



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 <https://www.mncppc.org/883/Watch-Meetings>

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|-------------------------------------------------------|------------------|
| Detailed Site Plan | DSP-21025 |
| Chesapeake Bay Critical Area Conservation Plan | CP-21004 |
| Special Permit | SP-210002 |
| Seafood Subs & Sides | |

| REQUEST | STAFF RECOMMENDATION |
|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposed arts café on the ground level of an existing single-family dwelling. The upper floor will remain as a dwelling unit. | With the conditions recommended herein: <ul style="list-style-type: none"> Approval of Detailed Site Plan DSP-21025 Approval of Chesapeake Bay Critical Area Conservation Plan CP-21004 Approval of Special Permit SP-210002 |

| | |
|-------------------------------------------------------------------------------------------------------------------|-----------------|
| Location: At the intersection of Wallace Road and Rhode Island Avenue. | |
| Gross Acreage: | 0.1269 |
| Zone: | NAC |
| Prior Zone: | M-U-I/D-D-O |
| Reviewed per prior Zoning Ordinance: | Section 27-1903 |
| Dwelling Units: | 1 |
| Gross Floor Area: | 1,330 sq. ft. |
| Planning Area: | 68 |
| Council District: | 02 |
| Municipality: | North Brentwood |
| Applicant/Address: Seafood Subs & Sides, LLC 4514 Rhode Island Avenue North Brentwood, MD 20722 | |
| Staff Reviewer: Todd Price Phone Number: 301-952-3994 Email: Todd.Price@ppd.mncppc.org | |



| | |
|------------------------------|------------|
| Planning Board Date: | 10/19/2023 |
| Planning Board Action Limit: | 10/23/2023 |
| Staff Report Date: | 10/04/2023 |
| Date Accepted: | 07/14/2023 |
| Informational Mailing: | 01/19/2023 |
| Acceptance Mailing: | 07/05/2023 |
| Sign Posting Deadline: | 09/19/2023 |

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-21025
Chesapeake Bay Critical Area Conservation Plan CP-21004
Special Permit SP-210002
Seafood Subs & Sides

The Urban Design staff has completed the review of the detailed site plan, conservation plan, special permit, and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

EVALUATION CRITERIA

This property is within the Neighborhood Activity Center (NAC) Zone; however, this application is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Section 27-1903 of the Zoning Ordinance, which allows an application for a project to be reviewed and approved under the prior Zoning Ordinance. A pre-application conference with the applicant was held on May 22, 2023.

Chesapeake Bay Critical Area Conservation Plan CP-21004 was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Chesapeake Bay Critical Area Intense Development Overlay (I-D-O) Zone.

Detailed Site Plan DSP-21025 and Special Permit SP-210002 were reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the prior Prince George's County Zoning Ordinance.
- b. The requirements of the Development District Overlay (D-D-O) Zone standards of the 2004 *Gateway Arts District Approved Sector Plan and Sectional Map Amendment* for the Neighborhood Arts and Production Character Area.
- c. The requirements of the 2010 *Prince George's County Landscape Manual*.
- d. The requirements of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.

- e. The requirements of the Prince George’s County Tree Canopy Coverage Ordinance.
- f. Referral comments.

FINDINGS

Based upon the analysis of the subject detailed site plan, conservation plan, and special permit, the Urban Design staff recommend the following findings:

1. Request: The subject application is for approval of a detailed site plan (DSP), Chesapeake Bay Critical Area conservation plan (CP), and special permit (SP) for a proposed 12 seat café on the ground level of an existing single-family detached dwelling. The upper floor of the existing dwelling will remain as a dwelling unit. There is an existing concrete parking area that was constructed by a prior owner circa 2000, without a permit or CP. The proposed application makes no additions or modifications to the existing dwelling, apart from adding Americans with Disabilities Act compliant access to the building and business signage. The proposed application will remove part of the existing concrete pad and add new stormwater management (SWM) measures and landscaping.

2. Development Data Summary:

| | EXISTING | PROPOSED |
|------------------------------------------|-----------------|-------------------|
| Zone(s) | NAC | Prior M-U-I/D-D-O |
| Use(s) | Residential | Mixed |
| Acreage | 0.1269 | 0.1269 |
| Net tract area | 0.1269 | 0.1269 |
| Area within existing 100-year floodplain | 0 | 0 |
| Number of lots | 1 | 1 |
| Minimum lot area (square feet) | N/A | N/A |
| Parking spaces required* | 4 | 4 |

Note: *The parking space requirement is based on dwelling units (1 space per unit) and proposed seats for the café (1 space per 3 seats). Based on one dwelling unit and 12 proposed seats, the requirement is 5 spaces. However, per the 2004 *Gateway Arts District Approved Sector Plan and Sectional Map Amendment* (sector plan) standards, 80 percent of the required parking spaces are allowed, which would lower the requirement to 4 spaces. The applicant has provided four parking spaces.

- 3. Location:** The property is located at 4514 Rhode Island Avenue, in the Town of North Brentwood, Maryland, at the intersection of Rhode Island Avenue and Wallace Road. The property is within Planning Area 68 and Council District 2.
- 4. Surrounding Uses:** The subject property is located at the southwest intersection of Rhode Island Avenue and Wallace Road. North and south of the subject property are vacant properties with a mix of residential and commercial uses beyond. To the east, beyond Rhode Island Avenue, are commercial uses in the Neighborhood Activity Center (NAC) Zone.

West of the subject property are residential uses in the NAC Zone, and beyond in the Residential Single-Family 65 Zone.

5. **Previous Approvals:** A Natural Resources Inventory Plan (NRI-049-13) was approved on April 4, 2013. The property is currently subject to NRI-049-13-01, which was approved on September 30, 2021. A SWM Concept Plan, 42831-2021-0, was approved on January 7, 2022. There are no other approvals for this property.
6. **Design Features:** The subject site is improved with an existing two-story, single-family detached dwelling that was constructed in the early 1900s and has a gross floor area of approximately 1,330 square feet. A portion of the property is within the Chesapeake Bay Critical Area Intense Development Overlay (I-D-O) Zone. As previously discussed, there is an existing concrete parking area that was constructed by a prior owner circa 2000, without a permit or CP. The parking area consists of four parking spaces and is further discussed in Finding 9 below.

The sector plan superimposed the Development District Overlay (D-D-O) Zone on the subject property, placing the property in the Neighborhood Arts and Production (NAP) Character Area.



Signage

The applicant included a signage detail with this DSP. The painted 4-foot by 8-foot, 32-square-foot, flat mounted plywood panel sign will be mounted to the northeast façade which faces Wallace Road. The sign's trim and color scheme will complement the existing building's trim and colors. The 32-square-foot total area conforms to the 50-square-foot maximum, as regulated by Section 27-613(c)(3)(D) of the prior Prince George's County Zoning Ordinance. No other signage is proposed with this application.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Chesapeake Bay Critical Area (CBCA) Ordinance:** The site is partially located within the I-D-O Zone; therefore, the site is subject to the CBCA regulations. The purposes of the I-D-O Zone, as outlined in Section 27-548.13 of the prior Zoning Ordinance, are to accommodate existing residential, commercial, or industrial land uses within the CBCA; to promote new residential, commercial, and industrial land uses in accordance with development intensity limits designated for the I-D-O Zone in this Subtitle; to conserve and enhance fish, wildlife, and plant habitats; and to improve the quality of runoff that enters the tributary streams of the Chesapeake Bay from developed areas. The regulations concerning the impervious surface ratio, density, slopes, and other provisions for new development in the I-D-O Zone are contained in Subtitle 5B of the Prince George's County Code, as follows:

Section 5B-113. – Intense Development Overlay (I-D-O) Zones.

- (e) **Development standards. The following development standards must be demonstrated within the I-D-O Zone:**

- (1) **For redevelopment plans, opportunities to reduce impacts on water quality generated by existing development shall be analyzed;**

The DSP and CP result in a reduction of the total area of impervious surface. SWM is provided using best management practices (BMPs), including a rain garden and rain barrels. The effects of these efforts on water quality are analyzed with the 10 percent pollutant reduction worksheet included on the plans.

- (2) **Urban Best Management Practices (BMPs) for stormwater treatment shall be considered and, where appropriate, implemented as part of all plans for development and redevelopment;**

The DSP and CP utilize BMPs and have an approved SWM Concept Plan, 42831-2021-0, which was approved on January 7, 2022, and expires on January 7, 2025.

- (3) **Stormwater shall be addressed in accordance with the following provisions:**

- (A) **Development or redevelopment projects shall use technologies as required by applicable ordinances in order to minimize adverse impacts to water quality caused by stormwater.**

- (B) **In the case of redevelopment, if these technologies do not reduce pollutant loadings measured by use of the keystone pollutant method by at least 10 percent below the level of pollution on the site prior to redevelopment, then offsets shall be provided. Guidance for compliance with this requirement is provided in the Critical Area 10% Rule Guidance Manual – Fall 2003 and as may be subsequently amended.**

- (C) **In the case of new development, offsets shall be used if they reduce pollutant loadings by at least 10 percent of the pre-development levels. Guidance for compliance with this requirement is provided in the Maryland Chesapeake and Atlantic Coastal Bays Critical Area 10% Rule Guidance – Fall 2003 and as may be subsequently amended.**
- (D) **Offsets may be provided either on or off site, provided that water quality benefits are equivalent, that the benefits are obtained within the same watershed, and that the benefits can be determined through the use of modeling, monitoring, or other computation of mitigation measures. Guidance regarding offsets is provided in the Maryland Chesapeake and Atlantic Coastal Bays Critical Area 10% Rule Guidance–Fall 2003.**

BMPs have been used to address water quality. However, despite an approved SWM concept plan from the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE), the 10 percent pollutant reduction worksheet indicates that the pollutant removal requirement is not met through the BMPs. The worksheet shows the BMPs reduce pollution by 4.8 percent. In a footnote on the worksheet, the applicant proposes meeting the remaining 5.2 percent shortfall by the on-site planting of 5 trees and 16 shrubs. A condition will be added below to further address this issue with DPIE.

- (4) **There is no Critical Area lot coverage maximum in the I-D-O, however, where practicable, permeable areas shall be established in vegetation, and whenever possible, redevelopment shall reduce existing levels of pollution.**

The proposed plan reduces the amount of impervious coverage. All permeability areas will be vegetated to the maximum extent possible. A Chesapeake Bay Conservation and Planting Agreement will be added as a condition below, to ensure the planting and maintenance of all proposed landscaping.

- (5) **Areas of public access to the shoreline, such as foot paths, scenic drives, and other public recreational facilities, should be maintained and, if possible, encouraged to be established within the I-D-O.**

This criterion does not apply, as the property does not include public access to a shoreline or public recreational facilities.

Staff recommend approval of Conservation Plan CP-21004.

- 8. **Prince George’s County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the prior Mixed Use–Infill (M-U-I) and D-D-O Zones and the site plan design guidelines of the Zoning Ordinance.

- a. The subject application is in conformance with the requirements of Section 27-546.17 of the prior Zoning Ordinance. Both the eating and drinking establishment without a drive-through use and the dwelling unit within a building containing a commercial use are permitted. However, the D-D-O Zone standards in the NAP Character Area require that “Cafes, for table and/or bar service of tea, coffee, other beverages and food” are permitted with a SP and require a DSP.
- b. Section 27-239.02(6), Special Permits, of the prior Zoning Ordinance, prescribes the following required finding for approval of a SP:

(C) The Planning Board may grant a Special Permit in other zones, as provided in the use tables, if it finds:

- (i) The site plan generally conforms with design guidelines in an approved Master Plan or other applicable plan; and**
- (ii) The site plan shows that the proposed use will not be incompatible with adjacent properties because of building or site design.**

This application is subject to the D-D-O Zone standards in the sector plan. The sector plan seeks to:

1. Facilitate the development, redevelopment, and renovation of small businesses compatible with the surrounding neighborhood, but discourage stores whose primary goods include beer, wine, cigarettes, and lottery tickets.
2. To encourage neighborhood and convenience services and retail establishments within easy walking distance of residences.
3. To offer opportunities for residential and artist studio spaces above ground-level retail.
4. To provide design, landscaping, and screening methods to mitigate the impact of neighborhood commercial uses on the traditional residential neighborhoods.

The proposed arts café is in harmony with the surrounding mix of residential and commercial uses, as it will maintain its single-family dwelling character while offering services within walking distance of said uses. The café will also maintain residential space above ground level. The proposed use has adequate off-street parking, landscaping, and lighting. Also, the use has been designed to mitigate impacts on neighboring residential uses. Parking is designed towards Rhode Island Avenue, and lighting will be directed so as not to encroach on neighboring residential uses. Existing fencing and proposed landscaping will further mitigate impacts. As such, staff find that the proposed arts café use is compatible with the goals of the D-D-O Zone standards.

c. Section 27-548.25, Site Plan Approval, of the prior Zoning Ordinance, gives the following additional considerations for sites in development districts:

(b) In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.

Staff find that the DSP conforms to all applicable development district standards. This is discussed further in Finding 9 below.

9. 2004 Gateway Arts District Approved Sector Plan and Sectional Map Amendment: The subject property is within the NAP Character Area of the Gateway Arts District D-D-O Zone.

This DSP is exempt from the development district standards per Exemption 9(a) of the sector plan which states:

9. Miscellaneous. The following are exempt from the development district standards and DSP review, if the existing or proposed use is permitted:

a. Permits for alteration or rehabilitation, with no increase of the existing gross floor area, including existing porches or decks.

This application proposes no alteration, rehabilitation, or increase in gross floor area. However, as required in the sector plan, uses that are permitted with a SP require a DSP. A café in the NAP character area requires a SP and a DSP.

The applicable D-D-O Zone standards for the NAP character area are as follows:

Parking and Loading

3. Parking for a residential and live/work use shall be a minimum of 1 and a maximum of 2 on-site spaces per unit. If additional parking is provided, it shall be structured.

6. If a parking district(s) is established in the Arts District or individual municipality, the number of off-street surface parking spaces, for uses with at least 35,000 SF of GFA, other than artist studio, residential and live/work shall not exceed 80 percent of the number of off-street parking spaces required by Section 27-568(a) of the Zoning Ordinance. If additional parking is provided, it shall be structured. Required parking may be on or off site but shall be located within on-quarter mile of the development site. This section's requirements shall apply to all developments under 35,000 SF of GFA.

This development is under 35,000 square feet of gross floor area. The required parking for the proposed uses is one space for the dwelling unit and one space for every three seats in the café. The café proposes 12 seats which would require 4 spaces. The combined total would be five spaces. However, per the parking requirements set forth in Part 11 of the sector plan, only 80 percent of the parking

spaces are required, which lowers the overall requirement to 4 spaces. This DSP proposes four spaces, which staff find acceptable.

Siting and Access

- 4. Parking shall not be located between the sidewalk or street and the building.**

Parking is located to the side of the building and is accessed from Wallace Road.

Fencing, Walls, Screening, and Buffering

- 1. Opaque walls and fences, with the exception of required screening, shall not exceed four feet in height. Non-opaque fences shall not exceed six feet in height.**

The existing fencing on the subject property is exempt from this requirement per Exemption 9(a) of the sector plan.

Dumpsters, Services, Utilities, Outdoor Storage, and Stormwater

- 1. New techniques and methods of collecting and treating stormwater should be used as they emerge, such as micromanagement described in the current version of the design manual.**

The proposed SWM meets these standards as discussed previously in Finding 7.

Lighting

- 2. Illumination shall be provided for main entrances, passageways, parking lots, recycling areas, service entrances and areas, alleys, pathways, and plazas.**

The proposed and existing lighting shown on the DSP meets this requirement.

- 4. Fixtures should be located and shielded so that light does not spill from a parking lot onto an adjacent one-family residential property or into residential building windows.**

Proposed and existing light fixtures are mounted on the building and are directed away from adjacent residential property.

Landscaping

- 2. Shade trees with a minimum of 2 ½ to 3-inch caliper shall be provided at the rate of one shade tree per every 5,000 square feet of the gross site area.**

Two proposed shade trees are provided for the subject property's 5,526 square feet of area.

3. **Parking lots shall be planted with a minimum of one shade tree per every ten spaces in the provided corners, bump-outs, or islands, from above or at the ground level.**

The applicant proposes a total of four parking spaces, and as a result, will be required to provide one shade tree to meet this requirement. The applicant proposes two shade trees and will meet this requirement as proposed.

Signage

4. **Sign locations should be incorporated into the overall architectural design of the building.**

The proposed flat-mounted sign will complement the existing building's color.

9. **Sign area shall not exceed the regulations of Section 27-613(c), (f), and 27-107.01 of the Zoning Ordinance.**

Section 27-613(c)(3)(D) limits the maximum sign area to 50 square feet. The proposed 4-foot by 8-foot, flat-mounted sign, as shown on the plans, is 32 square feet.

10. **2010 Prince George's County Landscape Manual:** The site plan is not subject to the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The development district standards contained in the sector plan replace all those contained in the Landscape Manual.
11. **2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property contains less than 10,000 square feet of woodland on-site and has no previous tree conservation plan approvals. A Standard Letter of Exemption (S-184-2021) from the WCO was issued for this site and expires on September 29, 2023. At the time of the writing of this technical staff report, the woodland conservation exemption letter was valid. Prior to certification of the DSP, a valid exemption letter is required.
12. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the County Code requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties that are zoned M-U-I are required to provide a minimum of 10 percent of the gross tract area in TCC. According to the TCC schedule, the site is 0.1269 acre, resulting in a TCC requirement of 553 square feet. The schedule shows that the requirement will be met on-site through proposed landscaping.
13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—In a memorandum dated August 3, 2023 (Stabler to Price), the Historic Preservation Section stated that the subject property does not contain and is not adjacent to any designated Prince George's County historic sites or

resources. Historic Preservation Section staff recommend approval of DSP-21025, SP-210002, and CP-21004, for Seafood Subs and Sides, with no conditions.

- b. **Community Planning**—In a memorandum dated September 14, 2023 (Selvakumar to Price), the Community Planning Division found that the application conforms to the goals of the sector plan and cited no issues.
- c. **Transportation Planning**—In a memorandum dated September 18, 2023, the Transportation Planning Section found that the application meets the criteria for a DSP, as outlined in Section 27-283 of the prior Zoning Ordinance, along with a SP, as outlined in Section 27-239.02. The Transportation Planning Section determined that this plan is acceptable.
- d. **Subdivision**—In a memorandum dated August 30, 2023, the Subdivision Section found that the subject property was exempt from a preliminary plan of subdivision, as the property is the subject of a final plat approved prior to October 27, 1970, and the proposed development is an addition to a development in existence prior to January 1, 1990, and does not exceed 5,000 square feet of gross floor area. The Subdivision Section did note that all bearings and distances must be clearly shown on the site plan and must be consistent with the legal description, or permits will be placed on hold until the plans are corrected. There were no recommended conditions of approval.
- e. **Environmental Planning**—In a memorandum dated September 21, 2023 (Juba to Price), the Environmental Planning Section recommended approval of DSP-21025, SP-210002, and CP-21004 with the following comments regarding the subject application:

Background

The following applications and associated plans have been reviewed for the subject site:

| Development Review Case Number | Associated Tree Conservation Plan or Natural Resources Inventory Number | Authority | Status | Action Date | Resolution Number |
|--------------------------------|-------------------------------------------------------------------------|----------------|----------|-------------|-------------------|
| N/A | NRI-049-13-01 (NRI-EL) | Staff | Approved | 9/30/2021 | N/A |
| N/A | S-184-2021 | Staff | Approved | 9/21/2021 | N/A |
| SP-210002 | NA | Planning Board | Pending | Pending | Pending |
| DSP-21025 | NA | Planning Board | Pending | Pending | Pending |
| CP-21004 | NA | Planning Board | Pending | Pending | Pending |

Proposed Activity

The current application is for the construction of a proposed arts café on the ground level of an existing single-family dwelling, with the upper floor to remain as a dwelling unit.

The current zoning for the site is NAC; however, the applicant has opted to apply the zoning standards to this application that were in effect prior to April 1, 2022, for the M-U-I Zone.

A portion of the site is also mapped within the I-D-O Zone of the CBCA.

Environmental Review

Natural Resources Inventory

The subject site has an approved Natural Resource Inventory Equivalency Letter (NRI-042-2019-01) dated September 30, 2021, which was included with the application package.

Woodland Conservation (Applicable to Area Outside of CBCA Only)

The site is exempt from the provisions of the WCO because the property contains less than 10,000 square feet of woodland and has no previous tree conservation plan approvals. Prior to certification of the DSP, a valid exemption letter is required.

Preservation of Regulated Environmental Features/Primary Management Area

For the area located outside of the CBCA only

Section 27-285(b)(4) of the prior Zoning Ordinance requires the following finding: "The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5)."

No regulated environmental features (REF) exist on-site; therefore, none will be impacted by the proposed development.

Chesapeake Bay Critical Area Commission Review

No comments were received from the CBCA Commission regarding this application.

Chesapeake Bay Critical Area Conservation Plan

One site plan was submitted for the DSP, CP, and SP. The required information such as existing and proposed conditions, lot coverage calculations, and proposed landscape planting information was included in this set of plans. Since much of the site was previously developed without permits, the lot coverage calculations have included both the previously built but not permitted structures and all proposed structures with this application to validate them.

The overall lot coverage for the site will increase; however, there is no maximum for CBCA lot coverage requirement within the I-D-O Zone. Similarly, there is also no minimum allowable lot coverage for the underlying M-U-I Zone. The lot coverage proposed is 65.2 percent based on CBCA lot coverage calculations, and 52.6 percent based on Zoning Ordinance lot coverage calculations.

Ten Percent Pollution Reduction Calculations

The 10 percent pollutant reduction calculations demonstrating that the post-development impervious area of the site will result in at least a 10 percent reduction in pollutant run-off from the site are required for projects in the I-D-O Zone. The calculations are shown on the CP but demonstrate that the requirement has not been fully met with this design. The calculations on the plans show a pollution requirement of 0.095 pounds per year of total phosphorous removal; however, only 0.044 pounds per year are being proposed using a rain garden and rain barrels. It was noted that DPIE did not mention the 10 percent requirement for final design on their SWM approval letter (42831-2021-00) and the calculations were not shown on the associated plans. These calculations are usually also included on the SWM concept plan or conditioned to be included on the technical SWM plan by DPIE.

Chesapeake Bay Conservation and Planting Agreement

A Chesapeake Bay Conservation and Planting Agreement will be required to be executed and recorded prior to certification approval for development of the site.

Chesapeake Bay Conservation Easement

A conservation easement will not be required for this site. The site does not contain any woodland that is to remain.

Stormwater Management

An approved SWM Concept Letter and Plan (42831-2021-00) was submitted with this application, which expires on January 7, 2025. Within the area of this application, the approved SWM concept plan shows the use of one rain garden and five rain barrels.

- f. **Prince George's County Fire/EMS Department**—In an email dated July 17, 2023 (Reilly to Price), the Fire/EMS Department offered no comments.
- g. **Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE)**—In a memorandum dated July 18, 2023 (Branch to Price), DPIE commented that the subject property is served via public water and sewer facilities.
- h. **Prince George's County Police Department**—As of the writing of this technical staff report, the Police Department did not provide comments.
- i. **Prince George's County Health Department**—In a memorandum dated July 20, 2023 (Adepoju to Price), the Health Department offered five comments and recommendations that have been included herein by reference.
- j. **Washington Suburban Sanitary Commission (WSSC)**—As of the writing of this technical staff report, WSSC did not provide comments.
- k. **Town of North Brentwood**—As of the writing of this technical staff report, the Town of North Brentwood did not provide comments.

14. Based on the foregoing analysis, and as required by Section 27-285(b) of the prior Zoning Ordinance, the DSP represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
15. As required by Section 27-285(b)(4), the Prince George's County Planning Board should also find that the REFs on a site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations. No REFs exist on the subject site; therefore, this finding is not applicable.
16. **Community Feedback:** As of the writing of this technical staff report, Planning staff have not received any community feedback regarding this application.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommend that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-21025, Chesapeake Bay Critical Area Conservation Plan CP-21004, and Special Permit SP-210002, for Seafood Subs & Sides, subject to the following conditions:

1. Prior to certificate approval of Detailed Site Plan DSP-21025, Chesapeake Bay Critical Area Conservation Plan CP-21004, and Special Permit SP-210002, the applicant shall delete the proposed dimensions from the "Conservation Plan – Existing Conditions Plan" sheet.
2. Prior to certification of the conservation plan, the applicant shall execute and record a Chesapeake Bay Conservation and Planting Agreement. The agreement shall be reviewed by the County prior to recordation. The applicant shall provide a copy of the recorded agreement to the Maryland-National Capital Park and Planning Commission, and the liber/folio shall be shown below the conservation plan approval block.
3. Prior to certification of the conservation plan, the applicant shall work with the Prince George's County Department of Permitting, Inspections and Enforcement and demonstrate how the 10 percent reduction in pollutant run-off from the site will be fully met.
4. Prior to certification of the detailed site plan, a valid Prince George's County Woodland and Wildlife Habitat Conservation Ordinance exemption letter is required.

SEAFOOD SUBS & SIDES

CP-21004 & SP-210002

Detailed Site Plan DSP-21025

Conservation Plan CP-21004/Special Permit SP-210002

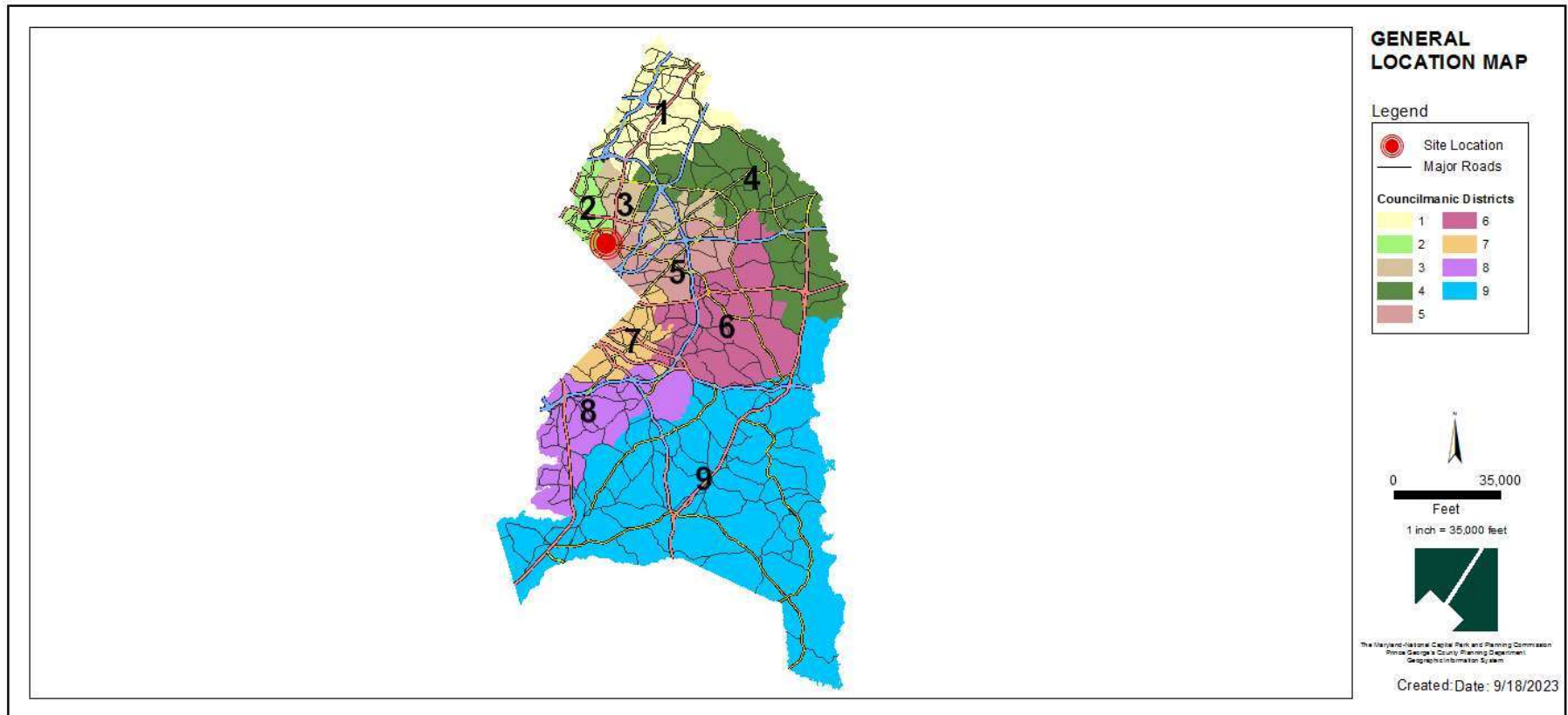
Staff Recommendation: APPROVAL with conditions



GENERAL LOCATION MAP

Council District: 02

Planning Area: 68



SITE VICINITY MAP



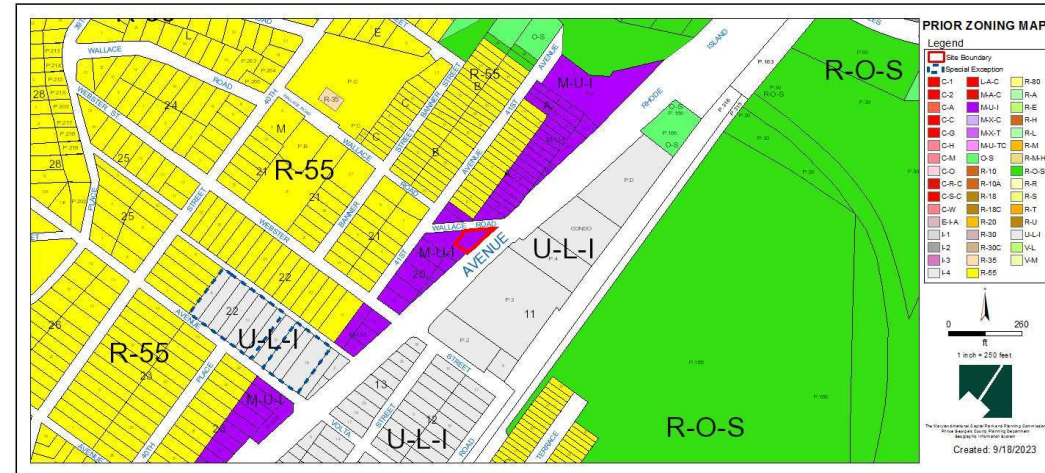
ZONING MAP (CURRENT & PRIOR)

Current Property Zone: NAC

Prior Property Zone: M-U-I

CURRENT ZONING MAP

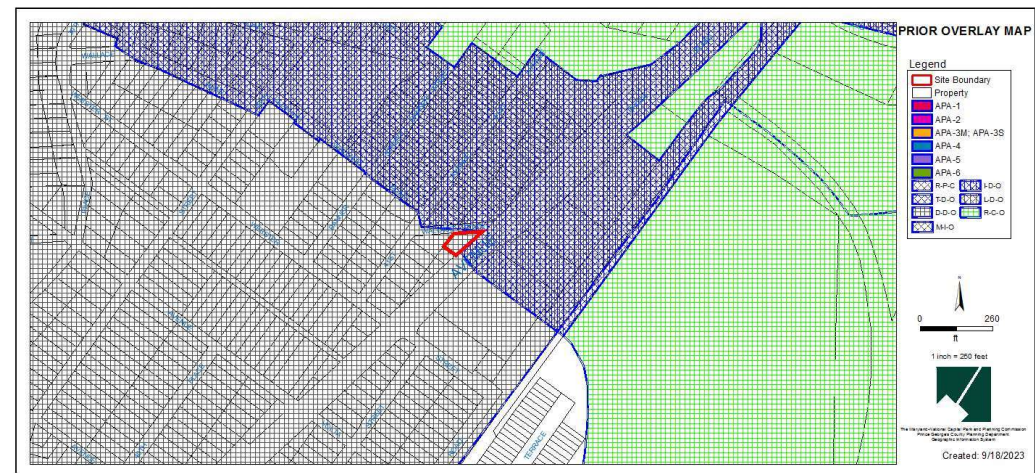
PRIOR ZONING MAP



OVERLAY MAP (CURRENT & PRIOR)

CURRENT OVERLAY MAP (N/A)

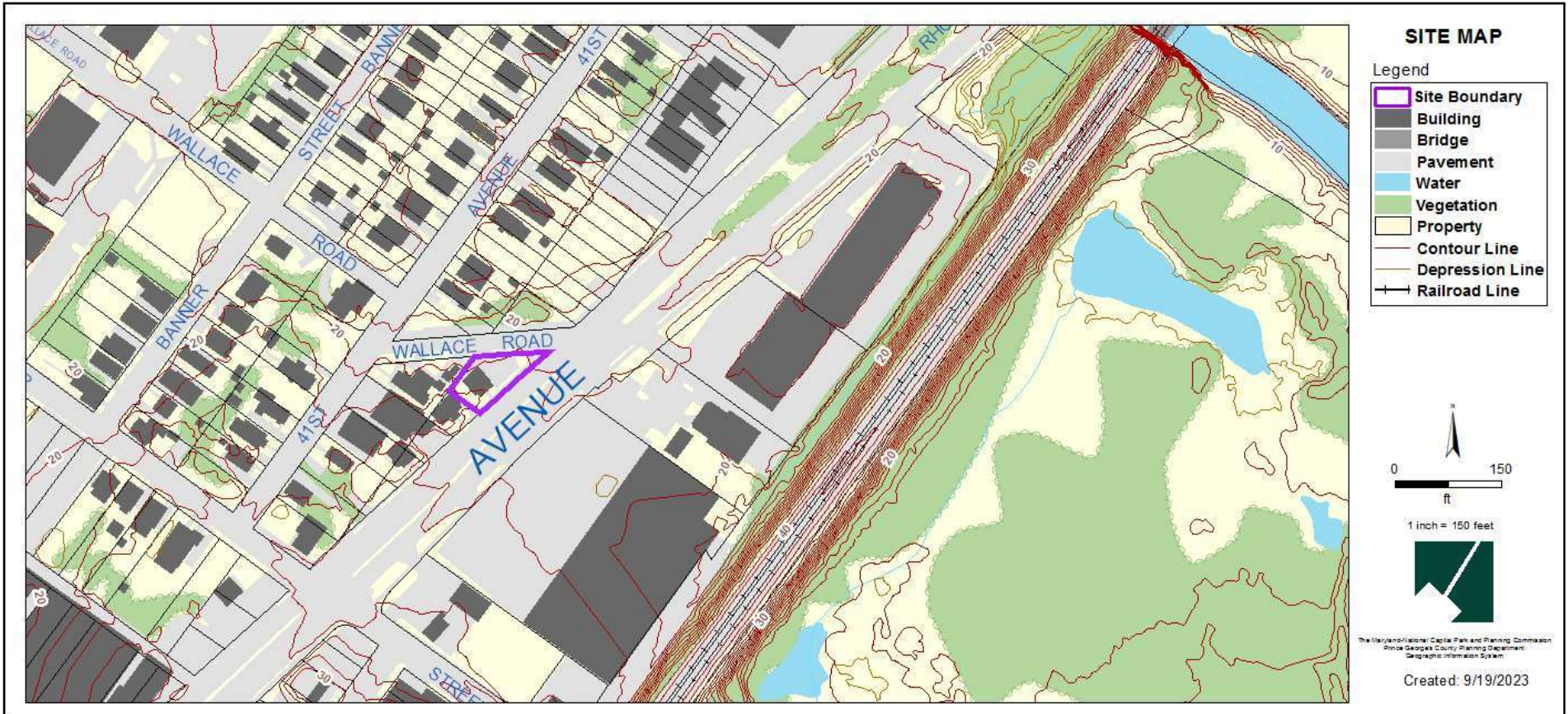
PRIOR OVERLAY MAP (D-D-O)



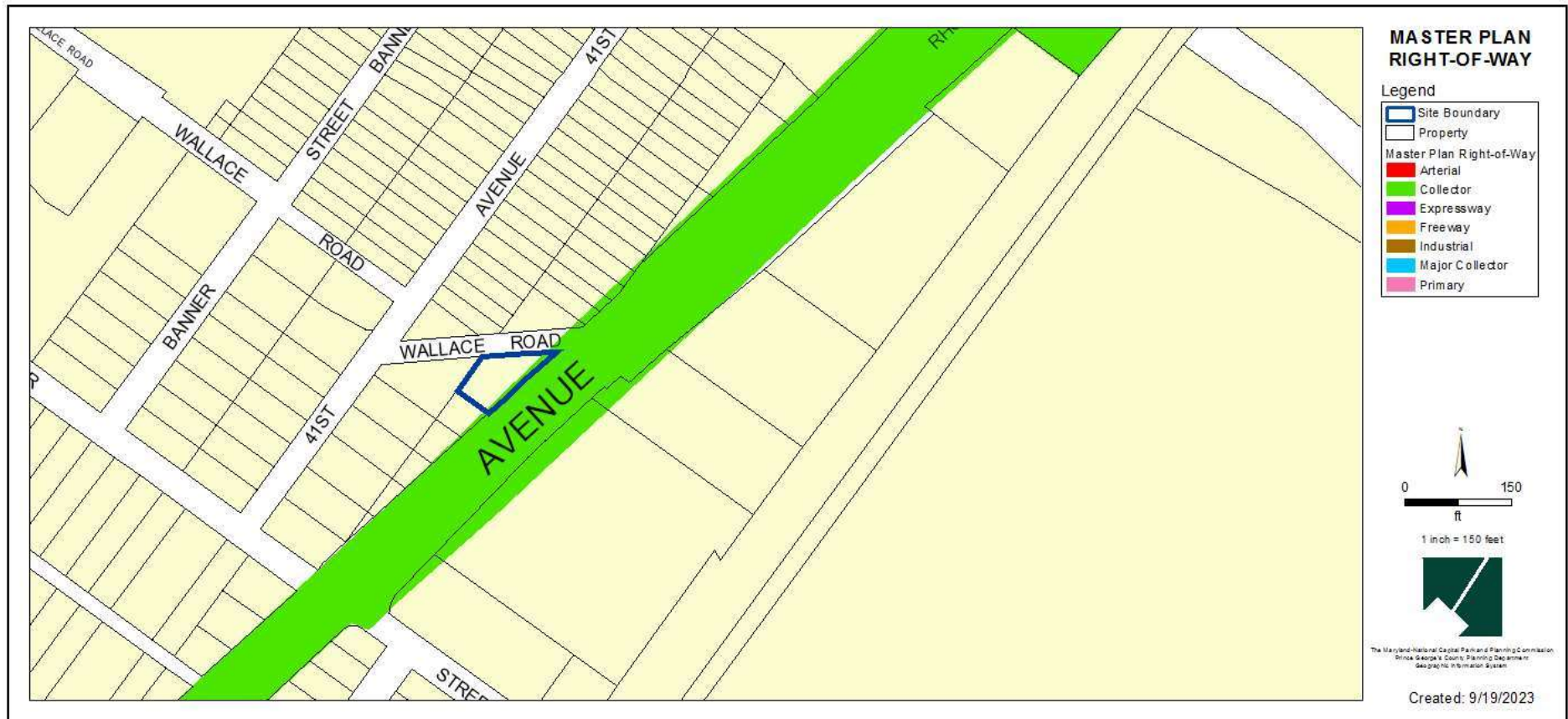
AERIAL MAP



SITE MAP



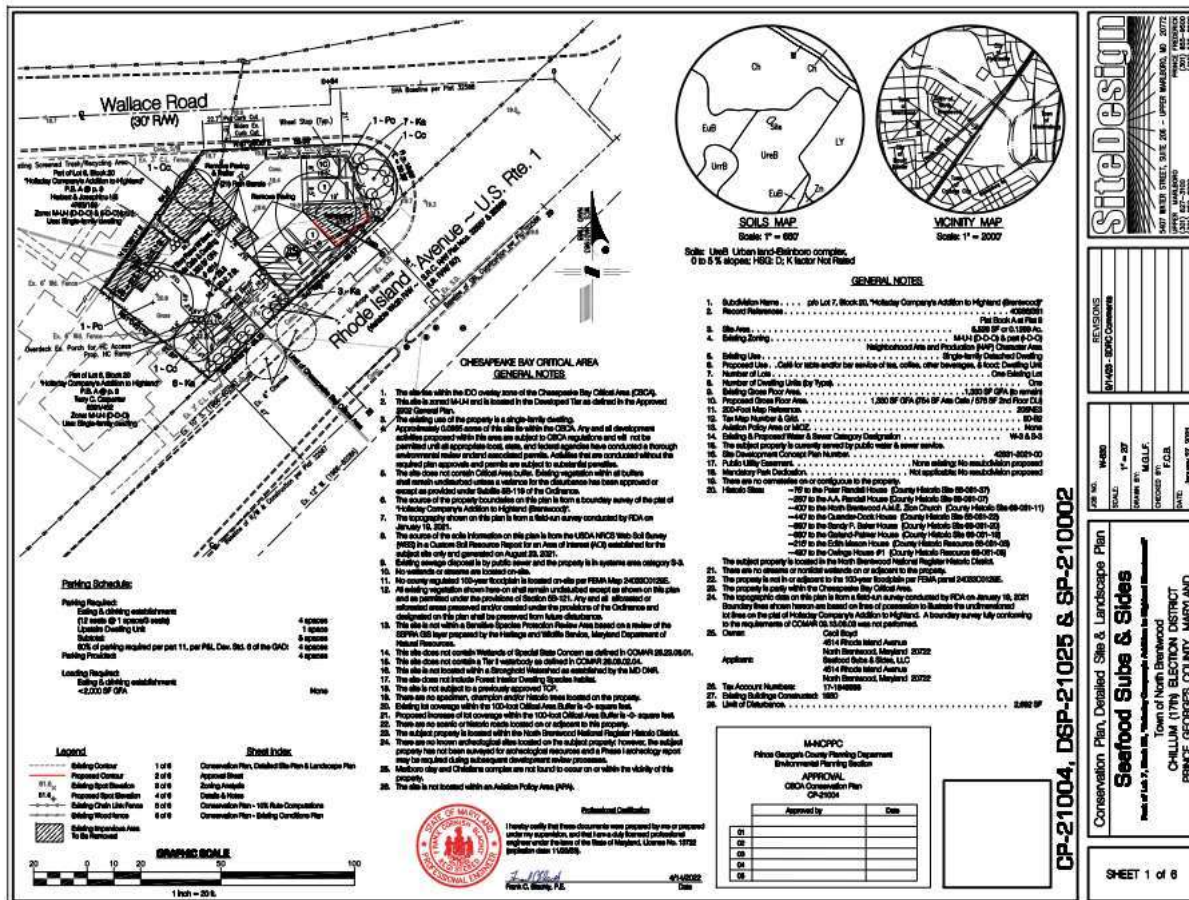
MASTER PLAN RIGHT-OF-WAY MAP



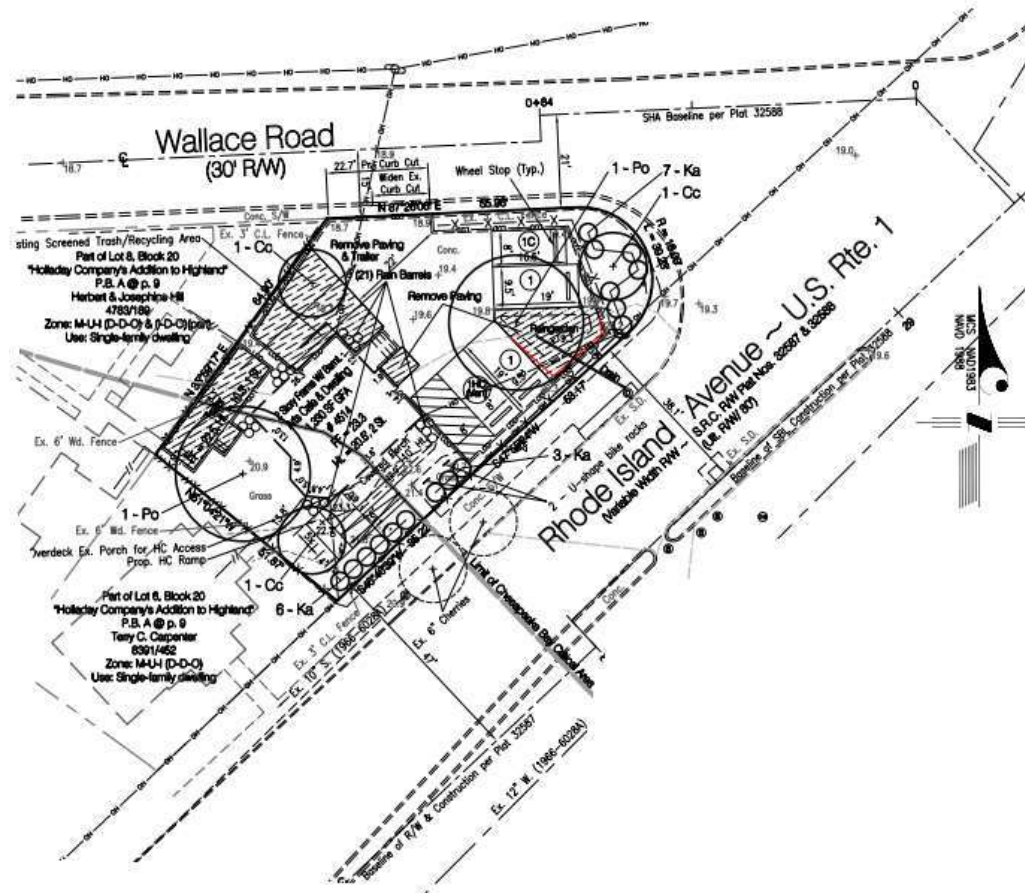
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



CONSERVATION, DETAILED SITE & LANDSCAPE



ENLARGED PLAN VIEW



EXTERIOR VIEWS OF EXISTING BUILDING

FRONT VIEW



LEFT SIDE VIEW



REAR VIEW



RIGHT SIDE VIEW



STAFF RECOMMENDATION

APPROVAL with conditions **Detailed Site Plan DSP-21025**
Conservation Plan CP-21004
Special Permit SP-210002

[Major/Minor] Issues:

- None

Applicant Required Mailings:

- Informational Mailing 1/19/2023
- Acceptance Mailing 7/5/2023
-

**STATEMENT OF JUSTIFICATION FOR
DETAILED SITE PLAN AND SPECIAL PERMIT**

DSP-21025 & SP-210002

**Seafood, Subs and Sides
An African American Café**

4514 Rhode Island Avenue
North Brentwood, Maryland 20722

Requests:

- 1) Approval of a Detailed Site Plan (DSP) is requested pursuant to §27-548.25 of the prior Zoning Ordinance in connection with the approval of a Special Permit to allow a Small Arts Café located at 4514 Rhode Island Avenue North Brentwood Maryland. The "Property" is located in the NAC (Neighborhood Activity Center Zone), but approval will be sought under the provisions of its former M-U-I (Mixed-Use Infill) Zone and the requirements for the Neighborhood Arts and Production (NAP) Character Area in the former Gateway Arts District Development District Overlay Zone.
- 2) Approval of the issuance of a Special Permit is requested pursuant to §27-239.02 of the prior Zoning Ordinance to permit the operation of an Arts Café on the Property.

While the proposed use is permitted in the current NAC Zone by right, variances would be required from the provisions of the Neighborhood Compatibility Standards, whereas no variances will be required under review pursuant to the prior Ordinance. And, the separate requirement for approval of a Conservation Plan to validate and improve unpermitted work in the Chesapeake Bay Critical Area means that there would be no time gained by proceeding under the current Ordinance.

Location and Description of Property:

The Property is located at 4514 Rhode Island Avenue, in the Town of North Brentwood, Maryland. It consists of 5,526 SF of land and is located at the southwest corner of the intersection of Rhode Island Avenue and Wallace Street. The Property is currently occupied by a 2-story single-family detached residence constructed in the early 1900s which has a gross floor area of approximately 1,330 SF. Other existing improvements primarily consist of an existing concrete pad which was constructed by a prior owner c. 2000 without the issuance of a grading permit or approval of a Conservation Plan. The Property is served by both public water and sewer, and while it is not located in the 100-year floodplain, the eastern half of the property is located within the I-D-O overlay of the Chesapeake Bay Critical Area.

The Property is abutted by two single-family residential lots, both with the same NAC current and former M-U-I/D-D-O zoning classifications.

Description of Proposed Use:

The proposed use of the Property is the operation of a Small Arts Café on the ground level of the existing single-family dwelling structure. The upper floor will remain as a dwelling unit.

The parking area for the Arts Café will be located on part of an existing concrete pad, which was constructed without a permit by a prior owner, c. 1999 or 2000. The approved Site Development Concept Plan and the companion Conservation Plan propose the removal of part of the existing concrete pad, removal of an existing storage trailer, and the construction of new stormwater management measures such that the remaining concrete pad can be used as parking for the proposed Arts Café, and will meet all of the regulations now in force for stormwater management and for development in the Chesapeake Bay Critical Area as if it were newly-proposed.

The proposed Small Arts Cafe will serve local residents in the community with a focus on African American Culture, Arts, Food and Beverages. The owner of the Property (who is also the Executive Director of the Small Arts Cafe) currently resides at the Property and intends to continue using the Property as his personal residence.

Required Findings:

1. Detailed Site Plan:

Section 27-548.25(a) of the prior Zoning Ordinance lays out the criteria for approval of a site plan in a Development District Overlay Zone. It provides that,

(a) Prior to issuance of any grading permit for undeveloped property or any building permit in a Development District, a Detailed Site Plan for individual development shall be approved by the Planning Board in accordance with Part 3, Division 9. Site plan submittal requirements for the Development District shall be stated in the Development District Standards. The applicability section of the Development District Standards may exempt from site plan review or limit the review of specific types of development or areas of the Development District.

(b) In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.

The Applicant contends that because the existing structure is proposed to remain without exterior alteration to contain the new use, the provisions of Section 9a of the Development District Standards on Page 141 of the *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*, exempt the existing structure from application of the Development District Standards, but agrees that the establishment of the new parking area on portions of the existing unapproved concrete pad is subject to the Standards, which will be discussed below.

(c) If the applicant so requests, the Planning Board may apply development standards which differ from the Development District Standards, most recently approved or amended by the District Council, unless the Sectional Map Amendment text specifically provides otherwise. The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

(d) Special Exception procedures shall apply to uses within a Development District as provided herein. Uses which would normally require a Special Exception in the underlying zone shall be permitted uses only if the Development District Standards so provide within a table of uses, and such uses shall instead be subject to site plan review by the Planning Board. Development District Standards may restrict or prohibit any such uses. The Planning Board shall find in its approval of the

site plan that the use complies with all applicable Development District Standards, meets the general Special Exception standards in Section 27-317(a)(1), (4), (5), and (6), and conforms to the recommendations in the Master Plan, Master Plan Amendment, or Sector Plan.

(e) If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.

Section 27-285(b) of the former Zoning Ordinance applies further requirements for approval of Detailed Site Plans generally; those are as follows:

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

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

(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in §27-274 of the County Code, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of §24-130(b)(5) of the County Code.

2. Special Permit:

Pursuant to §27-239.02(a)(6)(C), the required findings for the issuance of a Special Permit are as follows:

(C) The Planning Board may grant a Special Permit in other zones, as provided in the use tables, if it finds:

(i) The site plan generally conforms with design guidelines in an approved Master Plan or other applicable plan; and

(ii) The site plan shows that the proposed use will not be incompatible with adjacent properties because of building or site design.

Requests and Conformance to Required Findings for Each Request:

1. Detailed Site Plan:

The criteria of Section 27-548.25 establish the required findings for approval of a site plan in a Development District Overlay Zone. Those provisions are:

(a) Prior to issuance of any grading permit for undeveloped property or any building permit in a Development District, a Detailed Site Plan for individual development shall be approved by the Planning Board in accordance with Part 3, Division 9. Site plan submittal requirements for the Development District shall be stated in the Development District Standards. The applicability section of the Development District Standards may exempt from site plan review or limit the review of specific types of development or areas of the Development District.

While the provisions of Section 9a of the Development District Standards on Page 141 of the *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*, could be construed as exempting this Detailed Site Plan from application of the Development District Standards, the applicant does agree that the establishment of the new parking area on portions of the existing unapproved concrete pad is subject to the Standards, and the Detailed Site Plan review is required in any case by the requirement for approval of a Special Permit for the proposed use. As stated above, however, the Applicant does contend that because the existing structure is proposed to remain without exterior alteration to contain the new use, the provisions of Section 9a of the Development District Standards on Page 141 of the *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* do exempt the existing structure from application of the Development District Standards.

(b) In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.

The conformance of the proposed development to each of the applicable Development District Standards is laid out on Sheet 3 of 6 of the Detailed Site Plan set.

(c) If the applicant so requests, the Planning Board may apply development standards which differ from the Development District Standards, most recently approved or amended by the District Council, unless the Sectional Map Amendment text specifically provides otherwise. The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

No approval of modified development standards is requested.

(d) Special Exception procedures shall apply to uses within a Development District as provided herein. Uses which would normally require a Special Exception in the underlying zone shall be permitted uses only if the Development District Standards so provide within a table of uses, and such uses shall instead be subject to site plan review by the Planning Board. Development District Standards may restrict or prohibit any such uses. The Planning Board shall find in its approval of the site plan that the use complies with all applicable Development District Standards, meets the general Special Exception standards in Section 27-317(a)(1), (4), (5), and (6), and conforms to the recommendations in the Master Plan, Master Plan Amendment, or Sector Plan.

This finding is not applicable to the subject development.

(e) If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.

No variance or departure is required.

The proposed Detailed Site Plan for the Property also satisfies the basic criteria for approval of a Detailed Site Plan pursuant to §27-285(b). Those criteria are discussed as follows:

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

The site design guidelines applicable to the criterion above are found in §27-274(a). These are discussed following, seriatim:

*(1) General.
(A) The Plan should promote the purposes of the Conceptual Site Plan.*

No Conceptual Site Plan is associated with the subject project.

(B) The applicant shall provide justification for, and demonstrate to the satisfaction of the Planning Board or District Council, as applicable, the reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings set forth in paragraph (11), below.

No townhouses or three-family dwellings are associated with the subject project.

*(2) Parking, loading, and circulation.
(A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:
(i) Parking lots should generally be provided to the rear or sides of structures;
(ii) Parking spaces should be located as near as possible to the uses they serve;
(iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;
(iv) Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses;
(v) Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings;*

There is one parking area with 4 designed parking spaces associated with this project, which is located to the side of the existing structure. This parking area will be located on part of an existing concrete pad which was constructed without a permit by a prior owner c. 1999 or 2000. The approved Site Development Concept Plan and the companion Conservation Plan propose the removal of part of the existing concrete pad, removal of an existing storage trailer, and the construction of new stormwater management measures such that the remaining concrete pad can be used as a parking area for the

proposed Arts Café, and would meet all of the regulations now in force for stormwater management and for development in the Chesapeake Bay Critical Area as if it were newly-proposed.

- (B) *Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:*
- (i) *Loading docks should be oriented toward service roads and away from major streets or public view;*
 - (ii) *Loading areas should be clearly marked and should be separated from parking areas to the extent possible.*

There is no loading dock or loading space in connection with this project. As the Property is very small in scale and will retain the residential character of the existing structure, deliveries of materials and supplies will be correspondingly small in scale and residential in character.

- (C) *Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:*
- (i) *The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;*
 - (ii) *Entrance drives should provide adequate space for queuing;*
 - (iii) *Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;*
 - (iv) *Parking areas should be designed to discourage their use as through-access drives;*
 - (v) *Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;*
 - (vi) *Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;*
 - (vii) *Parcel pick-up areas should be coordinated with other on-site traffic flows;*
 - (viii) *Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;*
 - (ix) *Pedestrian and vehicular circulation routes should generally be separated and clearly marked;*
 - (x) *Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques;*
 - (xi) *Barrier-free pathways to accommodate the handicapped should be provided.*

There will only be one small parking area with four spaces, one dedicated handicap-accessible, without any drive-thru service associated with this project. Visitors will gain access from Wallace Street to the Property via the existing concrete driveway as shown on the DSP.

- (3) *Lighting.*
- (A) *For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:*

- (i) If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;*
- (ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;*
- (iii) The pattern of light pooling should be directed on-site;*
- (iv) Light fixtures fulfilling similar functions should provide a consistent quality of light;*
- (v) Light fixtures should be durable and compatible with the scale, architecture, and use of the site;*
- (vi) If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.*

The parking area is currently illuminated by existing building-mounted lighting.

- (4) Views.*
- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.*

No changes to the existing site layout are proposed other than removal of a portion of the existing concrete and construction of a rain garden for stormwater management.

- (5) Green area.*
- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:*
 - (i) Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;*

The green area at the Property is the existing lawn/yard area, which will be retained in keeping with the existing residential character of the Property and the character of the adjacent properties in the neighborhood. The proposed DSP will increase the green area currently existing by removal of a portion of the existing concrete pad, and will be supplemented by tree and other landscape planting to meet the phosphorus removal requirements of the Chesapeake Bay Critical Area.

- (ii) Green area should link major site destinations such as buildings and parking areas;*

The path from the parking area to the front door passes through the existing yard.

- (iii) Green area should be well-defined and appropriately scaled to meet its intended use;*

The green areas generally extend from the residence to the perimeter lot line areas of the Property and are appropriate for the principally residential character of the Property.

(iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;

Not applicable to the subject Property.

(v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;

As described above, the existing lawn/yard area, which will be retained in keeping with the existing residential character of the Property and the character of the adjacent properties in the neighborhood.

(vi) Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and

While there are no woodland conservation requirements connected with this site, nor any regulated environmental features, existing trees around the site's perimeter will be preserved to preserve the Property's existing visual character, and supplemented with new planting to meet the phosphorus removal requirements of the Chesapeake Bay Critical Area.

(vii) Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.

Given the scale and residential character of the green space at the Property, supplemental accents are not proposed.

(B) The application 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).

No regulated environmental features are associated with this project.

(6) Site and streetscape amenities.

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

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

No new light fixtures, benches or other street furniture are proposed. Trash receptacles will be kept inside the house and put out to the curb on designated trash collection days.

(ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;

Not applicable to this Property.

(iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;

The Property has clear, visible, and accessible walkway areas to and from the existing structure.

(iv) Amenities should be functional and should be constructed of durable, low maintenance materials;

(v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;

(vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site;

Not applicable to this Property.

(vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.

The Small Arts Cafe will be handicapped-accessible to and from the outside walkway and driveway.

(7) Grading.

(A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:

(i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;

(ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;

(iii) Grading and other methods should be considered to buffer incompatible land uses from each other;

(iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and

No grading is proposed in connection with this Application.

(v) Drainage devices should be located and designed so as to minimize the view from public areas.

Stormwater runoff will be managed by a combination of tree planting, rain barrels and a rain garden. While all of these will be visible from public areas, their visual nature is more of a landscape feature than an engineered structure, and will thus visually contribute to the surrounding environment rather than detract from it.

(8) Service areas.

(A) Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:

- (i) Service areas should be located away from primary roads, when possible;*
- (ii) Service areas should be located conveniently to all buildings served;*
- (iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure;*

Services areas are not required for this Property and not applicable.

(iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.

The project is not a multiple building development.

(9) Public spaces.

(A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed...

The proposed development of the subject Property is neither a large-scale, nor multi-family development.

(10) Architecture.

(A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.

The existing building, which contributes to the existing historic character of the surrounding neighborhood, will be preserved as-is.

(11) Townhouses and three-family dwellings.

As the subject site does not contain townhouses or three-family dwellings, the six provisions in this subsection are not applicable to the subject project.

As the foregoing responses indicate, the Detailed Site Plan for the Property represents a reasonable alternative for satisfying the design guidelines. The basic findings for approval of a Detailed Site Plan in §27-285(b) continue as follows:

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

No Conceptual Site Plan is associated with this project.

(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

No Detailed Site Plan for Infrastructure is associated with this project.

(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).

No regulated environmental features are associated with this project.

Consequently, the Planning Board can find that all four of the criteria of §27-285(b) have been met.

2. Special Permit:

The project also satisfies the criteria for the issuance of a Special Permit pursuant to §27-239.02(a)(6)(C) of the former Zoning Ordinance. Those criteria are discussed as follows:

(i) The site plan generally conforms with design guidelines in an approved Master Plan or other applicable plan;

As described in the discussion of Section 27-548.25(b) and (c), above, the site plan conforms to all of the applicable Development District Standards in the *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*.

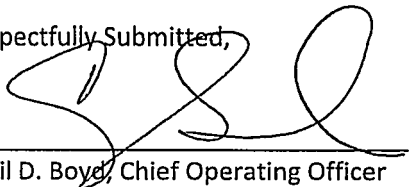
(ii) The site plan shows that the proposed use will not be incompatible with adjacent properties because of building or site design.

Because the proposed use will occupy the existing structure without exterior alteration, the character of the use will remain compatible with the adjacent properties because of its building design.

Conclusion:

In summary, because (i) the proposed DSP for the property satisfies the required findings set forth in §27-548.25 and §27-285(b) of the former Zoning Ordinance, and (ii) the Property satisfies the required findings set forth in §27-239.02 of the former Zoning Ordinance for issuance of a special permit to operate a Small Arts Café on the Property, the Planning Board is justified in granting approval for both the DSP and the issuance of a Special Permit for the Property

Respectfully Submitted,



Cecil D. Boyd, Chief Operating Officer
Seafood, Subs & Sides LLC.



September 21, 2023

MEMORANDUM

TO: Todd Price, Planner II, Zoning Section

VIA: Tom Burke, Supervisor, Environmental Planning Section *TB*

FROM: Marc Juba, Planner III, Environmental Planning Section *MJ*

SUBJECT: **Seafood, Subs and Sides; DSP-21025, SP-210002, and CP-21004**

The Environmental Planning Section (EPS) has reviewed the above-referenced Detailed Site Plan (DSP-21025), Special Permit (SP-210002), and Chesapeake Bay Critical Area Conservation Plan (CP-21004), initially received on July 14, 2023. Comments were provided to the applicant at the Subdivision and Development Review Committee (SDRC) meeting on August 4, 2023. Additional documents and subsequent revisions were submitted in response to these comments on September 14, 2023. The EPS recommends approval of DSP-21025, SP-210002, and CP-21004 with the recommended findings and conditions listed at the end of this memorandum.

BACKGROUND

The following applications and associated plans were previously reviewed for the subject site:

| Development Review Case # | Associated Tree Conservation Plan or Natural Resources Inventory # | Authority | Status | Action Date | Resolution Number |
|---------------------------|--------------------------------------------------------------------|----------------|----------|-------------|-------------------|
| N/A | NRI-049-13-01 (NRI-EL) | Staff | Approved | 9/30/2021 | N/A |
| N/A | S-184-2021 | Staff | Approved | 9/21/2021 | N/A |
| SP-210002 | NA | Planning Board | Pending | Pending | Pending |
| DSP-21004 | NA | Planning Board | Pending | Pending | Pending |
| CP-21004 | NA | Planning Board | Pending | Pending | Pending |

PROPOSED ACTIVITY

The current application is for the construction of a proposed arts café on the ground level of an existing single-family dwelling with the upper floor to remain as a dwelling unit.

The current zoning for the site is Transit-Oriented/Activity Development Neighborhood Activity Center (NAC); however, the applicant has opted to apply the zoning standards to this application that were in effect prior to April 1, 2022, for the Mixed-Use Infill (M-U-I) Zone.

A portion of the site is also mapped within the Intense-Development-Overlay (I-D-O) Zone of the Chesapeake Bay Critical Area (CBCA)

GRANDFATHERING

For the area located outside of the CBCA

The project is subject to the environmental regulations contained in Subtitle 25 and prior Subtitles 24 and 27 because the project is subject to a new detailed site plan.

For the area located inside of the CBCA

The project is subject to the environmental regulations contained in Subtitle 5B because the project is located within the I-D-O Zone of the CBCA. This portion of the site is also subject to the prior Subtitles 24 and 27 because the project is subject to a new detailed site plan.

REVIEW OF PRIOR APPROVALS

No prior conditions of approval are directly related to the subject application.

ENVIRONMENTAL REVIEW

Natural Resources Inventory

The subject site has an approved Natural Resource Inventory equivalency letter (NRI-042-2019-01), dated September 30, 2021, which was included with the application package. An existing conditions plan was also submitted with this application. The existing conditions of the site are correctly shown on the conservation plan and existing conditions plan. No additional information is required regarding the existing conditions of the site.

The site is almost entirely developed. No woodlands or specimen/champion/historic trees have been identified on-site. No areas of developed woodlands as defined by Subtitle 5B exist within the CBCA portion of the site. Although the site is mapped within a floodplain layer on PGAtlas, DPIE stated in a letter dated August 14, 2023, that because the property is protected by an existing levee no floodplain is present. The levee also negates the possibility of primary and secondary buffer within the portion of the property mapped within the critical area. No regulated environmental features are mapped within the portion of the property that is mapped outside of the critical area.

Woodland Conservation (Applicable to Area Outside of CBCA Only)

The site is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property contains less than 10,000 square feet of woodland and has no previous tree conservation plan (TCP) approvals. A standard letter of exemption from the WCO was issued for this site (S-184-2021), which expires on September 29, 2023. At the time of the writing of this referral, that woodland conservation exemption letter was valid. Prior to certification of the DSP, a valid exemption letter is required.

Specimen Trees (Applicable to Area Outside of CBCA Only)

The removal of specimen trees requires a variance to Section 25-122(b)(1)(G) as part of the development review process. There are no specimen trees that have been identified on-site. No variance is required because no specimen trees have been identified within the subject area of this application.

Preservation of Regulated Environmental Features/Primary Management Area (PMA)

For the area located outside of the CBCA only

Section 27-285(b)(4) of the Zoning Ordinance requires the following finding: “The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).”

No regulated environmental features (REF) exist on-site; therefore, none will be impacted by the proposed development, and staff finds that the REF was preserved and/or restored in a natural state to the fullest extent possible, in accordance with the requirement of Section 27-285(b)(4).

Chesapeake Bay Critical Area Commission (CBCA) Review

No comments were received from the Chesapeake Bay Critical Area Commission regarding this application.

Chesapeake Bay Critical Area (CBCA) Conservation Plan

One site plan was submitted for the DSP, CP, and SP. The required information such as existing and proposed conditions, lot coverage calculations, and proposed landscape planting information was included in this set of plans. Since much of the site was previously developed without permits, the lot coverage calculations have included both the previously built but not permitted structures and all proposed structures with this application to validate them.

The overall lot coverage for the site will increase; however, there is no maximum for CBCA lot coverage within the I-D-O Zone. Similarly, there is also no minimum allowable lot coverage for the underlying M-U-I zone. The lot coverage proposed is 65.2 percent based on CBCA lot coverage calculations, and 52.6 percent based on Zoning Ordinance lot coverage calculations.

10 Percent Pollution Reduction Calculations

The 10 percent pollutant reduction calculations demonstrating that the post-development impervious area of the site will result in at least a 10 percent reduction in pollutant run-off from the site are required for projects in the I-D-O. The calculations are shown on the Chesapeake Bay Critical Area Conservation Plan but demonstrate that the requirement has not been fully met with this design. The calculations on the plans show a pollution requirement of 0.095 pounds per year of total phosphorous removal; however, only 0.044 pounds per year are being proposed using a rain garden and rain barrels. It was noted that DPIE did not mention the 10 percent requirement for final design on their stormwater management approval letter (#42831-2021-00) and the calculations were not shown on the associated plans. These calculations are usually also included on the stormwater management concept plan or conditioned to be included on the technical stormwater management plan by DPIE.

Prior to certification, the conservation plan must be revised to demonstrate how the 10 percent reduction in pollutant runoff from the site will be fully met.

Chesapeake Bay Conservation and Planting Agreement

A Chesapeake Bay Conservation and Planting Agreement will be required to be executed and recorded prior to certification approval for development of the site.

Chesapeake Bay Conservation Easement

A Conservation Easement will not be required for this site. The site does not contain any woodland that is to remain.

Developed Woodlands

Per Subtitle 5B, developed woodlands are defined as those areas of vegetation that do not meet the definition of woodlands, but which contain trees and other natural vegetation, and which also include residential, commercial, or industrial structures and uses.

Section 5B-112(d)(8) states that

“When the cutting or clearing of trees in natural and developed woodlands is associated with current or planned development activities, the following is required and shall be shown on the proposed Conservation Plan:

- a) Replacement of forests and woodland through the establishment of developed woodlands, the use of urban forest programs, or similar practices. The extent of the replacement shall be shown on the Conservation Plan or any other development plan in the Critical Area.
- b) Minimization of the destruction of existing forest and woodland vegetation.
- c) Protection of existing forests and developed woodlands identified as Habitat Protection Areas by limiting or prohibiting development.”

According to the existing conditions plan and the conservation plan, no developed woodlands exist on-site, and no primary or secondary buffer exist on-site; therefore, no clearing of developed woodlands is proposed, and no mitigation is required.

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Urban land-Elsinboro complex (0-5 percent slopes).

No unsafe soils containing either Marlboro or Christiana complexes have been mapped on-site. There are no geotechnical concerns with this project. No further action is needed as it relates to this application. The County may require a soils report in conformance with CB-94-2004 during future phases of development and/or at the time of permit.

Stormwater Management

An approved Stormwater Management (SWM) Concept Letter and Plan (#42831-2021-00) was submitted with this application, which expires on January 7, 2025. Within the area of this application, the approved SWM concept plan shows the use of one rain garden and five rain barrels.

No further information is required at this time regarding SWM with this application.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS

The Environmental Planning Section recommends approval of DSP-21025, SP-210002, and CP-21004, subject to the following findings and conditions:

Recommended Findings:

1. The property does not contain any regulated environmental features (REF).

Recommended Conditions

1. Prior to certification of the Conservation Plan, the applicant shall execute and record a Chesapeake Bay Conservation and Planting Agreement. The agreement shall be reviewed by the County prior to recordation. The applicant shall provide a copy of the recorded agreement to M-NCPPC and the liber/folio shall be shown below the Conservation Plan approval block.
2. Prior to certification of the Conservation Plan, the applicant shall work with DPIE and demonstrate how the 10 percent reduction in pollutant run-off from the site will be fully met.



Countywide Planning Division
Historic Preservation Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
301-952-3680

August 3, 2023

MEMORANDUM

TO: Todd Price, Urban Design Section, Development Review Division

VIA: Tom Gross, Planning Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

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

SUBJECT: DSP-21025, SP-210002, CP-21004, Seafood Subs & Sides

The subject property comprises 0.08 acres and is located at the intersection of Wallace Road and Rhode Island Avenue at 4514 Rhode Island Avenue. The subject property is zoned IDO and located within the 2004 *Gateway Arts District Approved Sector Plan and Sectional Map Amendment* area. The subject application proposes an arts café on the ground level of an existing single-family dwelling.

The 2004 *Gateway Arts District Approved Sector Plan and Sectional Map Amendment Plan* contains goals and policies related to Historic Preservation (pp. 81-88). However, these are not specific to the subject site or applicable to the proposed development. The subject property is located within the North Brentwood National Register Historic District.

The subject property does not contain, and is not adjacent to, any designated Prince George's County Historic Sites or Resources. The Historic Preservation Section staff recommends approval of DSP-21025, SP-210002, CP-21004, Seafood Subs & Sides, with no conditions.



Division of Environmental Health/Disease Control

Date: July 20, 2023

To: Todd Price, Urban Design, M-NCPPC

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

Re: Seafood Subs & Sides DSP-21025, SP-210002, CP-21004

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the detailed site plan submission for the Seafood Subs and Sides restaurant located at 4514 Rhode Island Avenue and has the following comments / recommendations:

1. Health Department permit records indicate there are 5 existing carry-out/convenience stores within a ½ mile radius and one grocery food facilities within a one mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes.
2. An application for a Food Facility Permit will have to be submitted to the Health Department's Food Protection Program. Applications can be found in the permitting website at <https://momentumhome.princegeorgescountymd.gov/>.
3. The applicant must submit plans for the food facility to the Department of Permit Inspection and Enforcement (DPIE) Plan Review office and schedule for a pre-opening inspection. Applications for a pre-opening inspection are at <https://www.princegeorgescountymd.gov/1577/Applications>.
4. During the construction phases of this project, noise should not 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.
5. During the 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



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



Division of Environmental Health/Disease Control

activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

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



Angela Alsobrooks
County Executive

Environmental Engineering/Policy Program
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9201 Basil Court, Suite 318, Largo, MD 20774
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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

August 30, 2023

MEMORANDUM

TO: Todd Price, Planner II, Zoning Section

VIA: Mridula Gupta, Planner IV, Subdivision Section *MG*

FROM: Antoine Heath, Planner II, Subdivision Section *AH*

SUBJECT: DSP-21025, SP-210002, CP-21004; Seafood Subs & Sides

The subject property is located on Tax Map 50 in Grid B2, and consists of approximately 5,532 square feet of area. The property is recorded in Prince George's County Land Records as Part of Lot 7, Block 20, in Plat Book LIB A, page 9, dated 1904. The property is located within the Neighborhood Activity Center (NAC) Zone. However, this detailed site plan (DSP), special permit (SP), and conservation plan (CP) have been filed pursuant to the property's prior zoning and pursuant to the prior Zoning Ordinance. In the prior Zoning Ordinance, the property is in the Mixed Use Infill (M-U-I) Zone, with Development District Overlay (D-D-O) and Chesapeake Bay Critical Area, Intense Development Overlay (I-D-O) zones. These companion applications were accepted for review on July 14, 2023, and comments were provided at the SDRC meeting on August 4, 2023. This referral is based on plans received on July 14, 2023.

There is no preliminary plan of subdivision (PPS) associated with the subject property. Per Section 24-111(c)(3) of the prior Subdivision Regulations, the subject property is exempt from subdivision as the subject property is the subject of a final plat approved prior to October 27, 1970, and the proposed development is an addition to a development in existence prior to January 1, 1990, and does not exceed 5,000 square feet of gross floor area. There have been conveyances of land from the originally recorded Lot 7 for public road rights-of-way Wallace Road and Rhode Island Avenue, which changed the boundaries of the subject property. However, these prior conveyances were exempt from the requirement of filing a preliminary plan and final plat of subdivision in accordance with Section 24-107(c)(5) of the prior Subdivision Regulations.

In accordance with Section 24-4503(a)(1) of the Subdivision Regulations, the subject property does not have a certificate of adequacy (ADQ), as the final plat of subdivision was approved prior to October 27, 1970. This property is not required to have an approved ADQ in accordance with Section 24-4503 of the Subdivision Regulations because the proposed development is exempt from filing a new PPS and final plat. A new PPS and associated ADQ may be required at such time when any new development is proposed on the subject property.

Additional Comments:

1. None.

Recommended Conditions:

1. None.

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

From: [Reilly, James V](#)
To: [Price, Todd](#)
Cc: [PPD-PGReferrals](#); [Reilly, James V](#)
Subject: Seafood Subs & Sides (DSP-21025+SP-210002+CP-21004) (PB) Fire/EMS 1st Comments JVR
Date: Monday, July 17, 2023 9:36:00 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[DSP-21025.pdf](#)
[SP-210002.pdf](#)
[CP-21004.pdf](#)

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

Good Morning Mr. Price,

The Office of the Fire Marshal has reviewed the referral for DSPP-21025 Seafood Subs and Sides and we have no comments. Regards. Jim

James V. Reilly

Contract Project Coordinator III



Office of the Fire Marshal
Division of Fire Prevention and Life Safety
Prince George's County Fire and EMS Department

Note new address:

9400 Peppercorn Place, Fifth Floor, Largo, MD 20774

Office: 301-583-1830

Direct: 301-583-1838

Cell: 240-508-4931

Fax: 301-583-1945

Email: jvreilly@co.pg.md.us

To pay for a fire inspection by credit card go to:

<https://www.velocitypayment.com/client/princegeorges/fire/index.html>

From: Townsend, Donald <Donald.Townsend@ppd.mncppc.org>

Sent: Friday, July 14, 2023 9:32 AM

To: Smith, Tyler <Tyler.Smith@ppd.mncppc.org>; Gross, Thomas <thomas.gross@ppd.mncppc.org>; Chisholm, Amelia <Amelia.Chisholm@ppd.mncppc.org>; Henderson, Tamika <Tamika.Henderson@ppd.mncppc.org>; Franklin, Judith <Judith.Franklin@ppd.mncppc.org>; Green, David A <davida.green@ppd.mncppc.org>; Habash, Crystal <Crystal.Habash@ppd.mncppc.org>; Gupta, Mridula <Mridula.Gupta@ppd.mncppc.org>; Conner, Sherri <sherri.conner@ppd.mncppc.org>; Brooke E. Larman <brooke.larman@ppd.mncppc.org>; Hughes, Michelle <Michelle.Hughes@ppd.mncppc.org>; PPD-EnvDRDreferrals <ppd-

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Cc: Price, Todd <Todd.Price@ppd.mncppc.org>; Hurlbutt, Jeremy <Jeremy.Hurlbutt@ppd.mncppc.org>; Kosack, Jill <Jill.Kosack@ppd.mncppc.org>; Hunt, James <James.Hunt@ppd.mncppc.org>; Grigsby, Martin <Martin.Grigsby@ppd.mncppc.org>; Graham, Audrey <Audrey.Graham@ppd.mncppc.org>; Petroske, Kristin <Kristin.Petroske@ppd.mncppc.org>; Alston, Tricia <Tricia.Alston@ppd.mncppc.org>; Windsor, Theresa <Theresa.Windsor@ppd.mncppc.org>

Subject: ACCEPTANCE: Seafood Subs & Sides (DSP-21025+SP-210002+CP-21004) (PB)

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

This is an **ACCEPTANCE** of **DSP-21025, SP-210002, CP-21004, SEAFOOD SUBS AND SIDES** to be reviewed at the **PLANNING BOARD** level.

This case was officially accepted today, **JULY 14, 2023**

MAJOR ISSUES DATE: JULY 28, 2023

REFERRAL DUE DATE: SEPTEMBER 18, 2023

SDRC DATE: AUGUST 4, 2023

Planning Board Pending: OCTOBER 19, 2023

Please submit **ALL** comments to assigned reviewer, **TODD PRICE** todd.price@ppd.mncppc.org and PGCReferrals@ppd.mncppc.org

DROPBOX LINK: <https://www.dropbox.com/scl/fo/m3engxt7gzxssz053ubb/h?rlkey=bt56zxkztuen0o7hjon4xubrn&dl=0> (7-12-2023)

NOTE: As shown on the parking schedule, the property only requires 4 because of the 80% DDOZ reduction. If we want to be even more particular, the parking space for the dwelling unit could properly be excluded per 27-584, but the removal from that would still leave a 4-space requirement after the reduction because of the fractional space. (Mark G. L. Ferguson, R.A.)

Donald R. Townsend

Planning Technician II / Applications Section / Development Review Division



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772

301-952-4688 / donald.townsend@ppd.mncppc.org



This case is ready to accept.

Todd Price

Planner II | Zoning Section



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772

Hybrid Office: 301-952-3994 | Todd.Price@ppd.mncppc.org



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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Community Planning Division

14741 Governor Oden Bowie Drive
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301-952-3972

9/14/2023

MEMORANDUM

TO: Todd Price, Planner II, Zoning Section, Development Review Division

VIA: David A. Green, MBA, Planner IV, Long Range Planning Section, Community Planning Division *ds*

FROM: Josephine Selvakumar Planner III, Master Plan and Studies Section, Community Planning Division *JS*

SUBJECT: Seafood Subs & Sides (DSP-21025+SP-210002+CP-21004) (PB)

FINDINGS: Community Planning Division staff finds that, pursuant to 27-3604 (e)(1)(C) Special Exception of the Zoning Ordinance, this special exception application is consistent with the 2014 *Plan Prince Georges 2035 Approved General Plan (Plan 2035)* and conforms with the relevant goals, policies, and strategies of the applicable 2004 *Approved Sector Plan for the Prince George's County Gateway Arts District* for the subject property and its surrounding area.

BACKGROUND

Application Type: DSP (Detailed Site Plan), SP (Special Permit), CP (Chesapeake Bay Critical Area Plan)

Planning Area: 68

Community: North Brentwood

Location: 4514 Rhode Island Avenue

Size: 0.1269 Acres

Existing Uses: Single Family Detached Dwelling

Character of Neighborhood: The property is situated at the junction of Wallace Road, a local thoroughfare, and Rhode Island Avenue, a primary road. The subject property is adjacent to and across the street from mix of commercial activities such as auto repair shops on Rhode Island Avenue and residential uses on Wallace Road.

Proposal: Small Arts Café (Café for table and/or bar service of tea, coffee, other beverages, and food)

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is in the Established Communities Growth Policy Area. “Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development,” (p. 20). Plan 2035 considers it “vital” that the County “support its Established Communities” (p. 75). In addition, the plan notes that, “Established Communities make up the County’s heart—its established neighborhoods, municipalities, and unincorporated areas outside designated centers,” (p. 106) and “Urban design is equally relevant to the planning and design of urban and suburban Established Communities as it is to rural areas,” (page. 196).

In addition, Plan 2035 identifies the following relevant goals, policies, and strategies:

Policy 7 “Promote cultural and arts awareness, exploration, and expression in Prince George’s County.” (page 213)

Policy 8 “Support the established Gateway Arts District, as well as future arts and cultural districts, to foster synergies among artists and arts-related business opportunities and promote the districts as destinations and economic generators in the County” (page 214)

HD8.1” Continue to support local artists and arts organizations and attract new artists through incentives, such as affordable housing and workspace.” (page 214)

Sector Plan: The *2004 Approved Sector Plan for the Prince George’s County Gateway Arts District*, places in the subject property within the Neighborhood Arts Production.

“The Neighborhood Arts and Production character areas are largely occupied by artist studio space and limited industrial uses. This development character supports arts production space, artist live/workspace, and small-scale technical research and development flexspace in underutilized, aging industrial buildings that suffer from functional obsolescence.” (page 13) The application conforms to the following goals sector plan:

Neighborhood Commercial Character Areas

Goals

1. To facilitate the development, redevelopment, and renovation of small businesses and institutions compatible with the surrounding neighborhoods, but discourage stores whose primary goods include beer, wine, cigarettes, and lottery tickets.
2. To encourage neighborhood and convenience services and retail establishments within easy walking distance of residences.
3. To offer opportunities for residential and artist studio spaces above ground-level retail.
4. To provide design, landscaping, and screening methods to mitigate the impact of neighborhood commercial uses on the traditional residential neighborhoods. (page 27)

Aviation/MIOZ: This application is not located within [an Aviation Policy Area or the Military Installation Overlay Zone]

SMA/Zoning: On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment (“CMA”) which reclassified the subject property from the MUI (Mixed-Use-Infill) and D-D-O (Development District Overlay) Zone to the NAC (Neighborhood Activity Center) Zone effective April 1, 2022.

MASTER PLAN CONFORMANCE ISSUES:

None

OVERLAY ZONE CONFORMANCE ISSUES

None

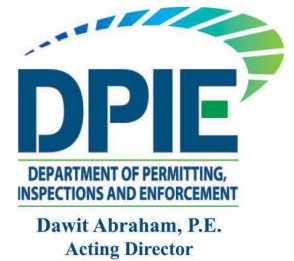
c: Long-range Agenda Notebook

Kierre McCune, Planning Supervisor, Master Plan Studies Section, Community Planning Division



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Office of the Director



MEMORANDUM

July 18, 2023

TO: Todd Price, Subdivision Review Section
Maryland-National Capital Park & Planning Commission

FROM: Shirley Anthony Branch, Water and Sewer Plan Coordinator *SAB*
Site/Road Plan Review Division, DPIE

RE: SDRC Comments – Seafood Subs & Sides, CP-21004, DSP-21025, & SP-210002

Below are my comments on various plans that are scheduled for review at the Planning Board level and the **August 4, 2023** SDRC meeting. This is a first response for these three plans. Should you have any questions regarding the attached information, please feel free to call me at 301.636.2060.

CP-21004, DSP-21025, & SP-210002 Seafood Subs & Sides
Tax IDs: 1848688
Tax map: 50, B-2; Lot 7
Acres: 0.08; Current Zone: NAC
CBCA: IDO
WSSC Grid: 205NE03

1. The 2018 Water and Sewer Plan designates Lot 7 in Water and Sewer Category 3, inside the Sewer Envelope, in the Growth Tier, and within Tier 1 under the Sustainable Growth Act, approved for public sewer service. The lot is developed with a 1,325 square foot structure.
2. Water and sewer lines in Rhode Island Avenue abut Lot 7. Records indicate the property is served via the public water and sewer facilities.
3. This property is located within the Chesapeake Bay Critical Area (CBCA) in the Intensely Developed Overlay (IDO) zone.

*The Department of Permitting, Inspections and Enforcement (DPIE) determines the validity in category designations of the Prince George's County Water and Sewer Category Maps. Information reflects the category designated by the 2018 Water and Sewer Plan and its amendments deemed accurate as of **July 14, 2023**. Any dispute of the designated category or comments herein may be addressed to the Site/Road Plan Review Division, Water and Sewer Plan Coordinator, at 301.636.2060.*

cc: Mary C. Giles, P.E., Associate Director, S/RPRD, DPIE
Steven G. Snyder, P.E., North District, S/RPRD, DPIE