

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board reviewed DDS-526 for WAWA, Branch Allentown Plaza requesting vehicular access to loading within fifty (50) feet of a Residential Zone in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on January 31, 2002, the Prince George's County Planning Board finds:

- A. Location and Field Inspection: The property is located in the southeast quadrant of the intersection of Branch Avenue (MD 5) and Allentown Road (MD 337). The property is generally rectangular in shape and comprises approximately 2.718 acres of land. It is currently ~~improved~~ with deteriorating asphalt paving which once served as a parking lot for the now defunct Allentown Plaza shopping center. The property has approximately 284 feet of frontage on the south side of Allentown Road. Access is provided from Allentown Road via a 44-foot-wide, divided entrance located at the northeastern most corner of the site. The subject property is also accessible from a 24-foot-wide utility and ingress-egress easement, which runs between the proposed gas station and the existing Dunkin' Donuts to the west.
- B. Request: The applicant proposes to redevelop the subject site with a gas station and a food and beverage store. Redevelopment involves demolition and removal of the existing deteriorating asphalt paving from nearly 100 percent of the lot and construction of a new eight-island multipump dispenser (MPD) gasoline facility and canopy, a one-story, 5,740-square-foot food and beverage store, parking area and landscaping.
- C. Neighborhood and Surrounding Uses: The subject property is bounded by the Bells United Methodist Church (east); the former Allentown Plaza buildings, recently converted to mini-warehouses (~~consolidated storage~~) (south); Dunkin Donuts and the Royal Beijing Chinese Restaurant and additional deteriorating asphalt paving (west); and Allentown Road (north). The adjoining properties to the east is zoned R-R; to the south and west are zoned C-S-C; and to the north across Allentown Road the property is zoned C-O. The subject property is located in the Camp Springs Community, Neighborhood C3, as identified in the Master Plan. Beyond Bells Methodist Church to the east and R-R-zoned property to the south of the defunct mall site is Andrews Air force Base.
- D. **Section 27-579 requires that no vehicular entrances to any loading space can be located within fifty feet (50') from any adjacent land in any Residential Zone.**

The site plan as submitted, provides a 22-foot-wide drive from Allentown Road to the location of the 12-foot by 33-foot loading space. The drive aisle coincides with the existing limit of pavement of the previous parking lot, and also aligns with the existing entrance onto Allentown Road. Because of the existing conditions, the drive aisle is located 12 feet from the adjacent Bells United Methodist

Church, R-R-zoned property. Therefore, the applicant filed a Departure from Design Standards for a 38-foot reduction of the required 50-foot setback.

E. **Departure from Design Standards: Section 27-239.01(b)(9) requires the Planning Board to make the following findings in order to grant the departure:**

1. The purposes of this subtitle will be equally well or better served by applicant's proposal;

The applicant's proposal to locate the vehicular drive aisle serving the loading area less than 50 feet from land in a residential zone will better serve the public by providing a safe means of ingress-egress to the development from Allentown Road. Existing conditions dictate the location of the entrance into the site. There is an existing median break with a traffic light at the subject entrance on Allentown Road. All traffic exiting the site to go west bound on Allentown Road must use this point of egress. Furthermore, while the adjacent property is zoned residential, the site is developed as a church and the site feature on the church's property in the location of the requested departure is a parking lot. The visibility and safety of the proposed entrance drive justifies the need for this deviation from the setback.

2. The departure is the minimum necessary, given the specific circumstances of the request;

The 38-foot departure from the 50-foot setback is the minimum necessary to accommodate the existing site conditions.

3. The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the county developed prior to November 29, 1949;

Due to the existence of a solid concrete median in Allentown Road for the majority of the site's road frontage the ingress-egress driveway cannot be located any further to the west, away from the residentially zoned property. The median was constructed in conjunction with the Branch Avenue-Allentown Road grade-separated interchange.

4. The departure will not impair the visual, functional or environmental quality or integrity of the site or surrounding neighborhood.

The applicant has proposed to improve the appearance of the development by providing landscaping and screening in excess of the requirements of the *Landscape Manual* along the boundary of the church. Additionally, the proposed gas station and convenience store will be an improvement that would add to the visual, functional and environmental quality of the site and the surrounding area, given the site's current condition.

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 DDS-526.

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

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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 Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Brown and Hewlett voting in favor of the motion, and with Commissioner Scott absent at its regular meeting held on Thursday, January 31, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of March 2002.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

