

Case No. SP-06030-C

Applicant: BB&T Bank

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

ZONING ORDINANCE NO. 12- 2008

AN ORDINANCE to approve a detailed site plan and modify transit district development standards for property in a transit district development plan.

WHEREAS, Application No. DSP-06030 was filed for property described as about 0.99 acres of land in the C-S-C/T-D-O Zone, in the northeast corner of the intersection of East-West Highway (MD 410) and Toledo Terrace, Hyattsville, to obtain approval of a site plan for a bank and related parking and green areas; and

WHEREAS, the Technical Staff reviewed the application, the applicant modified the site plan, and the staff filed a report with the Planning Board and District Council; and

WHEREAS, the Planning Board held a public hearing on the application and approved it with conditions, modifying applicable transit district development standards and approving the applicant's request, in AC-07021 for alternative compliance with Landscape Manual requirements; and

WHEREAS, having reviewed the record, including the hearing testimony and the staff and applicant exhibits; having heard oral argument from the applicant and an oral review of the case by the Technical Staff; and having reviewed the decision and recommendations of the Planning Board, the District Council has determined that the applicant's site plan should be approved with conditions, and modification of certain transit district development standards should be permitted; and

WHEREAS, as the basis for this action, the District Council adopts the decision of the Planning Board as its findings of fact and conclusions of law for this case; and

WHEREAS, to protect adjacent properties and the general neighborhood, the District Council approves this application with conditions.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Maps for the Maryland-Washington Regional District in Prince George's County are hereby amended to show an approved site plan for a bank, with associated parking, on the property that is the subject of Application No. DSP-06030.

SECTION 2. This approval includes modification of transit district development standards, as follows:

P106: To allow the building height to be reduced from a minimum of four stories to the proposed building height of 27 feet.

P108: To allow the build-to line to be increased from 40 feet to 44 feet, along MD 410.

P109: To allow the build-to line to be increased from 20 feet to 38 feet, along Toledo Terrace.

S8: To create a unified streetscape along the frontage of MD 410, the applicant is permitted to reduce the width of the streetscape to match the width of the streetscape provided along the adjacent plaza shopping center.

S17: To allow more than 33 percent of the frontage of the project, along MD 410 and Toledo Terrace, to have areas of parking and vehicular circulation.

S18: To allow a small portion of the parking lot to extend beyond the proposed build-to line.

S23: To allow the wall to partially screen from roadway view the fronts of vehicles, by use of a wall no higher than 5.5 feet.

S31: To allow trash receptacles within the building and at the drive-through and ATM stations.

S33: To allow the use of shade trees, to meet the ten percent requirement for woodland conservation, so that trees cover ten percent of the site.

S75: To allow the wall to partially screen from roadway view the fronts of vehicles, by use of a wall no higher than 5.5 feet.

SECTION 3. The approved site plan is subject to the following conditions:

1. The DSP shall clearly show the location of trash cans throughout the site, and it shall contain the following note:

All stormdrain inlets shall be stenciled with the words, "Do Not Dump: Chesapeake Bay Drainage."

2. A copy of the stormwater management concept approval letter with associated plans must be submitted to the Environmental Planning Section for review.
3. The applicant shall obtain approval from MD SHA and the Prince George's County DPW&T and agree to fully fund and provide pedestrian crosswalks across Toledo Terrace at the proposed site entrance, and at its intersection with MD 410.
4. The plan shall be revised to include ADA-accessible ramps as part of the pedestrian access extending from the building entrance to the proposed walkway along MD 410. The proposed streetscape along MD 410 shall be extended from the Toledo Terrace intersection along the entire property frontage and connect to the streetscape improvements constructed along the Prince George's Plaza shopping center frontage.
5. The plans shall be revised to indicate that the paving of the sidewalk within the streetscape shall be identical to the paving constructed in the streetscape in front of Prince George's Plaza, in order to provide a continuous appearance to the improvements within the entire streetscape along MD 410.

6. A photometric plan should be submitted to demonstrate a minimum of 1.25 foot candles of illumination for all walkways.

SECTION 4. BE IT FURTHER ENACTED that this Ordinance shall take effect initially on the date of its enactment, and the conceptual site plan shall become effective when the applicant accepts in writing and complies with the conditions in Section 3.

Ordered this 28th day of April, 2008, by the following vote:

In Favor: Council Members Dean, Bland, Campos, Dernoga, Exum, Knotts, Olson and Turner

Opposed:

Abstained:

Absent:

Vote: 8-0

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

By: _____
Samuel H. Dean, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

Case No.: SP-06030-C

Applicant: BB&T Bank

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

FINAL CONDITIONAL ZONING APPROVAL

AN ORDER to incorporate the applicant's acceptance of conditions, and to grant final conditional approval of a detailed site plan, and modifications to transit district development standards.

WHEREAS, the District Council approved Application No. SP-06030-C, to approve with conditions a detailed site plan described as about 0.99 acres of land in the C-S-C/T-D-O Zone, in the northeast corner of the intersection of East-West Highway (MD 410) and Toledo Terrace, Hyattsville, for a bank and related parking and green areas;

WHEREAS, the applicant has duly consented in writing to the conditions; and

WHEREAS, the District Council, having reviewed the application and the administrative record, deems it appropriate to accept the applicant's consent to the conditions and to approve the detailed site plan and final modifications to the transit district development standards.

IT IS, THEREFORE, ORDERED:

1. Final conditional approval of Application No. SP-06030-C is hereby granted. The applicant's written acceptance of the conditions referred to above, at the time of initial conditional approval, is hereby incorporated into this amendment of the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland.
2. Use of the subject property as conditionally approved shall be subject to all requirements in the applicable zones and to the requirements in the conditions referred to above.

Failure to comply with any stated condition shall constitute a zoning violation and shall be sufficient grounds for the District Council to annul the rezoning approved herein; to revoke use and occupancy permits; to institute appropriate civil or criminal proceedings; or to take any other action deemed necessary to obtain compliance.

3. This Ordinance is effective on June 19, 2008, the date of receipt of the applicant's acceptance of the conditions imposed.

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

BY: _____
Samuel H. Dean, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council