

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Parking and Loading Standards DPLS-438, Sunoco Gas Station and Car Wash, requesting a departure of six parking spaces and one loading space from the thirteen parking spaces and one loading space required 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 June 14, 2018, the Prince George's County Planning Board finds:

1. **Location and Field Inspection:** The subject property, known as Parcel A, recorded in Plat Book WWW 63-36, is located at 6308 Allentown Road, Temple Hills, Maryland, on the east side of MD 337 (Allentown Road), approximately 320 feet southeast of the intersection of MD 5 (Branch Avenue) and MD 337. The 0.695-acre parcel is zoned Commercial Shopping Center (C-S-C), within the Military Installation Overlay (M-I-O) Zone, and is improved with an existing gas station and a food and beverage store. Additional structures on the site include four gasoline pump dispensers, one canopy, three underground storage tanks, two freestanding signs, and 14 surface parking spaces. The property has direct vehicular access to MD 337. The subject property is in Council District 8.
2. **History and Previous Approvals:** Special Exception SE-1452 was approved by the Prince George's County District Council on November 18, 1966, permitting a gas station. The site plan was revised in 1990 to raze and replace the gas pumps with self-serve gas pumps and to add a food and beverage store. The revised site plan for SE-1452 (PGCPB Resolution No. 89-644) was approved on December 14, 1989, with conditions, by the Prince George's County Planning Board. A major revision of the Special Exception (SE-4772) is currently under review and proposes to add a carwash to the site.
3. **Neighborhood and Surrounding Uses:** The general neighborhood is bounded to the north and east by MD 5, and to the south and west by Allentown Way. The properties immediately surrounding the subject property are also zoned C-S-C and contain the following uses:

North— A carpet store and the Camp Springs Masonic Center

West— Old Branch Crossing Shopping Center

South— A Potomac Electric Power Company utility station

East— MD 337 (Allentown Road)

4. **Request:** The applicant is requesting a Departure from Parking and Loading Standards (DPLS-438) from Section 27-568(a) and Section 27-582(a) of the Prince George's County Zoning Ordinance, for a reduction in the number of required parking spaces and the elimination of the one required loading space. The project entails the addition of a 768-square-foot car wash which, when combined with the square footage of the existing food and beverage store (1,900 square feet), requires one loading space and 13 parking spaces. No other improvements are proposed for the site. A car wash requires approval of a special exception in the C-S-C Zone, which is requested via a separate development application (SE-4772) and review process submitted concurrently with this application.

5. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-S-C	C-S-C
Uses	Gas Station, Food and Beverage Store	Gas Station, Food and Beverage Store,* and Car Wash
Acreage	0.695	0.695
Square Footage/GFA	8-pump Gas Station with a 1,900-square-foot Food and Beverage Store	8-pump Gas Station with a 1,900-square-foot Food and Beverage Store* and a 768-square-foot Car Wash

Note: *There are no physical improvements or revisions proposed to the fuel pumping stations or the existing food and beverage store building.

6. **Master Plan Recommendation:** The *Plan Prince George's 2035 Approved General Plan* (Plan 2035), locates the subject property in the Established Communities area within the Growth Boundary, in an area generally designated as Mixed Use, which is described as "areas of various residential, commercial, employment and institutional uses" (page 100). The vision for the Established Communities area is "context-sensitive infill and low- to medium-density development" (page 20).

The 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (Central Branch Avenue Corridor Sector Plan) recommends residential mixed-use (Map 26, page 80) land uses on the subject property, with residential as the dominant use. The sector plan makes additional recommendations for building massing and contextual compatibility for infill development. Although the proposed use is broadly inconsistent with the sector plan, pursuant to Section 27-317(a)(3) of the Zoning Ordinance, this application will not substantially impair the integrity of the Central Branch Avenue Corridor Sector Plan. Though the sector plan recommends residential mixed-use land use for the subject property, with residential units over ground floor retail, the recommended land use cannot be achieved with the current C-S-C zoning, and the proposed use is permitted by special exception. Thus, it can be concluded that 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 Plan 2035.

7. **Parking and Loading Regulations:** Pursuant to Section 27-568(a)(5), the existing 1,900-square-foot food and beverage store requires one off-street parking space for every 150 square feet of gross floor area (GFA); the proposed 768-square-foot car wash requires one parking space for every 500 square feet of GFA; and a self-service gas station requires one parking space per employee. In accordance with the preceding calculations, 16 parking spaces are normally required for the three uses on the subject property. However, when the 20 percent joint-use reduction calculation is applied for the multiple uses, pursuant to Section 27-570 of the Zoning Ordinance, the required parking spaces is reduced by three spaces. Therefore, 13 parking spaces are required. Seven parking spaces are provided. The applicant has requested a departure (DPLS-438) for 9 of the 16 required off-street parking spaces, however, a departure for only 6 parking spaces is needed. The table below provides a summary of the required and provided parking spaces.

Parking Standards by Use Per Section 27-568	Number of Parking Spaces Required
(a)(5) Commercial Trade (generally retail)/ Services for (A) Normal Parking Generation Group: 1,900-square foot food and beverage store	13
(a)(5)(D) Miscellaneous: Car Wash, 768-square-foot car wash requires one parking space for every 500 square feet of Gross Floor area	2
(a)(5)(D) Miscellaneous: Gas Station (ii) Self-Serve requires one parking space per employee; one employee is identified.	1
20 percent Joint Use Reduction	-3
Total Parking Required for Sunoco Gas Station and Car Wash	13
Parking Departure Requested	-6
Total Parking Provided for Sunoco Gas Station and Car Wash	7

Section 27-582 requires one loading space for 2,000 to 10,000 square feet of GFA. The combined GFA for the food and beverage store (1,900 square feet) and the car wash (768 square feet) is 2,668 square feet of GFA. The applicant has not provided a loading space on the site plan and has requested a departure from the loading space requirement.

Required Findings for Departures from Parking and Loading Standards (DPLS-451)—The applicant requests a departure from Section 27-568, which requires the provision of 13 off-street parking spaces for the subject development, and from Section 27-582, which requires one loading space for the subject development. Due to site constraints, the applicant is limited to providing seven off-street parking spaces and no loading space; therefore, a departure of six parking spaces and one loading space is sought.

Section 27-588. Departures from the number of parking and loading spaces required.

Section 27-588(b)(7) Required Findings:

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

- (i) The purposes of this Part (Section 27-550) will be served by the applicant's request;**

Section 27-550. Purposes

(a) The purposes of this Part are:

- (1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;**
- (2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**
- (3) To protect the residential character of residential areas; and**
- (4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The purposes of the parking and loading regulations will be served by the applicant's request. The applicant seeks to ensure sufficient parking and loading to serve the needs of the patrons of this proposed gas station, food and beverage store, and car wash to relieve on-site traffic and circulation congestion on and off the subject property. The subject property is predominantly surrounded by commercial-zoned properties and uses that provide on-site parking. Currently, the site is served by 14 parking spaces. Three of the spaces will be eliminated with the addition of the car wash, as that area will become the entrance to the car wash. The car wash exit is now the current location of a dumpster. A loading space was not required with the development of the food and beverage store and gas station, and is not anticipated to be needed for the addition of a car wash. The provision of seven parking spaces is sufficient because, in practice, many of the patrons using the food and beverage store will leave their cars at one of the eight fueling pumps, while entering the store to make a purchase.

The food and beverage store is small enough that it can be restocked without relying on a large truck. It can be presumed that the site does get crowded when a tanker comes to refill the underground tanks, however, that operation would not take place in a loading space. The applicant's proposal to use parking spaces during off-peak hours in lieu of a formally delineated loading space is a reasonable alternative for this particular site because the inclusion of the loading space would require the elimination of additional parking, and it may temporarily block vehicular flow when in use.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

The parking departure is the minimum necessary, after the 20 percent joint-use calculation is applied, per the site plan conditions. No additional parking spaces can easily be provided. The loading departure is the minimum necessary. There is no viable area for a loading space that would not eliminate additional parking spaces, which is more important to the vehicular use of the site. The adjacent properties to the site are developed and there are no other opportunities for expansion. Therefore, the departure is the minimum necessary, given the specific circumstances.

(iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;

The departure is necessary in order to alleviate circumstances, which are special to the subject use, given its nature at this location. The site is a narrow lot, which was developed prior to current regulations, and has remained in the same configuration for over 20 years. The proposal is to add a car wash as an amenity to the existing gas station and food and beverage store. The site is adjoined to the north and south by developed property in the C-S-C Zone. The underlying nature of this use is that it is served by panel trucks, and the loading needs can be addressed by using a parking space. If timed correctly, the use of that space will not impact the peak-hour parking needs of the subject use. The purposes of the parking and loading regulations will be served by the request.

(iv) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and

All methods of calculation have been fully applied to this site. Thirteen parking spaces and one loading space is required and the applicant is requesting relief from the provision of six parking spaces and one loading space due to site constraints, in order to provide the maximum number of parking spaces possible.

- (v) Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

There are no adjacent residential areas nearby. The subject property is surrounded by commercial uses. Therefore, the parking and loading needs of adjacent residential areas will not be infringed upon by the requested departure.

(B) In making its findings, the Planning Board shall give consideration to the following:

- (i) The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within five hundred (500) feet of the subject property;**

There is no indication of a shortage of parking within the general vicinity of this facility. The area within 500 feet of the subject property is characterized by commercial development. All uses have adequate parking.

- (ii) The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;**

The proposed use is consistent with the with the Central Branch Avenue Corridor Sector Plan recommendations and will not impair the integrity of the master plan.

- (iii) The recommendations of a municipality (within which the property lies) regarding the departure; and**

The subject property is not located within a municipality.

- (iv) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.**

According to the Prince George's County Revenue Authority Capital Improvement Program there are no public parking facilities proposed for this area.

(C) In making its findings, the Planning Board may give consideration to the following:

(i) Public transportation available in the area;

Public transportation is available at this location. However, this is an automobile-related use. As such, it is not anticipated that many patrons will use public transportation.

(ii) Any alternative design solutions to off-street facilities which might yield additional spaces;

The proposed development is occurring in an established neighborhood. No other design alternative solutions are noted by the applicant. There are no alternative design solutions, which would result in both a loading space and the required parking for the use.

(iii) The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;

The proposed development is within 500 feet of retail uses. The use as a gas station has existed since the late 1960s and is compatible with the nature and operation of other uses in the area. The full-service gas station and food and beverage store, built in 1990, will continue to operate as it has for over 20 years.

(iv) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.

The subject property is zoned C-S-C and, therefore, is not subject to this provision.

8. **Zone Standards:** The subject site was reviewed for compliance with the requirements of the C-S-C Zone and the regulations of the Zoning Ordinance with SE-4772. It is determined that, with approval of the proposed departure for parking and loading, the proposed development will be in compliance with Section 27-454 of the Zoning Ordinance.
9. **2010 Prince George's County Landscape Manual Requirements:** The proposal to add a car wash to an existing gas station involves new construction and is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Conformance with the Landscape Manual requirements is evaluated with SE-4772, including Alternative Compliance AC-17018, which was requested for Section 4.7-1 of the Landscape Manual.

Tree Canopy Coverage Ordinance

This application is not subject to the Prince George's County Tree Canopy Coverage Ordinance because it proposes less than 5,000 square feet of GFA or disturbance.

10. **Signage:** The review of this departure does not include the review of any signs. Any signage on the property must meet all area, height, and setback requirements.
11. **Further Planning Board Finding or Comments from Other Entities:** The following comments were received from the referring agencies for review of the special exception application:
 - a. **Transportation**— The subject site is within Transportation Service Area 1, as defined in Plan 2035. The source for estimates of trip generation is the *Trip Generation Manual, 9th Edition* (Institute of Transportation Engineers). The table below provides information regarding site trip generation. The comparison of trip rates for the existing uses, versus the proposed uses under the special exception, are shown in the following table:

Comparison of Estimated Trip Generation, SE-4772, 0.695 acre								
Zoning or Use	Vehicle Fueling Positions	AM Peak-Hour Trips			PM Peak-Hour Trips			Daily Trips
		In	Out	Total	In	Out	Total	
Existing Sunoco and Convenience Store	4	20	20	40	27	27	54	651
With Pass-By	4	14	14	28	19	19	38	456
Proposed Car Wash	4	24	23	47	28	27	55	611
With Pass-By	4	17	16	33	20	19	39	428
Comparison of Existing vs. Proposed				+7			+1	-40

It is determined that the proposed uses will have minimal impact on the existing transportation system. The existing access exiting and entering the site will remain and this is acceptable. The proposal for a single-car drive-through car wash as an additional use to an existing Sunoco gas station and convenience store meets the requirements of Subtitle 27 of the Prince George's County Code for approval of a special exception, from the standpoint of vehicular circulation and transportation.

- b. **Urban Design**—The subject project was reviewed for conformance to the Zoning Ordinance and the Landscape Manual and has no specific recommendations regarding this DPLS application.
- c. **Permit Review**—The application was reviewed for conformance to the Zoning Ordinance, noting several site plan revisions that were addressed by the applicant or are addressed as conditions of approval for the companion special exception application.

- d. **Community Planning**—The Central Branch Avenue Corridor Sector Plan recommends residential mixed-use (Map 26, page 80) land uses on the subject property, with residential as the dominant use.

The proposed use is broadly inconsistent with the sector plan; however, pursuant to Section 27-317(a)(3), this application will not substantially impair the integrity of the sector plan because the recommended land use cannot be achieved with the current C-S-C zoning.

- e. **Environmental Planning**—An approved and signed Natural Resources Inventory, NRI-267-2015, and Woodland Conservation Ordinance Exemption Letter (S-007-16) was issued for this site. The woodland conservation exemption letter expired on January 8, 2018 and should be replaced. There are no environmental issues.

Stormwater Management

A Stormwater Management Concept Plan and Letter (1373-2017-00) was approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on May 15, 2017. DPIE has since requested revisions, which will be addressed at the time of permit submittal. No additional information is required with regard to stormwater management with this application.

- f. **Subdivision and Zoning**—Parcel A, as shown on the site plan, matches the Record Plat, WWW 63–36. Pursuant to Section 24-111(c)(3) of the Subdivision Regulations, the proposed car wash does not exceed 5,000 square feet, so a preliminary plan of subdivision is not required. The record plat referenced on the site plan should be revised to note the correct record plat.
- g. **Historic Preservation**—The probability of archeological sites within the subject property is low. The proposal will not impact any historic sites, historic resources, or known archeological sites.
- h. **Special Projects**—Adequate public facilities, including fire, rescue, and police facilities, exist to serve the site.
- i. **Prince George's County Health Department**—In a memorandum dated September 12, 2017 (Johnson to Thompson), the Health Department offered the following comments:
 - (1) During the demolition/construction phases of this project, no dust should be allowed to impact adjacent residential areas. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

- (2) During the demolition/construction phase of this project, no noise should be allowed to adversely impact activities on the adjacent residential areas. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

The applicant should note on the site plan that development will conform to the activity dust control and construction activity noise control requirements.

- j. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated October 12, 2017 (Giles to Thompson), DPIE offered several comments regarding approval of this plan. DPIE's comments will be addressed by the applicant at the time of permit submittal.

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 above-noted application, subject to the following condition:

1. Prior to certification of the departure site plan, Special Exception SE-4772 shall have final approval and certification, and the departure site plan shall be revised to be consistent with SE-4772.

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, and Hewlett voting in favor of the motion, and with Commissioners Bailey and Doerner absent at its regular meeting held on Thursday, June 14, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of July 2018.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

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