

Case No.: S.E. 4427

Applicant: Giant of Maryland, LLC

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

ORDER OF DENIAL

IT IS HEREBY ORDERED, that Special Exception No. 4427, for a Gas Station on property described as approximately 1.025 acres of land in the C-S-C Zone, located on the west side of MD Rt. 197, approximately 800 feet north of Contee Road, identified as 13600 Laurel-Bowie Road, Laurel, is hereby:

DENIED, based on consideration of the entire record, for the reasons stated in the attached findings and conclusions of the Zoning Hearing Examiner, which are hereby adopted as the basis for denial, with the following additions:

A. The 1990 Master Plan for Subregion I recommends: “[N]o additional freestanding uses shall be allowed in the parking lot [of the Towne Center Shopping Centre] unless they are situated so as not to impede access to the center or disrupt internal circulation patterns.” The proposed gas station would be directly contrary to this Master Plan recommendation and would substantially impair the integrity of the Plan. The gas station would occupy areas needed for parking and would disrupt internal traffic circulation in the shopping center area.

B. The Transportation Planning Section of the Planning Department reports that during the evening peak hour, the level of service at the MD Rt. 197 – Snowhill Estates Lane intersection is “E,” indicating unacceptable congestion. The proposed gas station will only worsen the inadequacy at the intersection immediately in front of the subject property.

C. Further, the District Council agrees with the Examiner that this applicant failed to prove that the proposed gas station is “necessary to the public in the surrounding area.” That showing is required in Section 27-358(d)(1) of the Zoning Ordinance.

ORDERED this 5th day of May, 2003, by the following vote:

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

Opposed:

Abstained:

Absent:

Vote: 9-0

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: \_\_\_\_\_  
Peter A. Shapiro, Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd, Clerk