



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 16-45

File No. DSP-15020

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 March 24, 2016, regarding Detailed Site Plan DSP-15020 for Pollo Campero, Capital Plaza the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) is for the construction of a 2,757-square-foot eating and drinking establishment, with drive-through service, including additional outdoor seating, associated parking, and other site improvements.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zones	C-S-C/D-D-O	C-S-C/D-D-O
Use	Vacant	Eating and drinking
Acreage	43.82	43.82
Building Square Footage/GFA		
Walmart	144,227	
McDonald's	4,585	
Pollo Campero		2,757
TOTAL		151,569

OTHER DEVELOPMENT DATA

Parking Requirements per the Sector Plan

	Spaces Required
Department Store (144,227 sq. ft. (existing))	726
McDonalds (100 @ 1/3 seats)	33
Pollo (106 seats @ 1/3 seats)	35
Total required	795 spaces
Parking allowed per the DDOZ*	
Min (50%)-Max (125%)	394-994
Total Parking Provided	1,867
Existing spaces	1,824
Proposed spaces per DSP	43 spaces proposed for the subject pad-site including: 39 standard spaces and 2 van-accessible handicapped
Total Loading Spaces Required**	1
Total Loading Spaces Provided	0

Notes: * The number of parking spaces required is per the D-D-O standard IV(C)(2)(3) on page 166 of the 2010 *Approved Central Annapolis Road Sector Plan and Sectional Map Amendment* (Central Annapolis Road Sector Plan and SMA). This standard sets the minimum required on-site parking for all uses to be 50 percent of the required minimum as determined by the Zoning Ordinance, Section 27-568(a), and the maximum to be 125 percent of the Zoning Ordinance requirement.

**The D-D-O Zone does not have a standard for required loading spaces. Therefore, the loading standards require one space, for the overall site in accordance with the Zoning Ordinance; and a condition is included requiring the plan to be revised.

3. **Location:** The subject property is located on the north side of Annapolis Road (MD 450), specifically within the Capital Plaza Shopping Center approximately 1,000 linear feet east of the intersection of MD 450 and the Baltimore-Washington Parkway (MD 295). It is located in Council District 5, Planning Area 69, and in the municipality of Landover Hills.
4. **Surrounding Uses:** The subject property is bounded to the northeast by residential development of single-family detached homes. Webster Street deadends into the site and south of Webster Street is commercial development. To the west abuts the site to the north with commercial uses in the Commercial Shopping Center (C-S-C) Zone beyond; 62nd Avenue abuts the site to the west with a gas station and hotel in the C-S-C Zone beyond; and the platted, but undeveloped,

Columbia Avenue abuts the site to the south with vacant land in the One-Family Detached Residential (R-80) Zone beyond. To the east, the property abuts a hotel in the C-S-C Zone.

5. **Previous Approvals:** The subject property is Parcel H, of the Capital Plaza, Inc. Subdivision, located on Tax Map 51 in Grid A-3, recorded in Plat Book PM 228-87. The site was completely developed in the 1960s with approximately 395,000 square feet of development associated with the Capital Plaza Mall, which has been subsequently demolished. The current site is developed with a department store (Walmart) and an eating and drinking establishment with drive-through service (McDonalds). The Central Annapolis Road Sector Plan and SMA retained the property in the C-S-C Zone. The subject site also has an approved Stormwater Management Plan (SWM), 20152-2015-00, which is valid through June 18, 2018.

6. **Design Features:** The subject application proposes to completely raze a pad-site with an existing building on the property and construct a one-story, 22.5 foot-high, 2,757-square-foot eating and drinking establishment for Pollo Campero. The building will be located on the north side of Annapolis Road (MD 450) approximately 1,000 linear feet from its intersection with the Baltimore-Washington Parkway (MD 295). The proposed 43-space parking compound is located to the north and east of the building. Access to the building is proposed through the existing parking lot of the overall shopping center. The drive-through facility is located such that the on-site circulation is counter-clockwise around the building and traffic flow minimizes conflict with pedestrian coming from the sidewalk within the Annapolis Road corridor. A split-face concrete block dumpster enclosure is proposed to be located to the north east of the building, easily accessible to trash removal trucks. Stormwater is being accommodated in bioretention facilities around the perimeter of the pad-site.

The proposed one-story building is rectangular in shape and has a flat roof. The shorter southern elevation, facing MD 450, will have store front windows and a door with faux wood paneling walls and projected awnings along the front façade. Building mounted signage includes both the Pollo Campero logo and the name of the restaurant. The main access into the restaurant is along the east elevation includes the same elements as the front with the addition of a light unpolished ceramic tile along a large portion of the building at pedestrian levels. Signage is the same as the front elevation. The west elevation provides for the window service, store front windows, and the light unpolished ceramic tile along a large portion of the building. Signage is the same as the other two sides of the building. The façade facing the interior of the overall shopping center is actually the rear of the building and indicates the same use of exterior finish materials and does not include signage.

The lighting proposed in association with the Pollo Campero pad-site is depicted on the plans as a 42.5-foot-high pole with fixture. The Development District Standards indicate that a full cut-off optic should be used and should be located so that light spillover from one property to another is minimized. The photometric plan indicates lighting levels proposed from 3.02 to 7.25 foot-candles. In regard to spillover, The Dark Sky Society (2009) recommends the following relating to spillover:

Limit light crossing property lines, i.e. "light trespass." Limit light to spill across the property lines. Light levels at the property line should not exceed 0.1 foot-candles (fc) adjacent to business properties, and 0.05 fc at residential property boundaries. Utility leased floodlight fixtures mounted on public utility poles in the public right-of-way should not be used.

The photometric plan proposes much higher lighting levels at the perimeter of the site, in the range of 3.02 to 7.4. The Planning Board finds that the lighting should be revised to reduce the height of the fixtures so that the lighting is "pedestrian friendly," a maximum of 30 feet in height, and the lighting levels be reduced to the levels recommended by either the Dark Sky Society or the recommendations of the Illuminating Engineering Society of North America. A condition stating such is included in the approval of this resolution.

The proposed signage of the project is subject to Part 12, Signs of the Zoning Ordinance. The plans do not provide for the measurement for the proposed signs. The Planning Board finds that the plans should be revised as appropriate to address the requirements of Part 12 of the Zoning Ordinance to meet the requirements of the C-S C Zone prior to certificate approval or obtain a departure from sign design standards.

7. **2010 Approved Central Annapolis Road Sector Plan and Sectional Map Amendment and Development District Overlay Zone (D-D-O):** The subject site is located within the Retail Town Center area of the 2010 *Approved Central Annapolis Road Sector Plan and Sectional Map Amendment* (Central Annapolis Road Sector Plan and SMA). The character area is intended to create a pedestrian-friendly retail center oriented toward Annapolis Road (MD 450). The center should accommodate a mix of regional-serving retailers and neighborhood-oriented businesses. The Development District Overlay Zone (D-D-O) Zone imposes urban design standards to implement the plan's vision for the corridor and this character area.

The subject property is currently occupied by a vacant bank, and the applicant proposes to completely raze the existing development and build a new eating and drinking establishment. Since a site plan has been submitted for the development of a new building, the property is required to comply with the intent and the development district standards of the Central Annapolis Road Sector Plan. Compliance with the applicable standards has been evaluated as a part of the DSP process.

Development District Standards

The submitted application and justification statement indicate the need to deviate from a number of development district standards to accommodate the proposed development on the subject property. Per Section 27-548.25 of the Prince George's County Zoning Ordinance, these alternate standards may be approved if they can be found to benefit the development and the development district, and will not substantially impair implementation of the master plan, master plan amendment, or sector plan. These alternate standard requests, along with other standards, warrant discussion as follows (all page numbers reference the sector plan):

IV. Retail Town Center Bulk Table

- a. **Amendment Request–Front Building Placement Line:** The development district standards identify the minimum and maximum building placement line as 75 and 85 feet respectively, measured from the existing centerline of the eastbound MD 450 travel lanes.

The applicant provides the following amendment request:

“Front Building Placement Line: Capital Plaza fronts on the westbound lanes of Annapolis Road, and upon this property, the Plan requires that the “Front Building Placement Line” be a minimum of 75 feet from the Annapolis Road centerline (of the westbound lanes), and a maximum of 85 feet from that same centerline (as shown within Table 8.10, “Retail Town Center Bulk Table”). While most of the building proposed upon the subject property of this DSP conforms to this standard, a small corner of this proposed building is located 89 feet from the Annapolis Road centerline, a mere 4 feet beyond the maximum Front Building Placement Line of 85 feet. This minor variation is the result of a slight curvature by Annapolis Road in front of the subject property. The proposed building aligns with the existing pad site abutting it to the east (Capital One Bank), to create a visually cohesive development. Additionally, aligning the building in a manner that would meet the Front Building Placement Line in all respects would impair the internal vehicular circulation of this pad site, and it would thus be impractical, detrimental to the visual cohesiveness and functionality of the site, and ultimately contrary to the overall goal of the Plan.

“For all of the above-stated reasons, the Applicant respectfully submits that the proposed alternative to this Development Standard, being a setback of 89 feet from the Annapolis Road centerline, will benefit the development, and will not substantially impair implementation of the Sector Plan, and for these reasons, the Applicant requests the approval of this alternative to the Front Building Placement Line standard in the DDOZ of this Sector Plan.”

The Planning Board supports this minor modification to allow four feet beyond the maximum front building placement line.

- b. **Parking and access management–Standard IV.C**

(1)(c) **Drive through facilities should be located so that they are logically arranged within the on-site and contextual circulation plan. They should also be designed to ensure safe pedestrian circulation and access.**

The submitted site plans show a direct pedestrian connection from MD 450 via a short sidewalk that leads to a stamped pavement crosswalk and then the primary entrance of the building. Additionally, the driveway between the proposed building and MD 450 is a one-way, 12 feet wide, which will improve pedestrian comfort as vehicles will only originate from one direction at the crosswalk. The applicant and staff discussed this issue at length. Staff has concluded that the site plan as finally submitted is the best solution for the management of the vehicles and pedestrians around the structure. The plan provides for counter-clockwise vehicular circulation around the building. The pedestrian access from the pedestrian corridor of Annapolis Road reduces the potential for vehicle and pedestrian conflicts. Further the plans provide for safe pedestrian access to the north and east within the shopping center.

c. **Amendment Request–Parking and Management Access–Standard IV.C**

- (2) **The following minimum and maximum parking capacity regulations apply to uses in the retail Town Center Area: the minimum required on-site parking capacity for all uses shall be 50 percent of the current required minimum capacity as determined in section 27-568(a) of the Zoning Ordinance. The Maximum permitted on-site capacity shall be equal to 125% of the minimum capacity required by the Zoning Ordinance for all uses.**
- (3) **For any property under one ownership and with two or more uses, the minimum number of spaces requires shall be computed by multiplying the minimum amount of parking required for each land use, as stated under section (2) above, by the appropriate shared-parking percentage by time period shown in Table 8.7a. The number of spaces required for the development is then determined by adding the results in each column. The column totaling the highest number of parking spaces becomes the minimum off-street parking requirements.**

Maximum Parking Capacity: The development district standards identify the minimum and maximum parking as 50 percent and 125 percent respectively. The applicant provides the following amendment request:

“Within the Retail Town Center Area of the DDOZ, the maximum parking capacity is stated to be 125% of the minimum capacity required by the Zoning Ordinance for all uses (Section IV.C.2.). Currently, the following parking analysis applies to the entire Capital Plaza property:

“Required parking (per Zoning Ordinance) – 795 spaces

“Minimum parking required per the Sector Plan – 394 spaces

“Maximum parking permitted per the Sector Plan – 994 spaces

“Existing parking on the Property – 1867 spaces

“Capital Plaza has existed as a retail center for almost 60 years, and was once the site of a major enclosed mall, which was demolished about 10 years ago. At the time it was originally developed, it was generally believed that many parking spaces were needed to serve all of the numerous uses on this property. The property is currently going through a redevelopment, and the “sea of asphalt” that was once the parking to serve the mall and pad sites on the property remains. The portion of this property that is currently the subject of DSP-15020 is a relatively small pad site, and 43 spaces are proposed to be provided for the subject restaurant. Clearly no new pavement is either necessary or is being provided for this proposed restaurant on this pad site, so the existing parking area is not being enlarged beyond its current boundaries. However, since the entire property is being redeveloped in phases, and no one yet knows of other possible future uses on this site, it would be an unfair burden upon the Applicant for this DSP, and would serve no purpose, to require removal of any portion of the existing pavement upon this property.

“For all of the above-stated reasons, the Applicant respectfully submits that the proposed alternative to this Development Standard, allowing all of the existing parking upon the Capital Plaza property to remain, will benefit the development, and will not substantially impair implementation of the Sector Plan, and the Applicant requests approval of this alternative to the Maximum Parking Capacity standard in the DDOZ of this Sector Plan.”

This amendment to the parking requirements is reasonable because the project is part of a redevelopment of an existing site that was previously approved as an integrated shopping center. It would be unreasonable to ask the owner of the shopping center to remove all of the existing parking on the site, so that only the maximum amount of parking would remain on the site. As new development is proposed over time the amount of existing parking on-site and the requirements of the DDOZ will reconcile. However, it seems that the applicant is using the calculations for an integrated shopping center in order to create the base calculation in which to apply the minimum and maximum standards for the overall site. In reality, the site is subject to the calculations as would normally be applied for a restaurant. In that case, the number of required spaces is 36, and 125 percent of that number is 45, two more than the number of spaces proposed on the subject site plan. Therefore, the Planning Board approved this amendment request.

d. **Building Design Guidelines–Standard IV.D**

3. **Style and Detail**

a. **Building designs shall use materials with high aesthetic**

character, such as brick, decorative masonry, decorative metals, and decorative wood, to be determined through the design review process.

- b. Low-quality materials, such as concrete masonry units, exterior insulating finishing system, or prefabricated panels, shall be minimized and masked wherever possible.**

The applicant's original submission included the use of Exterior Interior Finishing Systems (EIFS) as the primary sheathing material on left side, right, and rear elevations. Revised plans indicate the substitution of unpolished ceramic tile along a large portion of the building at pedestrian level. This improves the durability and quality of the exterior finish material along the pedestrian zone and is acceptable and is determined to meet the requirements above.

- e. Public Realm Standards—Standard V**

(D) Transit, Bicycle, and pedestrian mobility

- 1(a) Development sites shall provide links to adjacent sidewalk or path networks to maintain continuity between development sites.**
- (b) The location of on-site path networks should maximize access to primary structures and minimize access to primary structures and minimize conflicts with automotive access and storage.**
- (c) Paths internal to the site shall be no less than four feet wide.**
- (d) Paths shall be adequately illuminated, attractively designed and signed for safety and navigability, and shall be compatible with the overall design of the development site.**
- (e) Commercial pad sites oriented towards Annapolis Road shall be designed to provide a direct pedestrian connection to sidewalk or path networks along Annapolis Road.**

The application includes a connection to Annapolis Road (MD 450) and creates a vehicular circulation pattern that provides for the safest crossing designs for the pedestrians. The plan also shows a pedestrian connection on the north side of the Pollo Campero pad-site that will provide for safe access for pedestrians heading northeast internal to the site. The above requirements are met in the revised plans proposed for development as submitted.

- f. **Signage–Building and Canopy Signs–Standard V(E)**
- 1.a. **Signs shall be constructed of quality materials.**
 - 1.b. **The placement, colors, type, style and size of the signs shall be integrated into the overall architectural design of the building.**
 - 1.h. **Lit signs should be externally illuminated from the front, except for individually-mounted letters, or numbers, which may be internally lit. Panelized back lighting and box signs are discouraged.**

The applicant is proposing to construct building mounted signage with internal light. The materials and specifications for the signs was not included in the application. The applicant should provide staff with a description of the materials and specifications to construct the mounted signs prior to signature approval of the plans. The applicant has stated that the lighting requirements of 1(h) above are too restrictive considering the need for visibility from Annapolis Road. Considering the economic aspects of low lighting of signage, and the impact it can have on the success of a single use pad-site, and the fact that there isn't a free standing sign being proposed, the Planning Board believes that the allowance of the internal lit signage is appropriate at this location.

g. **Landscape Standards–Standards VI**

- A. **Existing trees within the DDOZ should be preserved where feasible.**
The plan as proposed includes the preservation of existing trees along the immediate frontage of the Pollo Campero site. The Planning Board supports the preservation of existing trees, even though the development district standards also proposes to create a low continuous screening of the parking along the frontage of Annapolis Road (MD 450), which could damage root systems of existing trees and further threaten the livability of the existing shade trees. In this case, the frontage of the building is not a parking compound but a driveway between the building and the right-of-way.
- C. **Street Trees–Standard VI.C**
- 2. **Street trees shall be planted along the arterial frontage and all new commercial streets in the DDOZ according to the streetscape sections.**

This is an issue of the SHA, but should be shown on the plans.

Parking Lot Requirements (Standard VI.D.2.):

- a. **A landscaped strip consisting of a minimum four-foot-wide landscaped strip between the right-of-way line and the parking lot, with a brick, stone, or finished concrete wall between three and four feet in height shall be provided to screen the parking lot.**

The wall shall be located adjacent to but entirely outside the four-foot-wide landscaped strip. Plant with a minimum of one shade tree per 35 linear feet of frontage, excluding driveway openings, and with a mixture of evergreen groundcover and low shrubs planted between the shade trees.

**Amendment Request—Parking Lot Requirements
(Standard VI.D):**

The development district standards require a planting strip along the frontage of the property. The applicant provides the following amendment request:

“Within the Applicant’s pad site area, a roughly 10-foot wide landscaped strip currently exists between the pad site and Annapolis Road. There are currently several large oak shade trees planted within this existing landscaped strip, and it is not possible to erect a knee wall at this location, given that the wall foundation would interfere with the root zones of the oak trees. Additionally, this existing landscaped strip will actually be widened by approximately 8-feet from its current 10-foot width in connection with the construction of the proposed new restaurant upon the subject property, thus aiding the survivability of the existing trees. This situation is proposed as an alternative to the above-referenced Development Standard.

“For all of the above-stated reasons, the Applicant respectfully submits that the proposed alternative to this Development Standard, widening the existing landscaped strip along the pad site frontage without a knee wall, will benefit the development, and will not substantially impair implementation of the Sector Plan, and the Applicant requests approval of this alternative to the Parking Lot Landscaped Strip standard in the DDOZ of this Sector Plan.”

The Planning Board agrees that the implementation of a wall along the edge of the current treed landscape strip would be inappropriate and could cause decline of the existing trees along the street line. Therefore, the Planning Board approved this amendment. It is reasonable to allow for the preservation of the existing trees, with a requirement of an arborists evaluation and treatment plan to and improve the health and vigor of the trees and a plan to protect the trees during the construction process.

h. **Streetscape Elements (Standard VI.I.)**

All streetscape elements shall be required for all streets and shall include information of location, spacing, quantity, construction details, and method of illumination in accordance with the plan's recommended streetscape sections and public realm elements.

Streetscape elements shall include:

1. Street Trees
2. Street furniture (benches, trash receptacles, lighting, and bus shelters)
3. Landscaping and planters
4. Decorative paving
5. Sculptures/artwork

The above requirement does not apply to the subject site because the Central Annapolis Road Sector Plan should not be interpreted to apply to the Annapolis Road as it is a state highway right-of-way (ROW) and the improvements within the right-of-way are wholly within SHA's jurisdiction. The above requirement may apply to private streets that could be developed on the overall site in the future, but this type of development is not proposed at this time. This plan does include the additions of pedestrian walkways, the curb and gutter to define vehicular movement on the site associated with the subject improvements, but these are driveways that are part of the existing infrastructure of the site and should not be construed as "streets."

8. **Zoning Ordinance:** The subject site plan has been reviewed for conformance with the requirements of the C-S-C and D-D-O Zones. The following discussion is offered regarding these requirements.

- a. **Requirements of the C-S-C-Zone:** The proposed eating and drinking establishment is a permitted use in the C-S-C Zone.

Section 27-548.21. Relationship to other zones.

The Development District Overlay Zone shall be placed over other zones on the Zoning Map, and may modify specific requirements of those underlying zones. Only those requirements of the underlying zones specifically noted in this Subdivision and elsewhere in this Subtitle are modified. All other requirements of the underlying zones are unaffected by the Development District Overlay Zone...

The applicable D-D-O Zone contains requirements regarding uses and setbacks that modify the requirements of the C-S-C Zone.

b. **Development District Overlay Zone Required Findings**

Section 27-548.25 Site Plan Approval

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

The DSP has been submitted in fulfillment of the above requirement.

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

In response to Section 27-548.25(b) and (c) of the Zoning Ordinance, the applicant requests that the Planning Board apply three development standards which differ from the development district standards. The Planning Board believes that the three alternate development district standards will benefit the development and will not substantially impair implementation of the Central Annapolis Road Sector Plan and SMA, given the property's location and site constraints.

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

The applicant has not asked for any variances or departures.

9. **Preliminary Plan of Subdivision:** Parcel H was the subject of preliminary plan of subdivision (PPS) 4-86033 which was approved on May 8, 1986 and recorded in Plat Book NLP 131-6 as

Parcels E and F. A capacity analysis was done with this PPS review totaling 493,913 square feet of development, which is therefore the cap on development for the included parcels. The current plat is a resubdivision which was approved on November 25, 2008 and recorded in Plat Book PM 228-87 as Parcel H and G. The development cap would include all improvements located on Parcels E, G and H. These parcels (Parcels E, G and H) are in the process of a plat of resubdivision, prepared in accordance with Section 24-108(a)(1) of the Subdivision Regulations to note the development limitations of the subdivision. The platting process must be completed prior to approval of building permit. The properties included in the subdivision are limited to 493,913 square feet of development. Any additional development will require a new preliminary plan of subdivision. In order for the Planning Board to analyze if the development proposal of Detail Site Plan DSP-15020 is in conformance with the PPS, the existing as well as proposed square footages should be noted on the DSP, including the development on Parcel E.

10. **2010 Prince George's County Landscape Manual:** The development district standards contained in the Central Annapolis Road Sector Plan and SMA modify those contained in the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Discussion of the DSP's conformance with the landscape-related development district standards is provided in Finding 7 above. The Central Annapolis Road Section Plan SMA does not include any standards that modify Sections 4.6 (c)(2) Buffering Development from Special Roadways and 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. In regard to Section 4.6, the plans do not recognize the buffering of the overall property from the Baltimore-Washington Parkway (MD 295), probably because the specific portion of the overall site associated with the improvements are so far removed from that portion of the site. However, improvements to the site in near proximity of MD 295 should address this aspect of the Landscape Manual. The submitted plans demonstrate conformance to Section 4.9 by providing the appropriate schedule and notes. A condition has been included in the Recommendation section of this report requiring that the other non-applicable Landscape Manual schedules be removed from the landscape plan.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is exempt from the Woodland and Wildlife Habitat Conservation Ordinance because the property contains less than 10,000 square feet of woodland on-site, and does not have a previously approved tree conservation plan. The site has received a Woodland Conservation Exemption Letter (S-168-14) dated December 9, 2014 and remains valid until December 9, 2016. A Type 2 tree conservation plan is not required.
12. **Prince George's County Tree Canopy Coverage Ordinance:** The site is subject to the Tree Canopy Coverage Ordinance because it proposes more than 5,000 square feet of building. The Ordinance requires that, based on the zoning of the site, ten percent of the site is to be covered in tree canopy. The site measures 1.33 acres and therefore it requires 0.13 acre, or 5,793 square feet, of the site to be covered in tree canopy. The site plan provides the appropriate schedule indicating that this requirement is being met on-site with a small amount of existing non-woodland conservation trees and proposed tree plantings.

13. **Further Planning Board Findings and Comments from Other Entities:** The summarized comments of the concerned agencies and divisions are as follows:

- a. **Community Planning**—The Community Planning Division provided an analysis of the subject DSP's conformance with the D-D-O Zone, as discussed in Finding 7 above. The application conforms to the 2010 Central Annapolis Road Sector Plan Land Use recommendation for commercial uses. They also provided the following additional information:

The Plan Prince George's 2035 Approved General Plan: This site is located within the Established Communities policy area. The plan recommends maintaining and enhancing existing public services (police and fire/EMS), facilities such as libraries and schools, and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met.

The Community Planning Division recommended approval of amendments to DDOZ Standards regarding building placement, landscaping, and retaining existing trees and parking.

- b. **Transportation Planning**—The Planning Board has reviewed the vehicular access to the Pollo Campero site, noting it will be from the entire access roadways serving the Capital Plaza shopping center, and without and direct vehicular access to MD 450, as envisioned by the 2010 *Approved Central Annapolis Road Sector Plan and Sectional Map Amendment*. Consistent with the Sector Plan's goals for better pedestrian accommodations, the submitted detailed site plan shows a direct pedestrian walkway extension from the subject site to the existing side walk on the north side of MD 450.

The applicant proposes to replace several existing surface parking spaces on this portion of the Capital Plaza with a new eating and drinking building with a drive-through service, not to exceed 2,800 square feet, some outdoor seating, and approximately 43 new surface parking spaces.

Following several meetings with the applicant's representatives, the most recently submitted detailed site plan incorporates on-site vehicular and pedestrian circulation patterns that are consistent with the goals of the approved Central Annapolis Sector Plan and satisfactorily addresses all of the required transportation-related standards of the Sector Plan's Development District Development Zone (DDOZ).

The subject site was included in the overall site which was the subject of preliminary plan of subdivision (PPS) 4-86033. A capacity analysis was done with this review totaling 493,914 square feet of development, which is therefore the cap on development for the included parcels. This would cap development at 289 AM and 1,223 PM peak-hour trips, net of allowed pass-by trips. The development cap would include all improvements located on Parcels E, G, and H. Current development with the proposed Pollo Campero

restaurant would generate 141 AM and 566 PM peak-hour trips. Therefore, development is within the designated trip cap. At the Planning Board hearing, staff noted that the owner of the property has made a commitment to memorialize the trip cap in the form of a record plat filed with the Subdivision Section that is currently being processed.

In summary, and based on the preceding findings, the Planning Board finds that the revised detailed site plan, as submitted, fully satisfies or represents reasonable alternative for satisfying the required transportation-related site design guidelines.

- c. **Subdivision Review**—Preliminary plan conformance is addressed through the conditions of approval in this resolution.
- d. **Trails**—The subject site is one component of an entire parcel, which covers the Capital Plaza shopping center, and the subject application includes road frontage along MD 450. The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Central Annapolis Road Sector Plan and Sectional Map Amendment* (area master plan). The subject site is located in a Commercial Shopping Center (C-S-C) Zone with a Development District Overlay (D-D-O) Zone.

Master Plan Compliance

One master plan trail impacts the subject property directly. MD 450 is designated as trail/bikeway corridor in the MPOT. The MPOT includes the following recommendation (MPOT, page 20):

MD 450 Standard or Wide Sidewalks with On-Road Bicycle Facilities:

Provide continuous sidewalks and on-road bicycle facilities along this heavily traveled corridor. These sidewalks will improve access to the New Carrollton Metro Station, as well as several commercial areas. Areas of high-pedestrian traffic may warrant wide sidewalks. Pedestrian amenities and safety features are also warranted in some areas. On-road bicycle facilities should be provided. Although right-of-way constraints may not allow full bicycle lanes, wide outside curb lanes are recommended.

Maryland State Highway Administration (MD SHA) recently built a sidewalk along MD 450 for the entire frontage of the site parcel, this includes a sidewalk in front of the subject property. These sidewalks are approximately five feet wide and have a grass buffer between the sidewalk and MD 450. There are no bicycle facilities along MD 450. The Planning Board believes that the applicant should provide MD SHA with a bicycle signage fee to provide “Share the Road” signage along the property frontage. Bicycle lanes along MD 450 can be striped as a component of a future roadway improvement project.

The MPOT also contains a section on Complete Streets which provides guidance on accommodating all modes of transportation as new roads are constructed or frontage improvements are made. It also includes the following policies regarding sidewalk

construction and the accommodation of pedestrians (MPOT, page 10).

POLICY 1: Provide standard sidewalks 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.

POLICY 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO Guide for the Development of Bicycle Facilities.¹

The subject site is located in the first sustainable growth tier (the developed tier). A sidewalk connecting the sidewalk along MD 450 and the subject site is depicted in the submitted site plans and will provide direct pedestrian access to the subject site.

2010 Approved Central Annapolis Road Sector Plan and Sectional Map Amendment

The area master plan includes the following strategies related to bicycle and pedestrian improvements along MD 450 (area master plan, page 56):

- Install and maintain continuous ADA-accessible sidewalks along both sides of Annapolis Road, in particular between 65th Avenue and the Baltimore-Washington Parkway.
- Install continuous roadway lighting to improve the visibility of pedestrians and bicyclists along Annapolis Road.
- Install street trees to provide shade and a buffer for pedestrians.
- Install continuous roadway lighting to improve the visibility of pedestrians and bicyclists along Annapolis Road.
- Install street trees to provide shade and a buffer for pedestrians.
- Install continuous ADA-accessible sidewalks along both sides of Annapolis Road.

The area master plan includes additional strategies related to bicyclist and pedestrian improvements along MD 450 that are specific to the Retail Town Center, the area between

¹ The American Association of State Highway and Transportation Officials (AASHTO) has published the *Guide for the Development of Bicycle Facilities 2012 Fourth Edition*.

the Baltimore-Washington Parkway and Cooper Lane (area master plan, page 96):

- Encourage cross-access parking.
- Orient surface parking for smaller retailers, restaurants, and mixed-use developments to the rear of the building.
- Install continuous ADA-accessible sidewalks along both sides of Annapolis Road, in particular between 65th Avenue and the Baltimore-Washington Parkway.
- Ensure pedestrian pathways through Capital Plaza follow the shortest, most direct route between transit stops and the retail town center, and between Wal-Mart and any future adjacent retail strip development.

The applicant worked to address the last strategy in particular. The revised plans reflect the strategies of the area master plan in regards to pedestrian transportation.

The area master plan provides additional short mid and long-term strategies for bicycle facilities along the MD 450 corridor (area master plan, page 51):

- In the short term, develop a bike route, in the form of a shared-use roadway, using local, low-volume neighborhood streets. The bike route should be designed to meet three key objectives: (1) giving priority to bicycle mobility and comfort; (2) preserving auto access to all local land uses; and (3) discouraging cut-through auto traffic. Install way-finding signs designating it as a preferred bicycle route.
- In the mid term (by 2025), replace the curb lane in each direction between 65th Avenue and Gallatin Street with an at-grade bike track with paint-striped buffer separating it from the two remaining travel lanes.
- Over the long term (2026 and beyond), develop the multi-way boulevard concept with bike lanes. Carefully design curb radii, medians, and refuge islands to ensure safe pedestrian crossings (area master plan, page 51).

The subject development faces MD 450, which would not be part of a local, low volume, neighborhood bike route. Mid- and long-term improvements can be a component of a future corridor wide improvement project, or as a future CIP project. The DSP is subject to the Central Annapolis Corridor D-D-O Zone, which provides specific standards for the active and non-motorized transportation. The plan specifically states (area master plan, page 137):

All new development and redevelopment of existing structures within the DDOZ shall comply with the intent and the development district standards

and Central Annapolis Road sector plan. Development must show compliance during the detailed site plan process.

The area master plan also provides requirements regarding parking (area master plan, page 165):

The area master plan provides more specific requirements for transit, bicycle, and pedestrian mobility (area master plan, page 179):

Private development and the creation of new streets should enhance accessibility for pedestrians, bicyclists, and users of public transit.

1. The following requirements related to the accommodation of pedestrian and bicycle infrastructure and access:
 - a. Development sites shall provide links to adjacent sidewalk or path networks to maintain continuity between development sites.
 - b. The location of on-site path networks should maximize access to primary structures and minimize conflicts with automotive access and storage.
 - c. Paths internal to a site shall be no less than four feet wide.
 - d. Paths are not used to provide vehicular service or maintenance access are encouraged to use sustainable paving materials such as porous asphalt or permeable pavers.
 - e. Paths shall be adequately illuminated, attractively designed, and signed for safety and navigability, and shall be compatible with the overall design of the development site.
 - f. Commercial pad sites oriented towards Annapolis Road shall be designed to provide a direct pedestrian connection to sidewalk or path networks along Annapolis Road.

The submitted site plans reflect the requirements 1(a)–(f). The depicted sidewalks connecting MD 450 to the main driveway through the entire parcel will provide a valuable pedestrian connection.

- g. Nonresidential and multi-family developments in the Glenridge Transit Village and Retail Town Center character areas shall provide a minimum of two bicycle parking spaces per 10,000 square feet of GFA.
- h. Bicycle parking is not required for nonresidential and multifamily developments under 10,000 square feet of GFA in the Glenridge Transit

Village and Retail Town Center character areas.

- i. Whenever possible, bicycle parking spaces should be located near building entrances, but should not conflict with pedestrian circulation routes.
- j. Bicycle parking spaces shall be located in accessible, secure, well-lit, and highly-visible areas.
- k. Bicycle racks and/or lockers should be designed and located so that they are integral to the overall site design and should be compatible in appearance with other site furnishings.

The submitted site plans do not include bicycle parking spaces. The subject site includes the entire parcel, which is approximately 151,569 square feet. It is unlikely that one property on the subject site would provide bicycle parking for the entire site. The Planning Board finds that the subject property include four bicycle parking spaces (e.g. two inverted u-rack style bicycle parking racks) at a location near the primary entrance of the proposed building. Locating the bicycle parking near the primary entrance will likely meet the criteria for bicycle parking set forth in the plan.

Proposed improvements

The submitted site plans indicate several pedestrian and bicycle improvements:

- (1) A sidewalk connecting the existing sidewalk along MD 450 with the proposed development.
- (2) A reduced crossing width along the front of the proposed building.
- (3) Marked or stamped crosswalks at appropriate locations within the proposed development.
- (4) A sidewalk connection between the proposed building's primary entrance and the interior of the entire parcel.
- (5) A sidewalk along a section of the main driveway of site.

The proffered improvements depicted in the site plan will improve pedestrian comfort, the general walkability of the site, and contribute toward meeting the goals set forth in the 2010 Central Annapolis Sector Plan.

From the standpoint of non-motorized transportation, the Planning Board determined that the submitted site plan is acceptable, fulfills the intent of the 2009 *Approved Countywide Master Plan of Transportation* and 2010 *Approved Central Annapolis Road Sector Plan and Sectional Map Amendment*, and meets the necessary findings for a detailed site plan as described in Section 27-285, if the following conditions are to be placed:

1. Provide Maryland State Highway Administration with a bicycle signage fee to provide "Share the Road with a Bike" signage along the property frontage on MD 450, subject to modification by MD SHA.
2. Prior to signature of approval of the detailed site plan (DSP-15020) the applicant and the applicant's heirs, successors, and/or assignees shall revise the detailed site plan to show the following:
 - a. Four bicycle parking spaces (e.g. two inverted u-rack style bicycle racks) at a convenient location near the primary entrance of the proposed development.
- e. **Permit Review**—The Permit Review Section did not offer comments on the subject application.
- f. **Environmental Planning**—An approved and signed Natural Resource Inventory, NRI-132-12-02, for this project area was issued on July 7, 2015. This site also has a Standard Woodland Conservation Exemption letter, S-190-13, which expired on November 18, 2015. No other previous environmental reviews have occurred on this site.

Site Description

The site is in the C-S-C Zone and D-D-O overlay zone is located on the northern side of Annapolis Road (MD-450), east of the Baltimore and Washington Parkway interchange. The site is relatively flat and contains no woodlands. It is located within the Lower Northeast Br (Ana) watershed which flows into the Potomac River Basin. According to the USDA NRCS Web Soil Survey, the predominant soils found to occur on the site are Urban-Land Christiana-Downer complex (5%-15% slopes). According to available information, Marlboro clay is not identified on the property and according to the Sensitive Species Project Review Area (SSSPRA) map prepared by the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered (RTE) species found to occur on or in the vicinity of this property. There are no floodplains, streams, waters of the US, or wetlands associated with the site. No Forest Interior Dwelling Species (FIDS) or FIDS buffers are mapped on-site. The site has frontage on Annapolis Road (MD 450) which is a master planned arterial roadway that is a traffic noise generator. However, due to the proposed commercial use, traffic generated noise is not regulated in relation to the subject application. Annapolis Road (MD 450) is also not identified as a historic or scenic roadway. The site is located within the Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated

Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. According to the *2005 Approved Countywide Green Infrastructure Plan*, the site is not mapped within the network.

Natural Resources Inventory/Existing Conditions

An approved Natural Resource Inventory Equivalence letter (NRI-132-12-02) was submitted with the review package, which was approved on July 7, 2015. The NRI verifies that no regulated environmental features or woodlands occur on the subject property. No revisions are required for conformance to the NRI.

Regulated Environmental Features

This site has been previously developed and does not contain any regulated environmental features that are required to be protected under Section 27-285(b)(4) of the Zoning Regulations. No further information concerning the regulated environmental features is needed at this time.

Woodland Conservation

This project is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site contains less than 10,000 acres of woodland, and does not have a previously approved tree conservation plan. The site received a Woodland Conservation Exemption Letter (S-190-13) on November 18, 2013, which expired on November 18, 2015. A Type 1 Tree Conservation Plan is not required. No additional information is required with regard to woodland conservation.

Stormwater Management

A Site Development Concept Plan was submitted with the application for this site. The approval was issued on September 7, 2015, from the Prince George County Department of Permitting, Inspections and Enforcement (DPIE). Since this area contains impervious areas, the plan proposes to construct new on-site bio-retention areas with infiltration. No further action regarding stormwater management is required with this Conceptual Site Plan review.

Soils

According to the USDA NRCS Web Soil Survey, the predominant soils found to occur on the site are Urban-Land Christiana-Downer complex (5%-15% slopes). According to available information, Marlboro clay is not identified on the property. This information is provided for the applicant's benefit. The county may require a soils report in conformance with County Council Bill CB-94-2004 during the building permit process review.

- g. **Prince George's County Health Department**—The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a health impact assessment review of the detailed site plan submission for Pollo Campero, Capital Plaza, and has the following comments / recommendations:

- (1) Health Department permit records indicate there are over five carry-out/convenience store food facilities and two markets/grocery stores within a one-half mile radius of this location. A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity.

This particular issue raised is outside the Planning Board's legislative authority to establish conditions.

- (2) The applicant must obtain a raze inspection from the County's Department of Permitting, Inspections and Enforcement (DPIE) to address potential asbestos issues associated with the existing building on the site.

This information is provided to the applicant to assist in the permit review process.

- (3) The applicant must submit plans for the proposed food facility and apply to obtain a Health Department Food Service Facility permit through the Department of Permitting, Inspections and Enforcement (DPIE).

DPIE will be responsible for enforcing such a requirement prior to issuance of permit.

- (4) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

A note should be provided on the DSP indicating the applicant's intent to conform to the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control requirements.

- (5) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

A note should be provided on the DSP indicating the applicant's intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

- h. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated November 3, 2015, WSSC provided standard comments on the DSP regarding existing water and sewer systems in the area, along with requirements for service and connections, requirements for easements, spacing, work within easements, and meters.

These issues must be addressed at the time of permits for site work.

- i. **Historic Preservation**—There is a low probability of archeological sites within the subject property.
 - j. **Verizon**—Verizon did not offer comments on the subject application.
 - k. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer comments on the subject application.
 - l. **Town of Landover Hills**—The Town of Landover Hills did not provide any comments on the subject application.
 - m. **Town of Cheverly**—The applicant submitted an e-mail dated March 17, 2016 to Lawrence N. Taub from David Warrington, Town Administrator of the Town of Cheverly stating that “the Mayor and Council unanimously support the proposal and look forward to approvals being provided and construction to begin in the near future.”
 - n. **City of Bladensburg**—The City of Bladensburg did not provide any comments on the subject application.
14. Based on the foregoing and as required by Section 27-285(b)(1), the DSP 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.
 15. As required by Section 27-285(b)(4) of the Zoning Ordinance, the Planning Board must also find that the regulated environmental features on a site have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(5). In their memorandum dated November 12, 2015, the Environmental Planning Section noted that the site does not contain any regulated environmental features that are required to be protected.
 16. The subject application adequately takes into consideration the requirements of the D-D-O Zone and the Central Annapolis Road Sector Plan and SMA. The amendments to the development district standards required for this development would benefit the development and the development district as required by Section 27-548.25(c) of the Zoning Ordinance, and would not substantially impair implementation of the sector plan.

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 following amendments:

1. **Standard IV.A.:** To allow for a building setback of 89 feet, measured from the existing centerline of the eastbound Annapolis Road (MD 450) travel lanes.
2. **Standard IV.C.1.a.:** To allow parking to exceed the 125% maximum allowed for the overall site, until such time as plans for redevelopment are proposed that are subject to the parking standards.
3. **Standard VI.D.2.a.:** To allow for no wall or screening to be provided and instead provide for the retention of existing shade trees, between the building and parking lot and Annapolis Road.

The Planning Board further APPROVED Detailed Site Plan DSP-15020, Pollo Campero Capital Plaza, subject to the following conditions:

1. Prior to certification of the detailed site plan (DSP), the plans shall be revised as follows:
 - a. Add the existing as well as proposed square footages to the plan.
 - b. Provide four bicycle parking spaces (e.g. two inverted u-rack style bicycle racks) at a convenient location near the primary entrance of the proposed development.
 - c. Provide a note on the plans indicating intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
 - d. Provide a note on the plans indicating intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
 - e. Revise the DSP to correctly identify all of the approved development district standard amendments and parking calculations in accordance with the Central Annapolis Road Sector Plan.
 - f. Revise the 2010 *Prince George's County Landscape Manual* schedule for Section 4.3 with notes regarding conformance to the applicable Landscape Standards and Parking Lot Requirements.
 - g. Revise the lighting plans to reduce the height of the lighting pole to be less than 30 feet in height, revise the fixture to full cut-off optics, and demonstrate that spillover lighting meets the recommended standards of either the Dark Sky Society or the recommendations of the Illuminating Engineering Society of North America.

- h. Revise the signage plans to address the requirements of Part 12 of the Zoning Ordinance to meet the requirements of the C-S-C Zone or obtain a departure from sign design standards.
 - i. For informational purposes only, revise the plans to indicate proposed street trees in the SHA right-of-way.
 - j. Revise the plan to add one 12-foot-wide by 33-foot-long loading space.
 - k. Revise the landscape plan to include a plan to improve the health and vigor of the existing trees along the right-of-way of MD 450 as shown in Staff Exhibit A. The plan shall be prepared by a certified arborist and shall include details and specifications for protection of the trees during the construction process.
2. The applicant, its heirs, successors and assignees, shall provide Maryland State Highway Administration with a bicycle signage fee to provide "Share the Road with a Bike" signage along the property frontage on Annapolis Road (MD 450), subject to modification by State Highway Administration of Maryland (MD SHA).

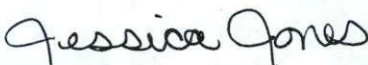
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

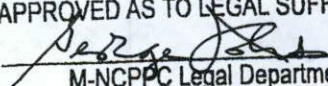
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Shoaff, seconded by Commissioner Geraldo, with Commissioners Shoaff, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, March 24, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of April 2016.

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:SL:ydw

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department
Date 4/7/16