

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

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

2. **Development Data**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) The Transit District Site Plan meets all of the requirements of the Transit District

Overlay Zone and applicable regulations of the underlying zones;

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

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

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

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

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

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

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

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

9. The Transportation Planning Section has reviewed the detailed site plan. The approved Prince George's Plaza Transit District Development Plan (TDDP) guides the use and development of all

properties within its boundaries. The findings and recommendations outlined below are based upon staff evaluation of the submitted site plan and the ways in which the proposed development conforms to the mandatory development requirements and guidelines outlined in the TDDP.

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

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

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

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

requirement S2 states that walkways through parking lots, other than those linking buildings with parking lots, shall, whenever possible be avoided. For these reasons, and since there is little apparent nexus between the current application and this pedestrian movement, the transportation staff does not believe it is appropriate to require the provision of another pedestrian access route along the existing privately-maintained circular driveway that extends north from MD 410, as shown by the PG-TDDP (Figure 31), or across the subject site parking lot as currently being used by the school children, at this time.

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

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

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

“There were some concerns expressed about the relatively low percentage of masonry in the building facades, and the minimal landscaping around the building and the parking areas. The BB&T bank (recently approved) and the existing Olive Garden restaurant at the Mall are nearly 100 percent masonry buildings or other high quality materials on the exterior. The buildings will

be on either side of the restaurant, and this restaurant should be of similar quality material.”

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

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

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

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

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

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

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

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

15. As required by Section 27-528(b) of the Zoning Ordinance, the proposed detailed site plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-99044/06, Famous Dave's at Prince George's Plaza, subject to the following conditions:

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

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

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

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

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

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator