

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on May 25, 2006, regarding Detailed Site Plan DSP-05111 for Domino's Pizza #4645, the Planning Board finds:

1. **Request:** The subject application is for approval for use of a vacant first floor (an approximately 1,600-square-foot space) in an existing building as a Domino's Pizza store in the C-S-C and Development District Overlay (DDO) Zones.
2. **Development Data Summary:**

	EXISTING C-S-C/DDOZ	PROPOSED C-S-C/DDOZ
Zone(s)		
Use(s)	Commercial (vacant)	Commercial (pizza store)
Acreage	0.07	0.07
Building square footage/GFA	1,600	1,600

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total Parking Spaces	2	2
Handicapped spaces (16.0' x 19.0')	1	0 ¹
Loading space	0	0 ²

Notes:

1. A condition of approval has been proposed to require the applicant to provide one handicapped space.
 2. There is no loading space on the site.
3. **Location:** The subject property is located on the west side of Baltimore Avenue and the east side of Alternate US 1, and carries a street address of 5124 Baltimore Avenue, in Planning Area 68 and Council District 2 in the City of Hyattsville.
 4. **Surroundings and Use:** The site, where an existing building is located, is bounded to the east and west sides by the rights-of-way of Baltimore Avenue and Alternate US 1. The proposed pizza store will occupy the first floor of an internal unit of the larger existing building that straddles six lots. The building is two stories in height. The space that will be utilized by the proposed Domino's store is currently empty. Other existing commercial spaces flank both sides of the proposed pizza store.

5. **Previous Approvals:** The subject site was originally zoned C-S-C. The site has a recorded final plat, which was recorded in 1984. The 2004 *Approved Sector Plan and Sectional Map Amendment for Prince George's County Gateway Arts District* designates this property in the town center (TC) character area and superimposes a Development District Overlay Zone (DDOZ) on the existing C-S-C Zone on the subject property.
6. **Design Features:** The proposed Domino's Pizza store will be utilizing the empty first floor of a unit located in the middle of a two-story building that occupies an entire block, which is bounded to the east by the right-of-way of Baltimore Avenue, to the west by the right-of-way of Alternate US 1, to the north by the right-of-way of Hamilton Street, and to the south by the right-of-way of Gallatin Street.

Pursuant to the statement submitted by the applicant, the proposed pizza store is a carryout outlet. There are no seats or eat-in areas. The major improvements related to this application are interior remodeling and the addition of business identification signage. There are no changes regarding the exterior and footprint of the building, parking and loading. The existing parking and loading areas are located in the rear of the building. There is an existing sidewalk in the front of the site.

Two building-mounted signs have been proposed. One standard Domino's Pizza identification sign is proposed to be located over the front door. The other is a secondary blade sign panel, which has the identical sign text as the identification sign and is proposed to face the sidewalk, perpendicular to Baltimore Avenue. However, pursuant to Section 27-613(c) of the Zoning Ordinance, only one sign with maximum 45.48 square feet of sign face area is allowed for this case. A condition of approval has been proposed in the recommendation section to require the applicant to revise the signage detail sheet to be in conformance with the requirements of the Zoning Ordinance, in terms of sign quantity and area, prior to certificate approval of this detailed site plan.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District (PGCPB No. 04-199 and CR-78-2004):** The approved sector plan divides the Gateway Arts District into seven character areas and superimposes a Development District Overlay Zone on the existing C-S-C Zone. The plan also prescribes specific development district design standards for each area. The subject site is located within the town center area of the Gateway Arts District. Since the application is to use a vacant first floor of an existing building as a pizza store, there are no exterior improvements with this application and most of the design standards are not applicable to the site. The applicable standards are discussed in response to the approved sector plan and sectional map amendment as follows:
 - a. **Sign standards #6**, page 146—provides that all businesses shall have front and/or rear entry signage such as blade and bracket, pin letter, or flat-mounted boards securely fastened to the building and oriented toward pedestrians.

Comment: The applicant proposes both a blade sign and a bracket sign that will account for 32.4 square feet of signage. The blade and bracket signs on businesses across the street from the proposed site are a fraction of this size. The proposed sign seems out of scale for the 20 feet of frontage of the store area. For example if the sign style were retained but the dimensions were reduced to 3 feet tall by 1.5 feet wide, the sign would be larger than the existing blade and bracket signs but more compatible with the existing signage. A condition of approval has been proposed to require the applicant to comply with the Zoning Ordinance in terms of sign quantity and area.

- b. **Sign standard #9**, page 147—provides that sign area shall not exceed the regulations of Sections 27-613(c) and (f).

Comment: Per the referral comments from the Permit Review Section, only one sign is allowed for this application. The applicant proposed two signs. A condition of approval has been proposed to require the applicant to comply with the Zoning Ordinance in terms of sign quantity and area.

- 8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in general conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs development in the commercial zones. The proposed Domino's Pizza store with carryout service in a building with less than 2,500 square foot of gross floor area is a permitted use in the C-S-C Zone.
 - b. The subject application complies with Section 27-462, Regulations, regarding setbacks because the proposed store will use the existing empty space without any alteration of the existing building except for adding business identification signage.
- 9. **Landscape Manual:** The proposed development is exempt from the *Landscape Manual* because no improvements other than interior remodeling and the addition of business identification signs have been proposed in this application.
- 10. **Woodland Conservation Ordinance:** This property is exempt from the provisions of the Prince George's County Woodland Conservation Ordinance because the lot is less than 40,000 square feet in area and there is no previously approved tree conservation plan for this site. A standard exemption for the site was approved on August 11, 2005, and will be valid through March 10, 2008.
- 11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. In a memorandum dated April 17, 2006, the Community Planning Division noted that the application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier and is in conformance with the land use recommendations for the town center character area of the 2004 *Approved Sector Plan and Sectional Map Amendment*

for the Prince George's County Gateway Arts District. In the Planning Issues section, the community planner also discussed the applicable design standards of the Development District Overlay Zone that is superimposed on the existing C-S-C Zone of the subject site and concluded that the proposed use meets the development standards of the town center character area.

- b. In a memorandum dated March 21, 2006, the Subdivision Section staff noted that since the application does not involve any addition to the existing building footprint, a new preliminary plan of subdivision is not required pursuant to Section 24-11(c) of the Subdivision Regulations.
- c. The Transportation Planning Section in a memorandum dated April 11, 2006, provided no comments on this application.

In a separate memorandum from the Transportation Planning Section dated April 26, 2006, on detailed site plan review for master plan trail compliance, the trails planner noted that there is an existing sidewalk along the subject's frontage of Baltimore Avenue that is consistent with the approved sector plan for the Prince George's County Gateway Arts District. There are no master plan recommendations for this site.

- d. The Permit Review Section, in a memorandum dated April 11, 2006, provided nine comments and questions regarding the application's compliance with the Zoning Ordinance, the *Landscape Manual*, and the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*. Specifically, the permit review noted that pursuant to Section 27-613(c), only one sign is allowed for this site.

Comment: The applicant revised the site plan to address most of the concerns and issues raised by the permit reviewer. A condition of approval has been proposed to require the applicant to revise the signage package to be consistent with Part 12, Signs, of the Zoning Ordinance.

- e. The State Highway Administration (SHA) in a memorandum dated April 4, 2006, noted that SHA has no objection to the subject detailed site plan approval.
- f. The Department of Environmental Resources (DER) in a letter dated March 9, 2006, indicated that the subject site is exempt from stormwater management requirements because there will be no grading or disturbance to the site.
- g. The City of Hyattsville, in a letter dated April 27, 2006 (The Honorable William Gardiner, Mayor, to Zhang), noted that the size of the proposed signage should conform to the Zoning Ordinance. The design of the vertical sign should have an "arts flavor" (similar to the vertical signage of Franklins) because the property is located in the Gateway Arts District and the store should also provide an arts amenity. In addition, the City Council is concerned with the proposed use as a Domino's Pizza store, which may be not permitted by the sector plan, and requests the county to monitor this issue.

Comment: The proposed use for an existing vacant store space of approximately 1,600 square feet as a Dominos' Pizza store is not a use that is specifically prohibited by the Sector Plan. Per the permitted use table of the sector plan, the proposed pizza store can be categorized as one of all other uses that are permitted in the town center area. Two conditions of approval regarding the design of the sign and arts amenity have been proposed in the recommendation section to address the concerns of the City of Hyattsville.

- h. The municipalities of Brentwood, Colmar Manor, Cottage City, Bladensburg, Edmonston, North Brentwood, Riverdale Park, and University Park had not responded to the referral request at the time the staff report was written.
 - i. The Department of Public Works and Transportation had not responded to the referral request at the time the staff report was written.
12. As required by Section 27-285(b), the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-05111, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan, the applicant shall:
 - a. Revise the signage package to reflect the design theme or style of signage used on the neighboring restaurants, such as Franklin's, to be reviewed by the City of Hyattsville and approved by the Urban Design Section.
 - b. Provide an arts amenity, such as an interior or exterior mural or similar art piece, on or off the site, to be reviewed by the City of Hyattsville and approved by the Urban Design Section.
 - c. Provide one handicapped parking space.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Clark, seconded by Commissioner Squire, with Commissioners Clark, Squire, Vaughns and Parker voting in favor of the motion, and with Commissioner absent at its regular meeting held on Thursday, May 25, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of June 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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