



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 11-85

File No. DSP-10030

RESOLUTION

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 15, 2011, regarding Detailed Site Plan DSP-10030 for Landover Park, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) proposes to construct a Walgreens retail establishment in the Commercial Shopping Center (C-S-C) Zone.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-S-C	C-S-C
Use(s)	Vacant	Retail
Acreage	1.0165	1.0165
Lots	7+	7+
Gross Floor Area (sq. ft.)	0	14,896

TREE CANOPY COVERAGE

	Required	Approved
Tree Canopy	4,428 sq. ft.	5,195 sq. ft.

OTHER DEVELOPMENT DATA

Parking Required: 80 spaces

Use	Rate	Requirement
Retail Drug Store	1 space/150 sq. ft. for the first 3,000 sq. ft.	20
(14,896 sq. ft.)	1 space/200 square feet above 3,000 sq. ft.	60
	Total	80

Parking Provided: 44 spaces, provided as follows:

34 standard spaces at 19 feet by 9.5 feet
2 van accessible handicap spaces at 19 feet by 8 feet, with an 8-foot-wide access aisle
6 compact spaces at 19 feet by 8 feet

2 compact spaces at 16.5 feet by 8 feet

A departure from parking and loading standards has been granted as reflected in PGCPB Resolution No. 11-86 for DPLS-360.

Loading Required: 2 spaces (12 feet by 33 feet)

Use	Rate	Requirement
Retail Sales and Service	1 space/2,000–10,000 sq. ft.	1
(14,896 sq. ft.)	1 space/10,000–100,000 sq. ft.	1
	Total	2

A departure from design standards from the requirement that “No loading space or access to loading space shall be located within fifty (50) feet of a Residential Zone,” has been granted as reflected in PGCPB Resolution No. 11-87 for DDS-603.

3. **Location:** The site is located on the west side of Kilmer Street between its intersections with Old Landover Road and Landover Road (MD 202).
4. **Surrounding Uses:** The subject property is bounded to the north by Old Landover Road, with R-55-zoned (One-Family Detached Residential) lots developed with single-family detached dwellings beyond; to the south by Landover Road (MD 202), with C-S-C-zoned land developed with a shopping center beyond; to the east by Kilmer Street, with C-S-C-zoned land developed with a shopping center (Landover Park) beyond; and to the west by R-55-zoned lots developed with single-family detached dwellings and C-O-zoned (Commercial Office) land developed with an office building.
5. **Previous Approvals:** The project is subject to the requirements of Zoning Map Amendments A-9795-C (approved by the District Council on May 21, 1990) and A-10015-C (approved by the District Council on July 20, 2009) and Preliminary Plan of Subdivision 4-10018 (approved by the Planning Board on June 16, 2011 and formalized by the adoption of PGCPB Resolution No. 11-65).
6. **Design Features:** The site is to be accessed from, and provides parking on both sides of, a drive aisle along both its Kilmer Street and Landover Road (MD 202) frontages. Views of the parking from the roadway are softened by the provision of landscaping, as is the interface between the project site and residential and office uses immediately to the northwest. Loading and dumpster enclosures are located behind the building where they will be the least visible from the road frontages and are screened by a tall retaining wall, a six-foot-high privacy fence, and a single row of Leyland Cypress. A condition of this approval requires the use of American Arborvitae or Green Giant Arborvitae, as either choice has a better survivability rate given the growing conditions.

The building sits in the northern corner of the site with a drive aisle for the drive-through on the northeastern side of the building, parallel to Old Landover Road, which then wraps around the rear

of the building. A single sign is indicated on the grassed area at the intersection of Kilmer Street and Landover Road.

The architecture of the building is rectilinear and composed primarily of brick with exterior insulating finishing system (EIFS) utilized for part of the second story. The southwestern, northeastern and southeastern façades provide visual interest by the use of green standing seam metal awnings interrupted at regular intervals by brick pilasters. Glazed areas are of the storefront variety, but the mullions are somewhat varied in pattern and the overall aspect of the glazed areas is pleasing.

The architecture of the northwestern façade, however, shows less attention to architectural detail. The applicant argues that this façade deserves less attention because it will be largely hidden by the topography of the site and a retaining wall that will be as much as 12 feet tall along the northwestern property line. The Planning Board finds that the upper portion of the northwestern façade will be somewhat visible above the six-foot-high fence to be provided and for some time through the trees planted along the property line. The Planning Board finds that this façade will also be highly visible to patrons utilizing the drive aisle to the drive-through on the northeastern side of the building as travel along the northwestern side of the building, is necessary to exit from the drive-through. A condition of this approval creates additional visual interest in the northwestern façade by the addition of metal or wood lattice and/or additional decorative brickwork, utilizing differences in relief and/or soldier and stretcher courses and/or color.

The applicant has suggested that they would be installing a typical WMATA (Washington Metropolitan Area Transit Authority) bus shelter for the project and submitted a photograph of same. A condition of this approval requires that the applicant provide in the plans for the project a color detail to scale, with materials clearly identified, of the bus shelter to be installed as part of the project. Additionally, the applicant offered a photograph of a crosswalk that their proposed crosswalks are supposed to match in color and pattern. Likewise, a detail for the same was not included on the plan. Another condition of this approval similarly requires that the applicant provide a paving detail to scale on the plans, identifying the particular type of paver or treatment to be utilized for the proposed crosswalks.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The requirements of the Zoning Ordinance:** The project is subject to the requirements of the Zoning Ordinance, specifically, Section 27-285(b), Planning Board Procedures, Required findings for detailed site plans; Section 27-274, Design Guidelines; Section 27-281, Purpose of Detailed Site Plans; Section 27-461, Uses Permitted in the C-S-C Zone; Section 27-462, Regulations in the C-S-C Zone; Section 27-239.01, Required findings for Departures from Design Standards; and Section 27-588(b)(8) Required findings for Departures from Parking and Loading Standards. The project conforms to these requirements. See Findings 14, 15, and 16 of this resolution for a detailed discussion of conformance to the required findings for each type of application included herein.

8. **The requirements of Zoning Map Amendments A-9795-C and A-10015-C:**

Zoning Map Amendment A-9795-C—Zoning Map Amendment A-9795-C was approved by the District Council on May 21, 1990, subject to two conditions. Each condition is included in **bold** face type below, followed by Planning Board comment:

1. **That all site plans shall be approved by the Planning Board and by the District Council prior to the issuance of any building permits.**

As the subject detailed site plan is herein approved by the Planning Board, the first portion of this requirement has been met. The subject site plan shall be transmitted to the District Council for approval.

2. **Prior to the issuance of any use and occupancy permits for the subject property, the following road improvements shall be both dedicated and constructed by the applicant in accordance with Department of Public Works standards:**

- a. **An additional right-turn lane on Kilmer Street from Old Landover Road onto Landover Road (MD Route 202).**

This requirement was made a condition of the relevant preliminary plan of subdivision and, pursuant to it, the applicant is required to modify the southbound approach of Kilmer Street at Landover Road (MD 202) to provide a right turn lane in conformance with the requirement of this condition. The detailed site plan includes the above-referenced right turn lane.

Zoning Map Amendment A-10015-C—Zoning Map Amendment A-10015-C was approved by the District Council on August 31, 2009, subject to four conditions. Each condition is included below in **bold** face type below, followed by Planning Board comment:

1. **An approved Detailed Site Plan shall be obtained prior to the issuance of any permits.**

As the subject detailed site plan is herein approved for the project, it may be said that it conforms to this requirement of the approval of Zoning Map Amendment A-10015-C.

2. **The Detailed Site Plan shall contain the type of sidewalks and streetscapes recommended in the 1994 master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity, specifically the guidelines for commercial corridors. The commercial streetscape should coordinate with the residential streetscape on Old Landover Road.**

A six-foot-wide sidewalk is shown on the detailed site plan in keeping with this requirement. A condition of this approval requires an additional light fixture on Old Landover Road to improve the appearance of its streetscape and provide a safer environment for area residents and passersby.

3. **A new bus stop located on Old Landover Road shall be constructed at the location of the existing bus stop. The redeveloped bus stop shall be built to current County standards and shall follow the urban design guidelines in the 1994 Master Plan and Sectional Map Amendment. The Department of Public Works and Transportation shall approve the location and design of the reconstructed bus stop.**

A bus stop/shelter is shown on the detailed site plan on the southern side of Old Landover Road at its intersection with Kilmer Street in conformance with this requirement. The Department of Public Works and Transportation (DPW&T) will have to approve the location and design of the reconstructed bus stop and shelter and may modify the location or design.

4. **An approved plan of subdivision shall be obtained.**

Preliminary Plan of Subdivision 4-10018 was approved for the subject property by the Planning Board on June 16, 2011. Therefore, it may be said that the subject project conforms to this requirement of the zoning map amendment.

9. **The requirements of Preliminary Plan of Subdivision 4-10018:** Preliminary Plan of Subdivision 4-10018 was approved for the subject property on June 16, 2011 and formalized in the adoption of PGCPB Resolution No. 11-65. The resolution of approval contains 11 conditions. Conditions relevant to the subject review are listed below in bold face type below, followed by staff comment:

3. **At time of detailed site plan, the applicant shall:**
 - a. **Provide sidewalks and streetscapes as recommended in the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* for commercial corridors and shall coordinate with the residential streetscape of Old Landover Road.**

A six-foot-wide sidewalk is shown on the detailed site plan in keeping with this requirement. A condition of this approval requires an additional light fixture on Old Landover Road to improve the appearance of its streetscape and provide a safer environment for area residents and passersby.

- b. **Provide a new bus stop at the location of the existing bus stop by following the County's standards and the urban design guidelines in the 1994 Master Plan and Sectional Map Amendment.**

A bus stop/shelter is shown on the detailed site plan on the southern side of Old Landover Road at its intersection with Kilmer Street in conformance with this requirement. DPW&T may modify the location and design of the reconstructed bus stop and shelter.

- c. **Provide an additional right-turn lane on Kilmer Road onto Landover Road if the Transportation Planning Section and the Department of Public Works and Transportation (DPW&T) concur.**

The detailed site plan includes the above-referenced right turn lane.

- d. **Provide details of all lighting fixtures shall be submitted for review along with certification that the proposed fixtures will not affect the well being of the neighboring and adjacent residences.**

Two details of the freestanding and none of the building-mounted light fixtures have been included in the plans.

4. The final plat shall contain the following notes:

- a. **Development of this site shall be in conformance with Stormwater Management Concept Plan 16314-2001-00 and any subsequent revisions.**

This requirement will be triggered at the time of approval of a final plat for the project.

5. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

- a. **A high visibility crosswalk with attractive, contrasting surface materials, appropriate curb cuts, and Americans with Disabilities Act (ADA) ramps at the site's ingress/egress point along Kilmer Street, to be reviewed at the time of detailed site plan review and designed in accordance with DPW&T standards.**

A condition of this approval ensures that this condition is appropriately met with the approval of the subject detailed site plan. As with all improvements in the county right-of-way, DPW&T may modify proposed improvements to bring them into conformance with their requirements or in any other manner they deem appropriate.

- b. **A high visibility crosswalk with attractive, contrasting surface materials, appropriate curb cuts, and ADA ramps at the site's ingress/egress point along MD 202 to be reviewed at the time of detailed site plan review and designed in accordance with State Highway Administration (SHA) standards.**

A condition of this approval ensures that this condition is appropriately met with the approval of the subject detailed site plan. As with all improvements within the state right-of-way, the State Highway Administration (SHA) has the authority to modify the proposed improvements to bring them into accordance with their requirements or in any other manner they deem appropriate.

- c. **Because Kilmer Street is a County right-of-way, the applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation (DPW&T) for the placement of this signage. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit.**

A condition of this approval requires that the above-required note be placed on the final plat requiring that the above-mentioned payment be made prior to the issuance of the first building permit for the project.

- d. **All proposed bicycle racks shall be located in a well lit and visible location close to the building entrance and situated on a concrete pad. The final location will be approved by the Urban Design Section and Trails Coordinator prior to a recommendation for approval of the detailed site plan.**

The bike rack was relocated close to the building entrance on a concrete pad, in a well-lit and visible location. Therefore, it may be said that the applicant has met this requirement.

- e. **Construct a new bus stop on Old Landover Road at the location of the existing bus stop. The redeveloped bus stop shall be built to current County standards and shall follow the urban design guidelines that are contained in the 1994 approved master plan and sectional map amendment for Bladensburg-New Carrollton and Vicinity. The Department of Public Works and Transportation shall approve the location and design of the reconstructed bus stop. The final location of the bus stop will be approved by the Urban Design Section and Trails Coordinator prior to a recommendation for approval of the detailed site plan and shall be coordinated with Washington Metropolitan Area Transit Authority (WMATA).**

A bus stop/shelter is shown on the detailed site plan on the southern side of Old Landover Road at Kilmer Street. DPW&T will have to approve and may modify the design and location of the reconstructed bus stop and shelter. A condition of this approval ensures that the final location of the proposed bus stop and shelter is approved by the Urban Design Section and the trails coordinator, may be modified by DPW&T and shall be coordinated with the Washington Metropolitan Area Transit Authority (WMATA).

- f. **Provide for the installation of a street light on Old Landover Road at the location of the existing bus stop in conformance with the urban design guidelines that are contained in the 1994 master plan and sectional map amendment for Bladensburg-New Carrollton and Vicinity, unless modified by The Department of Public Works and Transportation in its review and approval of the location and design of the reconstructed street light. The final location of the street light will be approved by the Urban Design Section and Trails Coordinator prior to a recommendation for approval of the detailed site plan.**

A condition of this approval requires an additional freestanding light fixture, as per the detail included in the plans, be placed along the Old Landover Road frontage.

7. **Total development within proposed Parcel 1 shall be limited to uses which generate no more than 40 AM peak hour trips and 154 PM peak hour trips, in consideration of the approved trip rates and the approved methodologies for computing pass-by and internal trip capture rates. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This requirement will remain concurrently applicable and will be triggered only when proposed development on the site would generate more vehicle trips than those identified herein.

8. **Access to the site shall be limited to a full-movement access on Kilmer Street and a single right-in/ right-out access on MD 202.**

The detailed site plan indicates a full-movement access on Kilmer Street. A de facto right-in/right-out access is created on Landover Road (MD 202) because it is divided by a median, but the nature of the access should be more clearly labeled on the plans. A condition of this approval requires such clarification.

The subject detailed site plan has demonstrated conformance with the requirements of the preliminary plan triggered at the time of approval of a detailed site plan for the project. The remaining requirements of the approval of 4-10018 will have to be met at a later time as specified in the conditions of the preliminary plan of subdivision. A condition of this approval requires that the preliminary plan of subdivision be certified prior to signature approval of the subject detailed site plan.

10. **Prince George's County Landscape Manual:** The project is subject to the requirements of the *Prince George's County Landscape Manual*, specifically, Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. A review of the submitted landscape plan and required schedules from

the Landscape Manual indicates that the plan does not conform to the requirements of Sections 4.2, 4.3, 4.7, and 4.9. The project does, however, conform to the requirements of Section 4.4. Because of the non-conformities mentioned above, the applicant filed Alternative Compliance Application AC-11009 pursuant to Section 1.3 of the Prince George's County Landscape Manual. Such application, however, was recommended for denial by both the Alternative Compliance Committee and the Planning Director and the applicant augmented the already submitted companion case Departure from Design Standards DDS-603 to include a requested departure from Sections 4.2, 4.3, 4.7, and 4.9. A departure requested pursuant to the provision of Section 1.3(f) of the *Prince George's County Landscape Manual* has been granted from the above cited sections of the Landscape Manual as reflected in PGCPB Resolution No. 11-87 for DDS-603.

11. **Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance:** The subject property is not subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance. The requirements of the Tree Canopy Coverage Ordinance have been met. More particularly, Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading permit. Properties zoned Commercial Shopping Center (C-S-C) are required to provide a minimum of ten percent of the gross tract area in tree canopy. The overall development has a gross tract area of 1.02 acres and, as such, TCC of 0.16 acre, or 4,428 square feet, is required. The submitted landscape plan shows a TCC schedule that proposes to meet the requirement with 5,195 square feet of trees to be planted on-site, which exceeds the requirement. Therefore, it may be said that the subject project meets the relevant requirements of the above-mentioned ordinances.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—The Planning Board finds the subject application for a “department or variety store” will have no effect on identified historic sites, resources, or districts.
 - b. **Archeological Review**—The Planning Board finds that a Phase I archeological survey is not recommended for the subject property as it has already been graded, likely destroying any archeological resources that may have been present though Section 106 of the National Historic Preservation Act (NHPA) may require further review if state or federal monies, or federal permits are required for the project.
 - c. **Community Planning**—The Planning Board finds that the subject application is not inconsistent with the 2002 *Prince George's County Approved General Plan Development Pattern* policies for the Developed Tier, but does not conform to the land use recommendations of the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* for residential uses. The approved master plan and sectional map amendment for Bladensburg-New Carrollton and vicinity was approved on the basis of goals and visions for that area of the county 17 years

ago. At that time, the subject site was envisioned for residential development. However, since that time, the vision for the subject property has changed as evidenced by the granting of Zoning Map Amendment A-9795-C (rezoning the property from Rural Residential (R-R)/One Family Detached Residential (R-55)/Commercial Office (C-O) to the Commercial Shopping Center (C-S-C) Zone) on May 21, 1990 and Zoning Map Amendment A-10015-C (rezoning the previously R-R-zoned portion of the property to C-S-C) on July 22, 2009, supporting commercial development on the subject site. This is why the application does not conform to the residential land use recommendations of the 1994 Bladensburg-New Carrollton and vicinity master plan. The subject site may be included in the Landover Metro Area and MD 202 Corridor Sector Plan (a FY12 project), which will update the current vision and reality for the area to include commercial.

- d. **Transportation Planning**—The Planning Board finds that the overall property consists of approximately 1.02 acres of land in the C-S-C Zone. The property is located on the west side of Kilmer Street, between Old Landover Road and Landover Road (MD 202). The application proposes a retail building of 14,896 square feet. In addition to the detailed site plan, the applicant is seeking a departure from design standards and a departure from parking and loading standards.

This site has an approved Preliminary Plan of Subdivision, 4-10018, which was approved with transportation conditions. In addition, two Zoning Map Amendments, A-9795-C and A-10015-C, were previously approved to rezone portions of this property from R-55 (One-Family Detached Residential)/R-R (Rural Residential)/C-O (Commercial Office) to the C-S-C Zone. The District Council approved these rezoning requests with conditions in 1990 and 2009.

During the preliminary plan stage, the property was subjected to a subdivision review process, including the test for adequate public facilities in accordance with conditions placed on the rezoning of the site. These are listed below.

Conditions of approval of Preliminary Plan 4-10018:

1. **Prior to signature approval of the subject preliminary plan of subdivision, the following technical corrections shall be made:**
 - a. **Change the proposed parcel designation to reflect "Parcel 1."**
2. **Prior to the issuance of any permits, the applicant shall obtain approval of a detailed site plan by the Planning Board. The detailed site plan shall be subject to the mandatory review by the District Council.**
3. **At time of detailed site plan, the applicant shall:**

- a. **Provide sidewalks and streetscapes as recommended in the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* for commercial corridors and shall coordinate with the residential streetscape of Old Landover Road.**
- b. **Provide a new bus stop at the location of the existing bus stop by following the County's standards and the urban design guidelines in the 1994 Master Plan and Sectional Map Amendment.**
- c. **Provide an additional right-turn lane on Kilmer Road onto Landover Road if the Transportation Planning Section and the Department of Public Works and Transportation (DPW&T) concur.**
- d. **Provide details of all lighting fixtures shall be submitted for review along with certification that the proposed fixtures will not affect the well being of the neighboring and adjacent residences.**

The applicant shall be responsible for the costs of these improvements.

No building permits will be issued without Condition 3 being met by the applicant. The requirements of Conditions 1 and 2 have been met.

Conditions of approval of Zoning Map Amendment A-9795-C:

1. **That all site plans shall be approved by the Planning Board and by the District Council prior to the issuance of any building permits.**

This condition was carried forward as a condition of approval of the preliminary plan of subdivision. Since the subject detailed site plan has been approved, the first component of this requirement has been met.

2. **Prior to the issuance of any use and occupancy permits for the subject property, the following road improvements shall be both dedicated and constructed by the applicant in accordance with the Department of Public Works and Transportation Standards:**
 - a. **An additional right-turn lane on Kilmer Street from Old Landover Road onto Landover Road (MD Route 202).**

This condition was carried forward as a condition of approval of the preliminary plan of subdivision. The applicant has modified the southbound approach of Kilmer Street at its intersection with Landover Road (MD 202) to provide a right turn lane. A condition of

this approval requires that the applicant clarify the graphic description of the right turn lane on the detailed site plan prior to signature approval of the plans.

Conditions of approval of Zoning Map Amendment A-10015-C

- 1. An approved Detailed Site Plan shall be obtained prior to the issuance of any permits.**

This condition was carried forward as a condition of approval of the preliminary plan of subdivision. Since the subject detailed site plan has been herein approved, the applicant has met this requirement.

- 2. The Detailed Site Plan shall contain the type of sidewalks and streetscapes recommended in the 1994 *Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity*, specifically the guidelines for commercial corridors. The commercial streetscape should coordinate with the residential streetscape on Old Landover Road.**

A six-foot-wide sidewalk is shown on the detailed site plan. The required sidewalks and streetscapes shown on the plan have been reviewed and found acceptable. This condition was carried forward as a condition of approval of the preliminary plan of subdivision.

- 3. A new bus stop located on Old Landover Road shall be constructed at the location of the existing bus stop. The redeveloped bus stop shall be built to current County standards and shall follow the urban design guideline in the 1994 Master Plan and Sectional Map Amendment. The Department of Public Works and Transportation shall approve the location and design of the reconstructed bus stop.**

A proposed bus stop/shelter is shown on the detailed site plan on the south side of Old Landover Road at Kilmer Street. The Department of Public Works and Transportation (DPW&T) will approve the location and design of the reconstructed bus stop and shelter.

- 4. An approved plan of subdivision shall be obtained.**

This condition has been met by approval of Preliminary Plan A-10015-C.

The detailed site plan is showing two entrances to the site, a full movement entrance is shown on Kilmer Street and a right-in/right-out access point is shown on Landover Road (MD 202). An existing concrete median on MD 202 restricts this access point to right-in/right-out movements. A variation request was submitted, reviewed, and approved during the preliminary plan stage. Site access at this location would have to be granted by the Maryland State Highway Administration (SHA). Topographical conditions (steep

grade differential) along the north side of the property limited the feasibility of a second entrance on Old Landover Road.

Overall traffic circulation on the site and the location of the drive-through service appear to be reasonable. Driveways on the site are adequate. The location and exit aisle for the drive-through will channel vehicles to the MD 202 exit.

Departure from Design Standards DDS-603 and Departure from Parking and Loading Spaces DPLS-360 Review—See PGCPB Resolution No. 11-87 and 11-86 for a detailed discussion of DDS-603 and DPLS-360.

Summary

The subject property was given subdivision approval pursuant to a finding of adequate transportation facilities for Preliminary Plan 4-10018. The uses approved herein are consistent with the uses proposed at the time of preliminary plan. Therefore, it is determined that the subject project meets the criteria for site plan approval from the standpoint of transportation, as noted in Subtitle 27. Also, no objection is raised regarding either departure request.

- e. **Subdivision Review**—The property is the subject of Preliminary Plan 4-10018 (PGCPB Resolution No. 11-65), which was adopted by the Planning Board on June 16, 2011 and proposed a 14,896-square-foot (gross floor area) pharmacy. The subject property is located on Tax Map 51, Grid B-4, and is known as Lots 2–4, 27–30, and the west part of Lot 1. The subject property is 1.02 acres and the approved subdivision has not yet been evidenced by a record plat. Please see Finding 9 for a full discussion of the requirements of Preliminary Plan of Subdivision 4-10018.
- f. **Trails**—The following are the Planning Board's comments relating to the subject project's conformance to the trails-related requirements of the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the 1994 *Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity*, the MD 202 at Kilmer Street Intersection Study, and prior approvals affecting the subject site:
 - (i) Landover Road (MD 202) is designated as a master plan bicycle/trail corridor in both the area master plan and the MPOT. The MPOT recommends continuous sidewalks and on-road bicycle facilities along Annapolis Road (MD 450). In the vicinity of the subject site, the Maryland State Highway Administration (SHA) has completed a streetscape improvement project that includes continuous decorative sidewalks, contrasting and high-visibility crosswalks, and wide outside curb lanes. Due to right-of-way constraints, designated bike lanes are not feasible within the current curb-to-curb configuration of the road.

The Trails, Bikeways, and Pedestrian Mobility chapter of the MPOT includes the following policy regarding pedestrian-oriented development in centers and corridors.

POLICY 1: Incorporate appropriate pedestrian-oriented and Transportation Oriented Development (TOD) features in all new development within designated centers and corridors.

The Complete Streets Section of the MPOT includes the following policies regarding sidewalk construction and the accommodation of pedestrians:

POLICY 1: Provide standard sidewalk along both sides of all new road construction within the Developed and Developing Tiers.

POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

The MPOT also recommends improvements at the Landover Road (MD 202)/Kilmer Street intersection. More specifically, the MPOT states:

Pedestrian safety improvements are needed at this intersection to safely accommodate pedestrians crossing from the existing apartments to the shopping center. (MPOT, page 37)

- (2) The MD 202 at Kilmer Street Intersection Study, which was completed by Vision Engineering and Planning in July 2009, provides a more detailed and specific analysis of the intersection, pedestrian safety issues, and potential measures to improve the pedestrian environment. This study summarizes conditions at and near the intersection by stating:

"MD 202 at Kilmer Road was identified by the Town of Cheverly as a candidate for a safety improvement study. The intersection is located near numerous multi-family housing units, retail and commercial establishments. This particular land use form leads to significant pedestrian demand which poses additional operational and safety issues at the subject intersection. MD 202 is a six-lane, urban-arterial with a posted speed limit of 35 miles per hour in the study area. Kilmer Street is a local street that serves residential neighborhoods to the south of MD 202 as well as Spellman Elementary School. Notable characteristics of the study intersection include:

- “• *The intersection is located immediately adjacent to the US 50 off-ramp. The westbound us 50 off-ramp carries traffic at high speeds and limited visibility when approaching the study intersection.*
- “• *Textured crosswalks are present at all approaches; these crosswalks were part of the MD 202 streetscaping project.*
- “• *New sidewalks are located on 202; these sidewalks were also installed as part of the streetscape project and include an approximately six-inch setback from the travel lane, providing for increased pedestrian safety.*
- “• *The pavement and signs are in good conditions.*
- “• *The adjacent land uses are primarily multi-family residential, retail, and commercial.*
- “• *Bus stops are located on the east and west side of Kilmer Street.*
- “• *The traffic signal at the intersection is currently being upgraded with new signal and pedestrian heads, poles, and controller.” (Intersection Study, pages 6 and 7)*

The summarized observations of the study included:

- “• *Mid-block pedestrian crossings east of Kilmer Street are unsafe due to the high speeds on MD 202 and the off ramp from US 50.*
- “• *Mid-block pedestrian crossings occur south of MD 202 on Kilmer Street despite the presence of crosswalks nearby.*
- “• *The existing protected/permitted left turn phasing on MD 202 requires turning vehicles to travel across three lanes of traffic traveling at speeds over 40 miles per hour. (Intersection Study, pages 7 and 8)*

Most of the study recommendations involve improvements within the public right-of-way of Landover Road (MD 202) and are beyond the scope of the subject application. These recommended improvements include pedestrian barriers along MD 202 to prevent pedestrian mid-block crossings, rumble strips and speed advisory on the westbound US 50 (John Hanson Highway) off-ramp, and modifications to the traffic signal. The study also recommends that pedestrians be oriented towards the controlled intersection and the designated crosswalk at MD 202 and Kilmer Street. This should help to discourage pedestrians from making unsafe mid-block crossings. The submitted site plan appears to achieve this by (1) orienting pedestrians exiting the store towards Kilmer Street via the

striped crosswalk and (2) the provision of a pedestrian walkway from the parking lot to the sidewalk along Kilmer Street near the MD 202 intersection. The provision of high-visibility and contrasting crosswalks at the site's ingress/egress points along MD 202 and Kilmer Street is recommended.

The submitted site plan reflects the existing sidewalks along MD 202 and Kilmer Street and also incorporates a proposed sidewalk along Old Landover Road. Bicycle parking is shown near the corner of the property closest to the MD 202 and Kilmer Street intersection. The placement of this parking is recommended closer to the building entrance at a more visible location.

This revision to the site plan has been made.

In conclusion, the Planning Board stated that the approved site plan is acceptable, fulfills the intent of applicable master plans and functional plans, fulfills prior conditions of approval, and meets the finding required for a detailed site plan with respect to trails-related issues and has included three trails-related conditions in its approval of the subject project.

- g. **Permit Review**—Numerous permit review-related comments have been addressed by revisions to the plans or in the conditions of this approval.
- h. **Environmental Planning**—The Planning Board makes the following environmentally-related findings:

Background

The Planning Board previously issued a letter of exemption from the Woodland and Wildlife Habitat Conservation Ordinance for this site. This approval is of a detailed site plan to construct a retail store on a 1.02-acre tract of land in the C-S-C Zone.

The site is subject to the environmental regulations which became effective on September 1, 2010. The project is not grandfathered from Subtitle 27 provisions because it has no previously approved land development applications. A NRI equivalency letter was issued for the site and, as such, a NRI plan is not required. The site is subject to the TCC requirement of Subtitle 25, Division 3 of the Prince George's County Code.

Site Description

The subject property is located on the south side of Old Landover Road where it intersects with Kilmer Street to the east. The southern boundary of the site is adjacent to Landover Road (MD 202). The site is relatively flat and drains into unnamed tributaries of the Lower Beaverdam Creek watershed in the Anacostia River basin. The predominant soil types on the site are Christiana-Downer Urban Land Complex and Russett-Christiana Urban Land Complex. Based on information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered

species found to occur in the vicinity of this site. There are no floodplains, streams, Waters of the U.S., or wetlands associated with the site. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. The site is located in close proximity to a major noise generator Landover Road (MD 202). Landover Road is a state-owned and maintained arterial highway generally regulated for noise impacts. However, no residential or residential-type uses are proposed. This property is in the Developed Tier as delineated on the approved General Plan.

Environmental Review

- (1) The site has a signed Natural Resources Inventory (NRI) Equivalency Letter (NRI-EL-002-2011). During the review of the information submitted, it was determined that an NRI-EL is acceptable to meet the NRI submittal requirement because:
 - (a) The site is exempt from the Woodland and Wildlife Habitat Conservation Ordinance.
 - (b) A review of the detailed site plan, the PGAtlas.com environmental layers, and 2009 color aerial photos indicate that there are no regulated environmental features on the site.

No additional information regarding the NRI submittal requirement is necessary at this time. The NRI-EL may be submitted with any application related to the development proposal described that would otherwise require a NRI.

- (2) The site does not contain any regulated features. The finding contained in Section 27-285(b) of the Zoning Ordinance does not apply to the subject property.

No additional information is required regarding the required finding. It does not apply because there are no regulated environmental features on the site.

- (3) The property is not subject to the provisions of the Woodland and Wildlife Conservation Ordinance because, although the gross tract area of the subject property is greater than 40,000 square feet, there are less than 10,000 square feet of existing woodland. A letter of exemption was issued for the site on February 4, 2011. A Type I tree conservation plan was not submitted with the review package and is not required.

No further information regarding woodland conservation is required at this time. The letter of exemption should accompany all subsequent applications.

- (4) Subtitle 25, Division 3, Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading

permit. Properties zoned C-S-C are required to provide a minimum of ten percent of the gross tract area in tree canopy.

The overall development has a gross tract area of 1.02 acre and, as such, TCC of 0.16 acre, or 4,428 square feet, is required. The submitted landscape plan shows a TCC schedule that proposes to meet the requirement with 5,195 square feet of trees to be planted on-site, which exceeds the requirement.

The plans show the requirements of Subtitle 25, Division 3 being met. No additional information is required.

- (5) According to the Prince George's County Soil Survey, the principal soils on this site are Christiana-Downer Urban Land Complex and Russett-Christian Urban Land Complex.

This information is provided for the applicant's benefit. No further action is needed as it relates to this detailed site plan review. A soils report in conformance with County Council Bill CB-94-2004 may be required during the permit review process.

- (6) A copy of an approved stormwater management concept letter was included in the submittal. A copy of the plan was not included. According to the approval letter, a hydrodynamic water separator will be used to treat runoff by separating sediment and oil from the polluted runoff before it is discharged into the stream system. The separator is not shown on the detailed site plan (DSP). The applicant will also be required to pay \$17,456 into an account for the Beaverdam Creek Stream Restoration Project.

A single condition of this approval requires the detailed site plan to be revised to include a hydrodynamic water separator so as to conform to the requirements of the stormwater management concept approval letter.

- i. **Prince George's County Fire/EMS Department**—The Prince George's County Fire/EMS Department offered information on private road design, needed accessibility, and the location and performance of fire hydrants.
- j. **Department of Public Works and Transportation (DPW&T)**—The Department of Public Works and Transportation (DPW&T) offered numerous comments that will be implemented with respect to Old Landover Road, a county-owned and maintained road, when the applicant pursues DPW&T's separate permitting process. In addition, DPW&T noted, salient to the subject review, that the subject detailed site plan is consistent with approved Stormwater Management Plan 16314-2001-00, dated March 1, 2001. However, in a memorandum dated August 18, 2011, the Environmental Planning Section stated that the detailed site plan did not include the hydrodynamic water separator called for in the stormwater management concept approval letter. A recommended condition of approval

would require its inclusion, which would ensure conformance with the approved stormwater concept. The applicant will be required to pay a fee-in-lieu charge in the amount of \$17,456, pursuant to a requirement of that plan, toward the cost of restoring the Beaverdam Creek. This requirement, like the requirements alluded to above, will be met during DPW&T's separate permitting process.

k. **Maryland State Highway Administration (SHA)**—The Maryland State Highway Administration (SHA) offered the following comments:

- (1) Access to the retail is proposed from Landover Road (MD 202) and Kilmer Street. The right-in/right-out access from MD 202 and associated improvements should be coordinated with SHA's Access Management Division. The proposed full-movement access from Kilmer Street should be coordinated with DPW&T.
- (2) An access permit will be required from SHA for the proposed entrance and associated work. Roadway improvement plans should be submitted to SHA for review and comment. The proposed roadway improvements for widening, grading, and paving shall be prepared according to SHA standards and in compliance with the American Association of State Highway and Transportation Officials (AASHTO), A policy on Geometric Design of Highways and Streets (current edition).
- (3) Site parking is proposed in SHA easement areas. Parking or any other structure shall not be installed within SHA easement areas until the easement is re-acquired from SHA.
- (4) Any utility relocation, adjustment, or connection within a SHA right-of-way requires a permit from the SHA District 3 Utility Engineer.

SHA comments have been conveyed to the applicant for needed action prior to receipt of an access permit from SHA.

l. **Washington Suburban Sanitary Commission (WSSC)**—The Washington Suburban Sanitary Commission (WSSC) offered numerous comments that will have to be addressed before WSSC will provide service to the project. WSSC's comments have been conveyed to the applicant for needed action prior to WSSC providing water and sewer service to the subject project.

m. **Verizon**—In an email received from a representative of Verizon, it was noted that the public utility easement has been encumbered with the parking lot and landscaping. It was also stated that the public utility easement must be free and clear of all obstructions and of a grade of not more than a 4:1 slope. A condition below would address these issues.

- n. **Potomac Electric Power Company (PEPCO)**—Potomac Electric Power Company (PEPCO) offered no comment.
 - o. **Town of Cheverly**—The Town of Cheverly offered conditional support of the project predicated on the inclusion of certain conditions, which the Town stated the applicant had agreed to regarding transportation improvements, site lighting, and the applicant keeping the Town of Cheverly informed of all development activities related to the site. Such conditions have been included in the Recommendation section of this report.
 - p. **Town of Landover Hills**—The Town of Landover Hills offered no comment.
 - q. **Town of Bladensburg**—The Town of Bladensburg offered no comment.
13. As required by Section 27-285(b) of the Zoning Ordinance, 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.
14. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a detailed site plan is as follows:

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 a revised memorandum dated August 18, 2011, the Environmental Planning Section stated that the above finding required by Section 27-285(b)(4) of the Zoning Ordinance does not apply to the subject property as there are no regulated environmental features on the site.

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-10030, subject to the following conditions:

- 1. Prior to certificate approval of the detailed site plan, the applicant shall revise the plans as follows or submit the information specified:
 - a. Submit a copy of certified Preliminary Plan of Subdivision 4-10018.
 - b. Provide a high-visibility crosswalk with attractive, contrasting surface materials, appropriate curb cuts, and ADA (Americans with Disabilities Act) ramps at the site's ingress/egress point along Kilmer Street. A detail of such paving treatment or pavers, drawn to scale, shall be included on the plans, with final design approved by the Urban Design Section as designee of the Planning Board. A note shall be added to the plans that

the crosswalk indicated across the project's Kilmer Street entrance shall be installed as part of the subject project.

- c. Provide a high-visibility crosswalk with attractive, contrasting surface materials, appropriate curb cuts, and ADA (Americans with Disabilities Act) ramps at the site's ingress/egress points along Landover Road (MD 202). A detail of such paving treatment or pavers, drawn to scale, shall be included on the plans, with final design approved by the Urban Design Section as designee of the Planning Board. A note shall be added to the plans that the crosswalk indicated across the project's MD 202 entrance shall be installed as part of the subject project.
- d. The applicant shall substitute the specified Leyland Cypress species with American or Green Giant Arborvitae on the landscape plans consistently through the project plans.
- e. A ten-foot public utility easement shall be clearly delineated along all public rights-of-way as indicated in Condition 10 of PGCPB Resolution No. 11-65 for Preliminary Plan of Subdivision 4-10018 and shall be shown as free and clear of all paving or structures.
- f. Revise the plans to add a note that the applicant shall keep the Town of Cheverly advised of all future plans related to the project and any future projects proposed for the subject site if the current application is withdrawn.
- g. Construct a new bus shelter on Old Landover Road at the location of the existing bus stop. The redeveloped bus stop shall be built to current County standards and shall follow the urban design guidelines that are contained in the 1994 approved master plan and sectional map amendment for Bladensburg-New Carrollton and Vicinity. The Department of Public Works and Transportation shall approve the location and design of the reconstructed bus stop. The final location of the bus stop will be approved by the Urban Design Section and Trails Coordinator and shall be coordinated with Washington Metropolitan Area Transit Authority (WMATA).
- h. Note 10 of the General Notes shall be corrected to read that 80 parking spaces are required, not 85.
- i. The architecture of the more northern one-story portion of the northwestern façade shall be revised to include metal or wood lattice and/or decorative brickwork, utilizing differences in relief or soldier and stretcher courses or colors. Final design of the architecture of the northwestern façade shall be approved by the Urban Design Section as designee of the Planning Board.
- j. One standard Department of Public Works and Transportation (DPW&T) freestanding light fixture shall be placed proximate to the sidewalk along the Old Landover Road frontage at the location of the bus stop. Final approval of the location shall be approved by the Urban Design Section and the trails coordinator prior to signature approval of the

plans, unless and as modified by DPW&T. The applicant shall also indicate on the site plan the existing street light located in the public right-of-way of Old Landover Road. Final representation of the existing and proposed light fixtures on the site plan shall be approved by the Urban Design Section as designee of the Planning Board.

- k. The applicant shall remove General Note 25 which states: "All painting, striping, curb work and signage to be constructed per the standards and specifications provided by Walgreens." All site work shall be done in accordance with the requirements of the subject detailed site plan.
 - l. The applicant shall clarify the indication of a right turn lane to be provided on southbound Kilmer Street and separate its representation from the indicated limits of disturbance.
 - m. The applicant shall revise the plans to include a detail, with all materials labeled, for the retaining walls to be used on the northeastern and northwestern property lines that will incorporate stamped and/or colored concrete to create visual interest and aesthetic improvement of the proposed retaining walls. Final design of said retaining walls will be approved by the Urban Design Section as designee of the Planning Board.
 - n. The applicant shall revise the landscape plan to include three separate schedules for the Section 4.2, Commercial and Industrial Landscape Strip requirements, one for each road frontage, including the required/provided information and a note that the departure application was approved to provide relief from the requirements of this section.
 - o. The applicant shall provide evidence from the Department of Public Works and Transportation that it does not object to the proposed improvements shown in its revertible slope easement.
- 2. Prior to approval of the record plat for the project, a note shall be placed on it stating that payment required in Condition 3 below for signage to designate Kilmer Street as a Class III bikeway shall be made to the Department of Public Works and Transportation (DPW&T) prior to issuance of the first building permit for the project.
 - 3. Prior to issuance of the first building permit for the project, the applicant and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation (DPW&T) for placement of the Share the Road with a bike signage along the subject property's Kilmer Road frontage.

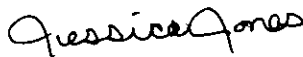
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Cavitt, with Commissioners Washington, Cavitt, Squire, Bailey and Hewlett voting in favor of the motion at its regular meeting held on Thursday, September 15, 2011, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of September 2011.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:RG:arj

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPA Legal Department

Date 9/20/11