a. The proposed cornice and dentil molding shall be continued around the entire north and west facades. The proposed neon lighting shall wrap around the entire building.
- b. The color of the shingles shall be revised from green to indicate either a black or gray color or combination of the black or gray, if the existing slate roof is not preserved.
- c. The site plan and architectural drawings shall be revised to indicate a six-foot-high screen wall around the dumpster enclosure, with a water table similar in design and color to the water table feature on the main building. The water table on the dumpster enclosure will transition to the existing retaining wall, which will be refaced to match the water table.
- d. All utility doors shall be of a color to blend with the color of the siding.
- e. The signage information shall be provided to demonstrate conformance to the overall sign plan and shall include color and size specifications.

Ordered this 10th day of July, 2001, by the following vote:

In Favor: Council Members Bailey, Estep, Gourdine, Hendershot, Scott, and Shapiro

Opposed:

Abstained: Council Members Russell, Maloney, and Wilson

Absent:

Vote: 6-0-3

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

By: _____
Ronald V. Russell
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

Prince George's County Departure from Design Standards

Applicant: Preit-Rubin, Inc.

Location: Located at the northwest quadrant of the intersection of Belcrest Road and East-West Highway

Request: Departure from Section 4.7 of the Landscape Manual for Northern and Westerly boundary bufferyards.

R E S O L U T I O N

WHEREAS, the applicant is requesting a Departure from Design Standards from Section 4.7 of the Landscape Manual for Northern and Westerly boundary bufferyards; and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released March 28, 2001, recommends APPROVAL with conditions; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on April 12, 2001, the Prince George's County Planning Board agreed with the staff recommendation; and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the Technical Staff Report and the following DETERMINATIONS:

1. The site is located north of the Prince George's Plaza Metro Station, directly across East-West Highway. The site is zoned C-S-C and is entirely within the Prince George's Plaza Transit District Overlay Zone and encompasses 51.78 acres. The applicant is providing the required amount of parking and loading spaces.

The requests of the applicant in Departure from Design Standards DDS-515 are as follows:

- a. Relief from the bufferyard requirements of Section 4.7 of the *Landscape Manual*. The subject site is deemed a high intensity use by the *Landscape Manual*; to the north of the subject property is the Georgian Plaza apartment complex which is a low intensity use, and to the west is a medical office complex, which is a medium intensity use.
- b. Reduction of the width of the required landscape yard along the northern property line from 40 feet to 0 feet (for approximately 1,637 linear feet), then gradually widening to 50 feet for 120 linear feet; along the western property line, reduction from 20 feet to 0 feet (for approximately 786 linear feet), then gradually widening to 50 feet for 300 linear feet.

- c. Reduction of the required plant units from 2,811 plant units to 340 plant units along the northern property line and from 869 plant units to 250 plant units along the western property line.
2. Departure from Design Standards, DDS-330 (PGCPB No. 88-430) was approved on September 8, 1988 which granted relief from several sections which has resulted in the current small amount of landscaping. The Board of Zoning Appeals (Appeal No. 9274) granted the request for a variance from Section 27-450(a)(2) (which required that one-half of the required side yard be landscaped when adjoining land is in a residential zone and that such yard be screened from the adjoining residential land). This approval predates the requirements of the *Landscape Manual*. A 3 2 foot-high fence is currently existing along the north property line as well as 340 plant units. The site became subject to the requirements of the *Landscape Manual* because the application is proposing more than 5,000 square feet of development and for the same reason is subject to the requirements of the Transit District Development Plan (TDDP) for Prince George=s Plaza. The applicant requested alternative compliance from Section 4.7 of the *Landscape Manual*. The request for alternative compliance (AC-99059) was denied.

3. **Required Findings**

Section 27-239.01(b)(9) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:

- a. **The purposes of this Subtitle will be equally well or better served by the applicant=s proposal.**

The purposes of the Zoning Ordinance are set forth in Section 27-102. They are varied in nature, but in general are to protect the health, safety and welfare of the residents and workers in Prince George=s County. In this instance, the facts establish that granting the requested departure will in no way jeopardize these purposes. The subject property is located in an older area inside the Capital Beltway that was developed before most current zoning and development standards came into effect. The current condition of the immediate area can be described as an older shopping center with garden apartments to the north. While the shopping center has had a face-lift, several vacancies remain. The proposed application for the subject property will create an environment and related amenities that will enhance and revitalize the shopping center as well as provide a service to the residents who live in the area.

- b. **The departure is the minimum necessary, given the specific circumstances of the request.**

The applicant is proposing approximately 330 plant units in combination with 260 existing plant units for a total of 590 plant units out of 3,680 plant units required by

current *Landscape Manual* standards. Staff believes that this is adequate and recommends brick pillars and stone caps at the openings along the existing fence-line to help mitigate the lack of landscape materials that are required for these two bufferyards.

- c. **The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949.**

The departure is necessary to alleviate circumstances which are unique to the site. The subject application is part of the shopping center which predates the current requirements of the *Landscape Manual*. The subject shopping center has received previous approvals for Departure from Design Standards #330 (PGCPB No. 88-430), Alternative Compliance #99059, and Variance No. 9274 which have resulted in the current situation.

- d. **The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.**

The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood. Staff believes that the departure, if approved in accordance with the condition recommended below, will result in a visual improvement for both the Georgian Plaza apartment complex to the north and the medical office complex to the west. Staff believes that the applicant should be allowed to maintain the previously approved reduction, but given the increased requirement of the *Landscape Manual*, this reduction should be mitigated by provision of brick pillars and stone caps located at the openings along the existing fence-line. Additional shrub plantings should be added where the existing hedge has died out. The applicant should also be allowed to maintain the existing condition of the western property line, but for the same reason, the applicant should be required to provide a six-foot-high board-on-board fence with brick pillars and stone caps 20 feet-on-center. The fence has 3 foot-wide breaks where existing access is provided to the shopping center. The brick pillars and additional landscaping will mitigate the reduction in the width of the bufferyard and plant materials and will ensure the visual, functional, and environmental quality, and integrity of the site and surrounding neighborhood.

- e. **For a departure from a standard contained in the *Landscape Manual*, the Planning Board shall find, in addition to the requirements above, that there is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, which would exhibit equal or better design characteristics.**

The applicant applied for alternative compliance which was denied by the Planning Director. By virtue of this disapproval, it is apparent that there is no feasible proposal for alternative compliance which would exhibit equal or better design characteristics.

NOW, THEREFORE, BE IT RESOLVED, that Departure from Section 4.7 of the Landscape Manual for Northern and Westerly boundary bufferyards is hereby APPROVED subject to the following condition:

1. The site plan shall be revised to include brick pillars and stone caps where existing access is provided to the shopping center along the northern property line. A detail of the pillars shall be added to the Detailed Site Plans. Shrub plantings shall be added to the hedge where existing vegetation has died out.

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.

* * * * *

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 Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 12, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of May, 2001 .

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:SL:bj

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 May 8, 2003, regarding Detailed Site Plan DSP-99044/01 for Prince George's Plaza, Parcels A1 and A2, the Planning Board finds:

1. This revision to the Detailed Site Plan DSP-99044 is for the purpose of constructing an anchor store (Target) and two additional tenants in the Prince George's Plaza Shopping Center in Subarea 11 of the Prince George's Plaza Transit District Overlay Zone. The new anchor store is planned to be constructed in the previous location of the vacant GC Murphy store. This development proposal includes demolishing the existing structure on the east end of the shopping center and constructing a new anchor store and two additional smaller tenant spaces. In addition, the remaining streetscape improvements along East West Highway are included in the review of this application.

2. **Development Data**

Detailed Site Plan DSP-99044/01

Zone	T-D-O-Z (C-S-C)
Total Site Area	51.78 acres
Existing Gross Floor Area	959,500 sf.
Gross Floor Area approved DSP-99044	1,047,342 sf.
Proposed Gross Floor Area DSP-99044/01	1,104,463 sf.
Floor Areas Ratio	0.49
Number of Existing Parking Spaces (surface)	3,583 spaces
Number of Proposed Parking Spaces (surface)	3,112 spaces
Number of Structured Spaces	0
Loading Spaces Required:	12 spaces
Loading Spaces Provided:	6 spaces at grade 22 spaces in underground tunnel

3. The shopping center site consists of approximately 52 acres of land in the C-S-C Zone and is located at the northwest quadrant of the intersection of East West Highway and Belcrest Road.

The existing development on the site is an enclosed shopping mall that was developed in the late 1950s. Three pad sites exist, including the newly renovated Outback Steakhouse restaurant, which was developed as part of Phase I of the overall site renovation.

4. The original Detailed Site Plan, DSP-99044, and companion cases for Primary Amendments TP-00001, Secondary Amendments TS-99044A, and for a Departure from Design Standards DDS-515 were reviewed and approved by the District Council on July 10, 2001. The original Detailed Site Plan was designed for Phase I of the redevelopment of the mall and included the renovation of one of the pad sites for the Outback Steakhouse, a portion of the streetscape improvements along East West Highway in front of the Outback Steakhouse, and the redesign of the area around the anchor store, which is the subject of the subject application.
5. The District Council granted Primary Amendments in the review of TP-0001 for P1, P96, P97 and denied amendment to P94. The following provides a summary of the changes:
 - P1—reduced the width of the streetscape along East West Highway from 40 feet to 28 feet.
 - P96—requires a 20- to 40-foot build-to line for structures containing more than three office uses.
 - P97—requires landscape strips of 30 and 20 feet wide where surface parking lots are adjacent to public roads, East West Highway and Belcrest Road, respectively, for structures containing more than three office uses.
6. The District Council agreed with the Planning Board and the staff to not grant a Primary Amendment to P94 to eliminate the requirement of a landmark-type building at the intersection of East West Highway and Belcrest Road.
7. The District Council reviewed and approved Secondary Amendments to S8, S17, S30 and S33 in application TS-99044A in conjunction with the original Detailed Site Plan DSP-99044
8. The District Council agreed with the Planning Board and the staff to not grant an amendment to secondary mandatory requirements S23, S64 and S65.
9. The Departure from Design Standards, DDS-515, was approved for conformance to Section 4.7, Buffering Incompatible Uses, which was the subject of an Alternative Compliance application that was denied. The applicant has subsequently submitted a Departure from Design Standards (DDS-515) application that was approved.
10. Section 27-548.08(c)(1), Required Findings for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ) includes the following findings:

(A) The Transit District Site Plan is in strict conformance with any Mandatory Development Requirements of the Transit District Development Plan;

Comment: The Detailed Site Plan as submitted is not in strict conformance with all of the Mandatory Development Requirements. Mandatory Development Requirements are made up of primary and secondary requirements. The following Primary Mandatory Development Requirements warrant discussion in the review of this Detailed Site Plan application.

P2 All development/redevelopment shall have a sign plan approved by the Planning Board at the time of Detailed site Plan. This plan shall provide the sign (location(s), size, color, lettering style, construction details and material specifications including the method of illumination).

Comment: Conceptual Site Plan CSP-94023 (PGCPB No. 94-247), approved by the Planning Board on Thursday, July 21, 1994, approved a signage plan for the subject site. This approval included standards to ensure consistency for all future signs on the Prince George's Plaza Shopping Center parcel. The signage plan approved in 1994 continues to be valid. Also, the property is subject to a Departure for Sign Design Standards (DSDS-440) approved in December of 1991. The architectural elevations show the proposed signage for the Target store and the conceptual location of the signage for the two tenants. The staff agrees in concept with the applicant proposal, except consideration should be given to providing some signage on the elevation facing Belcrest Road; however, the information provided is limited and conformance to the previously approved plans cannot be made at this time. Prior to the approval of any sign permits, the proposals should be reviewed for conformance to the Zoning Ordinance and DSDS-440.

In addition to the Primary Mandatory Requirement above, the application is also subject to the Secondary Mandatory Development Requirements. The staff analysis and recommendations are provided below:

S23 All surface parking lots shall be screened from view of roadways by the use of both a low, opaque wall and an evergreen hedge (See Figure 7), unless they are providing short-term parking for ten cars or fewer.

S65 All surface parking lots shall be screened from view of roadways by the use of both a low, opaque wall and an evergreen hedge (See Figure 7), unless they are providing short-term parking for ten cars or fewer.

Comment: Use of the wall throughout the transit district is required by the TDDP as a unifying element. The wall is appropriate along Belcrest Road to screen the front of vehicles from the view from the roadway. The applicant has verbally argued against providing the wall, although no request in writing to amend the requirements above has been received by this office. The staff feels strongly that the wall should be required, for a number of reasons. First, the public improvements along Belcrest Road should be enhanced through the development of private

properties in order to sustain the quality of the visual image of the area. The screening of the fronts of vehicles from the roadway and the pedestrian corridors are an important element of the transit district. Second, the applicant has argued that the existing trees will be damaged through the implementation and construction impacts to the base of the trees that were planted in association with the development of the improvements within Belcrest Road. However, the staff disagrees with the applicants' argument, primarily because the site plan indicates the removal of paving and existing curbing and the replacement of new curbing in the same area. Those impacts will be no more devastating to the root zone of the trees than the incorporation of the low wall in the same location. In fact, root pruning is not necessarily detrimental to the health of a tree. The staff also recommends that because of the proposed improvements, with or without the wall, the applicant should assess the current health of the existing shade trees and provide for any horticultural needs to the trees such as fertilization, pruning and/or removal and/or replacement of tree grates that might be causing damage to the trees. Further, the applicant should be responsible for replacement of any London Plane trees that die as a result of the improvements along Belcrest Road. These recommendations to the plans have been included as conditions of approval in the Recommendation section of this report.

The Community Planning Division provided the following review in conjunction with the planting design within Phase III of the development along East West Highway, in front of the low wall proposed there:

"The length of the proposed wall is approximately 835 linear feet. The applicant proposes to plant only 45 evergreen shrubs (juniper) along 110 feet of the 835-foot wall length, one-eighth of the distance. The remainder of the wall area is planted with daffodils for 610 linear feet and feather grass for 115 linear feet. Clearly, more evergreen shrubs are needed to comply with S23. Problems associated with the deciduous plantings proposed: a) Daffodils are seasonal and will leave a large expanse of bare mulched area when not in bloom; b) Feather reed grass is a summer plant that grows four to five feet tall (too high for security purposes along a pedestrian zone), will die in the winter months, will need annual weed maintenance (poor appearance along an expansive well-traveled stretch of East West Highway), and will need to be cut each spring to allow for new growth. This proposed planting scheme is not in keeping with the urban character planned for the TDDP. The planting should be maintenance-free, provide evergreen color, and use plant varieties. The planting material will need to be revised to include evergreen plant variety along the 835 linear feet of wall prior to Detailed Site Plan approval."

Comment: Staff recommends that the landscape plan be revised to incorporate a variety of maintenance-free, evergreen plant material of appropriate size.

S3 All primary and secondary walkways shall be well lighted to a minimum of 1.25 foot candles.

Comment: This information should be demonstrated prior to signature approval. In particular, the new entrance into the Target store needs to have upgraded lighting, either freestanding or wall mounted. This area appears to be poorly lit according to the photometric plan submitted.

The following Subarea 11 Secondary Mandatory Development Requirements are contained within the TDDP and warrant discussion:

S67 The proposed architecture shall be enduring, high quality and distinctive.

Comment: The proposed architecture for the Target store proposes a painted split face block and accent dryvit material, using colors that are nationally uniform on all Target stores. The staff has recommended minor changes to the architectural elevations for the purpose of improving the view from Belcrest Road and unifying the structure visually as viewed from all sides of the building. The structure is highly visible from Belcrest Road and visible from East West Highway. In order to upgrade the appearance from all sides, since nearly all sides of the structure are highly visible, whether by the passersby in the vehicles or from within the parking lot of the shopping center, it is important from a design standpoint to treat each side with the same amount of architectural detailing. For example, the architecture indicates a dark base at the bottom of the structure on Belcrest Road that does not wrap around the entire building. This is a highly visible element at base of the building that will look unfinished unless it encircles the entire building. The staff also recommends the adding of a pilaster along Belcrest Road and signage to identify Target as viewed from Belcrest Road. This and other architectural detailing changes are included as conditions.

11. Section 27-548.08(c), Required Findings for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ).

(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria contained in the Transit District Development Plan;

The Transit District Site Plan will be consistent with, and reflect the guidelines and criteria contained in, the Transit District Development Plan when the conditions of approval below are met.

(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone and applicable regulations of the underlying zones;

Comment: The development data provided in Finding 2 demonstrates conformance to the C-S-C zone.

(D) The location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency and are adequate to meet the purposes of the Transit District Overlay Zone;

The subject application includes an existing development that is only being partially redeveloped. In the areas of the plan that indicate redevelopment, the layout of the development minimizes conflicts between pedestrian and vehicular circulation systems if the conditions of the

Transportation Planning Section are adopted. This architectural proposal provides for coordinated architectural building style and materials if the conditions of approval are adopted. The plan also provides adequate open space areas for landscaping in and around the linear pedestrian walkways, provides for safe and efficient parking and loading areas, and is adequate to meet the purposes of the TDOZ, if the conditions of approval are adopted.

(E) Each structure and use, in the manner proposed, is compatible with other structures in the Transit District and with existing and proposed adjacent development.

The proposed building will be architecturally coordinated in terms of building materials and style and will be situated on the site in a manner that is compatible with the surrounding existing and proposed development if the conditions of approval regarding the modification to the architecture are adopted. The conditions of approval improve the proposed architecture so that when viewed from any direction, the structure is equally detailed in a manner to reflect a unified and consistent.

12. Section 27-548.08(c)(2) Required Findings:

- (2) The applicant may ask the Planning Board to apply development standards which differ from mandatory requirements to the Transit District Development Plan, unless the plan provides otherwise. The Board may amend any mandatory requirements except building height restrictions and parking standards, requirements which may be amended by the District Council under procedures in Part 10A, Division 1. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.**

In approving the Transit District Site Plan, the Planning Board shall find that the mandatory requirements, as amended, will benefit the proposed development and the Transit District and will not substantially impair implementation of the Transit District development Plan, and the Board shall find that the site plan meets all mandatory requirements that apply.

Comment: The applicant requests to adjust the prior approval to reduce the width from a 28-foot-wide pedestrian streetscape to 27.5 feet wide. During the construction of the streetscape improvements along East West Highway, a stakeout error caused the construction of the streetscape to vary slightly from the previously approved amendment. Mandatory requirement PI, as amended by the District Council, allowed the reduction of the width of the streetscape from 40 feet to 28 feet wide. The amendment of S8 allowed for the adjustment of the design of the elements within the streetscape, i.e., the location of the sidewalk, the location of street trees, etc. The plans were approved so that the sidewalk was located such that a double row of trees would flank both sides of the sidewalk. The stakeout error resulted in a streetscape of 27.5 feet in width, the location of the sidewalk moved, and the location of the street trees changed from a double row to a single row. Due to the construction error, the sidewalk moved and there was room for the planting of street trees on only one side of the sidewalk, not both sides of the sidewalk, as

previously planned. Staff inspected the site and it was determined that the constructed streetscape was in substantial conformance to the previously approved plans.

In the applicant's statement of Justification for an amendment to the TDDP requirements, Daniel F. Lynch of the Knight, Manzi, Nussbaum and LaPlacca, P.A provides the following:

"During a walk through of the site immediately after construction, it was determined that the pedestrian zone was not constructed in accordance with SP-99044 or the primary amendment, in that it is only 27.5' in width. This variation was a result of the sidewalk being constructed 16' from the fact of curb at East-West Highway instead of 15' and no curb was constructed on the northern side of the wall as shown on the approved plans. As noted, the underlying purpose of having the wall located on the south side of the curb line was to help protect it from possible damage caused by vehicles. In light of this, the applicant has installed bollards and placed striping 2' from the north side of the wall to help protect it from vehicles and increase the width of the pedestrian zone.

"Section 27-548.08(c)(2) states in part that the Planning Board, in approving a site plan for property located in a T-D-O Zone, shall find that the mandatory requirements, as amended, will benefit the proposed development of the Transit District and will not substantially impair implementation of the TDDP and that the site plan meets all applicable mandatory requirements. As noted, P1 and P97, as originally amended, require that the applicant provide a pedestrian zone 28' in width. Furthermore, a portion of this pedestrian zone was designed for the purpose of providing protection of the wall from vehicles. The applicant believes that the addition of the bollards will provide protection to the wall and given the other diminutive nature of the variation, only 1.5', the applicant believes that the amendment will benefit the proposed development and will not impair implementation of the TDDP. Specifically, reduction of the pedestrian zone, for an existing center such as Prince George's Plaza, allows for the flexibility sometimes necessary in redesigning existing parking areas to conform the TDDP requirements and therefore helps encourage redevelopment in the T-D-O Zone. At the same time, this amendment will not be detrimental to the Transit District since the amendment will in no way impact pedestrian movement along the subject property's frontage which is the underlying purpose of this requirement. Finally, as demonstrated on the site plan submitted in conjunction with this request, all applicable mandatory requirements of the TDDP will be met.

"In light of the above, the applicant, Preit-Rubin, believes that this requested amendment complies with the criteria set forth in Section 27-548.08(c)(2) and respectfully request that the Planning Board approve this amendment."

A supplemental amendment to P1 was filed on February 26, 2003, in order to adjust the streetscape improvements in another location, near the intersection of East West Highway and Belcrest Road. The applicant requests to narrow the streetscape in this area due to a lease agreement that apparently restricts the closing of entrances for Parcel 2 along East West Highway. This amendment changes the approach to the development of the streetscape along the front of the

subject property at the intersection with Belcrest Road. The following excerpt from the applicants' Statement of Justification provides the applicants' reasons for the requested amendment:

"Since the time of original submittal in June 2002, numerous changes have been made to the plan to accommodate the requirements of the new anchor tenant, Target, and to honor lease restrictions associated with the existing fee-simple Parcel, A-2, in the southeastern corner of the site. The leasehold restrictions have just recently come to light. In this regard, the plan has been changed from that previously approved to retain three access points at the bank location, two on East-West Highway and one on Belcrest Road, and to the [sic] leave the ATM machines in their existing locations. In order to honor these restrictions, the primary amendment request and justification statement must be amended as follows:

"Development Requirement P-1

"In addition to the request for a reduction from a 28' pedestrian zone along East-West Highway to a 27.5' zone utilizing a 3' brick wall and bollards, it is requested that the zone be reduced to 12' along the 70' long island in front of the existing ATM machines at the Chevy Chase Bank Building, in essence retaining the existing situation. The ATM machines are not able to be relocated as previously anticipated by the mall owners due to leasehold restrictions with the Bank. Therefore, the proposed plan improvements in this area to relocate or reorient the ATM machine, relocate the southern most drive-through, and close the two right-in/right-out access points have been revised to retain the machines in their existing location, including the existing service drive, and to retain the two access points. To enhance this area, the plan has been revised to include converting the existing grass strip between the drive aisle and East-West Highway to a paved 10' sidewalk with 1' curb on either side constituting the 12' pedestrian zone, and to add a paved crosswalk between this island and the tower plaza to the west and existing streetscape to the east. In this way the main objective of the streetscape requirement, accommodating pedestrian movement along East-West Highway is achieved [sic] via a continuous wide sidewalk system with a 3' brick wall where parking is located adjacent to the right-of-way. The proposed 10' sidewalk will serve as a transitional area between the 11' sidewalk located along Belcrest Road and the 8' sidewalk within the tower plaza and along the balance of the East-West Highway frontage. The applicant acknowledges that at such time as the bank parcel is converted to another use, such as the 'potential future landmark building', the entire 28' streetscape width will be implemented at that time.

"This request is in keeping with the findings for approval of a Primary Amendment of Section 27-548.08(c)(2) as it will benefit the development of the Transit District by allowing for the construction of the new anchor store and extensive streetscape improvements for which the owner must obtain concurrence from other major leaseholders in the center, including the bank, and will not substantially impair the implementation of the TDDP as it meets all other mandatory requirements as previously reviewed. The purpose of the 28' width was to allow for the location of a wide sidewalk and wall to screen views of parking located adjacent to her right-of-way. At this location, no parking is located adjacent to the right-of-way, only an ATM machine and service drives. Reduction of the pedestrian zone to 12' width along this 70' length will allow the

flexibility necessary for the center to proceed with interim improvements associated with the Target store but allow for continued operation of the bank until such time as a new user is implemented at this location. Your favorable consideration of this request will encourage the redevelopment in the T-D-O Zone and allow for plan approval in conjunction with all mandatory requirements, as amended. The applicant requests that this supplemental amendment be approved by the Planning Board in conjunction with the original request and pending revision to the Detailed Site Plan.”

Comment: The staff recommends approval of the request to validate the construction error, which reduced the previously approved 28 feet width to 27.5 feet. The staff has concerns about the applicant’s proposal for the further modification to P1 at the location near the intersection of East West Highway and Belcrest Road. Streetscape improvements, previously identified as Phase II and Phase III, were determined to be a priority and are recommended to be completed prior to the issuance of the certificate of occupancy for the anchor store. This will complete the streetscape improvements along East West Highway, recognizing the streetscape improvements near the corner may actually be temporary until the bank site is redeveloped.

The Community Planning Section provided the following review comments regarding the applicants request for the amendment to P1 as it applies to Phase III of the street frontage:

“The applicant is seeking an amendment to P1 to allow a 27-foot width streetscape instead of the 28-foot pedestrian zone as shown above. No amendment should be granted for this due to the following reasons:

- “a. The Planning Board decision approved for the prior site plan of SP-99044 (Outback Steakhouse—Phase I development) required the applicant to maintain a 28-foot width of streetscape. The Phase I development resulted in a construction error which provided only a 27-foot width streetscape which resulted in a single row of street trees and an unprotected low wall against vehicular traffic. Currently, the Phase III development provides ample room for maintaining the Planning Board approved 28-foot streetscape width. The site plan submitted with this Target application should be revised to the double row of street trees using a 1-foot width for the low wall a 6-foot width landscape strip planted with a row of street trees (3 ½” – 4” caliper trees which require planting space for a 36-42” ball width), an 11-foot pedestrian walkway, and a 10-foot landscape strip planted with the second row of street trees for a total streetscape width of 28-foot. Attached is a concept sketch for the 28-foot streetscape/pedestrian zone that should be followed in order to maintain the transit district’s goals and objectives for streetscape improvements. In addition, Planning Board has approved the double row of street trees for three of the five subareas along East West Highway to the south. Specifically, these are the Home Depot currently constructed on Subarea 9, the CVS currently constructed on Subarea 4, and the Giant Food store approved for Subarea 6. Furthermore, the large parcel adjacent to the Target store is subarea 3, which is approved by Planning Board for the remainder double row of

trees along the northern edge of East West Highway. All together these subareas comprise the majority of the streetscape area.

- “b. A major concern for Subarea 11 of the Prince George’s Plaza TDDP, is that since the shopping center parcel is the largest Subarea in the entire transit district it is imperative that the double row of street trees are planted to maintain the continuity of the streetscape. The mishap of the Outback Steakhouse construction, which provided only a single row of street trees along East West Highway, is an error that should not be repeated nor accepted for this Detailed Site Plan application or any other application to follow within the Prince George’s Plaza TDDP so that the goals and vision for this metro area are realized.”

Comment: The Urban Design Section agrees in concept with the Community Planning Section in regard to Phase III. The use of a double row of trees will make a major impact on the visual appearance of the overall transit district in that the softening of the parking lot is much needed. The Urban Design Section recommends that the plans be revised to incorporate the full 28 feet of streetscape as measured from the property line and that the design of the streetscape elements be arranged as follows: a 1-foot width for a curb, 1-foot width for the low wall, a 6-foot width landscape strip planted with a row of street trees (3 ½”–4” caliper trees), an 8-foot pedestrian walkway, and a 12-foot landscape strip planted with the second row of street trees for a total streetscape width of 28-foot. This is similar to the agreement reached with the applicant on the original approval of the plans for Phase I. This proposal is superior to the current design on the plans because the curb will act as a barrier to the back side of the wall, which is visible from the interior to the site, and it will provide substantially more shade trees, contributing to the overall appearance of the subject site and the transit district.

13. The Transportation Planning Section staff has reviewed the above referenced Detailed Site Plan in support for the subject property and offers the following comments:

The approved Prince George’s Plaza Transit District Development Plan (TDDP), guides the use and development of all properties within its boundaries. The findings and recommendations outlined below are based upon staff evaluation of the submitted site plan and each of the requested amendments and the ways in which the proposed development conforms to the Mandatory Development Requirements and Guidelines outlined in the TDDP.

During the preparation of the TDDP, staff performed an analysis of all road facilities in the vicinity of the TDOZ. This analysis was based on establishment of a Transit District-wide cap on the number of additional parking spaces (preferred and premium) that can be constructed or provided in the Transit District to accommodate any new development. Pursuant to this concept, the Plan recommends implementing a system of developer contributions to insure adequacy of the transportation facilities, based on the number of additional surface parking spaces, as long as the authorized total parking limits and their attendant, respective, parking ratios (Tables 5 and 6 of the TDDP) are not exceeded. The collected fee will be applied toward the required number of transportation improvements as summarized in the TDDP. These improvements are needed to

ensure that the critical roadways and intersections in the transit district will remain adequate and will be operating at or above Level of Service E, as required by the Plan.

Transportation Findings and Comments

The TDDP identifies the subject property as Subarea 11 of the TDOZ. There are 15 subareas in the TDOZ, two of which are designated as open-space and will remain undeveloped. The proposed site consists of approximately 51.78 acres of land in the C-S-C zone. The property is located at the northwest quadrant of the MD 410 and Belcrest Road Intersection. The proposed application is for construction of a new retail store (Target), and two additional tenants in the Prince George's Plaza Shopping Center. The new Target Store will be constructed in the place of the GC Murphy store, which is currently vacant. The submitted site plan indicates a total of 3,112 parking spaces, which is 66 spaces less than the 3,178 total surface parking spaces that were approved as part of the Detailed Site Plan (DSP-99044) approval for this site in May 2000. It is important to note that the proposed total of 3,112 surface parking spaces is 471 spaces less than the 3,583 surface parking spaces that existed within the same subarea prior to the approval of the TDDP. It should be noted that the proposed application, if approved would not change the total available preferred and premium parking totals for retail uses for the Transit District.

The total number of proposed surface parking spaces shown in the submitted Detailed Site Plan is less than the total number of surface parking spaces that were included in the approved Detailed Site Plan for this site in May 2000 (DSP-99044), or existed prior to the approval of the TDDP. Pursuant to the TDDP applicability, replacement or alterations to legally pre-existing parking spaces are exempt from meeting the TDDP Transportation and Parking Mandatory Requirements. The accumulated sum of all approved additional parking spaces in the Transit District does not exceed the recommended parking cap, the review of the submitted Detailed Site Plan will be limited to site's access points, on-site vehicular and pedestrian circulation and the level of compliance with all other applicable transportation related requirements and site design guidelines.

The on-site pedestrian circulation patterns as proposed are not adequate. The submitted site plan shows a safe and direct walkway from the end of the pedestrian bridge across East-West Highway to the main sidewalk along the Plaza. However, the site plan does not provide for safe pedestrian walkways from Belcrest Road to the proposed sidewalk next to the new Target store. The site plan also does not provide for a safe and conflict free traffic movement in the vicinity of the existing and signalized access along the Belcrest Road. In addition, the submitted Detailed Site Plan proposes retaining one limited vehicular access point along Belcrest Road and just north of its intersection with MD410, and the two limited access points along MD410 and to the east of the existing pedestrian Metro Overpass. Since elimination of all these three access points are problematic to the applicant due to a current lease agreement (staff requests applicant to provide a copy), staff recommends that the proposed access point to Belcrest be relocated further north, and the elimination of one of the access points along MD410 (the access point closest to the Pedestrian Bridge). Doing so and re-orienting the proposed parking isles within Phase 2, would improve access to and from the site and the existing ATM machines, and would greatly improve vehicular circulation to and from the Center.

The Center is currently being serviced by Washington Area Metropolitan Transit Authority (WMATA) Metrobuses, and the University of Maryland shuttle buses at a bus stop within the Center's parking area. The submitted Detailed Site Plan has eliminated this on-site bus stop and provides a bus pull-off area along Belcrest Road and directly across the proposed Target Building.

Finally, it should be noted that the 1998 PG-TDDP also authorized the Prince George's Plaza Transportation Demand Management District (TDMD), which requires that each property owner in the District to be a member and participate in the TDMD. The annual TDMD membership fee is \$5.00 for each surface parking space. The annual TDMD membership fee for parking spaces in structures and surface spaces that are permanently reserved for handicapped occupant vehicles, carpools and vanpools are set at a rate of \$2.00 per space. As required by the TDDP, the Transportation Planning Section of the Countywide Planning Division will begin the implementation of the TDMD and its requirements as outlined in the County Zoning Ordinance, once the total allocation under the approved preferred parking cap has been reached.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that the proposed Detailed Site Plan as submitted will be in conformance and consistent with all applicable Transit District Mandatory Transportation and Parking Requirements and Site Design Guidelines, and the proposed development will be adequately served within a reasonable period of time with existing, programmed or planned transportation facilities, if the following conditions are included as a part of approval of the subject submitted Detailed Site Plan:

1. Prior to the approval of the Detailed Site Plan, the submitted plans shall be revised to include the following:
 - a. Provide an additional direct pedestrian crosswalk from Belcrest Road to the proposed sidewalk on the north corner of the new Target store.
 - b. Reorient the parking and parking access isles in the vicinity of the existing and signalized access along the Belcrest Road, which eliminates the potential vehicular conflicts within Phase 2, parking area A.
 - c. Relocate the existing access point along Belcrest closest to its intersection with MD410 further north, and construct a right-in/ right out access point per the Prince George's County Department of Public Works and Transportation standards. Also, re-orient the proposed parking isles on the east side of Phase 2, parking area C toward this access point.
 - d. Eliminate the existing right-out access point along MD 410 (next to existing Metro Pedestrian Bridge), and reorient the proposed parking isles in this area to accommodate safely and efficiently traffic movements to and from the existing ATM machines, the bank and also to provide for queuing for the ATM machines.

Comment: These conditions have been included in the recommendation section, however, 1d. was modified further by the State Highway Administration per the following memo:

“We understand that it is the applicant’s desire to maintain existing access points along west MD 410. We have completed our assessment of the plan and proposal. The following comments are offered:

- “1. The subject property is located along MD 410 as along MD 410 (East-West Highway). Our Highway Location Reference Guide identifies MD 410 as an urban principle arterial, six lane divided highway. The Annual Average Daily Trip count on this section of MD 410 is 44,975 vehicles per day.
- “2. A significant number of vehicles travel along the East-West Highway corridor. Given, the fact that the shipping center is increasing the total square footage of retail space will add more traffic to those trips.
- “3. With respect to the existing access points at MD 410/Belcrest Road maintaining ingress/egress at the location at full build of the new store will create operational problems.
- “4. We recommend that the two (2) existing entrances along MD 410 close to Belcrest Road be closed. This will improve traffic operations at MD 410/Belcrest Road and on-site circulation to the out parcels and new store parking areas.”

Comment: The applicant accepted the modified condition and added language in order to provide for a time frame in which to approach the State Highway Administration to discuss the issue and to possibly come to a compromise agreement. The applicant’s language is italicized and is provided below:

Eliminate both access points along MD 410 (next to the existing Metro Pedestrian Bridge), and reorient the proposed parking isles in this area to accommodate safely and efficiently traffic movements to and from the existing ATM machines, the bank and also provide a queuing for the ATM machines. *In the event the applicant is able to obtain an approval from the State Highway Administration to allow the retention of one or both of these access points, the Planning Board’s designee may review and approve a revision to the Detailed Site Plan accommodating these access points prior to the issuance of a certificate of occupancy for the Target Store.*

14. The plans have been reviewed for conformance to the *Landscape Manual* and the staff finds that the plans adhere to the requirements within the *Landscape Manual*.
15. The previously approved Detailed Site Plan included the following conditions of approval:

2. **As part of the review of a Detailed Site Plan for the proposed anchor store or a new pad site, a determination shall be made as to the timing of the construction of Phase III streetscape improvements.**

Comment: The staff recommends, and the applicant agrees, to complete the Phase III improvements prior to the issuance of the use and occupancy permit for the anchor store.

8. **Prior to the issuance of a building permit for Phase II, a performance bond, letter of credit or other suitable financial guarantee shall be submitted to the Development Review Division of M-NCPPC for the plaza area.**

Comment: This condition is reiterated in the recommended conditions for this plan.

16. The Mayor and Common Council of University Park reviewed the application and provided the following preliminary comments in a letter dated May 7, 2003, to the Planning Board:

“We have five comments and recommend the following:

- “1. As the result of a construction error, the pedestrian zone along East-West Highway was recently installed contrary to approved DSP-99044. This error reduced the width of the zone from 28’ to 27.5’ and rearranged the streetscape. We have no objection to validating the error.

However, this error should not be perpetuated at other locations on the property. The Phase III development area along East-West Highway west of the main entrance to Prince George’s Plaza provides ample room for maintaining the Planning Board’s approval of a 28’ streetscape width. The streetscape should include a double row of street trees using a one foot width for a low wall, a 6’ width landscape strip planted with a row of street trees, an 11’ pedestrian walkway, and a 10’ landscape strip planted with the second row of street trees for a total width of 28’.

- “2. The area facing Belcrest Road should include an opaque wall and evergreen hedge to screen the parking area from the adjacent pedestrian walkway. This wall would be consistent with the wall used for screening and currently in place along the East-West Highway frontage of the parcel. It is also an integral part of the overall parcel design. These features are required by the Approved Transit District Development Plan – TDDP (See S65, pg.119, Subarea 11 of the Plan.) The wall provides continuity for the parcel, safety and is aesthetically pleasing matching the proposed red brick façade of the planned target store.

This requirement is supported by staff comments on page 2 of the original Technical staff report.

As an alternative, the existing trees along the Belcrest Road right-of-way could be replaced and the grate openings modified, as well as construction of a three (3) foot high retaining wall along the length of the parking area. Within the eight (8) foot green area between the wall and the sidewalk which would result a row of trees, evergreen shrubs and groundcover could be installed. The wall should be face brick and capped,.

As with the DSP approved by the planning Board and the District Council in DSP-99044, the streetscape and pedestrian zoning plans should be referred to the Town of University Park (and City of Hyattsville) for review and comment since all of the fine details have not been finalized by staff.

- “3. The area opposite Chevy Chase Bank at the intersection of Belcrest Road and East-West Highway should likewise include the same opaque wall for screening. (See comments above.)
- “4. The proposed bus shelters (see page 6 of 9 DSP) include display panels for commercial advertising. The approved TDDP does not provide for such advertising within the right-of-ways of the Transit District or on the subject parcel and the commercial advertising panels should be deleted from the plan. Such advertising and would only add to sign clutter which the approved plan seeks to reduce.
- “5. The Stormwater Management Concept Plan includes a fee payment in lieu of providing on-site attenuation/quality control measures. We wish to discuss with the Department of Environmental Resources during technical review the possibility of using storm septors and/or entrapment grates at storm water inlets. These measures would address pollution issues on site which is preferable to constructing down stream mitigation projects.”

Comment: The staff has included as conditions point number 1 and 3 above. The plans provide for a wall in the area described in point number 2.

17. The City of Hyattsville reviewed the application and provided the following comments in a letter dated April 28, 2003, to Susan Lareuse:

“City staff reviewed submitted materials and request the following comments be included in the staff report for the Detailed Site Plan Review. Please note however, the City’s Planning Committee will also review the materials on May 6, and the City may have additional comments after that meeting and prior to the May 8 hearing date.

- “1. The City accepts the changes being proposed to the entrance, building facade and the building footprint to the Target Store.

- “2. The City has no objection to the proposed changes in configuration to the front parking lot between East West Highway and the Target site, however access into and out of Parcel A1 and Parcel A2 should be reviewed closely to prevent any pedestrian and vehicular conflicts.

Comment: The Transportation Planning Section has addressed this issue in their memorandum.

- “3. The City has no objections to the previously resolved landscaping change, as determined during construction of the Outback Restaurant, shifting from a double row of trees to a single row along the sidewalk along the East West Highway (south) side of the property and adjacent to its parking areas.
- “4. The City requests the landscaping improvement requirements within the Prince George’s TDDP for the TDOZ along Belcrest Road be required as specified. As cited the Mandatory Development Requirements and Site Design Guidelines for Subarea 11, “(S65) All surface parking lots shall be screened from view of roadways by the use of both a low, opaque wall and an evergreen hedge (Figure 7), unless they are providing short-term parking for ten cars or fewer”.

Comment: This requirement is included as a condition of approval.

- “5. The City remains concerned and asks for assistance in obtaining placement of a median barrier on East West Highway between the Mall and the Prince George’s Metro Station, to eliminate the safety and security concerns for pedestrians who continue to run across the street right beneath the pedestrian overpass. During all times of Metro operations, pedestrians of all ages, even with small children in tow, are dashing across this multi-lane highway in each direction, placing them in harms way. Please assist us in bringing this dangerous situation to the attention of Maryland State Highway Administration and WMATA and any other agency that can and should take remedial action to eliminate a dangerous and life threatening situation for pedestrians.”

Comment: This issue requires Planning Board consideration.

18. The Environmental Planning Section provided comments for minor revisions to the plan. The applicant completed those changes.
19. 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.

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 the Detailed Site Plan DSP-99044/01, subject to the following conditions:

1. Phase II and Phase III streetscape improvements shall be completed prior to the issuance of the certificate of occupancy for Target by the Department of Environmental Resources.
2. Prior to certificate of approval the plans shall be revised to indicate the following:
 - a. A low (2-3 feet in height) brick with cap retaining wall shall be provided to screen the front of the vehicles as well as provide a planting bed for the replacement of the street trees, in Phase II in front of the parking lot located north of the bus pull-off along Belcrest Road. An additional wall shall be located between the sidewalk and the parking lot along the bus pull-off area, which shall be the same wall design as along East West Highway. The existing London Planetrees along Belcrest Road shall be removed, the grate openings shall be modified to enlarge the tree planting area to provide for a new double row of trees (if space permits) of Zelkova "Green Vase" (3 ½ to 4 inch) to be planted, as replacements. Evergreen shrubs, groundcover and perennials shall be provided to soften and enhance the appearance between the wall and the sidewalk, where there is sufficient room. Details and specifications of the retaining wall, grate modification, soil amendments and plantings shall be provided.
 - b. Sheet 9 of 9 of the Landscape Plan, showing the Phase III implementation of the streetscape, shall incorporate the full 28 feet of the streetscape as measured from the property line. The streetscape elements shall be arranged as follows: a 1-foot width for a curb, 1-foot width for the low wall, a 6-foot width landscape strip planted with a row of street trees (3 ½"-4" caliper trees), an 8-foot pedestrian walkway, and a 12-foot landscape strip planted with the second row of street trees. Appropriate landscaping located in front of the proposed low wall shall incorporate a variety of maintenance-free, groundcover including evergreen plant material of appropriate size.
 - c. Additional lighting shall be provided near the new entrance into the Target store, either freestanding or wall-mounted.
 - d. Widen the median located within the northernmost entrance to accommodate the plantings of shrubs to enhance the appearance of the entrance.
 - e. Provide an additional direct pedestrian crosswalk from Belcrest Road to the proposed sidewalk on the north corner of the new Target store.
 - f. Reorient the parking and parking access aisles in the vicinity of the existing and signalized access along Belcrest Road, in order to eliminate the potential vehicular conflicts within Phase 2, parking area A.
 - g. Relocate the existing access point along Belcrest closest to its intersection with MD410 further north, and construct a right-in right/out access point per the Prince George's County Department of Public Works and Transportation standards. Also, re-orient the

- proposed parking aisles on the east side of Phase 2, parking area C toward this access point.
- h. Eliminate both access points along MD 410 (next to existing Metro Pedestrian Bridge), and reorient the proposed parking aisles in this area to safely and efficiently accommodate traffic movements to and from the existing ATM machines, the bank and also to provide for queuing for the ATM machines. In the event the applicant is able to obtain an approval from the State Highway Administration to allow the retention of one or both of these access points, the Planning Board's designee may review and approve a revision to the Detailed Site Plan accommodating these access points prior to the issuance of a certificate of occupancy for the Target Store.
 - i. The revised plan, addressing each of the conditions above, shall be referred to the Town of University Park and the City of Hyattsville for review and comment.
3. Prior to the issuance of a building permit for Phase II, a performance bond, letter of credit or other suitable financial guarantee shall be submitted to the Development Review Division of M-NCPPC for the plaza area.
 4. Prior to signature approval of the architecture for the Target store, the following modifications shall be made:
 - a. An additional pilaster shall be added to the left side of the side elevation facing Belcrest Road.
 - b. The color of the lower base of the building, shown as Townsend Harbor Brown, shall be uniform along the side elevation, lower level elevation, and the mall-facing elevation.
 - c. Signage shall be provided on the side elevation to identify the anchor store as viewed from Belcrest Road.
 - d. All utility doors shall be of a color to blend with the color of the painted split face block.
 - e. All rooftop mechanical equipment shall be screened or relocated from view from pedestrian and vehicular traffic along both Belcrest Road and East West Highway.
 5. Prior to the issuance of any sign permits, the signage shall be reviewed for conformance to the previously approved conceptual signage plan for the overall development and the previously approved Departure From Sign Design Standards.

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.

* * * * *

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 Scott, seconded by Commissioner Lowe, with Commissioners Scott, Lowe, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, May 8, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of May 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:SL:rmk

RESOLUTION

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 July 21, 2005, regarding Detailed Site Plan DSP-99044/04 for Prince George's Plaza, Olive Garden, the Planning Board finds:

1. **Request:** This revision to Detailed Site Plan DSP-99044 is for the purpose of constructing a pad site for a sit-down restaurant of 7,685 square feet in the Prince George's Plaza Shopping Center in Subarea 11 of the Prince George's Plaza Transit District Overlay Zone. The location of the building pad is along MD 410 at the main entrance to the shopping center and is currently used for parking.
2. **Development Data**

Detailed Site Plan DSP-99044/04
 Prince George's Plaza Shopping Center

Zone	T-D-O-Z (C-S-C)
Total Site Area	51.78 acres
Use	Integrated Shopping Center
Existing Gross Floor Area	1,104,463 sf
Proposed Gross Floor Area DSP-99044/04	7,685 sf
Total Gross Floor Area	1,112,148 sf
Floor Area Ratio	0.49
Number of Existing Parking Spaces (surface)	3,581 spaces
Number of Proposed Parking Spaces (surface)	3,041 spaces
Number of Structured Spaces	0
Loading Spaces Required:	13 spaces
Loading Spaces Provided:	6 spaces at grade 32 spaces in underground tunnel

3. **Location:** The shopping center site consists of approximately 52 acres of land in the C-S-C Zone and is located at the northwest quadrant of the intersection of East West Highway and Belcrest Road. The existing development on the site is an enclosed shopping mall that was developed in the late 1950s.
4. **Previous Approvals:** The original Detailed Site Plan, DSP-99044, and companion cases for Primary Amendments TP-00001, Secondary Amendments TS-99044A, and for Departure from Design Standards DDS-515 were reviewed and approved by the District Council on July 10, 2001. The original detailed site plan was designed for Phase I of the redevelopment of the mall and included the renovation of one of the pad sites for Outback Steakhouse, a portion of the streetscape improvements along East West Highway in front of Outback Steakhouse, and the redesign of the area around the east end of the shopping center. The second revision consisted of constructing the new Target store and the addition of two tenants at the rear of the shopping center. The third revision was for the purpose of renovating the rear of the shopping mall to improve access into the center.
5. The District Council granted primary amendments in the review of TP-0001 for P1, P96, and P97 and denied an amendment to P94. The District Council reviewed and approved secondary amendments to S8, S17, S30 and S33 in application TS-99044A in conjunction with the original Detailed Site Plan DSP-99044. The District Council agreed with the Planning Board and the staff not to grant an amendment to secondary mandatory requirements S23, S64 and S65. The Planning Board granted a further amendment to S8 in 2003, in conjunction with DSP-99044/01. A Departure from Design Standards, DDS-515, was approved for conformance to Section 4.7, Buffering Incompatible Uses. Also, the property is subject to a Departure for Sign Design Standards (DSDS-440) approved in December of 1991.
6. Section 27-548.08(c)(1), Required Findings for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ), includes the following findings:

(A) The Transit District Site Plan is in strict conformance with any Mandatory Development Requirements of the Transit District Development Plan;

Comment: The detailed site plan as submitted is in conformance with all of the mandatory development requirements. The following primary mandatory development requirements warrant discussion in the review of this detailed site plan application.

P2 All development/redevelopment shall have a sign plan approved by the Planning Board at the time of detailed site plan. This plan shall provide the sign (location[s], size, color, lettering style, construction details and material specifications including the method of illumination).

Comment: Conceptual Site Plan CSP-94023 (PGCPB No. 94-247), approved by the Planning Board on July 21, 1994, approved a signage plan for the subject site. This approval included standards to ensure consistency for all future signs on the Prince George's Plaza Shopping Center

parcel. The signage plan approved in 1994 continues to be valid. Also, the property is subject to a Departure for Sign Design Standards (DSDS-440) approved in December 1991. The architectural elevations show the proposed signage for Olive Garden on the front, rear and right side of the building. Staff agrees in concept with the applicant proposal, however, the information provided is limited and a finding of conformance to the previously approved plans cannot be made at this time. Prior to signature approval of the plans, the proposals should be reviewed for conformance to the DSDS-440.

S3 All primary and secondary walkways shall be well lighted to a minimum of 1.25 foot candles.

Comment: This information should be demonstrated prior to signature approval. A photometric plan should be submitted prior to signature approval to demonstrate conformance to this requirement.

The following Subarea 11 secondary mandatory development requirements are contained within the TDDP and warrant discussion:

S67 The proposed architecture shall be enduring, high quality and distinctive.

Comment: The proposed architecture is typical of other Olive Garden restaurants located within the county. The exterior finish material is simulated stone veneer with brick clinkers in groups of three to five per group, mixed in with the simulated stone, concrete tile roofing, stained wood trellises, and a screen wall with an exterior finish of plaster surrounds the trash enclosure area. Staff recommends that the trash enclosure be changed to stone veneer as well to create more compatibility with the main structure and to avoid the appearance of a loading or trash area, particularly since this structure is highly visible from all sides of the building.

7. Section 27-548.08(c), Required Findings for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ).

(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria contained in the Transit District Development Plan;

The Transit District Site Plan will be consistent with, and reflect the guidelines and criteria contained in, the Transit District Development Plan when the conditions of approval below are met.

(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone and applicable regulations of the underlying zones;

Comment: The development data provided in Finding 2 demonstrates conformance to the C-S-C Zone.

- (D) The location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency and are adequate to meet the purposes of the Transit District Overlay Zone;**

The subject application includes an existing development (the shopping center) that is only being partially redeveloped. In the areas of the plan that indicate redevelopment, the layout of the development minimizes conflicts between pedestrian and vehicular circulation systems. The plan also provides adequate open space areas for landscaping in and around the linear pedestrian walkways, provides for safe and efficient parking and loading areas, and is adequate to meet the purposes of the TDOZ.

- (E) Each structure and use, in the manner proposed, is compatible with other structures in the Transit District and with existing and proposed adjacent development.**

The proposed building will be situated on the site in a manner that is compatible with the surrounding existing and proposed development if the conditions of approval regarding the modification to the architecture are adopted. This building will be placed so that when viewed from any direction, the structure is equally detailed in a manner to reflect a unified and consistent treatment, except for the plaster treatment of the trash enclosure area, which the staff is recommending be changed to conform to the rest of the building.

8. The Community Planning Division has reviewed the site plan as proposed and provided comments in their June 15, 2005, memorandum. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier and this application conforms to the land use recommendations of the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* for retail-commercial use. The Community Planning Division includes the following suggestion in their referral:

“However, the objective of the development standards is to provide development that allows for pedestrian access. The optimum way to site the restaurant to provide a pedestrian experience would be one in which the building creates a street wall along the sidewalk. In this particular instance the building could be sited in the northwest quadrant of the intersection of the entry drive aisle and East West Highway. Parking would be located on west side of the building rather than float the building in a sea of parking on both sides of the building. Alternatively, pedestrian paving could lead from the entries to the restaurant across the parking lot to openings in the streetscape wall to provide access to pedestrians walking along East West Highway.”

Comment: The staff raised with the applicant the possibility of moving the building as suggested above. This resulted in the plan being revised to bring the building closer to the street line to create the desired street wall along the frontage of the building. The applicant was reluctant to relocate the building toward the intersection of the entrance road and East West Highway because of the desire for parking, including the handicap parking, to be located closest to the entrance of

the building. The proposal layout as shown on the plans is satisfactory and an improvement over the original layout.

9. The Transportation Planning Section has reviewed the detailed site plan. The approved Prince George's Plaza Transit District Development Plan (TDDP) guides the use and development of all properties within its boundaries. The findings and recommendations outlined below are based upon staff evaluation of the submitted site plan and the ways in which the proposed development conforms to the mandatory development requirements and guidelines outlined in the TDDP.

During the preparation of the TDDP, staff performed an analysis of all road facilities in the vicinity of the TDOZ. This analysis was based on establishment of a transit districtwide cap on the number of additional parking spaces (preferred and premium) that can be constructed or provided in the transit district to accommodate any new development. Pursuant to this concept, the plan recommends implementing a system of developer contributions to ensure adequacy of the transportation facilities, based on the number of additional surface parking spaces, as long as the authorized total parking limits and their attendant, respective, parking ratios (Tables 5 and 6 of the TDDP) are not exceeded. The collected fee will be applied toward the required number of transportation improvements as summarized in the TDDP. These improvements are needed to ensure that the critical roadways and intersections in the transit district will remain adequate and will be operating at or above Level of Service E, as required by the plan.

The TDDP identifies the subject property as Subarea 11 of the TDOZ. There are 15 subareas in the TDOZ, two of which are designated as open space and will remain undeveloped. The proposed site consists of approximately 51.78 acres of land in the C-S-C Zone. The property is located at the northwest quadrant of the MD 410 and Belcrest Road intersection. The proposed application is for construction of a new restaurant. The submitted site plan indicates a total of 3,112 parking spaces, which are 66 spaces fewer than the 3,178 total surface parking spaces that were part of the detailed site plan (DSP-99044) approval for this site in May 2000. It is important to note that the proposed total of 3,512 surface parking spaces is fewer than the 3,583 surface parking spaces that existed within the same subarea prior to the approval of the TDDP. It should be noted that the proposed application, if approved, would not change the total available preferred and premium parking totals for retail uses for the transit district. It is noted that replacement or alterations to legally preexisting parking spaces are exempt from meeting the TDDP transportation and parking mandatory requirements.

The plan modifications are limited to a small section of the site. On-site vehicular and pedestrian circulation patterns as proposed within the area proposed for the restaurant are adequate. A point that requires a brief discussion concerns a property that is adjacent to the mall site to the southwest. The owner of that adjacent property has requested that cross-access between the adjacent site and the mall property be required as a condition of approval. While it would be desirable to make provision for such a cross-access, the subject plan is not modifying the driveways and parking areas in the southwest corner of the overall site. Because there is little apparent nexus between the current application and this desired vehicular connection, the transportation staff does not believe it appropriate to require the connection at this site.

Nonetheless, for a site such as this, connections between properties are desirable and should be comprehensively reviewed when the overall site circulation is under review.

It should be noted that the 1998 TDDP also authorized the Prince George's Plaza Transportation Demand Management District (TDMD), which requires that each property owner in the district to be a member and participate in the TDMD. The annual TDMD membership fee is \$5.00 for each surface parking space. The annual TDMD membership fee for parking spaces in structures and surface spaces that are permanently reserved for handicapped occupant vehicles, carpools and vanpools are set at a rate of \$2.00 per space. As required by the TDDP, the Transportation Planning Section of the Countywide Planning Division will begin the implementation of the TDMD and its requirements as outlined in the County Zoning Ordinance once the total allocation under the approved preferred parking cap has been reached.

10. The plans have been reviewed for conformance to the *Landscape Manual* and staff finds that the plans adhere to the requirements within the *Landscape Manual*. However, there are numerous existing mature trees located in islands along the central drive aisle that borders the subject property. The landscape plan seems to indicate that the trees would be removed and new trees planted. The staff is concerned that the removal of the existing trees will result in a barren appearance of the parking lot. Further, the removal of any canopy within this area of the transit district should be carefully considered before removal. Staff recommends that the plans be revised prior to signature approval to clearly show the preservation of the existing trees that are healthy. Further, a certified arborist or an urban forester should assess the health of the trees and determine the health and viability of retaining the trees within the existing islands. Any measures necessary to adjust the site plan to accommodate the retention of the trees shall be accomplished prior to signature approval
11. The Mayor and Common Council of University Park reviewed the application, but as of the writing of this report, have not yet provided their final comments on the plan; however, their memorandum is attached and this information will be provided at the public hearing.
12. The City of Hyattsville reviewed the application, but as of the writing of this report, the city has not yet provided its final comments on the plan; however, a preliminary memorandum is attached and their final opinion will be provided at the public hearing.
13. The Environmental Planning Section previously reviewed this site in 1999 as a detailed site plan (DSP-99044), which was approved with conditions and has since been revised at staff level four times. The subject property has an approved Conceptual Stormdrain Plan, CSD 8004710-1999-02, dated May 19, 2003. This site has an approved Type II Tree Conservation Plan (TCPII/100/00), which proposes to meet all woodland conservation requirements off site at TCPII/40/01.

The subject property is located in the northwest quadrant of the intersection of Belcrest Road and East West Highway with frontages on both roads. A review of the information available indicates that Marlboro clay, steep and severe slopes, 100-year floodplain, wetlands, or streams are not found to occur on this property. The site is located in the Northeast Branch watershed, which is a

tributary to the Anacostia River Basin. The soils found to occur on this property, according to the Prince George's County Soil Survey, are in the Christiana series. This series does not pose major problems for development. There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources, Natural Heritage Program. No historic or scenic roads are affected by this proposal. East West Highway and Belcrest Road are noise generators; however, the noise levels are low enough to not adversely impact the commercial use proposed. The proposed use is not anticipated to be a noise generator. This property is in the Developed Tier as delineated on the approved General Plan.

The property was the subject of Detailed Site Plan DSP-99044 and a subsequent revision, DSP-99044/04. Prince George's County Planning Board Resolutions No. 01-77 and 03-96 were approved on November 20, 2003, and May 29, 2003, respectively. All previous approval conditions in the resolution have been addressed. All applicable mandatory requirements from the approved TDDP for this site have been addressed in previous submittals.

This subject property is located in Subarea 11, which is exempt from the Woodland Conservation and Tree Preservation Ordinance. This site is subject to a ten percent afforestation requirement for the gross tract area due to a mandatory requirement of the TDOZ. The applicant has addressed this requirement through a note on the plan submitted which states: "Tree Conservation Requirements: 10% of the 51.78 acre net tract area (5.18 acres) will be provided for in a woodland conservation easement off-site." The DSP-99044/04 as submitted is in conformance with the approved Type II Tree Conservation Plan (TCPII/100/00). Required off-site easements for this site have been previously secured. No additional information is required with respect to the tree conservation plan.

A copy of the stormwater management concept approval letter (CSD 8004710-1999-02) was submitted and dated May 19, 2003. The requirements for stormwater management will be met through subsequent reviews by the Department of Environmental Resources. No further information is required with regard to stormwater management.

14. The Urban Design Section is concerned about two details of the plans. The first is the pedestrian connection to the streetscape and the finishing of the wall where the opening will occur. The plans should provide a finished pier on each side of both proposed openings to the streetscape. The second concern is the design of the paving that connects to the streetscape. Staff recommends that the paving be of a similar style as the paving within the streetscape to provide a continuous appearance to the improvements within the streetscape.
15. 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.

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 the Detailed Site Plan DSP-99044/04, subject to the following conditions:

1. Prior to certificate of approval the plans shall be revised to indicate the following:
 - a. The plans shall be revised to provide details and specifications to indicate a finished brick pier on each side of both opening(s) in the existing wall.
 - b. The paving located at the entrance to the restaurant and the associated sidewalk shall be of a similar style as the paving within the streetscape to demonstrate a continuous appearance to the improvements within the streetscape.
 - c. The plans shall be revised to clearly indicate the preservation of the existing trees located in the existing islands within the parking lot. Further, a certified arborist or an urban forester shall assess the health of the trees and determine the viability of retaining the trees within the existing islands within the boundary of the Olive Garden (Phase 5) and provide the information for review by the Urban Design Section and the Environmental Planning Section. Any measures necessary to adjust the site plan to accommodate the retention of the trees shall be accomplished prior to signature approval.
 - d. The architectural plans shall be revised to indicate that the trash enclosure be revised to indicate simulated stone veneer.
 - e. The signage shall be reviewed for conformance to the DSDS and adjusted accordingly.
 - f. The landscape Plan shall indicate all sides of the landscaped areas around the restaurant shall be irrigated.
 - g. A photometric plan shall be submitted for review.
 - h. The design of all pedestrian crosswalks and sidewalks shall conform to the details within the TDDP.
 - i. The concrete loading area shall be tinted with a color similar to the surrounding asphalt.

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.

* * * * *

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 Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, and Hewlett voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, July 21, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of July 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:SL:rmk

RESOLUTION

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 11, 2008, regarding Detailed Site Plan DSP-99044/06 for Famous Dave's at Prince George's Plaza, the Planning Board finds:

1. **Request:** This revision to Detailed Site Plan DSP-99044 is for the purpose of constructing a pad site for a sit-down restaurant of 6,574 square feet in the Prince George's Plaza Shopping Center in Subarea 11 of the Prince George's Plaza Transit District Overlay Zone. The location of the building pad is along MD 410, west of the Olive Garden pad site. The area is currently used for parking.

2. **Development Data**

Detailed Site Plan DSP-99044/06
Prince George's Plaza Shopping Center

Zone	T-D-O-Z (C-S-C)	
Total Site Area		51.78 acres
Use		Integrated Shopping Center
Existing GFA for the entire site		1,112,148 sq. ft.
Proposed Gross Floor Area DSP-99044/06		6,574 sq. ft.
Total Gross Floor Area		1,118,722 sq. ft.
Floor Area Ratio		0.50
Number of Existing Parking Spaces (surface)		3,041 spaces
Reduction for the Olive Garden		48 spaces
Reduction for the Marshall/Ross stores		19 spaces
Reduction for the Famous Dave's		76 spaces
Number of Proposed Parking Spaces (surface)		2,898 spaces
Number of Structured Spaces		0
Loading Spaces Required:		13 spaces
Loading Spaces Provided:		6 spaces at grade
		32 spaces in underground tunnel

3. **Location:** The shopping center site consists of approximately 52 acres of land in the C-S-C Zone and is located at the northwest quadrant of the intersection of East West Highway and Belcrest Road. The Famous Dave's pad site is located at the far eastern portion of the site, near MD 410.

4. **Previous Approvals:** The original existing development on the site was an enclosed shopping mall that was developed in the late 1950s. The original Detailed Site Plan, DSP-99044, and companion cases for Primary Amendments TP-00001, Secondary Amendments TS-99044A, and for Departure from Design Standards DDS-515 were reviewed and approved by the District Council on July 10, 2001. The original detailed site plan was designed for Phase I of the redevelopment of the mall and included the renovation of one of the pad sites for Outback Steakhouse, a portion of the streetscape improvements along East West Highway in front of Outback Steakhouse, and the redesign of the area around the east end of the shopping center.

The first revision, DSP-99044/01, was for the purpose of constructing a new anchor store (Target) and the addition of two tenants at the rear of the shopping center. The Planning Board granted a further amendment to Standard S8 in 2003, in conjunction with DSP-99044/01. A Departure from Design Standards, DDS-515, was also approved for conformance to Section 4.7, Buffering Incompatible Uses.

The second revision, DSP-99044/02, was for the purpose of renovating the rear of the shopping mall to improve access into the center, repaving and incorporating additional green area.

The third revision, DSP-99044/03 was to allow two-way traffic in an existing drive aisle that was previously utilized for one-way traffic for loading purposes.

The fourth revision DSP-99044/04, was for the purpose of adding a restaurant pad site (Olive Garden) of 7,685 square feet.

The fifth revision DSP-99044/05 was for modification of the rear elevation on the east end of the structure to accommodate new tenants and to remove 19 parking spaces.

Also, the property is subject to a Departure for Sign Design Standards (DSDS-440) approved in December of 1991.

6. Section 27-548.08(c)(1), Required Findings for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ), includes the following findings:

(A) The Transit District Site Plan is in strict conformance with any Mandatory Development Requirements of the Transit District Development Plan;

The detailed site plan, as submitted, is in conformance with all of the mandatory development requirements. The following primary mandatory development requirements warrant discussion in the review of this detailed site plan application.

P2 All development/redevelopment shall have a sign plan approved by the Planning Board at the time of detailed site plan. This plan shall provide the sign location, size, color, lettering style, construction details and material specifications including the method of illumination.

Conceptual Site Plan CSP-94023 (PGCPB Resolution No. 94-247), approved by the Planning Board on July 21, 1994, approved a signage plan for the subject site. This approval included standards to ensure consistency for all future signs on the Prince George's Plaza Shopping Center main building. The signage plan approved in 1994 continues to be valid, but does not apply to the subject proposal because it is a separate building from the main structure on-site.

The architectural elevations show the proposed signage for Famous Dave's on the main entrance canopy of the building and on the front, rear and right side of the building. Staff agrees in concept with the applicant proposal. Prior to the issuance of any signage permits, the applicant should demonstrate conformance with Section 27-613 of the Zoning Ordinance in regard to sign location, quantity, height, and area.

S3 All primary and secondary walkways shall be well lighted to a minimum of 1.25 foot candles.

This information will be demonstrated prior to signature approval. A photometric plan be submitted prior to signature approval to demonstrate conformance to this requirement, as a condition for the Planning Board's approval.

The following Subarea 11 mandatory development requirements are contained within the TDDP and warrant discussion:

S67 The proposed architecture shall be enduring, high quality and distinctive.

Comment: The proposed architecture is a combination of exterior finishes including cultured stone veneer, cementitious lap siding of four and eight inch widths, exterior insulation and finish system (EIFS), corrugated metal vertically placed on the canopy of the entrance, a screen wall with an exterior finish of stone and horizontal cementitious siding surrounding the trash enclosure area, and a prefinished standing seam roof. The colors are not clearly identified on the drawings, but the colored rendering submitted indicates shades of rust and brown and a "colonial red" standing seam roof. Staff recommends minor changes to the architectural elevations as stated in Finding No. 12.

7. Section 27-548.08(c), Required Findings for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ).

(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria contained in the Transit District Development Plan;

Comment: The transit district site plan will be consistent with and reflect the guidelines and criteria contained in the Transit District Development Plan when the conditions of approval below are met.

(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone and applicable regulations of the underlying zones;

The development data provided in Finding 2 demonstrates conformance with the regulations in the underlying C-S-C Zone.

- (D) The location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency and are adequate to meet the purposes of the Transit District Overlay Zone;**

The subject application includes an existing development (the shopping center) that is only being partially redeveloped. In the areas of the plan that indicate redevelopment, the layout of the development minimizes conflicts between pedestrian and vehicular circulation systems. The plan also provides adequate open space areas for landscaping in and around the linear pedestrian walkways, provides for safe and efficient parking and loading areas, and is adequate to meet the purposes of the TDOZ.

- (E) Each structure and use, in the manner proposed, is compatible with other structures in the Transit District and with existing and proposed adjacent development.**

The proposed building will be situated on the site in a manner that is compatible with the surrounding existing and proposed development if the conditions of approval regarding the modification to the architecture are adopted. This building will be placed so that, when viewed from any direction, the structure is equally detailed in a manner to reflect unified and consistent architectural treatment.

8. The Community Planning Division has reviewed the site plan as proposed and provided comments in their August 18, 2008 memorandum. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier and this application conforms to the land use recommendations of the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* for retail-commercial use. The Community Planning Division includes the following suggestion in their referral:

“However, the objective of the development standards is to provide development that allows for pedestrian access. Since this is a reuse of an existing site, the optimum way to provide a pedestrian experience would be one in which an additional opening from the streetscape be provided to increase the pedestrian connectivity.”

The staff raised this issue with the applicant; however, the applicant suggested that a single opening would be more desirable. A second opening in the wall could provide an additional access point for pedestrians moving from west to east along the street line. The Planning Board is requiring that the second opening be provided, as a Condition for approval of this application.

9. The Transportation Planning Section has reviewed the detailed site plan. The approved Prince George's Plaza Transit District Development Plan (TDDP) guides the use and development of all properties within its boundaries. The findings and recommendations outlined below are based

upon staff evaluation of the submitted site plan and the ways in which the proposed development conforms to the mandatory development requirements and guidelines outlined in the TDDP.

During the preparation of the TDDP, staff performed an analysis of all road facilities in the vicinity of the TDOZ. This analysis was based on establishment of a transit district-wide cap on the number of additional parking spaces (preferred and premium) that can be constructed or provided in the transit district to accommodate any new development. Pursuant to this concept, the Plan recommends implementing a system of developer contributions to insure adequacy of the transportation facilities, based on the number of additional surface parking spaces, as long as the authorized total parking limits and their attendant, respective, parking ratios (Tables 5 and 6 of the TDDP) are not exceeded. The collected fee will be applied toward the required number of transportation improvements as summarized in the TDDP. These improvements are needed to ensure that the critical roadways and intersections in the transit district will remain adequate and will be operating at or above Level of Service E, as required by the Plan.

The TDDP identifies the subject property as Subarea 11 of the TDOZ. There are 15 subareas in the TDOZ, two of which are designated as open-space and will remain undeveloped. The proposed site consists of approximately 51.78 acres of land in the C-S-C zone. The property is located on the north side of MD 410, and between Belcrest Road, and Toledo Road. The proposed application is for construction of a new restaurant at the northeast quadrant of MD 410 and an existing privately-maintained circular driveway that extends north and east and intersects with Belcrest Road directly opposite of Toledo Road. Since the proposed application does not propose to increase the number of surface parking spaces which currently exists on the site, the proposed application, if approved, would not result in any reduction in the total number of available preferred and premium parking totals for retail uses within the transit district. Further, it is important to note that replacement or alterations to legally pre-existing parking spaces are exempt from meeting the TDDP Transportation and Parking Mandatory Requirements.

The plan modifications are limited to a small section of the site. On-site vehicular and pedestrian circulation patterns as proposed within the area proposed for the restaurant are adequate. A point that requires a brief discussion concerns the existing and unsafe pedestrian movements that currently takes place across the subject site mainly by school children to and from the residential areas located northwest of the subject site. While this cross-pedestrian movement is the shortest path to reach the existing crosswalk across MD 410 in order to reach school, staff believes that this is not the most desirable path for children to take. The existing sidewalk along MD 410 is proposed to be extended to the signalized intersection of MD 410 with Toledo Terrace. Additionally, the Post Development, currently under construction, is required to construct a sidewalk along the west side of Toledo Terrace from its intersection with MD 410 to a point where the existing sidewalk ends. When completed, this would provide a much safer path for children to take to reach their school.

On page 14 of the approved Transit District Development Plan for the Prince George's Plaza (PG-TDDP), it is stated as general goal the need to link existing residential neighborhoods to the Metro and other uses with a strong pedestrian network. But, on Page 29 of the PG-TDDP and as part of Mandatory Development Requirements for pedestrian access and circulation, the requirement S2

states that walkways through parking lots, other than those linking buildings with parking lots, shall, whenever possible be avoided. For these reasons, and since there is little apparent nexus between the current application and this pedestrian movement, the transportation staff does not believe it is appropriate to require the provision of another pedestrian access route along the existing privately-maintained circular driveway that extends north from MD 410, as shown by the PG-TDDP (Figure 31), or across the subject site parking lot as currently being used by the school children, at this time.

It should be noted that the 1998 TDDP also authorized the Prince George's Plaza Transportation Demand Management District (TDMD), which requires that each property owner in the District to be a member and participate in the TDMD. The annual TDMD membership fee is \$5.00 for each surface parking space. The annual TDMD membership fee for parking spaces in structures and surface spaces that are permanently reserved for handicapped occupant vehicles, carpools and vanpools are set at a rate of \$2.00 per space. As required by the TDDP, the Transportation Planning Section of the Countywide Planning Division will begin the implementation of the TDMD and its requirements as outlined in the County Zoning Ordinance once the establishment of the PG-TDMD is authorized.

10. The plans have been reviewed for conformance to the *Landscape Manual* and the Planning Board finds that the plans adhere to the requirements of the *Landscape Manual*. However, there are two existing mature trees located in islands along the central drive aisle that borders the subject property. The landscape plan seems to indicate that the trees would be removed and new trees planted. The Planning Board is concerned that the removal of the existing trees will result in a barren appearance of the parking lot. Further, the removal of any tree canopy within this area of the transit district should be carefully considered before removal. The plans shall be revised prior to signature approval to clearly show the preservation of the two healthy existing trees. Any measures necessary to adjust the site plan to accommodate the retention of the trees should be accomplished prior to signature approval.
11. The Town of University Park has been sent the application, but as of the writing of this report, has not provided comments on the plan.
12. The City of Hyattsville reviewed the application and provided the following comments in a letter dated August 20, 2008:

“The City Council and the City’s Planning Committee have been briefed on the proposed Famous Dave’s Restaurant, but the Council did not vote on the issue prior to the Council recess. However, I understand that the staff report is due soon and the City has been requested to provide comment on the project. The Planning Committee was supportive of the project, and the Council overall seemed supportive of the new restaurant at the Mall. The City is pleased that the project will help reduce the excess storm water runoff created by the asphalt surface at the Mall.

“There were some concerns expressed about the relatively low percentage of masonry in the building facades, and the minimal landscaping around the building and the parking areas. The BB&T bank (recently approved) and the existing Olive Garden restaurant at the Mall are nearly

100 percent masonry buildings or other high quality materials on the exterior. The buildings will be on either side of the restaurant, and this restaurant should be of similar quality material.”

In response to the suggestions of the City of Hyattsville, the staff recommended that the use of stone veneer on the facades of the building be increased to give the impression of predominantly masonry finish material on the exterior of the building, with the most emphasis being placed on the facade areas at the entrances to the building, along MD 410 and any other highly visible areas. However, the Planning Board disagreed and found the architectural elevations as presented to be acceptable.

13. The Environmental Planning Section previously reviewed this site in 1999 as a Detailed Site Plan (DSP-99044), which was approved with conditions and has since been revised five times. The subject property has a Stormwater Management Concept Approval, No. 38898-2007-00, dated December 6, 2007 and it is valid through December 6, 2010. This site has an approved Type II Tree Conservation Plan (TCPII/100/00), which proposes to meet all woodland conservation requirements off-site at TCPII/40/01.

The property was the subject of Detailed Site Plan DSP-99044 and a subsequent revision, DSP-99044/04. Prince George’s County Planning Board Resolutions No. 01-77 and 03-96 were approved on November 20, 2003, and May 29, 2003, respectively. All previous approval conditions in the resolutions have been addressed. All applicable mandatory requirements from the approved TDDP for this site have been addressed in previous submittals.

This subject property is located in Subarea 11, which is exempt from the Woodland Conservation and Tree Preservation Ordinance. This site is subject to a ten percent afforestation requirement for the gross tract area due to a mandatory requirement of the TDOZ. The applicant has addressed this requirement through a note on the plan submitted which states: “Tree Conservation Requirements: 10% of the 51.78 acre net tract area (5.18 acres) will be provided for in a woodland conservation easement off-site.” DSP-99044/04 was found to be in conformance with the approved Type II Tree Conservation Plan (TCPII/100/00). Required off-site easements for this site have been previously secured. No additional information is required with respect to the tree conservation plan.

A copy of the Stormwater Management Concept Approval Letter (No. 38898-2007-00 dated December 6, 2007) was submitted. The requirements for stormwater management will be met through subsequent reviews by the Department of Public Works and Transportation (DPW&T). No further information is required with regard to stormwater management.

14. The Planning Board is concerned about two details of the plans. The first is the pedestrian connection to the streetscape and the finishing of the wall where the opening will occur. The plans will provide a finished pier on each side of the proposed openings to the streetscape, as a Condition for approval. The second concern is the design of the paving that connects to the streetscape. The paving shall be of a similar style as the paving within the streetscape to provide a continuous appearance to the improvements within the streetscape.

The Planning Board is also concerned that some of the existing landscaping installed as shown on previously approved detailed site plans has not survived or is in very poor health. The Board recommends that the applicant's landscape architect and the Urban Design Staff meet on-site to determine the need to replace dead or dying plant material along the MD 410 streetscape to upgrade and enhance its appearance as needed. This should be done prior to signature approval of the plans with notes added to the plans that clearly indicate which trees should be replaced.

In addition, the Board is concerned about the proposed architectural elevations for the project.

15. As required by Section 27-528(b) of the Zoning Ordinance, 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.

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 the Detailed Site Plan DSP-99044/06, Famous Dave's at Prince George's Plaza, subject to the following conditions:

1. Prior to certificate of approval, the plans shall be revised to indicate the following:
 - a. Provide a second opening in the wall on the west side of the project to improve access to the East West Highway streetscape.
 - b. Provide details and specifications to indicate a finished pier on each side of both openings in the existing three-foot-high wall right-of-way.
 - c. The paving connecting the building to the streetscape shall be of a similar style as the paving within the East West Highway.
 - d. Clearly indicate the preservation of the existing trees located in the existing islands within the parking lot. Any measures necessary to adjust the site plan to accommodate the retention of the trees shall be accomplished prior to signature approval.
 - e. A photometric plan shall be provided and it shall demonstrate that all primary and secondary walkways shall be lighted to a minimum of 1.25 foot candles.
 - f. The architectural plans shall be revised to substitute the corrugated metal overhead canopy with a welded steel structure as shown in the photographic exhibit of the existing Famous Dave's restaurant.
 - g. The plans shall be revised to remove the loading spaces from the drive aisle and relocate, if needed.

- h. The landscape architect and/or certified arborist shall meet on-site with Urban Design staff to determine the need to replace dead or dying plant material along the MD 410 streetscape and the plan shall be revised accordingly.
- 2. Prior to the issuance of any sign permits, the applicant shall demonstrate conformance to Section 27-613 of the Zoning Ordinance.

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.

* * * * *

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 Vaughns, seconded by Commissioner Cavitt, with Commissioners Vaughns, Cavitt, Clark and Parker voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, September 11, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of October 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

OSR:FJG:SL:bjs