



PGCPB No. 11-105

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File No. DSP-11010

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on November 10, 2011, regarding Detailed Site Plan DSP-11010 for CVS Croom, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) proposes to construct a CVS pharmacy and retail establishment with drive-through pharmacy services in the Commercial Shopping Center (C-S-C) Zone. The subject DSP was filed to fulfill a condition of approval in Preliminary Plan of Subdivision 4-10017.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-S-C	C-S-C
Use(s)	Commercial—Miniature Golf Course (to be razed)	Commercial— CVS Pharmacy
Acreage	1.728	1.728
Gross Floor Area (sq. ft.)	0	11,945

PARKING REQUIRED

	Required	Approved
Total Parking Spaces	65	65
Handicapped (ADA) Spaces	3	3
Van Accessible ADA Spaces	1	2
Loading Spaces	2	2

*The parking and loading requirement chart on the detailed site plan should be revised to indicate the number of compact spaces provided, and indicate conformance with the requirements of Part 11 of the Zoning Ordinance.

3. **Location:** The CVS pharmacy is proposed in the southeast quadrant of the intersection of Robert Crain Highway (US 301) and Croom Road (MD 382). The site proposes a single access point on Croom Road.
4. **Surrounding Uses:** The subject property is bounded to the northwest by US 301, with the Osborne Shopping Center in the C-S-C Zone beyond; to the northeast by MD 382, with a gas

station beyond; to the southeast by a single-family detached dwelling in the Rural-Residential Zone (R-R); and to the southwest by vacant property in the C-S-C and R-R Zones.

5. **Previous Approvals:** The site is currently developed with a miniature golf course and batting cage, which was the subject of previously approved Special Exception SE-4067, and is currently not in use. The site was rezoned to the C-S-C Zone through Zoning Map Amendment A-9974, which was approved by the District Council on October 15, 2007 with no conditions. On April 14, 2011, the Planning Board approved Preliminary Plan of Subdivision 4-10017 (PGCPB Resolution No. 11-32, subsequently approved on June 2, 2011) for the construction of a 13,225-square-foot CVS pharmacy on Parcel 1 and to retain an existing single-family dwelling on Lot 2. The preliminary plan contained a condition requiring detailed site plan approval for the CVS prior to building permit approval.
6. **Design Features:** The Planning Board finds that the proposed CVS building has been designed to reflect a more rural aesthetic, due to the property's location near one of the major points of entry into the Rural Tier, Croom Road. The architecture has been modified substantially from the original submission, which was a one-story, two-toned concrete masonry unit building with a flat roof.

During the review of the preliminary plan, the Planning Board determined that a detailed site plan would be required at this highly visible location, to ensure that the building and site features constructed here would be appropriate and set a high standard for future development within this neighborhood and along the Developing and Rural Tier boundary. In this detailed site plan, special attention has been given to the design, architecture, signage, landscaping, and lighting to ensure that the CVS store will be in keeping with the character of the surrounding rural community at this very highly-visible location.

The proposed CVS building is an 11,945-square-foot, one-story structure. The building has a flat roof with parapet that has been modified to provide some faux gable roof and mansard roof components. The main entrance is proposed at the north corner of the building, where a gable-canopy feature is proposed. The architecture of the north façade and the west façade has been revised to include additional fenestration including larger windows, additional faux windows with spandrel glass, and pilasters. A window grille application is proposed on the windows to achieve a more historical and rural character. Additionally awnings over windows provide more visual interest.

The façade of the building is comprised of a light-grey cementitious siding that gives the appearance of vinyl or wood siding, and brick veneer is proposed along the base of the building, or water table. The Planning Board finds that the proposed architectural materials relate more to the adjacent single-family residential structures in the Rural Tier than the originally submitted architecture, but that additional modifications are necessary to enhance the building's compatibility with the Rural Tier.

The proposed brick veneer used along the water table and for the loading screen shall be revised. The color of the red brick conflicts with the grey tones proposed for the building, and brick is not a common material in the Rural Tier—its use is, historically, limited to institutional structures and historic homes. The applicant shall replace the proposed brick with a standard, smooth-faced, grey stone veneer (ashlar). A grey stone would be more harmonious with the proposed siding color. Another alternative that would maintain a more rural aesthetic would be the removal of the water table treatment. If the water table is removed, the siding shall continue to the base of the building, where it shall be finished with a white trim at the building's base. The materials for the loading screen shall ultimately be revised to a material compatible with the revised building materials for the CVS.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The requirements of the Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The Planning Board finds that the subject application is in conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in commercial zones. The proposed drug store is permitted by-right in the C-S-C Zone. This detailed site plan was required by Planning Board condition in the preliminary plan.
 - b. The Planning Board finds that the site layout that is consistent with Section 27-462, regulations regarding building setbacks.
 - c. The Planning Board finds that the DSP is in general conformance with the applicable site design guidelines contained in Sections 27-283 and 27-274. The following discussion is offered:
 - (1) The pharmacy drive-through has been designed to provide adequate space for queuing lanes.
 - (2) Two loading spaces are proposed for the CVS. The Planning Board finds that the loading spaces, as designed, will be clearly marked and will be separated from parking areas to the extent feasible. The applicant proposes to separate the easternmost loading space from the parking lot and the Croom Road right-of-way with a six-foot-high, brick screen wall.
 - (3) The site plan indicates a point of pedestrian access located south of the building entrance to Croom Road that does not link to any existing or proposed sidewalk system. Since sidewalk is not envisioned along this portion of Croom Road, the site plan shall be revised to eliminate this pedestrian link.

- d. The proposal includes building-mounted signs, freestanding signage, and directional signage (also known as regulatory signage). The signs have been reviewed for conformance with C-S-C Zone regulations with regard to signs, as follows:

(1) Freestanding Signage

The applicant proposes one freestanding sign at the corner of Croom Road (MD 382) and Crain Highway (US 301). At the time of the preliminary plan review, the Planning Board required that special attention be paid to signage during the subject review, due to the site's location at a highly visible intersection that is considered to be a gateway into the Rural Tier and its many cultural, historical, and scenic resources.

Whereas, a 25-foot-high freestanding sign would generally be permitted on the site, staff initially expressed a preference for a lower monument-style sign adjacent to the historic corridor. The applicant has since proffered to reduce the height of the freestanding sign by nine feet, and currently proposes a 16-foot-high sign in acknowledgement of the site's location adjacent to the historic and scenic road. The Planning Board finds the applicant's freestanding sign height to be acceptable in consideration of the site's location at an intersection that is commercial in nature (Croom Road and Robert Crain Highway). The reduction in sign height provides some transition between the commercial uses along Robert Crain Highway and the more rural nature of Croom Road.

The sign area complies with the requirements of Section 27-614, Freestanding Signs, of the Zoning Ordinance.

The freestanding sign materials and design shall be revised to be more compatible with the proposed architecture. The color currently proposed for the freestanding sign is "peachy beige," whereas, the building materials for the CVS building are grey and white. The base of the column supports for the sign shall be revised to a material and color in keeping with that proposed for the CVS building.

Croom Road (MD 382) is a scenic road and lighting on the site is of special concern during the review of the subject DSP. The freestanding sign indicates that an internally-illuminated sign panel is proposed. Sign panels are light boxes that can produce a large amount of light. The Planning Board finds that a more appropriate option for the sign, which is set back approximately ten feet from the existing Croom Road right-of-way, would be to utilize individually illuminated letters or external down-lighting on the face of the sign text to reduce excessive illumination of nonessential components of the sign.

The applicant proposes an electronic messaging unit within the proposed freestanding sign. While electronic messaging units are not prohibited, the

applicant should be made aware that signs which flash or blink, or which have varying intensity of illumination on less than a five second cycle, are prohibited by the Zoning Ordinance, Section 27-592, Illumination. Because electronic messaging units have the capability of creating flashing and blinking messages on a rapid stream, the applicant shall add a note to the site plan stating that the electronic messaging unit will not be used to create messages that flash, blink, or vary in intensity of illumination on less than a five second cycle.

(2) Building-Mounted Signs

The applicant proposes 17 building-mounted signs. The majority of the proposed building-mounted signs are red, internally-illuminated channel letters mounted directly upon the building façade. Not all of the building-mounted signs are illuminated, and they vary in message and size. Additionally, there is signage proposed on the window awnings and the applicant's representative indicates that window graphics are to be installed in the non-transparent areas of the windows. Examples of window graphics submitted by the applicant indicate that signage is a common element in the window graphics. Window graphics that include advertisements or the CVS name will be considered signage, and will be required to conform to the Zoning Ordinance. Prior to certificate of approval, the applicant shall work with Urban Design staff to find an appropriate window graphic or screen material appropriate for the non-transparent windows of the CVS building. The window graphics provided for review are highly patterned and bold in color, and relate more to urban environments than this rural setting. Staff shall work with the applicant, prior to certificate approval of the DSP, to find a mutually agreeable design solution for the window screens.

Building-mounted signs are regulated by Section 27-613 of the Zoning Ordinance, signs attached to a building or canopy. None of the proposed signs are designed to be visible from any land in any residential zone or land proposed to be used for residential purposes. None of the proposed signage extends above the lowest point of any roof.

Based upon the linear feet of building width indicated on the site plan, approximately 90 linear feet facing Crain Highway (US 301) and 136 linear feet facing Croom Road (MD 382), the applicant is permitted 400 square feet of building-mounted signage, which is the maximum amount for sites in the C-S-C Zone. The site plan proposes approximately 212 square feet of building-mounted signage, which includes a 50 percent reduction in some sign area calculations due to the style of signage proposed (individual letters mounted on a wall). Based upon these calculations, the proposed building-mounted signage is within the amount permitted by Section 27-613 of the Zoning Ordinance; however, the applicant shall provide a chart on the site plan that clarifies the amount of building-mounted signage permitted by the Zoning Ordinance, and the total

amount proposed to indicate compliance with Section 27-613 of the Zoning Ordinance. If the window graphics chosen are determined to be signage, the signage areas shall include the area for the window graphics.

(3) Directional/Traffic Control Signage

The detailed site plan proposes 26 square feet of on-site traffic-control-style signage that do not include CVS logos or advertisement, including five drive-through signs, one "Enter", one "Exit", and one "Do Not Enter" sign. Because these sign types do not include commercial advertisement and are generally beneficial for on-site circulation, it may be determined at time of permit approval that these signs are exempt from a sign permit in accordance with Section 27-602(a)(1) of the Zoning Ordinance.

8. **The requirements of Zoning Map Amendment A-9974:** Zoning Map Amendment A-9974 was approved by the District Council on October 15, 2007 with no conditions. The Planning Board finds that there are no further requirements for the subject detailed site plan regarding the rezoning approval.
9. **The requirements of Preliminary Plan of Subdivision 4-10017:** Preliminary Plan of Subdivision 4-10017 was approved for the subject property on April 14, 2011 and formalized in the adoption of PGCPB Resolution No. 11-32. The resolution of approval contains 13 conditions. Conditions relevant to the subject review are listed below in **bold face** type, followed by Planning Board findings:

2. **Prior to the issuance of building permits on proposed Parcel 1 (C-S-C Zone), a Detailed Site Plan, shall be approved by the Prince George's County Planning Board.**

The Planning Board finds that the subject application has been submitted in fulfillment of the above requirement.

3. **At time of detailed site plan, the plan shall demonstrate conformance with Subtitle 25, Division 3: Tree Canopy Coverage Ordinance by providing a tree canopy coverage (TCC) schedule on the site plan.**

A tree canopy coverage schedule has been included on the landscape plan in conformance with the above requirement.

5. **At the time of Detailed Site Plan, details of all lighting fixtures shall be submitted for review along with certification that the proposed fixtures are full cut-off optics and a photometric plan showing proposed light levels. The following note shall be placed on the landscape plan:**

“All lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over.”

Policy 5 in the Environmental Infrastructure chapter of the 2002 *Prince George's County Approved General Plan* calls for the reduction of overall sky glow, minimizing of the spill-over of light from one property to the next, and a reduction of glare from light fixtures. This is of particular concern on a commercial site such as the subject application, because of the adjacent uses in the Rural Tier which could be directly impacted.

The Planning Board finds that the photometric plan included with the application submittal includes the required note referenced above, yet details of all lighting fixtures have not been provided, and the one submitted light fixture detail is illegible. The applicant shall provide more complete information prior to DSP certification.

6. **The 2009 *Approved Subregion 6 Master Plan and Sectional Map Amendment* and the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* recommend that Croom Road (MD 382) be designated as a Class III bikeway with appropriate signage, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**
 - a. **One “Share the Road with a Bike” sign in accordance with SHA requirements prior to the issuance of the first building permit. The applicant will purchase the sign from the state and install it in accordance with the state's manual on Uniform Traffic Control Devices dealing with the section on bicycle facilities. If SHA declines this signage, this condition shall be void.**

This condition remains in effect. No further action on this DSP is needed.

- b. **Required road frontage improvements along MD 382 shall incorporate bicycle compatible improvements in conformance with the American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities and SHA's Bicycle and Pedestrian Design Guidelines, or as modified by SHA. Due to the scenic byway designation of MD 382, maintaining the existing roadway section is recommended.**

The subject site is located within the Developing Tier at the signalized intersection of Crain Highway (US 301) and Croom Road (MD 382). A header curb (or "gutterless curb") exists along both the north and south sides of MD 382 in the vicinity of the intersection with US 301, including the majority of the frontage for the subject site. Retention of the existing header curb along the frontage of the subject site is supported due to the location of the subject site outside of the Rural Tier, the proximity of the site to several existing commercial developments, and the pre-existing header curbs along MD 382 near the intersection of US 301. However, if road improvements required by the State Highway Administration (SHA) along MD 382 necessitate the reconstruction of the frontage of the subject site, the removal of the header curb should be considered.

- c. **Bicycle parking accommodating a minimum of eight bicycles. The type and location of the bicycle rack(s) shall be shown on the detailed site plan.**

It appears that parking for five bicycles is currently proposed. The applicant shall provide bike rack locations for the parking of eight bicycles prior to certificate of approval.

7. **An automatic fire suppressing system shall be provided in all new buildings proposed on Parcel 1 (C-S-C Zone) unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.**

A note shall be added to the general notes on the detailed site plan.

8. **Total development within proposed Parcel 1 shall be limited to uses which generate no more than 19 AM (11 in, 8 out) peak hour trips and 75 PM (38 in, 37 out) 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.**

The Planning Board finds that based on the size of the proposed building, the trip cap established at the time of the preliminary plan of subdivision has not been exceeded.

9. **At the intersection of US 301 and Old Crain Highway, the applicant shall perform a signal warrant study and install signal if deemed to be warranted and approved by SHA. If signalization or other traffic control improvements are deemed warranted at that time, the applicant shall bond the**

improvements with SHA prior to the release of any building permits within the subject property, and complete installation at a time directed by SHA.

In a letter dated September 8, 2011 from SHA to staff (Foster to Burton), it was determined that a traffic signal was not justified at the intersection of US 301 and Old Crain Highway. Consequently, this condition is no longer relevant.

10. **At the time of final plat, the applicant shall dedicate a ten-foot public utility easement (PUE) along the public right-of-way as delineated on the approved preliminary plan of subdivision.**

The DSP shows the ten-foot public utility easement (PUE) along Croom Road and Robert Crain Highway.

The resolution also contains 17 findings. Finding 3, 4, 5, 8, and 17 have discussion regarding the criteria for the detailed site plan on proposed Parcel 1. Specifically, Finding 17 states the following in **bold text**:

17. **Detailed Site Plan—A drug store, as a permitted use in the C-S-C Zone, does not require a detailed site plan. The subject site is located at the entrance to the Rural Tier and has frontage on state scenic byway, the Star-Spangled Banner Byway along Croom Road. The site location is at a unique entry point to several environmental, historic, and agricultural features located along Croom Road, currently a two-lane rural road. Given the high visibility at this intersection, this development has the potential to set the standard for future development within this neighborhood and along the Developing and Rural Tier boundary. The site's highly-visible location and unique surroundings warrant that special attention is given to the coordination of design features and the layout of proposed development. Therefore, a detailed site plan shall be required for, but not limited to, architecture, signage, landscaping, and lighting to be approved by the Planning Board prior to building permits.**

Pursuant to Section 27-270 of the Zoning Ordinance, Order of Approvals, the detailed site plan (DSP) is normally required prior to the approval of the final plat of subdivision. However, in this case, approval of the DSP will have no bearing on the lotting pattern, which is consistent with the zoning line (C-S-C and R-R). Therefore the DSP should occur prior to building permits and not prior to final plat.

The Planning Board finds that the intent of the above text will be met if the architecture is approved with modifications. The current roof is flat with a parapet wall that creates the appearance, from some narrow viewing angles, that a pitched roof is provided. However, the parapet roof element does not continue around all sides of the building, and therefore,

does not create a convincing illusion of a pitched or gable roof. From the southeast or southwest viewing angles, the falseness of this roof will be seen. The Planning Board finds that the architecture shall be revised to provide a parapet wall along all building elevations to provide a continuous roof feature; and the parapet wall on the east building elevation shall include an asphalt shingle roof treatment consistent with the north and west building elevations. The Planning Board finds that the intent of the above finding will be largely satisfied with the subject proposal, if the application is approved with conditions.

10. **Prince George's County Landscape Manual:** The project is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Specifically, the site is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Special Roadways; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The applicant originally submitted a Pre-Alternative Compliance application (ACP-11004) on May 14, 2011. The applicant has since revised the landscape plan to demonstrate substantial conformance with all requirements of the Landscape Manual. No alternative compliance application appears to be necessary.

A few technical revisions are needed to the submitted landscape plan prior to signature approval, so that it is clearer that the requirements of the *Prince George's County Landscape Manual* have been met. The Planning Board adopts the following:

- a. **Section 4.2**—Requirements for Landscaped Strips along Streets, specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. Where the property has frontage on a special roadway, a Section 4.6 bufferyard, is required. The required Section 4.2 landscape strip has been proposed along US 301.

The Planning Board finds that there is a 50-foot-wide highway protective easement along the site's frontage on US 301. While there are no structures located within the highway protective easement, planting of the required Section 4.2 landscape strip along US 301 is proposed within the easement. The Planning Board has no objection to landscape improvements being made within the easement. The owner is required to maintain or replace plant material disturbed, damaged, or removed by the State Highway Administration (SHA) in its use of the existing highway protective easement. Failure to maintain or replace dead, diseased, or removed material, as shown on an approved landscape plan, constitutes a zoning violation. A note to this effect shall be placed on the landscape plan.

- b. **Section 4.3**—The site plan is subject to Section 4.3(c)(2), Parking Lot Interior Planting Requirements, which requires that a certain percentage of the parking area, in accordance with the size of the parking lot, be interior planting area with one shade tree for each 300 square feet of planting area. The proposed parking lot is 30,069 square feet and is subject to an eight percent interior planting requirement because the total parking lot area

is between 7,000 and 49,999 square feet. The Planning Board finds that the landscape plan provides an 8.1 percent interior planting area and eight shade trees, which satisfy the requirements of Section 4.3(c)(2).

A parking lot perimeter strip is required for that portion of a parking lot that is within 30 feet of the property line, when no building is located between the lot and the property line. Location of the required parking lot perimeter strip shall be more accurately demonstrated on the landscape plan prior to certificate of approval.

- c. **Section 4.4—Screening Requirements**, requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The landscape plan appears to conform to the above requirement; however, details of the proposed trash enclosures have not been provided. The Planning Board requires that a detail of the proposed trash enclosures be provided indicating use of a durable variety of vinyl, metal, or masonry screen.
- d. **Section 4.6—Croom Road (MD 382)** is categorized as a historic roadway and it is located within the Developing Tier. A 20-foot-wide landscape buffer to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings, is required in accordance with Section 4.6, Buffering Development from Special Roadways. The required bufferyard is generally provided; however, the landscape plan notations and corresponding landscape schedules do not correspond to the Section 4.6 bufferyard along Croom Road. It shall be clarified whether the 72 linear feet of frontage at the northwest corner of the site will be treated with a Section 4.2 or 4.6 landscape strip prior to certificate of approval of the detailed site plan.

The applicant's proposed historic roadway street treatment includes Red Oak trees, Inkberry Holly shrubs, and Northern Bayberry shrubs. The applicant also proposes a split-rail style fence as a backdrop to the proposed plantings along the property's Croom Road frontage.

- e. **Section 4.7—The site is subject to Section 4.7, Buffering Incompatible Uses.** The applicant is required to provide a Type "C" bufferyard which consists of a 40-foot-wide building setback and a 30-foot-wide landscaped yard along all property lines which abut existing single-family uses. The Planning Board finds that the landscape plan provides the required bufferyards and setbacks.
- f. **Section 4.9—The site is subject to Section 4.9 of the Landscape Manual,** which requires that a percentage of the proposed plant materials be native plants. The required charts demonstrating conformance with Section 4.9 are provided on the landscape plan.
- g. The submitted landscape plan has not been signed by a registered landscape architect. The applicant shall submit a revised landscape plan that has been prepared and signed by a registered landscape architect in the State of Maryland.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is not subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site contains less than 10,000 square feet of woodland. A single specimen tree is located on the site, but is not subject to a variance for removal because the site is exempt from the WCO. A standard letter of exemption has been issued for the subject property and was submitted with the application. The Planning Board finds that no further information about woodland conservation is required for the subject property.
12. **Tree Canopy Coverage Ordinance:** The Tree Canopy Coverage Ordinance came into effect on September 1, 2010. The Tree Canopy Coverage Ordinance requires a minimum percentage of tree canopy coverage on properties that require a tree conservation plan or letter of exemption. Properties zoned C-S-C are required to provide a minimum of ten percent of the gross tract area in tree canopy. The application demonstrates conformance with the tree canopy coverage requirements as follows:

	Required	Approved
Tree Canopy	7,527 sq. ft.	12,775 sq. ft.

13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The Planning Board adopts the following findings:
 - a. **Community Planning South Division**—The Planning Board finds that this application is consistent with the 2002 *Prince George's County Approved General Plan Development Pattern* policies for the Developing Tier, and the application conforms to the 2009 *Approved Subregion 6 Master Plan and Sectional Map Amendment* recommendations for commercial land use.

This development proposal is located at a unique location on the edge of Prince George's County's designated Developing and Rural Tiers along the State of Maryland's Star-Spangled Banner Scenic Byway. It is located at one of the primary entrances to the Rural Tier in this part of the County which contains a number of important historic resources and rural landscapes, the Patuxent River Park, and more. Certain types of architectural characteristics and land uses at this edge location could negatively impact the preservation of rural character. It is for this reason, along with concern from the community, detailed site plan approval was required.

A stated policy of the approved Subregion 6 Master Plan is to "preserve, protect and enhance the right-of-way and viewshed of the Star-Spangled Banner Scenic Byway within Subregion VI" (page 103). Strategy four of this policy directs the County to "develop design guidelines to conserve and enhance the viewshed of the scenic byway when development is proposed" (page 103). In other words, the County acknowledges that some

development will occur along the scenic byway and recognizes that appropriate, context sensitive design can mitigate the impact of new development along these important roadways. In some cases, use of these techniques can enhance the visual quality of the site. This application presents such an opportunity.

The architecture originally submitted with the DSP was the same which was shown during preliminary plan of subdivision review. The applicant was urged to consider a design featuring a pitched and varied roof line, and an alternative to the proposed concrete masonry. Concrete masonry is not typical in the Rural Tier. Brick is found in the Rural Tier; however, typically one sees this in institutional structures, as well as some historic homes. The Planning Board approves the use of hardy plank (not vinyl), to recall the siding seen on many homes and some institutions would help to distinguish the proposed structure from many of its suburban peers. Additionally, the Planning Board approves signage that is appropriate to the rural context which it is adjacent to, particularly along Croom Road.

b. **Transportation Planning**—The Planning Board the following transportation-related findings:

- (1) Adequate circulation of vehicular traffic involving cars and small vans can be adequately accommodated based on the proposed site layout.
- (2) The site has a single access point on Croom Road (MD 382) and, given the location of the southernmost loading space relative to the site access as well as the other drive aisles, getting to and from the loading bay appears somewhat problematic.

Based on the current proposal, in order for a delivery vehicle to get to the proposed loading bay, the driver must drive forward, near the area of the drive-through window, and then reverse into the loading bay. In departing from the loading bay, the driver must pull forward and then reverse the truck in a curved path almost directly across from the only access point to the site, which could create some conflict with vehicles entering the site.

The Planning Board finds that there may be a more desirable, alternative design for loading on the site; however, requiring the applicant to revise their site layout to provide loading access without reverse movement would likely result in noncompliance with other Zoning Ordinance requirements.

Loading spaces and their access drives are required to be 50 feet from residential zones. As the plan is currently designed, no loading or access is permitted within 50 feet from residential zones, conforming to the Zoning Ordinance requirement. If the loading were designed to traverse the entire periphery of the site, then a

departure from Section 27-579 of the Zoning Ordinance would be required. There is no guarantee that such an application would be approved.

Additionally, to provide continuous movement for vehicles accessing the loading around the site, a 22-foot drive aisle would be required. In order to provide the required width of drive aisle, it is probable that the applicant would either have to reduce the size of the building or reduce the landscape yard currently provided southwest of the building. Reductions in the landscape yards would require alternative compliance or departure approval, which have separate application and approval processes. There is no guarantee that those applications would be approved.

While there may be more desirable design options for the loading, the Planning Board finds that the current design does represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable cost and time. In lieu of redesign, the Planning Board recommends that the applicant limit the delivery of supplies by large trucks to off-peak business hours, so that conflicts with loading trucks and vehicles entering the site are limited.

At the Planning Board hearing the applicant proffered to limit the delivery of supplies by tractor trailers to once a week between the hours of 6 a.m. to 1 p.m.. The Planning Board finds this agreement to be acceptable.

- (3) Both the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the area master plan designate Croom Road (MD 382) as a master plan bikeway. The MPOT includes the following description of the MD 382 bikeway:

MD 382 is a heavily used corridor for long distance cyclists. Road improvements should include bicycle accommodations. A study of the corridor has recently been initiated that will explore the needs of both motor vehicles and bicyclists, as well as the preservation of the scenic qualities of the roadway (MPOT, page 33).

The MD 382 bikeway is also an integral segment of both the Patuxent River Rural Legacy Area Bicycle Route and the state-designated Star-Spangled Banner Scenic Byway. Both of these routes promote the scenic, natural, and historic attributes of the corridor. For the subject application, bicycle compatible road frontage improvements and bikeway signage are recommended to safely accommodate bicycle movement along this master plan bikeway. Frontage improvements along MD 382 should include either a paved shoulder or wide outside curb lanes with appropriate pavement markings to accommodate bikes at the site's ingress/egress point. Frontage improvements (including striping) will be determined by SHA.

As the proposed CVS will be one of the few locations along MD 382 to purchase water, snacks, or other items, the provision of a small number of bicycle parking spaces is required. The need for gateway signage was also discussed at the time of preliminary plan. However, after discussion with SHA, Scenic Byways Office, it was concluded that SHA prefers to sign the whole route at the same time and in the same manner via the SHA sign office, rather than working with and through individual development applications.

c. **Subdivision Review**—The Planning Board adopts the following findings:

- (1) The subject property is located on Tax Map 109 in Grid F-3, within the Commercial Shopping Center (C-S-C) Zone, and is 1.728 acres. The site is currently developed with a miniature golf course and batting cage. The applicant is submitting a detailed site plan for the construction of an 11,945-square-foot CVS retail store as a condition of approved Preliminary Plan 4-10017 for the site.
- (2) For this detailed site plan, special attention shall be given to design, architecture, signage, landscaping, and lighting to ensure that the CVS store will be in keeping with the character of the surrounding rural community at a very highly-visible location. Detailed Site Plan DSP-11010 is in substantial conformance with the approved Preliminary Plan, 4-10017.

d. **Environmental Planning**—The Planning Board adopts the following:

- (1) As a state road, improvements within the right-of-way of the scenic byway are not subject to *Design Guidelines and Standards for Scenic and Historic Roads* adopted by the Prince George's County Department of Public Works and Transportation (DPW&T), but are subject to road improvements as determined by the Maryland State Highway Administration (SHA). SHA has adopted a policy of implementing Context Sensitive Solutions (CSS) for transportation development, which applies to all of SHA's projects, with specific application along scenic byways. Context Sensitive Solutions result from a collaborative, interdisciplinary approach to developing and implementing transportation projects, involving all stakeholders to ensure that transportation projects are in harmony with communities and preserve and enhance environmental, scenic, aesthetic, and historic resources while enhancing safety and mobility.

The design and implementation of any road improvements to Crain Highway (US 301) or Croom Road (MD 382) required by this project shall be coordinated by SHA to seek to implement Context Sensitive Solutions (CSS) as required by SHA policy.

- (2) The entire length of Croom Road, from US 301 to Brandywine, is a portion of a designated Maryland scenic byway commemorating the events of the War of

1812. Governor Martin O'Malley issued an Executive Order on September 8, 2007 to create the Maryland War of 1812 Bicentennial Commission, which is developing a multi-year cultural tourism and educational initiative to commemorate Maryland's unique contributions to the defense and heritage of the nation including the pivotal clash that ensured American victory, an iconic flag, and our national anthem, The Star-Spangled Banner. As part of the Commission's activities, funds were obtained to prepare a corridor management plan and seek federal scenic byway designation of the Star-Spangled Banner Byway in Maryland from Solomon's Island in Calvert County to Baltimore's Fort McHenry, including Croom Road.

Local corridor management planning activities for Croom Road were initiated in 2005 and resulted in an inventory of the intrinsic qualities of the Byway report, completed in 2007, which identified the national significance of the byway as follows:

“STATEMENT OF SIGNIFICANCE

Natural, recreational, historic and scenic intrinsic qualities, in particular, along Croom Road or the Lower Patuxent Scenic Byway (LPSB) are unique and significant based on the National Scenic Byways Program criteria. The LPSB provides opportunities to tell the story of tobacco farming in Maryland and nationally while providing access to outdoor recreational pursuits, such as cycling, boating and wildlife watching along the Patuxent River, a Maryland Wild and Scenic River. It also offers an opportunity to step back in time in an urbanizing area along one of few remaining rural roads in the county.”

The intersection of Croom Road and US 301 provides a unique opportunity to provide a gateway entrance onto the scenic byway route and into the Rural Tier supported by existing low-density/development pattern present just east of the intersection. Along the north side of Croom Road, the Rural Tier begins approximately 780 feet east of the US 301 intersection, but a rural character visual character is provided by a significantly wooded roadside starting 275 feet east of the intersection. On the south side of Croom Road, a wooded roadside character begins 675 east of the US 301 intersection. One thousand two hundred linear feet of the roadway is currently wooded.

- (3) Croom Road is also an integral part of the “Star-Spangled Banner National Historic Trail” (STSP), as designated by an Act of Congress. The Star-Spangled Banner National Historic Trail consists of water and overland routes totaling approximately 290 miles, extending from Tangier Island, Virginia, through southern Maryland, the District of Columbia, and northern Virginia, in the Chesapeake Bay, Patuxent River, Potomac River, and north to the Patapsco River, and Baltimore, Maryland, commemorating the Chesapeake Campaign of the War

of 1812. The STSP is currently in the planning phase. A management plan for the trail will define the specific route and is being done concurrently with the Maryland Star-Spangled Banner Byway Management Plan.

Along Croom Road, the National Historic Trail is associated with the troop movements up the Patuxent River. The sites along Croom Road and Croom Road itself will play an important role in the development of the National Historic Trail. With the extensive land preservation and public parks along the Patuxent River, Croom Road and its branches and sidetracks (as revised to be more consistent with the National Historic Trail noted above) will provide an excellent opportunity to interpret the Chesapeake Campaign and its role in shaping the outcomes associated with the War of 1812. The National Historic Trail designation confirms the national significance of the associated War of 1812 resources found along Croom Road and places the byway within a national context as an important landscape for interpreting those resources to the public.

The national designation of the Star-Spangled Banner National Historic Trail, including the length of Croom Road, and planned nomination of the state scenic byway as an "All-American Road" (national Scenic Byway designation), gives weight to special consideration of the frontage treatment and landscape requirements for the subject property.

- e. **Permit Review**—The Permit Review comments have been addressed through revisions to the plans.
- f. **Historic Preservation**—The Planning Board adopts the following:
 - (1) The proposed DSP for one 11,945-square-foot building and associated surface parking will have no effect on identified historic sites, resources, or districts.
 - (2) A Phase I archeological survey is not recommended. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any archeological sites.
- g. **State Highway Administration (SHA)**—SHA provided comment on the subject detailed site plan.
 - (1) A SHA Access Permit is required for development of the site.
 - (2) SHA recommends that an eastbound deceleration and acceleration lane be provided along eastbound MD 382 (Croom Road).

- (3) SHA also noted that the US 301 Corridor Project will impact the subject development site when the Corridor Project moves forward, as the site is located within a master planned right-of-way.

If the provision of the acceleration and deceleration lanes required by SHA along Croom Road (MD 382) necessitates the reconstruction of the frontage of the subject site, the removal of the header curb should be considered in balance with other safety and engineering concerns.

- h. **Verizon**—In an e-mail dated September 15, 2011, Verizon stated that they had no comments to offer on the subject proposal.

14. 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.
15. 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.

The Planning Board finds that the site does not contain any regulated environmental features, such as streams, wetlands, or floodplain. Therefore, no preservation or restoration of environmental features is required as part of this DSP approval.

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-11010, subject to the following conditions:

- I. Prior to certificate approval of the detailed site plan, the applicant shall revise the site plans as follows or submit the information specified:
 - a. The parking and loading requirement chart on the detailed site plan shall be revised to indicate the number of compact spaces provided, and demonstrate conformance with the requirements of Part 11 of the Zoning Ordinance.
 - b. The proposed pedestrian link inclusive of a crosswalk and a sidewalk located south of the building entrance to Croom Road (MD 382) shall be removed from the site plan.

- c. The applicant shall provide a chart on the site plan that clarifies the amount of building signage area permitted by the Zoning Ordinance, and the building signage area proposed to indicate compliance with Section 27-613 of the Zoning Ordinance.
 - d. The applicant shall work with Urban Design staff to select an appropriate, mutually agreed upon, window graphic or screen material appropriate for the non-transparent windows of the CVS building. If window graphics, including the CVS name, are determined to be a sign, then this shall be incorporated into the final signage area calculations.
 - e. Legible details of all lighting fixtures shall be submitted.
 - f. A note shall be added to the general notes on the detailed site plan stating that:

“An automatic fire suppressing system shall be provided in all new buildings proposed on Parcel 1 (C-S-C Zone) unless the Prince George’s County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”
 - g. Bicycle parking for eight bicycles shall be provided.
 - h. The signage plans shall be revised to accurately reflect the approved site plan and final sign locations and dimensions.
2. The building architecture shall be revised as follows:
- a. The architecture shall be revised to incorporate a parapet wall that is at least 3 feet above the roof line along all building elevations to provide a continuous roof feature; and the parapet wall on the east building elevation shall include an asphalt shingle roof treatment consistent with the north and west building elevations.
 - b. The brick water table feature shall be revised to a standard, smooth-faced, grey stone veneer (ashlar), harmonious in color with the proposed grey cementitious siding, or the water table shall be removed. If the water table is removed, the siding shall continue to the base of the building, where it shall be finished with a white trim at the building’s base.
 - c. The proposed brick loading screen shall be revised to a material compatible with the revised building materials for the CVS.
3. The freestanding sign proposal shall be revised as follows:
- a. The CVS sign panel within the freestanding sign shall be revised so that only the sign letters will be illuminated.

- b. The freestanding sign shall be redesigned to be grey and white in color, with a grey stone veneer material used at its base, and compatible in architectural style with the proposed building architecture.
 - c. The applicant shall add a note to the site plan stating that the electronic messaging unit will not be used to create messages that flash, blink, or vary in intensity of illumination on less than a five second cycle.
 - d. The redesigned freestanding sign shall not exceed 16 feet in height.
 4. Prior to certificate approval of the detailed site plan, the applicant shall revise the landscape plan as follows or submit the information specified:
 - a. The following note shall be added to the landscape plan:

“The owner is required to maintain or replace plant material disturbed, damaged, or removed by the State Highway Administration in its use of the existing highway protective easement.”
 - b. The location of the required parking lot perimeter strip shall be more accurately demonstrated on the landscape plan, indicating conformance with Section 4.3.
 - c. Details of the proposed trash enclosures shall be provided indicating use of a durable variety of vinyl, metal, or masonry screen.
 - d. The landscape plan shall be revised to indicate whether the 72 linear feet of frontage at the northwest corner of the site will be treated with a Section 4.2 or 4.6 landscape strip.
 - e. The applicant shall submit a revised landscape plan that has been prepared and signed by a registered landscape architect in the State of Maryland.
 5. The applicant shall limit the delivery of supplies by tractor trailers to once a week between the hours of 6 a.m. and 1 p.m.


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 Squire, with Commissioners Washington, Squire, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, November 10, 2011, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of December 2011.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj

APPROVED AS TO LEGAL SUFFICIENCY

M-NCP&C Legal Department
Date 11/21/11