

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 December 12, 2019, regarding Detailed Site Plan DSP-19039 for NSR Properties, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) for an amendment to the list of allowed uses to permit a new gas station on the subject property. Construction of site improvements for a new gas station, drive-up automated teller machine (ATM), and 9,592-square-foot building to include a food and beverage store and office use.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	M-U-I/T-D-O	M-U-I/T-D-O
Use(s)	Gas Station	Food and Beverage Store, Office, and Gas Station*
Acreage	0.86	0.86
Building Square Footage/GFA	2,983 (to be razed)	9,592 (proposed)

**Parking**

	<b>MAX. PERMITTED</b>	<b>APPROVED</b>
Commercial Development – 9,592 sq. ft. (2.5 spaces/1,000 sq. ft. of GFA in the Downtown Core)**	23**	16

**Note:** \*Use is permitted and not nonconforming within the Prince George’s Plaza Transit District if legally existing on July 19, 2016. New uses of this type are prohibited within the transit district, as discussed in Finding 8 below.

\*\*There is no minimum number of off-street parking or loading spaces within the Prince George’s Plaza TDDP, only a maximum number of surface parking spaces as specified on page 259. Bicycle parking requirements only apply for commercial uses over 10,000 square feet.

3. **Location:** The subject property is located in Council District 2 and Planning Area 68. More specifically, the project is located in the southwest quadrant of the intersection of MD 410 (East West Highway) and Belcrest Road, approximately 1,500 feet west of the intersection of

MD 410 and MD 500 (Queens Chapel Road), adjacent to the Prince George's Plaza Metro Station.

4. **Surrounding Uses:** The site is bounded to the north by MD 410 and beyond by the Mall at Prince George's and similar commercial uses. To the south is the Prince George's Plaza Metro Station and multifamily apartments in the Mixed Use-Infill (M-U-I) Zone. To the west is mixed-use commercial/office space in the M-U-I Zone, and to the east is Belcrest Road with commercial uses in the M-U-I Zone beyond.
5. **Previous Approvals:** Special Exception SE-691 was originally approved in 1961 for a gas station on the subject property. The existing buildings on-site were built in conformance with that approval. This special exception was revised in 1979 for a kiosk on-site. Subsequently, SE-3885 was approved for the subject property in 1989 for the purpose of adding a freestanding automatic car wash on-site and revising the gas station layout; however, this special exception was never developed as approved.

The 1992 *Prince George's Plaza Transit District Development Plan* implemented a Transit District Overlay (T-D-O) Zone on the subject property but retained the existing underlying Commercial Shopping Center (C-S-C) Zone. At that time, per Section 27-548.09 of the Prince George's County Zoning Ordinance, SE-3885 became null and void with respect to future development. The existing gas station was certified as a nonconforming use through NCGS-14, approved by the Prince George's County District Council on June 13, 1995.

The 1998 *Prince George's Plaza Approved Transit District Development Plan for the Transit District Overlay Zone* (Prince George's Plaza TDDP) rezoned the subject property from the C-S-C Zone to the Mixed Use-Transportation Oriented (M-X-T) Zone but retained the T-D-O Zone. A separate permit, 8749-99-CG, approved the addition of a drive-up ATM on the south side of the building in 2000.

Conceptual Site Plan CSP-13003, DSP-12062, and Alternative Compliance AC-13018 were heard collectively by the Prince George's County Planning Board on December 5, 2013. The applications proposed to revise the existing gas station and food and beverage store to permit a 1,192-square-foot, drive through, automatic car wash on the site, which included a request to amend the Table of Uses of the Prince George's Plaza TDDP. The Planning Board voted to approve CSP 13003, DSP-12062, and AC-13018, conditioned upon removal of the car wash. None of the conditions of approval for the previous applications are relevant to the review of this case because the site was rezoned from the M-X-T Zone to the M-U-I Zone with the adoption of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (Prince George's Plaza TDDP/TDOZMA).

On February 7, 2019, Preliminary Plan of Subdivision PPS 4-18013 and an associated variation were approved by the Planning Board (PGCPB Resolution No. 19-21) for one parcel for commercial development.

6. **Design Features:** The site is currently improved with a permitted nonconforming gas station use with four multi-product gas dispensers (MPD) and associated canopy. The site is accessed from two driveways off of both MD 410 and Belcrest Road. The existing 2,985-square-foot food and beverage store is located in the center of the site with the gas station canopy located along the MD 410 frontage. Pavement rings the gas station canopy and building.

This application proposes the removal of all existing structures on-site, with the exception of the existing freestanding sign, and the construction of a gas station with 8 MPDs, a 9,592-square-foot food and beverage store and office building, and freestanding drive-up ATM.

The proposed V-shape commercial building is shown on the southern property line and the gas station canopy is located between the building and MD 410. The applicant is proposing a drive-up ATM that will be located to the east of the canopy. Driveway entrances will be revised to just one from both MD 410 and Belcrest Road, providing access to the 16 parking spaces that are located in front of and to the sides of the building. The building is set back over 165 feet from MD 410, which the applicant is requesting an amendment to the TDDP standards, as well as additional amendments for architecture, signage, and site layout.

#### **Architecture**

The proposed two-story, 9,592-square-foot building proposes a flat roof, which varies in height from approximately 33 to 41 feet. The façade of the building is composed of a combination of gray concrete masonry unit block that surrounds the base of the building, red brick veneer continues up to an expression line, and the second story is faced with sand colored exterior insulation finishing system (EIFS). The building has a ground-to-floor ceiling height of only 12 feet, which requires an amendment to the TDDP standard. The building is topped with a modern-styled EIFS cornice. Clear glass will be used in the store front windows, upper level windows, and doors. Each entrance will be composed of clear glass and gray metal paneling. The entrance vestibule projects from the building and will include building-mounted signage and metal canopies over the doorways. The side elevations continue the same materials and treatments as the front elevation.

The rear of the building will be a large blank wall that is broken into a base of gray concrete masonry unit block and a first story of red cementitious fiber board siding that will match the brick on the front of the building. The second story will be EIFS and windows will break up the upper level. Wall-mounted light fixtures will be placed on the side and rear of the structure.

A trash enclosure is located on the west side of the building and will face MD 410. The enclosure will use materials similar to the building and will include a gray concrete masonry unit base with red brick on top and a red metal gate.

#### **Lighting**

The lighting plan proposes five, light-emitting diode (LED), shadow-box, pole-mounted lights around the perimeter of the parking area, near the building, and throughout the site. Bollard lights will be placed in the small sidewalk area in front of the primary building entrance. The building will have two types of wall-mounted lights: eight utility lights on the rear of the building and over

the service doors, and four lights with a metal top and base, will be located on the sides of the building. The gas station canopy will have 24 LED lights that will flood the area with light.

All of these lights shall be consistent with the TDDP standards and include full cut-off optics. A condition has been included herein requiring that the applicant provide details demonstrating conformance.

### **Signage**

Three identical building-mounted signs are proposed with this DSP and are shown on all sides of the building, except the southern rear elevation. The signs are located above the entrances and on metal panels between the windows. The signs are generally placed above the windows on the building face and line up with the edge of the window. Each sign measures approximately 52.5 square feet. Details of the building-mounted signage was not provided, and a condition has been included herein requiring this be added and conform to the TDDP standards.

The gas station canopy is three feet tall and fully covered by signage and graphics on all sides. There are no standards for this type of signage as this type of use is not allowed by the TDDP. Signs not expressly identified in, or exempt from, the transit district standards are prohibited (page 193). If the use is approved by the District Council, the design of the gas canopy signage should be addressed to be more harmonious with the building design.

The applicant also proposes to retain the existing 24-foot-high, 97-square-foot freestanding sign and states that this sign is exempt from the TDDP, as it was lawful on July 19, 2016, and is not nonconforming. This exemption does apply currently, but the removal of existing structures and use on the property will make the existing sign no longer legal. The freestanding sign is currently located outside of the frontage zone and exceeds the 8-foot height and 3-foot width limits. A second, 4-foot-high, 17-square-foot freestanding sign is proposed along the Belcrest Road frontage. Both of these freestanding signs require an amendment to the TDDP standard.

## **COMPLIANCE WITH EVALUATION CRITERIA**

- 7. 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment:** The subject site is located within the Downtown Core Character Area of the Prince George's Plaza TDDP. The Downtown Core is the transit district's central activity hub, with a mix of residential, retail, and office development framing lively walkable streets. These pedestrian-friendly streets are envisioned to be lined with cafés and stores, which draw commuters between the Prince George's Plaza Metro Station and the Mall at Prince George's, activating the streetscape. The existing gas station is envisioned to be developed with new a multistory mixed-use building that would be located adjacent to MD 410 to continue the street wall that was created by the neighboring Belcrest Center development and help reposition MD 410 from a local commuter route to a true main street. The TDDP uses urban design standards to implement the plan's vision for the Downtown Core Character Area, and the applicable standards have been evaluated as a part of the DSP process.

The submitted application and justification materials indicate the applicant's desire to deviate from six of the transit district standards to accommodate the development as proposed on the subject property. The Planning Board has identified a number of additional amendments, for a total of 13. The following discussion relates to the TDDP standards, specifically those requirements from which the applicant has requested amendments, in accordance with Section 27-548.08(c)(3), as follows:

- (3) The applicant may ask the Planning Board to apply development standards which differ from mandatory requirements in 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 then find that the site plan meets all mandatory requirements which apply.**

These alternate standard requests warrant discussion, as follows (all page numbers reference the TDDP and amendments have been grouped by section):

- a. **Streets and Frontage, Frontage Zones (page 208)**—The applicant requested an amendment of two standards in this section for frontage standards prescribed in this plan (1st bullet point), and primary building entrances or exits shall not open directly into a parking lot (6th bullet point). The primary building entrance should open to the frontage zone and not a parking lot as this DSP proposes. The building entrance would help activate the street and provide direct connection to the main street of the transit district, MD 410. The DSP reflects a reduction of the required Tree and Furnishing Zone, from 6 feet to 3 feet, along Belcrest Road. Both adjoining properties meet the frontage zone requirements. The proposed frontage zone, as shown on the DSP, does not foster a pedestrian and bicycle friendly environment as there is insufficient separation between the street and the sidewalk. Given the importance of the Tree and Furnishing Zone and a primary building entrance to the creation of an active, pedestrian-friendly frontage, the requested modifications would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, the Planning Board **disapproves** these requests.
- b. **Streets and Frontage, Build-To Lines and Zones (page 209)**—The applicant requested an amendment of one standard in this section for maximum build-to line (3rd bullet point). Table 42 (page 211) notes the maximum frontage zone depth/build-to line is 25 feet from MD 410 and 33 feet from the west side of Belcrest Road. By locating the building along the southwestern property line, the proposed building is set back

approximately 140 feet from MD 410 and 63 feet from Belcrest Road. The purpose of the build-to line is to have the buildings frame the street and create an urban design relationship between abutting properties. The adjacent buildings are located along the street. The proposed building is set back to allow for the new gas station use and surface parking in front of the building, both of which are contrary to the purposes of the TDDP. Given the importance of build-to line in the creation of an active, pedestrian-friendly frontage, the requested modification would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, the Planning Board **disapproves** this request.

- c. **Streets and Frontage, Tree and Furnishing Zones (page 232)**—The applicant requested an amendment of one standard in this section for street trees to be located outside of the Tree and Furnishing Zone or the Retail Zone (1st bullet point). The applicant conforms to this standard along MD 410 but requires the amendment along Belcrest Road, where the street trees are provided between the building and right-of-way. The applicant's justification is that there is insufficient room within the right-of-way to provide street trees. This frontage provides a main pedestrian link between the Prince George's Plaza Metro Station and the rest of the transit district. The frontage zones should be designed to meet or exceed the TDDP standards, whereas the DSP does neither. Given the importance of street trees in the creation of an active, pedestrian-friendly frontage, the requested modification would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, the Planning Board **disapproves** this request.
- d. **Streets and Frontage, Street Lights (page 234)**—The Planning Board finds that the applicant needs amendments to two standards in this section for street lights along MD 410 and Belcrest Road that do not use Potomac Electric Power Company's (PEPCO) Teardrop or equivalent style (3rd bullet point), and for street light fixtures that are spaced more than 40 feet apart (6th bullet point). The applicant has stated that they will install street lights in the right-of-way along MD 410 and Belcrest Road, but does not show the location of the street lights on Belcrest Road. The applicant also does not specify the PEPCO Teardrop street light, but an acorn-style street light. Given the importance of street lights in the creation of an active, pedestrian-friendly frontage and the importance of consistent style and spacing of the lights in the district, the requested modifications would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, the Planning Board **disapproves** these requests.
- e. **Site Elements, Screening (page 248)**—The Planning Board identified an amendment of one standard in this section to not require all mechanical equipment to be screened from surrounding properties (3rd bullet point). A transformer and car vacuum/air station are located along the Belcrest Road side of the building and can be seen from the public right-of-way and adjacent properties to the east and south. Given the importance of screening mechanical equipment from the public right-of-way and adjacent properties in creating a pedestrian-friendly, dense downtown, the requested modification would not benefit the transit district, and will substantially impair the implementation of the TDDP.

Therefore, the Planning Board **disapproves** this request.

- f. **Architectural Elements, Signage, Other Freestanding Signs (page 255)**—The Planning Board identified amendments of two standards in this section for a freestanding sign to be located outside of the Tree and Furnishing Zone (1st sentence), and for the freestanding signs to exceed 8 feet in height and 3 feet in width (2nd sentence). The existing sign along MD 410 that the applicant plans to retain is 24 feet tall, in excess of the allowed 8 feet. The applicant also proposes a 4-foot by 4-foot freestanding sign along Belcrest Road, which exceeds the 3-foot width limit. Neither sign is located in the Tree and Furnishing Zone and the applicant does not have a Retail Zone. Given the importance of signage in frontage design consistency within the Downtown Core area, the requested modifications would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, the Planning Board **disapproves** these requests.
- g. **Architectural Elements, Awnings (page 256)**—The applicant requested an amendment of one standard in this section to allow metal awnings over both entrances and first floor windows on the north side of the building. The Planning Board finds that the awnings provide visual interest, help to highlight the entrances, and provide weather protection. Therefore, the Planning Board **approves** this request, as it will not substantially impair the implementation of the TDDP, and awnings should be provided for all pedestrian and service building entrances, as conditioned herein.
- h. **Parking and Loading, Surface Parking (page 260)**—The applicant requested an amendment of one standard in this section to the surface parking lot to not be screened from streets by buildings, landscaping or other cover (6th bullet point). The surface parking lot is not screened from MD 410 as circulation for the gas station limits the landscape area on this frontage. Given the importance of screening parking from the public right-of-way in creating a pedestrian-friendly, transit-oriented downtown, the requested modification would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, the Planning Board **disapproves** this request.
- i. **Downtown Core Standards, Intent, Downtown Core Mixed-Use and Nonresidential Buildings (page 267)**—The applicant requested an amendment of two standards in this section to allow for the building, within the Downtown Core, not to be attached to the one on the abutting lot to the west (1st bullet point) and to allow the minimum clear height of the retail space to be less than 14 feet (2nd bullet point). Specifically, the clear height of the retail space is reduced from 14 feet to 12 feet and the proposed building does not abut the one to the west. The applicant states circulation of fuel trucks as the reason the building could not be attached to the abutting building. The architecture is also showing a 12-foot clear height of the ground floor and the applicant does not provide justification for this. Given the importance of building frontage and retail ceiling height within the Downtown Core area, the requested modifications would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, the Planning Board **disapproves** these requests.

In summation, the set back and freestanding nature of the proposed food and beverage store with second floor office, and surface parking and gas station in front, is characteristic of suburban design and does not reflect the more compact main street character envisioned in the Prince George's Plaza TDDP, which would include a consistent frontage of commercial uses lining MD 410. While buildings in the Downtown Core may be constructed to a minimum 20-foot height, buildings on the subject property may be constructed up to 28 stories tall. This provision underscores the subject property's location as the 100 percent corner of one of the County's three First-Round Downtowns. The property is designated as a special corner by the TDDP; the intersection of Belcrest Road and MD 410 is envisioned to be a focal point of one of the County's primary Regional Transit Districts. Therefore, the majority of the requested amendments to support an auto-oriented suburban development would not benefit the Transit District and will substantially impair implementation of the TDDP. Conditions have been included herein requiring that the DSP be revised to demonstrate conformance to the TDDP standards.

8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I and T-D-O Zones of the Zoning Ordinance:
- a. The Prince George's Plaza TDDP permits or prohibits certain uses, in accordance with Section 27-548.05, to limit uses that are incompatible with, or detrimental to, the goals of the Transit District and purposes of the T-D-O Zone. The applicable Transit District Use Table for the T-D-O/M-U-I Zones (pages 276–291) permits, without further qualification, the office use and the food and beverage (convenience) store use; however, a gas station is only permitted if it satisfies the condition found in the following footnote:

**Use is permitted and not nonconforming within the Prince George's Plaza Transit District if legally existing on July 19, 2016. New uses of this type are prohibited within the Transit District. (page 291)**

In addition, the introductory paragraphs to the use table state that uses inconsistent with the TDDP are prohibited. For example, auto-oriented uses are prohibited in zones that are located within the Downtown Core where the subject property is located. Therefore, the proposal to completely demolish the current, legally conforming gas station use and rebuild the proposed new, expanded gas station use is prohibited.

The applicant contends, in its statement of justification, that its proposed gas station is not new because a gas station currently operates on the subject property and has done so prior to July 19, 2016. As a consequence of the applicant's interpretation, the applicant maintains that its proposed gas station, convenience store, and two-story structure with new offices is a permitted use and not prohibited. A use is defined in Section 27-107.01 of the Zoning Ordinance as either:

- (i) **The purpose for which a "Building," "Structure," or land is designed, arranged, intended, maintained, or occupied; or**



**(ii) Any activity, occupation, business, or operation carried on in, or on, a "Building," "Structure," or parcel of land.**

A reasonable inference that can be drawn from the inclusion of the footnote permitting gas stations existing within the boundaries of the T-D-O Zone before July 19, 2016, is that this exception was made to allow the particular gas station on the applicant's subject property to operate as a permitted use. This inference is reasonable because that gas station was the only one within the boundaries of the T-D-O Zone in existence before July 19, 2016. As the applicant acknowledges in its statement of justification, the County Council, in adopting the TDDP and enacting the T-D-O Zone, contemplated that, although an exception was carved out for this particular gas station, the use was to remain on an interim basis and to be phased out as the visions of the TDDP were realized (page 180).

As previously described, the subject property is currently improved with a gas station with four MPDs and eight pumps, a 2,983-square-foot convenience store at the center of the site, and an ATM affixed to the convenience store building. The applicant's proposal includes completely razing the existing gas station and convenience store, doubling the number of MPDs (eight) and pumps (sixteen), constructing a two-story 9,592-square-foot building in a different location that will contain a significantly larger convenience store and an office use, and installing a stand-alone ATM on the east side of the site.

The applicant intends for the buildings, structures, and land to be completely redesigned, rearranged, maintained, and occupied. The business operations and activities on the subject property and within the proposed building and structures will drastically expand and change, rather than be discontinued as the County Council had intended. The applicant's proposal cannot be anything other than a change in the use of the property; therefore, the new gas station, which would be constructed after July 19, 2016 is prohibited.

Under the Zoning Ordinance, if the existing gas station had been a certified nonconforming use, the applicant would not have been permitted by-right to intentionally demolish the structure and rebuild it. Specifically, Section 27-243(b)(2) of the Zoning Ordinance provides in relevant part, "The intentional demolition and reconstruction of a certified nonconforming use on the same lot, which involves relocation, enlargement, or extension . . . may be permitted outside of the Safety Zones of the Military Installation Overlay Zone only upon approval of a Special Exception in accordance with Part 4."

Further evidence that the TDDP does not contemplate changes to the subject property that the applicant is proposing is found in the TDDP's General Applicability and Administration section. On page 198, which describes the TDDP's applicability and certain exemptions, the TDDP states:

**Unless specifically described otherwise, additions, expansions, or extensions of buildings, structures, and uses not subject to an exemption identified in**

**this section are subject to DSP review, and are only required to conform to the Transit District Standards for the area of the addition, expansion, or extension of the building, structure, or use. Adding on, expanding, or extending a building or use to an extent that requires conformance to the Transit District Standards or DSP review only requires such conformance for the addition, expansion, or extension.**

In other words, the TDDP applies unless the addition, expansion, or extension of a building, structure, or use falls into one of the exemptions provided in the TDDP. Currently, the only exemption that applies to the subject property is the following:

**Until a Detailed Site Plan (DSP) is submitted, all buildings, structures and uses, which were lawful or could have been certified as legal nonconforming uses pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016, are exempt from the Transit District Standards and are not nonconforming.**  
(page 198)

Applying this requirement to the applicant's proposal, the expansion of the existing gas station use from four to eight MPDs is subject to DSP review and is required to conform to the transit district standards for the use. In other words, because the applicant is required to submit a DSP for its proposal—a brand new gas station constructed after a voluntary demolition of all existing structures—the applicant now must comply with the TDDP standards, which do not allow new gas stations.

The applicant, as an alternative argument, did include a justification for an amendment to the list of allowed uses for the property as permitted under Section 27-548.09.01(b), which states, in part:

- (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 allowed uses, building height restrictions, or parking standards in the Transit District Development Plan. The Planning Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.**
  
- (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 with the purposes and recommendations for the Transit Development District, as stated in the Transit District Development Plan, and meets applicable site plan requirements.**

The property owner requests that the District Council amend the list of allowed uses for the subject property to permit a new gas station. In rezoning this property, as well as

adjacent ones, from the M-X-T to M-U-I Zone, the Prince George's Plaza TDDP includes the following justification (page 180):

**The outer properties in this zoning change are located in the Downtown Core of the Transit District, are considerably underdeveloped considering their proximity to a transit station, have auto-oriented uses that are incompatible with a walkable downtown environment, and are envisioned for a significantly increased intensity of development and mix of uses.**

**These two commercial parcels surround the Metro station, which is significantly underdeveloped with available air rights above the parking structure and platforms, and an underdeveloped retail frontage that does not embrace MD 410 as envisioned by this TDDP.**

**This rezoning permits these properties to retain the uses that they have on an interim basis while they transition, as the market allows, to the walkable urban products the real estate market increasingly demands. The M-U-I Zone, coupled with the Transit District Standards, permits a range of uses in a variety of buildings, creating the flexibility most conducive to development and redevelopment.**

This property was rezoned to allow for more walkable, urban, mixed-use development to replace the existing auto-oriented uses that occupy the property today. Allowing the development of a low-density, auto-oriented, pedestrian-unfriendly, new gas station will substantially and egregiously impair implementation of the vision described in the TDDP. This proposed use would run counter to developing high-rise, vertical, mixed-use, walkable urban development recommended for the subject property. Some of the TDDP purposes that are contrary to the proposed use include the requirement for medium-to high-density development in the Downtown Core, concentrating the largest, special corner, buildings at key intersections near the Metro station, and presenting a consistent street wall. The allowance of a new gas station along the road frontage at a key intersection does not conform to the TDDP.

The applicant's justification partially states that bringing the site into conformance with the current stormwater management (SWM) regulations, reducing access driveways, increasing the building square footage, and enhancing the sidewalks along the frontages will conform to the purposes and recommendations contained in the TDDP. These enhancements, however, could be achieved through redevelopment of the property without including auto-oriented uses that contradict the main purposes of the TDDP.

At the December 12, 2019 Planning Board hearing, the applicant stated that the use is existing and is not a new use. The applicant further stated that the property could be able to apply various TDDP exemptions and showed an alternative design that could be permissible under these exemptions. The applicant also argued that there was no room within the right-of-way for the necessary TDDP improvements for trees and a cycle track.

The applicant presented a site diagram that demonstrated how, if the building was moved to meet the TDDP build-to line, the proposed development could not fit on the site.

The Planning Board was not swayed by the applicant's arguments and still recommended to the District Council that the new gas station use be disapproved and be removed from the DSP, as conditioned herein.

b. Section 27-546.19(c), Site Plans for Mixed Uses, of the Zoning Ordinance requires that:

**(c) A Detailed Site Plan may not be approved unless the owner shows:**

- 1. The site plan meets all approval requirements in Part 3, Division 9;**
- 2. All proposed uses meet applicable development standards approved with the Master Plan, Sector Plan, Transit District Development Plan, or other applicable plan;**

The site plan does not meet applicable development standards, and, as proposed, would severely hinder the Prince George's Plaza TDDP, but as conditioned, represents a reasonable alternative for satisfying the site design guidelines, and meets the development standards, except for those alternative standards as discussed in Finding 7 above.

- 3. Proposed uses on the property will be compatible with one another;**
- 4. Proposed uses will be compatible with existing or approved future development on adjacent properties and an applicable Transit or Development District; and**

The application proposes a new gas station, food and beverage store and office use, which will be compatible with one another. However, the proposed gas station use is not permitted in the TDDP, and will not be compatible with the existing high-density commercial development to the west, nor the multifamily residential use to the south, or the existing metro station to the southwest. The TDDP envisions this site to be the highest density site, with 100 percent lot coverage, and buildings up to 28 stories high allowed. The property is located at the main intersection of one of the three designated downtowns envisioned in the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and is located adjacent to a Metro station. Development should be focused on meeting the TDDP purposes to attract an appropriate mix of land uses thereby increasing the number of residents and workers and supporting retail that supports and fully utilizes the valuable transit asset. It should also contribute to activating the main street that is MD 410. This gas station use will create conflicts with pedestrians as well as interrupting the common street wall along MD 410. The gas station is not compatible with the surrounding properties and the TDDP vision. The office

and food and beverage store would be compatible with the adjacent commercial and residential uses, but should be designed to be compatible with the TDDP, as has been conditioned herein.

- 5. Compatibility standards and practices set forth below will be followed, or the owner shows why they should not be applied:**
- (A) Proposed buildings should be compatible in size, height, and massing to buildings on adjacent properties;**
  - (B) Primary façades and entries should face adjacent streets or public walkways and be connected by on-site walkways, so pedestrians may avoid crossing parking lots and driveways;**
  - (C) Site design should minimize glare, light, and other visual intrusions into and impacts on yards, open areas, and building façades on adjacent properties;**
  - (D) Building materials and color should be similar to materials and color on adjacent properties and in the surrounding neighborhoods, or building design should incorporate scaling, architectural detailing, or similar techniques to enhance compatibility;**
  - (E) Outdoor storage areas and mechanical equipment should be located and screened to minimize visibility from adjacent properties and public streets;**
  - (F) Signs should conform to applicable Development District Standards or to those in Part 12, unless the owner shows that its proposed signage program meets goals and objectives in applicable plans; and**
  - (G) The owner or operator should minimize adverse impacts on adjacent properties and the surrounding neighborhood by appropriate setting of:**
    - (i) Hours of operation or deliveries;**
    - (ii) Location of activities with potential adverse impacts;**
    - (iii) Location and use of trash receptacles;**
    - (iv) Location of loading and delivery spaces;**

(v) **Light intensity and hours of illumination; and**

(vi) **Location and use of outdoor vending machines.**

The applicable Prince George's Plaza TDDP has multiple compatibility standards and guidelines regarding building placement, orientation, design, lighting, outdoor storage, and signage. However, the proposed development is not consistent with the majority of these as discussed in Finding 7 above. The proposed building is not compatible in size, height, or massing with the existing buildings on the adjacent properties, which are four stories and sit along the build-to line. The primary façade faces the street but is set back more than 100 feet. The site design minimizes visual intrusion onto adjacent properties and the signs will conform to the TDDP standards, only if revised as conditioned. No loading is required for this size development and the trash enclosure is designed to match the proposed building, which helps minimize adverse impacts on adjacent properties. There is no pedestrian connection from Belcrest Road to the entrance to the building and the transformer is located adjacent to the Belcrest Road. Various conditions have been included herein to bring this proposal into conformance with these compatibility standards.

c. Pursuant to Section 27-548.08(c)(2), the following findings shall be made by the Planning Board when approving a DSP in the T-D-O Zone:

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

The DSP is not in strict conformance with the mandatory requirements of the TDDP. The DSP requests an amendment to the list of allowed uses to permit a new gas station on this property and requires 13 amendments to the TDDP standards. However, the Planning Board recommends disapproval of the new gas station use and includes conditions herein that will substantially revise the proposed site plan in order to create a proposal that will not substantially impair implementation of the TDDP.

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

The DSP is not consistent with and does not reflect the guidelines and criteria for development contained in the TDDP. It is noted that the current gas station could be expanded and improved, without having to conform to the TDDP standards, as allowed by the exemptions. However, if revised as conditioned, the DSP will be consistent with the TDDP. These conditions would include, among other things, moving the building to the build-to line, and redesigning it, and providing required frontage improvements. Thereby, the DSP would conform with the

purposes of the TDDP, which include requirements to ensure that development within the transit district possess a desirable urban design relationship with one another, the metro station, and adjoining areas.

- (C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;**

The DSP does not meet the requirements of the T-D-O Zone, nor the underlying M-U-I Zone as discussed above and in Finding 7. The Planning Board has provided conditions in the resolution to address these issues for approval. The Planning Board concludes that the DSP can only meet the requirements of the T-D-O and M-U-I Zones if revised, as conditioned herein.

- (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 DSP does not demonstrate that the location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking maximize safety and efficiency, and are adequate to meet the purposes of the T-D-O Zone. The DSP requests multiple amendments to substantial TDDP standards relative to frontage improvements, building location, and signage, among others. This includes standards that would reduce conflict points with pedestrians on MD 410 and provide for a cycle track along Belcrest Road to aid in bicyclist access to the Metro station. These improvements, if provided, along with standards for building placement to frame and activate the street, support the vision of a walkable transit district. Therefore, conditions have been included herein requiring redesign of the site and frontage along MD 410 and Belcrest Road.

- (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; and**

The DSP does propose building materials that are compatible with adjacent commercial and multifamily uses. However, the building is not located to frame the streetscape and it does not maintain a common street wall as envisioned by the Prince George's Plaza TDDP. A gas canopy separates the building from the street and introduces a conflicting automobile use into what is envisioned to be a pedestrian-oriented main street. The scale of the building is much smaller in height, size, and lot coverage and considerably under develops the property given its proximity to a Metro station. The proposed

structures and uses are incompatible with existing and proposed adjacent development, to the extent that the permission of such uses will substantially impair the TDDP.

- (F) **Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to Section 27-548.09.02 of the Zoning Ordinance, meets the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.**

This requirement does not apply to the subject application because there is no total minimum required parking spaces.

9. **Preliminary Plan of Subdivision 4-18013:** On February 7, 2019, PPS 4-18013 and an associated variation were approved by the Planning Board (PGCPB Resolution No. 19-21) for one parcel for commercial development. A final plat of subdivision will be required for the subject site. The approval of this PPS generated eight conditions, of which three are applicable to the review of this DSP, as follows:

2. **Total development within the subject parcel shall be limited to uses which generate no more than 166 AM and 130 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.**

This condition establishes an overall trip cap for the subject property of 166 AM and 130 PM peak-hour trips. The proposed gas station with 16 fueling positions, a 4,796-square-foot food and beverage store, and 4,796 square feet of office space would generate 166 AM and 130 PM peak-hour trips, as noted in the table below. This is the same as the established trip cap.



Trip Generation Summary: DSP-19039: NSR Properties								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Proposed Super Convenience Store	4,796	square feet						
with Gas Pumps	16	fueling positions	210	211	423	177	178	355
Less Pass-By (63 percent AM/66 percent PM)			-132	-133	-265	-117	-117	-234
Net Trips for Proposed Food and Beverage/Gas			<b>78</b>	<b>78</b>	<b>156</b>	<b>60</b>	<b>61</b>	<b>121</b>
Proposed General Office	4,796	square feet	<b>9</b>	<b>1</b>	<b>10</b>	<b>2</b>	<b>7</b>	<b>9</b>
<b>Total Trips for DSP-19039</b>			<b>87</b>	<b>79</b>	<b>166</b>	<b>62</b>	<b>68</b>	<b>130</b>
<b>Trip Cap: PPS 4-18013</b>					<b>166</b>			<b>130</b>

5. **In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2016 *Approved Prince George’s Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following unless modified by the road operating agency:**

- a. **An eight-foot-wide sidewalk along the frontage of MD 410 (East West Highway) shall be included on the Detailed Site Plan unless modified by the Planning Board and/or District Council in accordance with Section 27-548.08 of the Zoning Ordinance.**

The submitted plan shows an 8-foot-wide sidewalk along the frontage of MD 410.

- b. **A 10-foot-wide cycle track along the frontage of Belcrest Road shall be included on the Detailed Site Plan unless modified by the Planning Board and/or the District Council in accordance with Section 27-548.08 of the Zoning Ordinance.**

The submitted plan shows a 10-foot-wide sidewalk along the frontage of Belcrest Road but not a cycle track. The applicant has requested an amendment to the TDDP to allow the sidewalk in lieu of the cycle track on the grounds that there is insufficient space to accommodate the cycle track within the dedicated right-of-way. The applicant also states the installation of a cycle track would conflict with standards set by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). The Planning Board strongly

supports implementation of the standards in the TDDP. The property is adjacent to the vehicular entrance to the Prince George's Plaza Metro Station and the cycle track would serve as the first and last section of the dedicated bicycle connection. The cycle track is planned to connect the Prince George's Plaza Metro Station to the rest of the transit district along Belcrest Road. Without this section, the rest of the multimodal network envisioned for the TDDP will be compromised. The TDDP shows a 10-foot-wide cycle track along the property frontage of Belcrest Road. This improvement should be depicted on the DSP and a condition has been included herein requiring this to be added.

7. **Prior to approval of a detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide an exhibit that illustrates the location, limits, and details of the off-site bicycle and pedestrian impact statement improvements along Belcrest Road, consistent with Section 24-124.01(f) of the Subdivision Regulations.**

A conceptual level off-site bicycle and pedestrian impact statement exhibit was submitted at the time of application acceptance. It reflects the pedestrian improvements in place at the intersection, as well as the location for the crosswalk improvements. Given the low level of the cost cap (\$3,353 per Section 24-124.01(c) of the Subdivision Regulations) and the nature of the improvements (crosswalk restriping only), a more detailed exhibit is not warranted. Therefore, the condition for the exhibit has been fulfilled.

10. **2010 Prince George's County Landscape Manual:** Per page 194 of the Prince George's Plaza TDDP, the TDDP standards replace the comparable standards in the 2010 *Prince George's County Landscape Manual* (Landscape Manual). For standards not covered in the TDDP, the Landscape Manual shall serve as the requirement, unless explicitly stated otherwise. The applicant is in conformance with the applicable Landscape Manual requirements and the landscape requirements of the TDDP.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is not subject to the provisions of Woodland and Wildlife Habitat Conservation Ordinance because it is less than 40,000 square feet in area, contains less than 10,000 square feet of existing woodland, and has no previously approved tree conservation plans. A Standard Letter of Exemption, S-006-2018, was issued on January 5, 2018.
12. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-127(b)(1)(I) of the County Code states that "properties subject to tree canopy coverage requirements contained in an approved T-D-O Zone or a Development District Overlay Zone are exempt from the tree canopy coverage requirements contained in this Division." Pursuant to this section, the tree canopy coverage requirements for the Prince George's Plaza T-D-O Zone shall be met through the provision of street, on-site, and other trees preserved by a property owner or provided to comply with other transit district standards and guidelines.

**13. Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:

- a. **Historic Preservation**—The Planning Board adopted, herein by reference, a memorandum dated August 20, 2019 (Stabler to Hurlbutt), which noted that there are no historic sites or resources on/or adjacent to the subject property and this proposal will not impact any historic sites, resources, or significant archeological sites.
- b. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated November 26, 2019 (Mierow to Hurlbutt), which offered an in-depth discussion of the DSP’s conformance with the TDDP that has been incorporated into Finding 7 above. It was noted that the 2016 TDOZMA reclassified the subject property into the M-U-I Zone, while retaining it within the superimposed T-D-O Zone. In addition, an analysis was provided relative to Plan 2035.
- c. **Transportation Planning**—The Planning Board adopted, herein by reference, a memorandum dated November 12, 2019 (Masog to Hurlbutt), which noted that access and circulation are acceptable. The number and locations of points of access are consistent with those reviewed and approved during the PPS. The site is adjacent to MD 410, which is a master plan arterial roadway, and Belcrest Road, which is a master plan collector roadway. Both existing rights-of-way are consistent with the recommendations in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The rights-of-way are also consistent with the rights-of-way shown on the PPS, as approved. The Planning Board approved the PPS with three traffic-related conditions, which are applicable to the review of this DSP and are discussed in Finding 9 above. From the standpoint of transportation and in consideration of the findings contained herein, it is determined that this plan is acceptable if the application is approved.
- d. **Subdivision Review**—The Planning Board adopted, herein by reference, a memorandum dated November 8, 2019 (Simon to Hurlbutt), which offered an analysis of the DSP’s conformance with the PPS conditions, which are incorporated into Finding 9 above.
- e. **Trails**—The Planning Board adopted, herein by reference, a memorandum dated November 20, 2019 (Shaffer to Hurlbutt), which analyzed the DSP for conformance with the MPOT and the Prince George’s Plaza TDDP, in addition to the previous conditions of approval.

The MPOT calls for a “Continuous Standard or Wide Sidewalks with On-Road Bicycle Facilities” along MD 410 (page 28).

The applicant shall provide an 8-foot wide sidewalk along their frontage of MD 410 consistent with the MPOT. This improvement shall be constructed with the access permit process with the Maryland State Highway Administration (SHA). The MPOT also calls for on-road bicycle facilities; however, the MPOT acknowledges that providing a full

bicycle lane may not be possible due to right-of-way constraints. Generally, bicycle lanes are provided by SHA through striping.

The TDDP has some specific guidelines for the frontage of MD 410. This frontage is required to have six feet of Tree and Furnishing Zone, six feet of Sidewalk Clear Zone, and a variable Retail Zone; totaling a combined minimum depth requirement of 20 feet (TDDP page 211).

The TDDP also has specific guidelines for the frontage of Belcrest Road. The TDDP calls for a cycle track on the west side of Belcrest Road (the subject property). The cycle track shall be 10 feet wide and adjacent to the sidewalk (TDDP page 89).

The applicant shall provide a 10-foot-wide cycle track along their frontage of Belcrest Road, consistent with the TDDP. The frontage along Belcrest Road is required to have 5 feet of Tree and Furnishing Zone, 5 feet of Sidewalk Zone, and a variable width of Retail Zone; totaling a combined minimum depth requirement of 28 feet (including the above-mentioned cycle track) (TDDP page 211).

The applicant shall provide frontage improvements along Belcrest Road consistent with the TDDP. This improvement shall be constructed through the access permit process of Prince George's County. One trails-related condition has been included herein to revise the plan to include the required cycle track along Belcrest Road.

- f. **Environmental Planning**—The Planning Board adopted, herein by reference, a memorandum dated November 20, 2019 (Schneider to Hurlbutt), which noted that a Natural Resources Inventory Equivalency Letter, NRI-004-2018, in conformance with environmental regulations, was issued on January 5, 2018. According to available information, Marlboro clay is not present, but Christiana clay does occur on or in the vicinity of this site. A geotechnical study may be required by DPIE prior to issuance of a permit. In addition, it was noted that the site has a SWM Concept Letter (2296-2018-00), which was approved on August 7, 2018 by DPIE. All on-site SWM will be controlled with one micro-bioretention pond and an underground infiltration system.
- g. **Prince George's County Fire/EMS Department**—At the time of the writing of this resolution, the Fire/EMS Department did not offer comments on the subject application.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopted, herein by reference, a memorandum dated August 26, 2019 (Snyder to Hurlbutt), which offered numerous comments on the subject application that have been provided to the applicant. These comments will be addressed through DPIE's separate permitting process. They noted that the DSP is consistent with approved SWM Concept Plan 2296-2018-00, dated August 7, 2018.
- i. **Prince George's County Police Department**—At the time of the writing of this resolution, the Police Department did not offer comments on the subject application.

- j. **Prince George’s County Health Department**—At the time of the writing of this resolution, the Health Department did not offer comments on the subject application.
- k. **Maryland State Highway Association (SHA)**—The Planning Board adopted, herein by reference, a letter dated September 10, 2019 (Futrell to Speach), in which SHA offered numerous comments on the subject application that have been provided to the applicant. These comments will be addressed through SHA’s separate permitting process.
- l. **City of Hyattsville**—The Planning Board adopted, herein by reference, a letter from the City of Hyattsville dated November 4, 2019 (Hollingsworth to Hewlett), which offered numerous comments on the subject application that are summarized, as follows:

The Hyattsville City Council’s opinion is that the applicant’s request for variation or modification to the Prince George’s Plaza TDDP standards shall be limited and that a reduction in the building footprint, consistent with the exemption provisions, should limit modification to the standards. The City requested that the Planning Board require all improvements of the subject property abide by the relevant exemption outlined within the TDDP. The City offered conditions and modifications for the Planning Board to consider, which included removal of the standalone ATM, ways to improve the existing gas station, reducing the proposed number of pumps to six, adding a bicycle repair station, providing an electric vehicular charger, and many others.

The City requested denial of support for an amendment to the Table of Uses to permit the use of the site as a gas station. Noting that:

“The Prince George’s Plaza Transit District Development Plan was developed through a comprehensive process which included the participation of all public and private stakeholders, the result of which was a plan that created a framework to guide investment and a vision for pedestrian connectivity, mixed-use density and a reduced reliance on single occupancy vehicles. We firmly believe that investment in, and development of, real property within the Prince George’s Plaza Transit District shall advance the vision of the Plan and shall not undermine the goals and objectives of the Plan.”

It is the City’s opinion that the TDDP provides sufficient exemptions that permit the applicant to proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business. However, the submitted DSP does not propose a development that fits any allowed exemptions, and if it did, would most likely not require a DSP. Therefore, the plans as submitted have been analyzed and the City’s conditions, relative to the current proposed improvements (items 2–8), have been included in this resolution.

- m. **Prince George’s County Department of Parks and Recreation (DPR)**—The Planning Board adopted, herein by reference, a memorandum dated August 12, 2019 (Asan to

Hurlbutt), which noted that due to the fact that this DSP does not contain a residential component, is not adjacent to and/or does not impact any existing or proposed parkland, DPR offers no comment.

- n. **Prince George's County Police Department**—The Planning Board adopted, herein by reference, a memorandum dated December 6, 2019 (Yuen to Hurlbutt), which noted that the Police Department had no comment on the subject application.

14. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a DSP:

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

There are no regulated environmental features on the subject property; therefore, the plan preserves regulated environmental features to the fullest extent possible.

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:

- A. Recommends to the District Council DISAPPROVAL of the property owner's request to add gas station to the list of permitted uses to allow a new gas station on the subject property.
- B. APPROVED the following alternative transit district development standards:
1. **Architectural Elements, Awnings (page 256)**—To allow metal awnings over the building entrances and first floor windows.
- C. DISAPPROVED the following alternative transit district development standards:
1. **Streets and Frontage, Frontage Zones (page 208)**—To allow the primary building entrance to open into a parking lot, and a reduction in the Tree and Furnishing Zone width along Belcrest Road.
  2. **Streets and Frontage, Build-To Lines and Zones (page 209)**—To allow the building to be set back approximately 140 feet from MD 410 (East West Highway) and 63 feet from Belcrest Road.
  3. **Streets and Frontage, Tree and Furnishing Zones (page 232)**—To allow street trees outside of the Tree and Furnishing Zone and the Retail Zone.
  4. **Streets and Frontage, Street Lights (page 234)**—To allow for street lights along MD 410 (East West Highway) and Belcrest Road that do not use Potomac Electric Power

Company's Teardrop or equivalent style and for street light fixtures that are spaced more than 40 feet apart.

5. **Site Elements, Screening (page 248)**—To allow mechanical equipment not to be screened.
6. **Architecture Elements, Signage, Other Freestanding Signs (page 255)**—To allow freestanding signs to be located outside of the Tree and Furnishing Zone or Retail Zone within the Downtown Core, and to exceed the 8-foot height and 3-foot width limits.
7. **Parking and Loading, Surface Parking (page 260)**—To allow for off-street surface parking not to be screened from MD 410 (East West Highway).
8. **Downtown Core Standards, Intent: Downtown Core Mixed-Use and Nonresidential Buildings (page 267)**—To allow for the proposed building not to be attached to the one on the abutting lot to the west and for a reduction of the minimum clear height of retail space from 14 feet to 12 feet.

D. APPROVED Detailed Site Plan DSP-19039 for NSR Properties, subject to the following condition:

1. Prior to certification, the DSP shall be revised, or additional information shall be provided, as follows:
  - a. Remove the gas station use and all associated site improvements.
  - b. Revise and move the proposed building to meet the maximum build-to line and be compatible in size, height, and massing with the buildings on adjacent properties.
  - c. Provide a 10-foot-wide cycle track along the frontage of Belcrest Road, consistent with the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*.
  - d. Revise plans to show conformance with all streets and frontage standards of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*, by moving the building to the maximum build-to line, having the primary entrance to the building not open to a parking lot, and moving all service entrances to the rear of the building.

- e. Provide all elements of the Street Frontage Zone standards of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* along Belcrest Road and MD 410 (East West Highway), including pedestrian access to building entrances, street trees in the appropriate location, full width Tree and Furnishing Zone, and other improvements.
- f. Revise plans to meet the Downtown Core Mixed Use and Non-Residential standards of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* by attaching the building to the building on the abutting lot to the west and increasing the ceiling height to 14 feet on the ground level.
- g. Provide screening of any off-street surface parking from the public rights-of-way, in accordance with the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* standards.
- h. Revise the lighting plan to label lighting detail, add a note that all lights will include full cut-off optics, and show street lights along MD 410 (East West Highway) and Belcrest Road that meet the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* standards relative to style and spacing.
- i. Remove both freestanding signs; all signage shall be affixed to the structures.
- j. Remove the proposed stand-alone automated teller machine (ATM) and associated drive-aisle; any proposed ATMs shall either be affixed to the building exterior or be located within the interior.
- k. Integrate a mural or other equivalent artistic element into the proposed building, in accordance with the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* guidelines.
- l. Provide overhead awnings for all pedestrian and service building entrances.
- m. Provide details of the building-mounted signage and demonstrate conformance to all applicable 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* standards.
- n. Locate all mechanical equipment away from the public streets and adjacent properties and screen to minimize visibility.



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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioners Doerner and Washington absent at its regular meeting held on Thursday, December 12, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of January 2020.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:JH:nz