

**DISTRICT COUNCIL FOR PRINCE GEORGE'S COUNTY, MARYLAND
OFFICE OF THE ZONING HEARING EXAMINER**

SPECIAL EXCEPTION

4794

DECISION

Application:	Hotel
Applicant:	In Town Suites; Lanham
Opposition:	None
Hearing Date:	June 13, 2017
Hearing Examiner:	Joyce B. Nichols
Disposition:	Approval with Conditions

NATURE OF PROCEEDINGS

(1) Special Exception 4794 is a request for permission to use approximately 3.01 acres of land, in the I-2 (Heavy Industrial) Zone, located on the southeast side of Willowdale Road, approximately 1000 feet east of its intersection with Forbes Boulevard, also identified as 10007 Willowdale Road, Lanham, Maryland, for a Hotel.

(2) The Planning Board (Exhibit 17) did not elect to schedule a hearing on this Application and in lieu thereof adopted the Technical Staff Report's recommendation of Approval with Conditions. (Exhibit 15)

(3) The Planning Director recommended Approval of AC-17002 with Conditions. (Exhibit 32)

(4) At the conclusion of the evidentiary hearing the record was left open for the inclusion into the record of several documents. Upon receipt of the documents the record was closed on August 9, 2017.

FINDINGS OF FACTS

Subject Property

(1) The subject property is located on the south side of Willowdale Road (a cul-de-sac), and on the north side of Martin Luther King, Jr. Highway. The site is part of the Washington Business Park, the majority of which has been developed with office, flex, and industrial uses. It is surrounded by a warehouse in the I-2 Zone to the east, and a credit union (Bank)(with drive-through lanes) in the I-2 Zone to the west. Across Martin Luther King, Jr. Highway to the south are office buildings in the I-1 Zone; slightly to the east on the south side of Martin Luther King,

Jr. Highway is a Consolidated Storage Facility in the I-1 (Light Industrial) Zone.

(2) The subject property is currently vacant, and covered with brush and woods. It slopes gently away from Willowdale Road for most of its depth, then in the last 30 feet slopes relatively steeply down to Martin Luther King Jr. Highway.

Zoning History

(3) The subject property is Lot 31, Block B, Washington Business Park. The final Plat (5-14099) (PGCPB Resolution No. 15-08) for the subject property included the approval of a variation for direct vehicular access to Martin Luther King Jr. Highway (MD 704) for Lot 31, Block B. The proposed Amended Site Plan provides for direct vehicular access from Willowdale Road to the northwest, a 70-foot-wide dedicated public street. Lot 31 is the subject of Preliminary Plan of Subdivision (PPS) 4-86041 (PGCPB Resolution No. 86-171), approved with three conditions, which do not relate to the instant request.

Master Plan/Sectional Map Amendment

(4) The 2010 Glen Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment designates the subject property for “Mixed Use” future land use and retained the subject property in the I-2 Zone.

(5) This property is located in an area that is designated as an Established Community on the Plan Prince George’s 2035 Approved General Plan (Plan Prince George’s 2035) Growth Policy Map. In addition, the property is designated as mixed-use on the Plan Prince George’s 2035 Generalized Future Land Use Map. The subject property is not within a Priority Preservation Area. The 2002 General Plan placed the subject site in the Developing Tier.

Neighborhood/Surrounding Uses

(6) The neighborhood is defined by the following boundaries:

North - Annapolis Road (MD 450)

East - Annapolis Road (MD 450) and Folly Branch

South - John Hanson Highway (US 50)

West - Bald Hill Branch

(7) The surrounding neighborhood is predominantly of an “office/employment” character, typified by a mix of conventional low-rise multi-story office buildings, single-story high-ceilinged flex space and some conventional warehouses. Private covenants over the Washington Business Park subdivision enforce deep roadside landscaping that reinforce its “office park” character. Non-

employment uses that are present include a Large Day Care Center now under construction at the western end of Willowdale Road, and two other Day Care Centers elsewhere in the neighborhood (one freestanding and another in a flex space); some churches and a school are also located in flex spaces throughout the neighborhood. In addition to the Consolidated Storage Facility on the south side of Martin Luther King, Jr. Highway, there are two other Consolidated Storage Facilities at the intersection of Forbes Boulevard and Annapolis Road. Finally, at the eastern periphery of the defined neighborhood are the gated Vista Gardens townhouse community in the R-T (Residential Townhouse) Zone and the Vista Gardens Marketplace Shopping Center in the C-S-C (Commercial Shopping Center) Zone, both on the east side of Lottsford Vista Road.

Applicants Request

(8) The instant Application is for a 130-room extended-stay suite Hotel with associated parking and peripheral landscaping.

LAW APPLICABLE

(1) A Special Exception for a Hotel in the I-2 Zone is permitted pursuant to §27-473(b)(7)(A) in accordance with §27-365 of the Zoning Ordinance. All Special Exceptions must be found to comply with §27-317.

(2) §27-317 states:

(a) A Special Exception may be approved if:

(1) The proposed use and site plan are in harmony with the purpose of this Subtitle;
(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;

(4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

(6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

(3) §27-365 states:

(a) A Hotel or motel may be permitted (except those covered under Subsection (b), below), subject to the following:

(1) The proposed use shall be located in an area which is or is to be developed with a concentration of industrial or office uses;

(2) The proposed use shall have frontage on, and direct vehicular access to, a street with a right-of-way width of at least seventy (70) feet;

(3) The proposed use may include any of the following accessory uses. All accessory uses, and their square footages, shall be shown on the approved site plan. Notwithstanding any other requirement of this Subtitle, these accessory uses shall be permitted without obtaining a separate Special Exception:

- (A) Cocktail lounge or night club;
- (B) Gift shop;
- (C) Beauty shop;
- (D) Barber shop;
- (E) Auditorium;
- (F) Recreational uses;
- (G) Sauna, public spa, or steam room;
- (H) Solarium;
- (I) Valet shop;
- (J) Similar retail stores and consumer service establishments;
- (K) Restaurant;
- (L) Meeting facilities; and
- (M) Lobby and registration area;

(4) In reviewing the application, the District Council shall pay particular attention to surrounding existing and proposed land uses and the compatibility of the Hotel or motel and its accessory uses with the surrounding area.

(4) Section 1.3a of the 2010 Prince George's County Landscape Manual provides:

Requests for alternative compliance may be approved for any Application to which the requirements of this manual apply, when one or more of the following conditions are present:

(1) Topography, soil, vegetation, or other site conditions are such that full compliance with the requirements of this manual is impossible or impractical; or improved environmental quality would result from the alternative compliance.

(2) Space limitations, unusually shaped lots, prevailing practices in the surrounding neighborhood, in-fill sites, and for improvements and redevelopment in older communities.

(3) Change of use on an existing site increases the buffer required by Section 4.7, buffering Incompatible Uses, of this manual, more than it is feasible to provide.

(4) Safety considerations make alternative compliance necessary.

(5) An alternative compliance proposal is equal or better than normal compliance in its ability to fulfill the design criteria in Section 3, Landscape Elements and Design Criteria, of this manual.

Section 1.3b further provides:

Proposed alternative compliance measure must be equally effective than normal compliance in terms of quality, durability, hardiness, and ability to fulfill the design criteria in Section 3.

(5) The request must also satisfy the specific purposes of the I-2 Zone, §27-470(a)(1), as follows:

- (1) The purposes of the I-2 Zone are:
 - (A) To accommodate a mix of intense industrial uses which require larger tracts of land;
 - (B) To accommodate industrial uses that may impact adjoining properties, but are essential to the County's economic well-being; and
 - (C) To apply site development standards which will generate an attractive, conventional heavy industrial environment.

FINDINGS OF FACT AND CONCLUSION OF LAW

General Requirements

(1) §27-317(a)(1) requires that the proposed Use and Site Plan be in harmony with the general purposes of the Zoning Ordinance, §27-102(a), and the specific purposes of the I-2 Zone, §27-470(a)(1).

(2) The general purposes of the Zoning Ordinance are listed in §27-102(a). The instant Application is in harmony with the general purposes of the Zoning Ordinance as follows:

- (1) *To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;*

The approval of the proposed Hotel at the subject site will be in harmony with the Zoning Ordinance's goal of promoting the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County by virtue of being a compatible and complementary use to the existing uses in its surrounding neighborhood. It will be developed in accordance with the regulations established in the Zoning Ordinance and other County Ordinances to protect the public health, safety and welfare including an approved Stormwater Concept Plan and its associated Technical Plan, a Tree Conservation Plan, and a Sediment and Erosion Control Plan.

- (2) *To implement the General Plan, Area Master Plans, and Functional Master Plans;*

The relevant Plans which apply to the subject property are the 2014 General Plan, the 2010 Glenn Dale-Seabrook-Lanham Approved Sector Plan and Sectional Map Amendment, and a number of Functional Master Plans, including the Green Infrastructure Plan, the County Master

Plan of Transportation, the Public Safety Facilities Master Plan, The Historic Sites and Districts Plan, and the Water Resources Functional Master Plan.

General Plan

The General Plan classified the subject site in its Growth Policy Map¹ in the Established Communities category, and the Generalized Future Land Use Map² designated it for Mixed Use land use.

“Established Communities” are described by the General Plan as making “up the County’s heart – its established neighborhoods, municipalities, and unincorporated areas outside designated centers.”³ and recommends that, “Established communities are most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met.”⁴

“Mixed Use” land use is described by the General Plan as, “Areas of various residential, commercial, employment and institutional uses. Residential uses may include a range of unit types. Mixed-use areas may vary with respect to their dominant land uses, i.e. commercial uses may dominate in one mixed-use area, whereas residential uses may dominate in another.”⁵ It is noted that the Generalized Future Land Use Map generally replicates the recommendations of the Master Plan or Sector Plan in force at the time of the approval of the General Plan; the note under the Generalized Future Land Use Map directs the reader that, “by definition, this map should be interpreted broadly and is intended to provide a countywide perspective of future land use patterns. To identify the future land use designation for a specific property, please refer to the property’s relevant approved sector or master plan.”⁶

As the proposed use is a commercial use within the Established Communities, none of the twelve Policies laid out in the Land Use element of the General Plan are directly applicable to the subject application, but it is not in conflict with any of those twelve Policies.

Master Plan

The applicable Master Plan is the Glenn Dale-Seabrook-Lanham Approved Sector Plan and Sectional Map Amendment, approved on March 16, 2010.

In the context of the Sector Plan, it will be important to remember that while the subject

1 M-NCP&PC, Plan Prince George’s 2035 – Approved General Plan (May, 2014), p. 107.

2 General Plan, p. 101.

3 Ibid., p. 106.

4 Ibid., p. 20.

5 Ibid., p. 100.

6 Ibid., p. 101.

site is located in the actual Washington Business Park subdivision, the Sector Plan's discussion also includes under that name the area on the south side of Martin Luther King, Jr. Highway; that area is more strictly the "Hanson Palmer Business Park". In either case, both subdivisions are part of the defined neighborhood of the subject Application, and share the same office/employment character.

The Glenn Dale-Seabrook-Lanham Sector Plan has a number of descriptions of characteristics of the (larger) Washington Business Park area and a number of recommendations which apply to it.

The Sector Plan notes, that, "...many of the properties in the Washington Business Park constituted a different type of industrial use – office operations for light or heavy industrial uses...."⁷ It further notes that, "most of the properties zoned as Light Industrial (I-1) and Heavy Industrial (I-2) are clustered in the Washington Business Park area between Annapolis Road (MD 450), Martin Luther King, Jr. Highway (MD 704), and US 50. The disparity in land use acreage devoted to industrial uses (35.7 acres) and industrial zoning acreage (479.5 acres) suggests that many of the businesses located within these industrial zones are not true industrial uses but commercial operations."⁸

The Sector Plan's "Community Design and Identity" element contains a number of generic design recommendations which "reflect design principles that should be applied to address issues identified in the sector plan area."⁹ The text goes on to note that, "some of the following design principles are already standard, as they are achieved through various regulatory requirements in the Prince George's County Code. Others, however, are guidelines intended to influence... future "updates" of commercial properties."¹⁰ Most of the guidelines are adhered to by the proposed Special Exception Amended Site Plan; landscaping, screening, sidewalk continuity, lighting and architecture guidelines are all met; the few guidelines which aren't are related to conflicts arising from the site's dual-frontage character.

Some commercial areas also had site-specific design recommendations; the Washington Business Park area did not.

The "Natural Resources/Environment" element laid out a number of goals, policies and strategies to address stormwater quality and quantity concerns; these will be addressed by the approval of the Site Development Concept Plan. Other recommendations address tree conservation and tree canopy coverage, which will be met by the site's Tree Conservation Plan approval and by conformance to the County's tree canopy coverage requirements. The use of full-cutoff exterior light fixtures will address the Plan's recommendations for combating light pollution.

⁷ M-NCP&PC, Glenn Dale-Lanham-Seabrook Approved Sector Plan and Sectional Map Amendment (March, 2010), p. 47.

⁸ Ibid., pp. 50-51.

⁹ Ibid., p. 71.

¹⁰ Ibid.

The Sector Plan's "Transportation" element notes that at full buildout, Martin Luther King, Jr. Highway will operate at Level of Service C.¹¹

Importantly to the review of the subject Application, the "Commercial and Employment Areas" element notes in its discussion of "Major Challenges and Opportunities" that, "opportunities to introduce mixed-use developments that are internal to or immediately adjoin employment areas, such as the Washington Business Park, will be important to provide support services within walking distance to reduce vehicle trips. The mix of uses could include accessory retail, restaurant, lodging [*emphasis added*], health, fitness, and business and employee services."¹² To this end, the Plan lays out a Strategy in this element to, "support the development of convenience retail, restaurant, hospitality [*emphasis added*], and service business uses within the Washington Business Park and other sector plan area employment centers."¹³

Finally, the Sector Plan places the subject site at the end of a peninsula of recommended mixed-use land use extending westward from the core of the "Vista Gardens Marketplace focus area," an area intended to act as a corridor node around the intersection of Annapolis Road with Martin Luther King, Jr. Highway. Currently proposed mixed-use development around the Michael Companies offices on Business Parkway will implement the Plan's vision; the subject site, however, has been cut off from the remainder of the focus area by the single-use warehouse development of the adjacent site which has cut off the possibility of the extension of Willowdale Road to the east and the rest of the focus area.

In summary, the proposed Hotel will specifically implement many of the Sector Plan's recommendations, both for land use and for site and building design.

Applicable Functional Master Plans

The subject site does not contain any Regulated Areas, Evaluation Areas or Network Gaps of the County's Green Infrastructure Network; as such, the subject Application conforms to the Green Infrastructure Plan.

No Historic Sites or districts are located within 1,000 feet of the subject property. As such, the approval of the subject Application will be in harmony with the contents of the Historic Sites and Districts Functional Master Plan.

The Water Resources Functional Master Plan addresses broad regulatory policy and large-scale watershed planning, and as such makes no recommendations which are directly applicable to the subject Application.

No proposed sites for Public Safety facilities are in the area affected by the subject

¹¹ Ibid., p. 146.

¹² Ibid., p. 188.

¹³ Ibid., p. 197.

Application.

The Countywide Master Plan of Transportation classifies this segment of Martin Luther King, Jr. Highway as an arterial roadway, with an ultimate right-of-way of 120'. This width is accommodated by the subject property's existing boundaries; as such, the subject Application is in conformance with this Functional Master Plan.

In conclusion, because the subject Hotel is not in conflict with the General Plan, the Sector Plan or the applicable Functional Master Plans, approval of the subject Application will be in harmony with the Ordinance's purpose of implementing those plans.

- (3) ***To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;***

Because this Application proposes a use which generates fewer peak hour trips than would be generated by office development which is typical of the surrounding neighborhood and which was anticipated by the preliminary plan of subdivision for the underlying "Washington Business Park" subdivision, the approval of the subject Application will not adversely affect the adequacy of existing transportation facilities, and thus would be in harmony with this purpose of promoting the conservation of a community which will be developed with adequate public facilities.

- (4) ***To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;***

Approval of the subject Application would recognize the needs of the County's agriculture, industry and businesses by allowing for the establishment of a use which is compatible with and complementary to its surrounding land uses. As such, approval of the subject Application would be in harmony with this Purpose of the Ordinance.

- (5) ***To provide adequate light, air, and privacy;***

The approval of the subject Hotel will be in harmony with this Purpose as the site will be developed in conformance with the various regulations in the Zoning Ordinance and the Landscape Manual (with the requested Alternative Compliance) to ensure the provision of adequate light, air and privacy, both for the occupants of the subject site and for its neighbors. These principles include the provision of sufficient distance between the proposed use and neighboring uses, landscape buffers, and conformance with height limitations in order to allow for access to light and air. More specifically to this site, the proposed Hotel is set back distances which substantially exceed the minimum requirements of the zone, providing abundant privacy and access to light and air.

- (6) ***To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;***

The approval of the subject Hotel will be in harmony with this Purpose as it would be constructed in accordance with the various principles that have been codified in the Zoning Ordinance to promote the beneficial relationships between land and buildings, including conformance with the Tables of Permitted Uses for the various zones as laid out in the Ordinance, and in conformance with the provisions of the Landscape Manual which provide for perimeter landscaping.

More specifically to this site, its location as a compatible and complementary supporting use in the midst of a 400-acre employment area represents a particularly beneficial relationship with its surrounding land uses, that compatible and beneficial relationship is itself a fulfillment of this Purpose and protection from adverse impacts to adjoining development. Furthermore, the site will be provided with a landscaped buffer between it and the warehouse to the east to provide a visual separation that supplements the horizontal separation between the two uses.

(7) To protect the County from fire, flood, panic, and other dangers;

The subject Hotel would be in harmony with this Purpose as it will be developed in conformance with regulations established in the body of the Zoning Ordinance, as well as other County Ordinances, which are intended to protect from fire, flood, panic and other dangers, namely: the floodplain regulations, Stormwater Management regulations, the Fire Prevention Code, the Building Code, and the Tables of Permitted Uses for the various zones.

(8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;

As an extended-stay Hotel, even though it is a quasi-residential use, the subject use is principally commercial in nature; as such, this Purpose is not directly applicable to this Application.

(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;

The approval of the subject Hotel will be in harmony with this Purpose because it would be a complementary use to the surrounding employment uses. As such, it will not only contribute to the tax base of the County directly, through the employment provided to its workers, and through the County's Hotel tax, but will also make the surrounding office space more attractive to prospective tenants.

(10) To prevent the overcrowding of land;

The subject Hotel would be in harmony with this Purpose as it would be constructed in accordance with various principles that have been codified in the Ordinance to ensure the prevention of overcrowding, including the provisions of the Table of Uses that provides for the

compatibility of uses, height limits, and setbacks. More specifically to this site, the green area provided substantially exceeds the requirements of the zone, and the Hotel is set back much further from its boundaries than the I-2 Zone's regulations require.

(11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;

The approval of the subject Hotel would be in harmony with this Purpose because of several factors. First, as noted above the trips generated by the proposed Hotel will be fewer than what would have been generated by the office development which had been anticipated by the subdivision's preliminary plan. Second, the proposed Hotel will have its vehicular access only from Willowdale Road and not from Martin Luther King Highway (even though the record plat for the subject property permits such access). Finally, the subject property will be developed in accordance with the regulations established in the body of the Zoning Ordinance (and other County Ordinances) which are intended to lessen the danger and congestion of traffic on roads, such as the requirements for the provision of adequate off-street parking, the dimensions of entrances, and the provision of adequate sight distance.

(12) To insure the social and economic stability of all parts of the County;

As the Zoning Ordinance is the principal tool for the implementation of the planning process by enacting legal requirements which implement the planning goals that strive to maintain the social and economic stability of the County, conformance with the requirements and regulations of the Zoning Ordinance will be *prima facie* evidence of the Application's harmony with this Purpose.

Beyond that, however, the approval of the subject Hotel would promote the economic and social stability of the County by contributing to the tax base, and by providing a complementary and supporting use to the surrounding employment development.

(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;

Because the subject Hotel will be constructed in the midst of an existing developed office park, the approval of the subject Application will have no additional impact to the natural features in the County. It is a quiet use, which will be constructed in accordance with approved Stormwater Management and Sediment Control, and Tree Conservation Plans. Furthermore, no stream valleys, steep slopes or scenic vistas will be affected. By conformance to these principles and regulations, the approval of this Application would be in harmony with this Purpose.

The final two Purposes,

- (14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and*
- (15) To protect and conserve the agricultural industry and natural resources.*

are not directly applicable to the approval of this Hotel, which is located in the midst of a developed area. §27-317(a)(1)

(3) The instant Application is also in harmony with the specific Purposes of the I-2 Zone, §27-470(a)(1), as follows:

- (A) To accommodate a mix of intense industrial uses which require larger tracts of land;*

The subject Hotel is a part of a larger subdivision of approximately 250 acres, and the subject lot's size – 3.01 acres – is not unusually large, but is towards the larger end of the range of industrially-zoned lots.

- (B) To accommodate industrial uses that may impact adjoining properties, but are essential to the County's economic well-being; and*

The subject Hotel will have minimal impact on adjoining properties, but it is not in conflict with this Purpose of the I-2 Zone.

- (C) To apply site development standards which will generate an attractive, conventional heavy industrial environment.*

The development of the proposed Hotel at the subject site will be in accordance with the site development standards which were established for the I-2 Zone. §27-317(a)(1)

(4) Based upon a site inspection by the expert land planner and the Special Exception Amended Site Plan, and to the best of the planner's professional knowledge, information and belief, with the grant of the requested Alternative Compliance AC-17002 and the revisions to the Special Exception Amended Site Plan stipulated in the proposed Conditions, the subject Hotel will be in conformance with all of the applicable requirements and regulations of the Zoning Ordinance. §27-317(a)(2)

(5) The subject Application is in harmony with Purposes of the Zoning Ordinance generally to implement the General and Master Plans and to provide for the efficient and desirable use of land in accordance with those Plans. And given its harmony, the approval of this use will not impair the integrity of either the approved Master Plan or the County's General Plan. §27-317(a)(3)

(6) The conformance of the subject Application with the principles laid out in the Purposes of the Zoning Ordinance, its compliance with the provisions of other state and county regulations for environmental protection, and the covenants of the Washington Business Park, provide a high level of protection against adverse effects to the public health, safety and welfare. The quiet nature of the proposed use, its complementary nature to the surrounding office development and the Applicant's choice to avoid using the permitted access from Martin Luther King, Jr. Highway are all features of the proposed Hotel that will provide substantive protection to the health, safety and welfare of neighboring residents and workers. §27-317(a)(4)

(7) The low intensity of the Hotel use and its compatible and complementary nature to the surrounding office development will actively promote the use and/or development of the adjacent properties and the general neighborhood. §27-317(a)(5)

(8) With the requested revisions, the Special Exception Amended Site Plan will be in conformance with the provisions of approved Tree Conservation Plan, TCP2-016-14. §27-317(a)(6)

(9) No disturbance to regulated environmental features are proposed by the development of the Hotel. §27-317(a)(7)

Hotel

(10) The subject property is part of the Washington Business Park. The large majority of lots in the Business Park have been developed with office, flex, and industrial uses. §27-365(a)(1)

(11) The proposed Hotel will have both frontage on and vehicular access to Willowdale Road, a street with a right-of-way of 70 feet. §27-365(a)(2)

(12) The Special Exception Amended Site Plan (Exhibit 23) indicates the presence and the area of the proposed lobby and registration area, and exercise area; none of the other accessory uses listed in §27-365(a)(3) are proposed. §27-365(a)(3)

(13) The subject property is bounded by public roads to the north and south, with business parks in the I-1 and I-2 Zones beyond, and then a Bank with a drive-through to the west and an industrial Warehouse to the east. Based on the 2010 Prince George's County Landscape Manual, Section 4.7 requirements, the Bank is deemed a compatible use and the warehouse is a higher impact use than the Hotel. The Amended Landscape Plan (Exhibits 23(g) and (h)) demonstrates that the required Section 4.7 bufferyard is being provided along the western property line, adjacent to the Warehouse.

Unusually for uses in the I-2 Zone, the proposed Hotel is surrounded by a preponderance of office or office/flex space uses; private covenants prohibit incompatible heavy industrial uses such as "junk or salvage yard[s] or any other use which will be offensive to the neighborhood by reason or odor, fumes, dust, smoke, noise or pollution or will be hazardous by reason of danger of

radiation, fire or explosion.” A Hotel is specifically listed in those private covenants as being among the uses which are “reasonably required for the convenience of occupants within the Protected Area...” Thus that the proposed Hotel and its accessory uses are amply compatible with the surrounding area. §27-365(a)(4)

Landscape Manual

(14) The Special Exception Amended Landscape Plan (Exhibit 23) proposes a new parking lot requiring interior and perimeter planting in accordance with Section 4.3 of the Landscape Manual. An Alternative Compliance Application, AC-17002, was submitted for the interior planting requirements. The Planning Director recommended approval of Alternative Compliance for Section 4.3(c)(2), Parking Lot Interior Planting Requirements, of the Landscape Manual, subject to Conditions. (Exhibit 32)

Parking

(15) Pursuant to Section 27-568(a)(2) the Applicant is required to provide one parking space for every two guest rooms and, pursuant to Section 27-582(a) the Applicant is required to provide one loading space. The proposed Hotel contains 130 rooms within a 52,796-square-foot building, which would generate the need for 65 parking spaces and one loading space. The Applicant has provided 134 parking spaces, which are all dimensioned at 9.5 feet by 19 feet, and one loading space, which is dimensioned at 12 feet by 45 feet.

Tree Canopy Coverage

(16) The Application is subject to the Prince George’s County Tree Canopy Coverage Ordinance because it proposes disturbance of 5,000 square feet or greater. The subject property is required to provide 10 percent, or approximately 13,112 square feet, of Tree Canopy Coverage (TCC). A TCC worksheet was provided that demonstrates conformance through proposed plantings on-site.

Zone Standards

(17) Per the Industrial Table of Uses contained in Section 27-473 of the Zoning Ordinance, a Hotel requires a Special Exception in the I-2 Zone (see Section 27-473(b)(A)(7)). Specific Special Exception requirements for Hotel in the I-2 Zone are contained in Section 27-365 of the Zoning Ordinance. Based on the analysis of information provided by the Applicant and contained in the staff/agency referrals, and the application of recommended conditions, the Amended Special Exception Plan (Exhibit 23) and use will meet or exceed the requirements for a Hotel use in the I-2 Zone.

Sign Regulations

(18) Building-mounted signage includes two (approximately 7-foot by 5-foot), 36-square-foot, blue box signs with the brand name and a bird logo in a cross gable feature at the top of the building on the northern and southern elevations. The proposed freestanding, 10-foot-high, 48-square-foot monument sign is proposed to be constructed of an internally-illuminated blue cabinet on top of a stone veneer base, and will be located near the driveway entrance off Willowdale Road. Any proposed signage must meet all area, height, and setback requirements at the time of permit issuance.

DISPOSITION

Special Exception 4794 is Approved, subject to the following Conditions:

1. The Applicant shall provide a table demonstrating conformance to the Prince George's County Zoning Ordinance requirements for the proposed building-mounted and freestanding signage, and provide complete details for the proposed signage. Any proposed signage must meet all area, height, and setback requirements at the time of permit issuance.
2. The Applicant shall satisfactorily revise the building architecture to address the arrangement of materials and colors prior to certification of the Special Exception Site Plan.
3. The Applicant must screen any future mechanical equipment in accordance with the requirements of Section 4.4 of the 2010 Prince George's County Landscape Manual.
4. Prior to certification of the Special Exception Site Plan, an approved Stormwater Management Concept Plan and letter shall be submitted by the Applicant to show how the proposed stormwater will be treated before entering the existing Sector Plan area wetlands and waterways. The proposed improvements (best management practices or environmental site design) shall be clearly identified on the Plan and correctly reflected on the associated Special Exception Amended Site Plan and Type 2 Tree Conservation Plan.
5. In the event that a restaurant or coffee shop is proposed, the Applicant must submit plans and to obtain a Health Department Food Service Facility permit through the Prince George's County Department of Permitting, Inspections and Enforcement.
6. No construction noise shall be allowed to adversely impact activities on the adjacent properties. The Applicant must conform to construction activity noise control requirements, as specified in the Subtitle 19 of the Prince George's County Code.
7. During the construction phases of this project, no dust should be allowed to cross over

property lines and impact adjacent properties. The Applicant must conform to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

AC-17002 is Approved.

The Approved Site and Landscape Plans are Exhibit 23.