

Case No. ROSP S.E. 2026/01

Applicant: E & V Enterprises

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 6 - 2004

AN ORDINANCE to approve an amendment of a site plan for an addition of a food and beverage store, removal of one dumpster, relocation of another dumpster, and the addition of a canopy, all for an existing gas station.

WHEREAS, on June 18, 1969, the District Council approved without conditions S.E. 2026 for a 3-bay gasoline station, on property described as approximately 1.74 acres in the C-S-C Zone, located on the south side of Piscataway Road, approximately 200 feet east of Dalmatia Drive, known as 9898 Piscataway Road, Clinton; and

WHEREAS, the owner has filed and the Technical Staff and Planning Board have reviewed an application to revise the site plan for the special exception, and the Planning Board has filed a decision with the District Council, approving the applicant's request, with conditions; and

WHEREAS, having reviewed the record, the District Council has determined that the application should be approved; and

WHEREAS, as the basis for this action, the District Council adopts the recommendations of the Technical Staff and the findings and conclusions of the Planning Board as its findings of fact and conclusions of law in this case; and

WHEREAS, to protect adjacent properties and the general neighborhood, approval of the amended site plan will be granted subject to conditions.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The applicant's amended site plan, as finally approved by the Planning Board on September 25, 2003, is hereby approved, subject to the following conditions:

1. The applicant shall install shields on all canopy lights. The shields shall be external and shall extend a minimum of two inches below the bottom of the lens on each of the existing lamps. The interior of each shield shall be painted flat black. In the alternative, the applicant may substitute for the existing Scottsdale lamps a flat lens fixture fitted flush to the canopy.
2. If Piscataway Road is widened and the paved section comes within ten feet of the freestanding sign, the sign shall be relocated, at the owner's expense, to meet the setback requirements of Part 12 of the Zoning Ordinance.
3. The site plan shall show that all other freestanding or temporary signs, other than those required by State law or authorized by permit issuance, are to be removed from the property.
4. That the masonry of the building be composed of Bedco split-faced block using color 38, a colonial red brick, or if that product is not available, a similar substitute approved by the Technical Staff of the Maryland-National Capital Park & Planning Commission.
5. That the roof of the building be composed of a product manufactured by Fabral in the color teal, or if that product is not available, a similar substitute approved by the Technical Staff of the M-NCPPC.
6. That the fascia of the building be composed of a product manufactured by Valspa in the color Cousteau Blue, and of Drive-It 310 in the color China White, or if that

product is not available, a similar substitute approved by the Technical Staff of the M-NCPPC.

7. That should the drive-in window and its vehicle queue ever constitute a nuisance, in the determination of the Prince George's County Department of Environmental Resources (or its successor in interest), then the property owner and occupant shall close the window or make such modifications as the department determines are necessary to satisfy its objections.

SECTION 2. This Ordinance shall take effect on the date of its adoption.

ADOPTED this 22nd day of March, 2004, by the following vote:

In Favor: Council Members Knotts, Bland, Dean, Dernoga, Exum, Harrington, Hendershot and Peters.

Opposed:

Abstained:

Absent: Council Member Shapiro

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

BY: \_\_\_\_\_  
Tony Knotts, Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council