



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2023-47

File No. DSP-15021-01

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the applicant, Hyattsville Brightseat Road RE LLC, submitted an application for approval of a detailed site plan; and

WHEREAS, the subject property is within the Industrial, Employment (IE) Zone; and

WHEREAS, pursuant to Section 27-1704(a) and (b) of the Zoning Ordinance, until and unless the period of time under which the development approval or permit remains valid expires, development approvals or permits of any type approved under the prior Zoning Ordinance or Subdivision Regulations prior to April 1, 2022 remain valid for the period of time specified in the Zoning Ordinance or Subdivision Regulations under which the project was approved and the project may proceed to the next steps in the approval process (including any subdivision steps that may be necessary) and continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the prior Zoning Ordinance; and

WHEREAS, in consideration of evidence presented at a public hearing on April 20, 2023, regarding Detailed Site Plan DSP-15021-01 for Hyattsville Brightseat Road, the Planning Board finds:

1. **Request:** This detailed site plan (DSP) approves a revision to DSP-15021, to replace one 4-story, 124-room hotel building with a 4,050-square-foot gas station and food or beverage store, specifically, a 7-Eleven store. The existing 5.3-acre property will be subdivided into two new parcels, one containing the existing hotel and one containing a gas station and food or beverage store. The eastern portion of the property, which is proposed as Parcel 3, is developed with a 4-story, 124-room hotel approved under DSP-15021. The western portion of the property, which is proposed as Parcel 2, is currently vacant and was previously approved for construction of a second 124-room hotel. A Special Exception, SE-4845, has been previously approved for Parcel 2, to construct a gas station with a food or beverage store, more specifically, a 7-Eleven store. The two parcels will share use of the existing driveway, which was previously approved to serve as access to the property from Brightseat Road.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	IE (Prior I-3)	IE (Prior I-3)
Use(s)	Hotel	Existing Hotel, Proposed Gas Station with a Food or Beverage Store
Gross Acreage	5.3	5.3
Total Parcels	1	2
Total Gross Floor Area	47,624 sq. ft.	51,674 sq. ft.
Parcel 2	-	4,050 sq. ft.
Parcel 3*	47,624 sq. ft.	47,624 sq. ft.
Residential Dwelling Units	-	-
Hotel Rooms*	124	124

Note: *The existing hotel on Parcel 3 was approved under DSP-15021 and is not the subject of this amendment.

Parking Requirement (per Section 27-568(a) of the prior Zoning Ordinance)

	Number of Spaces Required	Number of Spaces Provided
Parcel 2, Food and Beverage Store	1 space per 150 sq. ft. of GFA of the first 3,000 sq. ft. 1 space per 200 sq. ft. of GFA above the first 3,000 sq. ft.	1 x (3,000/150) + 1 x (1,050/200) + = 26 parking spaces
Parcel 2, Gas Station	1 space per each employee	1 x 2 employees = 2 parking spaces
Total Parking Required	28 parking spaces	
Total Parking Provided		31 parking spaces
Standard spaces (9.5 feet x 20 feet)*	-	29
Handicap Van-accessible	2	2

Note: *Per Section 27-558(a) of the prior Zoning Ordinance, the minimum size of a standard car parking space is 9.5 feet by 19 feet. This DSP provides a size of 9.5 feet by 20 feet for parking spaces.

Loading Spaces (per Section 27-582(a)* of the prior Zoning Ordinance)

	Required	Provided
Parcel 2, Gas Station with a Food and Beverage Store	1	1
Total	1	1

Note: *The subject site plan shows one loading space, in accordance with the requirements of Section 27-582(a), which lists the following requirement:

- One space per 2,000–10,000 square feet of gross floor area of retail sales and service (per store)

Building Coverage and Green Area (per Section 27-474(e)* of the prior Zoning Ordinance)

	Required	Provided
Parcel 2, Gas Station with a Food and Beverage Store		
Building coverage (Maximum % of net lot area)	45	4.6
Green area (Minimum % of net lot area)	25	45
Parcel 3, Hotel*		
Building coverage (Maximum % of net lot area)	45	10
Green area (Minimum % of net lot area)	25	46

Note: *The existing hotel on Parcel 3 was approved under DSP-15021 and is not the subject of this amendment. However, the building coverage and green area are calculated to demonstrate continued conformance of the new Parcel 3 containing the existing hotel, with the requirements of Section 27-474(e).

3. **Location:** The subject property is located on the northeast side of the intersection of Brightseat Road and Medical Center Drive, in Planning Area 72 and Council District 5. The subject 5.3-acre property is located in Tax Map 67, Grids C1 and D1. The property consists of one parcel, known as Parcel 1 of the Sandpiper Property Subdivision, recorded in the Prince George’s County Land Records in Plat Book SJH 245 page 22. The site is currently vacant.

4. **Surrounding Uses:** The adjoining properties and uses are as follows:

North— Vacant property in the Industrial, Employment (IE) Zone

East— I-95/495 (Capital Beltway), with hotels in the Regional Transit-Oriented, High-Intensity – Edge Zone beyond

South— Medical Center Drive, with a stormwater pond in the IE Zone beyond.

West— Brightseat Road, and wooded land containing a church in the IE Zone.

5. **Previous Approvals:** The property was the subject of Preliminary Plan of Subdivision (PPS) 12-3266, approved by the Prince George's County Planning Board on December 17, 1969, for construction of an elementary school, and Parcel A was subsequently recorded in Plat Book 76 page 16. It does not appear that the approved development was ever constructed.

Subsequently, various conveyances of public road rights-of-way were made via deed from the original acreage of Parcel A, which were exempt from the requirements of Subtitle 24 of the prior Prince George's County Subdivision Regulations, in accordance with Section 24-107(c)(4) of the prior Subdivision Regulations.

Parcel A was resubdivided in 2016 to create Parcel 1 (Final Plat of Subdivision 5-15059), in accordance with the provisions of Section 24-111(c) of the prior Subdivision Regulations, as the subject property had a final plat approved prior to October 27, 1970. At the time of resubdivision, the subject property was evaluated for adequate public facilities for commercial use, under two development scenarios: construction of two hotels or the construction of one hotel and a convenience store with a fueling station. The resubdivision of the subject property was approved by the Planning Board on July 7, 2016 (PGCPB Resolution No. 16-26), prior to its recordation in Plat Book SJH 245 page 22 on July 13, 2016. The final plat was approved, subject to three conditions listed in PGCPB Resolution No. 16-26, and subject to four notes listed on the plat itself. However, while these conditions and notes merit discussion, as provided below, they are not directly applicable to the proposed development because a new PPS was required to support the proposed development. A PPS (4-22006) was submitted for review and was approved by the Planning Board on March 16, 2023.

DSP-15021 was approved by the Prince George's County District Council on June 13, 2016, for construction of two 124-room hotels. To date, only one hotel has been constructed, and the applicant's statement of justification indicates that the market is no longer conducive to constructing the second hotel. Following the approval of this DSP, to replace the second hotel with a gas station and food or beverage store, approval of a final plat will be required before building permits may be approved.

Final Plat 5-15059 was approved subject to three conditions listed in PGCPB Resolution No. 16-26. The conditions are listed below in **bold** text and analyses of the conditions are included in plain text.

1. **Total development shall be limited to uses that generate no more than 233 AM and 279 PM peak-hour vehicle trips. Any new development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

A new trip cap was established with Certificate of Adequacy ADQ-2022-037, which is further discussed below, which supersedes the trip cap established with 5-15059. The approved trip cap includes the existing hotel on Parcel 3 and the proposed gas station with food or beverage store on Parcel 2.

2. Direct vehicular access to Arena Drive and the Capital Beltway (I-95/495) is denied.

The DSP does not show any direct vehicular access to Medical Center Drive (formerly known as Arena Drive) or the Capital Beltway. Direct vehicular access remains denied for the current project, due to the former road's status as an arterial roadway and the latter road's status as a freeway. The site layout shows a shared access easement from Brightseat Road, to provide access to the two proposed parcels, which is permitted by Section 24-128(b)(9) of the prior Subdivision Regulations.

3. The 2008 Water and Sewer Plan designates this property in water and sewer Category 3, Community System, within Tier 1 under the Sustainable Growth Act and will therefore be served by public systems.

The property remains within Water and Sewer Category 3, and therefore, should be served by public water and sewer.

SE-4845 was approved pursuant to a Declaration of Finality of the Zoning Hearing Examiner's (ZHE) Decision on July 26, 2022, for construction of a gas station and a food or beverage store on two acres of Parcel A. Along with the special exception, a variance to Section 27-358(a)(1) of the prior Zoning Ordinance was also approved, to not provide direct access to a public street, but allow access via a private driveway. The approved use will be provided access to Brightseat Road via shared use of the driveway that serves the existing hotel. The special exception was approved, pursuant to three conditions. The relevant conditions are listed below in **bold** text and an the analyses of the conditions is included in plain text.

1. Prior to signature approval of the special exception, the Special Exception Site Plan, Tree Conservation Plan or Landscape Plan (as applicable) shall be revised, as follows, and submitted to the Office of the Zoning Hearing Examiner for review, approval and submission into the record:

b. Provide information showing a fire hydrant will be provided within 500-feet of the most remote portion of the building as hose is laid by the fire department (around obstacles, corners, etc.).

This information, regarding a fire hydrant, will be shown on the special exception site plan, at the time of certification. This DSP was referred to the Prince George's County Fire/EMS Department, which did not offer comments on this application.

e. The freestanding pylon sign shall not exceed 25 feet in height.

The DSP includes designs of proposed signs for the development, which include a pylon sign located at the intersection of Brightseat Road and Medical Center Drive. The pylon sign is marked as Sign "P," and the detail shows it as 25 feet tall. At the time of the special exception, the height of this sign was required to

be reduced to not be above the lowest point of the building. With the DSP, the signage design demonstrates conformance to the requirements of Part 12 of the prior Zoning Ordinance, for signs in the Planned Industrial/Employment Park (I-3) Zone, except as noted in Finding 6.

3. **Approval is contingent upon the submittal of the executed easement agreement that will allow Applicant to access Brightseat Road to the site. No permits may be issued for the property until a copy said easement and any required approval of the access by the District Council, Planning Board or other agencies submitted to the Office of the Zoning Hearing Examiner for inclusion in the record. Applicant shall also submit a copy of any Site Plan or revised Landscape Plan approved by the Planning Board or District Council pursuant to the requirements for development in the I-3 Zone, for inclusion in the record.**

The DSP depicts that the proposed development is provided access to Brightseat Road via shared use of the driveway that serves the existing hotel. The DSP shows the location of the driveway and private access easement, permitted by Section 24-128(b)(9), to serve the development. Prior to approval, the final plat should include the delineation of this access easement, as shown on the approved DSP.

Conceptual Site Plan CSP-21006 was approved by the Planning Board on March 2, 2023 (PGCPB Resolution No. 2023-22), pursuant to four conditions, for development of a 4,050-square-foot gas station with a food or beverage store on Parcel 2. The relevant conditions are listed below in **bold** text and an analyses of the conditions is included in plain text.

4. **Prior to acceptance of a detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall:**
 - a. **Submit a bicycle and pedestrian plan which displays the details, location, and extent of the following facilities:**
 - (1) **A marked bicycle lane along the subject property's frontage of Brightseat Road, unless modified by the operating agency with written correspondence.**
 - (2) **A minimum of a 5.5-foot-wide sidewalk along the perimeter of all buildings.**
 - (3) **Crosswalks and striping that provide pedestrian connections from the parking area to the building(s) on-site.**

This condition was carried forward as Condition 6 of PPS 4-22006 and is discussed below.

- b. **The freestanding pylon sign shall not exceed 25 feet in height.**

The DSP includes a pylon sign located at the intersection of Brightseat Road and Medical Center Drive. The pylon sign is marked as Sign “P,” and the detail shows it as 25 feet tall, in conformance with this condition.

PPS 4-22006 was approved by the Planning Board on March 16, 2023 (PGCPB Resolution No. 2023-32). The PPS approved two parcels for the development of 51,674 square feet of commercial development (47,624 square feet of which is an existing hotel). The PPS was approved pursuant to six conditions. The relevant conditions are listed below in **bold** text and an analyses of the conditions is included in plain text.

1. **Prior to signature approval, the preliminary plan of subdivision shall be revised to provide the following:**
 - b. **The dimensions and area for the road dedication along Brightseat Road, ensuring a minimum of 40 feet from the centerline of Brightseat Road is provided.**
 - c. **The plan and notes section shall be updated to reflect the land area for the roadway dedication, and consequently, any necessary adjusted parcel areas.**

The above conditions are for revisions to the PPS prior to its signature approval. However, these items should also be reflected on the DSP. The dimensions and area for the road dedication along Brightseat Road shall be shown to ensure a minimum of 40 feet from the centerline. While General Note 38 on Sheet 3 of the DSP provides the amount of square feet dedicated to Brightseat Road, General Note 1 on Sheet 3 shall also be updated to provide this information.

2. **Development of the site shall be in conformance with the approved Stormwater Management Concept Plan, 3656-2021-00, and any subsequent revisions.**

The subject DSP is consistent with Stormwater Management (SWM) Concept Plan 3656-2021-00.

3. **Prior to approval, the final plat of subdivision shall include:**
 - a. **The applicant and the applicant’s heirs, successors, and/or assignees shall record an access easement agreement that shows the extent and location of the easement on the subject property, as shown on the approved preliminary plan of subdivision.**
 - b. **The dedication of 10-foot-wide public utility easements along the abutting public rights-of-way, as delineated on the approved preliminary plan of subdivision.**

- c. **Right-of-way dedication of 40 feet from the centerline of Brightseat Road, as shown on the approved preliminary plan of subdivision.**

Conformance to these conditions will be reviewed at the time of final plat. However, the access easement, 10-foot-wide public utility easement (PUE), and dedication of 40 feet from the centerline of Brightseat Road should be reflected on the DSP. The access easement and PUE are shown on the DSP. However, as discussed above, dedication of 40 feet from the centerline of Brightseat Road shall also be shown.

5. **Any residential development on the subject property shall require approval of a new preliminary plan of subdivision, prior to issuance of any permits.**

No residential development is proposed with this DSP.

6. **The following facilities shall be provided and shown on the site plan:**

- a. **A marked bicycle lane along the subject property's frontage of Brightseat Road, unless modified by the operating agency with written correspondence.**

A 5-foot-wide bicycle lane along Brightseat Road is shown on the DSP.

- b. **A minimum 5 1/2-foot-wide sidewalk along the perimeter of all buildings.**

All sidewalks along the perimeter of the building are at least 5.5 feet in width.

- c. **Crosswalks and striping that provide pedestrian connections from the parking area to the building(s) on-site.**

Crosswalks and striping providing pedestrian connections from the parking area to the building are shown on the DSP.

PPS 4-22006 is supported by and subject to Certificate of Adequacy ADQ-2022-037, which was approved by the Planning Director on March 17, 2023, pursuant to two conditions. The relevant conditions are listed below in **bold** text and an analyses of the conditions is included in plain text.

1. **Total development within the proposed Preliminary Plan of Subdivision shall be limited to uses that generate no more than 157 AM peak-hour trips and 160 PM peak-hour vehicle trips.**

This DSP includes a trip generation memorandum which demonstrates conformance to the approved trip cap. The DSP includes a 4,050-square-foot convenience store with 16 fueling pumps, which results in 77 AM peak-hour trips and 70 PM peak-hour trips. The subject DSP is within the trip cap established with PPS 4-22006, which also includes a hotel that has already been constructed on Parcel 3.

2. **Prior to issuance of a use and occupancy permit for any new nonresidential development on the site, the applicant and the applicant's heirs, successors, and/or assignees shall:**
 - a. **Install and maintain of sprinkler system that complies with the National Fire Protection Association (NFPA) 13 standards for the installation of Sprinkler Systems. The installation of sprinklers shall not be waived by any party; and**
 - b. **Install and maintain automated external defibrillators (AEDs) in accordance with COMAR 30.06.01-05, including a requirement for a sufficient number of AEDs to be installed so that no employee is more than 500 feet from an AED.**

This condition will be further reviewed at the time of permitting.

6. **Design Features:** The DSP includes construction of a 4,050-square-foot gas station and food or beverage store, specifically, a 7-Eleven store. The 5.30-acre site is roughly rectilinear in shape, with frontage on Brightseat Road to the west. The site's topography includes a gentle slope (a 10-foot rise from west to east) and an even lesser slope (a 5-foot-rise from south to north). As stated previously, the eastern portion of the property, which is proposed as Parcel 3, is developed with a 4-story, 124-room hotel approved under DSP-15021. This hotel is not included in this DSP. The proposed gas station and 7-Eleven store are located on Parcel 2 and oriented towards Brightseat Road, with two access points to the common private driveway it will share with the neighboring hotel. The gas dispensing stations and canopy are proposed to be located between Brightseat Road and the building.

The convenience store is a one-story building, with parking located on all four sides. Internal vehicular and pedestrian circulation is provided on-site by driveways and sidewalks around and between the hotel and 7-Eleven buildings. Parking and loading schedules demonstrating conformance with the relevant requirements of Part 11 of the Zoning Ordinance are included on the coversheet and on Sheet 3 of the DSP. Two bicycle racks are also provided near the front entrance to the 7-Eleven store. These racks are located within mulched area of a landscaped island. A condition of approval is included, requiring that these bicycle racks be located on a hard surface.

The service areas, including the dumpster enclosure and loading space, are located in the southeast corner of the parking lot and will be screened by landscaping. An air/vacuum system is also provided near the rear of the building, to provide an additional vehicle-related service to the customers.

Stormwater for the site is proposed to be managed and treated in a series of bioretention facilities and an underground storage facility located at the periphery of the site.

Architecture

Architectural elevations for the new 7-Eleven store and gas station show a coordinated design theme. The architecture complements the existing architecture of the hotel, located to the east of the site, with the selection of materials, colors, and design elements. Panelized exterior wall systems employing brick, stone, exterior insulation finish system, and composition board (Hardi Plank) of coordinating colors are provided on the store façades. Appropriate fenestration is provided strategically on the main elevations. The colors of both the brick and composite board closely mimic the colors of brick and fiber cement siding used for the existing hotel. The roofline is articulated with sections of pitched roof, complementing the roofline of the existing hotel. The fuel island canopy columns are proposed to be finished with split-face concrete blocks, colored to match the composite board panels on the store façade.

Site details include a retaining wall and a dumpster enclosure. The retaining wall is located along the property's frontage on Brightseat Road, and is proposed to be a poured concrete wall with a maximum height of two feet. Since it will be visible from Brightseat Road, a condition of approval is included, to provide a detail to specify the color and building material for the retaining wall. The material should complement the materials used for the convenience store building. The dumpster enclosure uses the same split-face concrete blocks as used for the fuel island canopy columns.

Signage

The signage design provided for the development was reviewed for conformance with the requirements of Part 12 of the prior Zoning Ordinance, for signs in the I-3 Zone. The sign package for the project includes four building-mounted identity signs, one canopy-mounted "Welcome" sign, two freestanding signs, fuel island canopy-mounted identity signs, and decorative striping on both the building and fuel island canopy. The freestanding signs include a 25-foot-tall pylon sign adjacent to the corner of Medical Center Drive and Brightseat Road, and an 8-foot-tall monument sign located at the entryway to the site on Brightseat Road. No digital billboards are proposed.

Regarding requirements for building and canopy-mounted signs in the I-3 Zone, Section 27-613(a)(2) of the prior Zoning Ordinance states that "signs may be located anywhere on a building that the Planning Board deems appropriate", subject to the height limitations set forth in Section 27-613(b)(2) of the prior Zoning Ordinance, which prohibits on-building signage to extend above the lowest point to the roof of the building to which it is attached. The proposed signage conforms with this requirement and is appropriate for a building of this type. Section 27-613(c)(4) of the prior Zoning Ordinance limits the area of all the signs on a building wall facing a street to be not more than one square foot for each one lineal foot of building width facing that street. Based upon the information provided on the sign detail sheet, the square footage of signage proposed is less than the permitted amount on all facades of the building. The signage chart, however, lists the building façade to be 91 feet, 5 inches long, whereas the site plan depicts the building length to be 90 feet. The signage chart shall be revised to list the correct building length.

Regarding requirements for freestanding signs in the I-3 Zone, Section 27-614(d)(6) of the prior Zoning Ordinance states that “the number of freestanding on-site signs permitted shall be determined by the Planning Board at the time of DSP review.” Also, Section 27-614(a)(3) of the prior Zoning Ordinance states that “signs may be located anywhere that the Planning Board deems appropriate”, subject to the height limitations contained in Section 27-614(b)(1) of the prior Zoning Ordinance. Per Section 27-614(b)(1), in the I-3 Zone, the height of any freestanding sign cannot be greater than the lowest point of the roof of any building located in the employment park. At the time DSP-15021 was approved, it was determined that the proposed hotel was 35 feet, 10 inches tall. The Planning Board approved a sign 35 feet, 10 inches tall, which has since been installed between the hotel and the Capital Beltway. A second 25-foot-high freestanding sign was also approved for the second hotel, to be located at the entrance to the property on Brightseat Road, but was not installed. The applicant proposes a 25-foot-high freestanding/pylon sign near the corner of Brightseat Road and Medical Center Drive, to allow it to be visible to vehicles on Medical Center Drive. Another 8-foot-high freestanding/monument sign is located at the entryway to the site on Brightseat Road.

The 8-foot-high freestanding/monument sign should be better identified on the site plan. Aside from an arrow, the site plan does not clearly show the location or width of the monument sign. An enlarged insert plan of the area shall be added to the sheets, to clearly show the location, dimensions, and setbacks of the monument sign.

Section 27-614(c)(4) of the prior Zoning Ordinance states that in the I-3 Zone, the area of the sign shall be not more than one square foot for each five lineal feet of street frontage along the street which the sign faces. In addition, Section 27-614(c)(6)(D) of the prior Zoning Ordinance limits the total combined area of freestanding gasoline price and other signs on one support structure to 200 square feet. The following table lists the maximum allowed and proposed areas of the freestanding signs on the property:

	Maximum Allowed Sign Area	Sign Area Provided
Parcel 3, Hotel	587.54 lineal feet of road frontage/5 = 117.51 sq. ft. allowed	100 sq. ft. (Existing Sign)
Parcel 2, Gas Station		
Medical Center Drive	274.57 lineal feet of road frontage/5 = 54.91 sq. ft. allowed	111.81 sq.ft.*
Gas Price Signs	25 sq. ft. for two prices 50 sq. ft. for three or more prices	49.8 sq. ft. for two prices**
Total Sign Area (Pylon Sign)	200 sq. ft.	161.61 sq. ft.
Brightseat Road	295.02 lineal feet of road frontage/5 = 59.0 sq. ft. allowed	19.84 sq. ft.
Gas Price Sign	25 sq. ft. for two gas prices 50 sq. ft. for three or more gas prices	10.83 sq. ft. for two prices
Total Sign Area (Monument Sign)	200 sq. ft.	30.67 sq. ft.

Notes: *The area of the 25-foot-high pylon sign is 111.81 square feet, whereas the maximum allowed area is 54.91 square feet. The area of this sign shall be reduced to be no more than the maximum allowed.

**Per Section 27-614(c)(6) of the prior Zoning Ordinance, the area of a gas price sign cannot exceed 25 square feet if it reflects the price of 2 types of gasoline, and cannot exceed 50 square feet if it reflects the price of 3 or more types of gasoline. The area of the proposed gas price sign included in the pylon sign is 49.8 square feet. The area of this sign shall be reduced to be no more than the maximum allowed, or be revised to demonstrate that three or more types of gasoline are being advertised.

Lighting

The lighting design for the site includes seven “shoebox” light fixtures which provide adequate light for safety, in accordance with Crime Prevention Through Environmental Design principles, while preventing light spillage on adjacent properties. Other lighting luminaires on-site include 24 recessed light fixtures mounted under the fuel island canopy, and wall-mounted fixtures on all four façades of the building. The placement of the light fixtures with respect to landscaping was reviewed to ensure that the landscape trees, when they reach their mature height and breadth, will not interfere with the lighting.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George’s County Zoning Ordinance:** The subject DSP was reviewed for compliance with the requirements of Section 27-471 of the prior Zoning Ordinance, which governs development in the I-3 Zone; Division 3, regarding uses permitted in industrial zones of the Zoning Ordinance; and Section 27-285 of the prior Zoning Ordinance regarding Planning Board procedures with respect to DSPs, including required findings, and Section 27-274 of the prior Zoning Ordinance regarding design guidelines for DSPs of the Zoning Ordinance.

- a. This application is subject to the requirements of Section 27-473(b), Uses Permitted in Industrial Zones, of the prior Zoning Ordinance.

The development included in this DSP is a gas station and food or beverage store. Specifically, the proposed use is a 7-Eleven store. In the I-3 Zone, Section 27-473 of the prior Zoning Ordinance permits a gas station, subject to approval of a special exception. SE-4845 was approved by the ZHE on July 26, 2022. A food or beverage store is permitted, subject to Footnote 42, which limits food or beverage stores to those in conjunction with “a gas station located within an industrial park, provided the uses are located within the same building.” In this case, the food or beverage store and the gas station will operate out of the same building.

- b. Section 27-471 establishes requirements applicable in the I-3 Zone, as follows:

(c) **Outside uses.**

- (1) **With the exception of off-street parking and loading areas, recreational facilities (unless otherwise provided), airports, agricultural uses, sidewalk cafes (as an accessory use), surface mining operations, towers (poles, whips, and antennas), vehicle rental lots, and public utility uses, all uses allowed in the Table of Uses shall be located in wholly enclosed buildings. Outdoor storage is prohibited.**

The proposed food and beverage store is intended to be located within a wholly enclosed building. No outdoor storage is proposed, and there will be no repair of vehicles conducted on-site.

(f) **Regulations.**

- (1) **Additional regulations concerning the location, size, and other provisions for all buildings and structures in the I-3 Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Tables (Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

The DSP addresses each of the applicable requirements related to parking, loading, signage and the 2010 *Prince George's County Landscape Manual* (Landscape Manual). See Finding 9 of this approval for a full discussion of the project's conformance to the requirements of the Landscape Manual. See Findings 12 and 13 regarding conformance with the required findings regarding DSP and the preservation and restoration of environmental features.

- (2) **Not more than 25 percent (25%) of any parking lot and no loading space shall be located in the yard to which the building's main entrance is oriented, except that the Planning Board may approve up to an additional 15 percent (15%) in its discretion if increased parking better serves the efficiency of the particular use; improves views from major arteries or interstate highways; and makes better use of existing topography or complements the architectural design of the building.**

Regarding the percentage of parking in the yard, to which the building's main entrance is oriented, 29 percent (9 parking spaces out of 31 total) of the parking spaces are located in this yard. As a result, the applicant requested that the Planning Board approve an increase, from 25 percent to 29 percent. The site is designed to allow vehicles to circulate around the building, to improve the flow of traffic between the building and the

gas pumps. In addition, the distribution of parking around the building allows customers to park as close to the building as possible. Since the building is longer along its front façade, the number of spaces along this façade is larger than those on the side facades. In the rear of the building, the rear driveway limits the number of parking spaces which can be located. This results in a minor increase in the percentage of parking in the front of the building, which is the yard to which the building's main entrance is located. Given the nature of the use, providing parking at the front of the building is essential to its operation and facilitates the flow of traffic between the gas pumps and the building. Thus, a modest increase of four percent is approved.

- (3) No loading docks shall be permitted on any side of a building facing a street except where the lot is bounded by three (3) or more streets.**

There is one loading space proposed on the southeast side of the property. This location is adjacent to Medical Center Drive, but is set back approximately 100 feet from the right-of-way and is adequately screened.

(h) Required access.

- (1) Each Planned Industrial/Employment Park (including each property in separate ownership) shall have frontage on, and direct vehicular access to, a street having a right-of-way width of at least seventy (70) feet.**

Access to the property was addressed at the time of DSP-15021 approval, at which time direct access to the Capital Beltway and Medical Center Drive was denied. Access to the subject site is provided from Brightseat Road, which is an 80-foot right-of-way. The proposed development conforms to this requirement.

(i) Minimum area for the development.

- (1) The minimum area for the development of any Planned Industrial/Employment Park shall be twenty-five (25) gross acres.**
- (2) If the area is less than twenty-five (25) acres but not less than fifteen (15) acres, the property may be classified in the I-3 Zone when the property adjoins property in the C-O Zone, provided that the area of the combined properties is at least twenty-five (25) gross acres.**

- (3) If the area is less than twenty-five (25) acres, the property may be classified in the I-3 Zone when the property adjoins property in the I-3 or E-I-A Zone, provided that the area of the combined properties is at least twenty-five (25) gross acres.**
- (4) If the area is less than twenty-five (25) acres, and the land was classified in the I-3 Zone prior to October 31, 1977, or upon approval of a Sectional Map Amendment, it may be developed in accordance with this Part, provided the owner of record does not own abutting undeveloped land in the I-3, E-I-A, or C-O Zone that could be used to comply with the provisions of paragraph (1), (2), or (3), above.**

The property, which is the subject of this DSP, was classified in the I-3 Zone by a sectional map amendment approved on November 8, 1977. The owner of record does not own abutting undeveloped land that could be used to conform to the minimum acreage requirements.

- c. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274, and as cross-referenced in Section 27-283 of the prior Zoning Ordinance. The subject property was included in DSP-15021, which established two development pads for two hotels. While the subject property is now proposed for the use of a gas station with a food or beverage store, in lieu of a hotel, site design guidelines were previously evaluated for conformance with DSP-15021. As part of the approval of DSP-15021, the appropriate points of access to the site, grading, and SWM techniques were reviewed. The approved new use does not alter those prior findings. The development included with DSP-15021-01 provides detailed design of the proposed convenience store, and site infrastructure and features. The subject development provides amenities that are functional and constructed of durable, low-maintenance materials; vehicular and pedestrian access is provided to the site from the public right-of-way.

The DSP includes the following design details:

- The parking lot has been designed to provide safe and efficient vehicular and pedestrian circulation within the site. The parking spaces have been designed to be located near the use that it serves, and the parking aisles have been oriented and designed to minimize the number of parking lanes crossed by pedestrians.
- The site layout shows parking located along the front, rear, and sides of the proposed building. Also, the DSP depicts two entrance drives into the site from a shared driveway, which provides access to Brightseat Road. The location and design of these entrance drives provide adequate space for queuing.
- Plant materials have been added to the parking lots, to avoid large expanses of pavement.

- The loading space is located on the southeast side of the property, to avoid conflicts with vehicles or pedestrians. The service areas are located away from primary roads, and are effectively screened with landscape planting and an enclosure compatible with the primary building.
 - Internal signs, such as directional arrows, lane markings, and other roadway commands, are used to facilitate safe driving through the parking lot.
 - Full cut-off light fixtures are used throughout the site. The lighting design was reviewed with SE-4845 and was further reviewed with this DSP. The luminosity, design, and location of exterior fixtures enhance user safety and minimize vehicular/pedestrian conflicts and enhance building entrances and pedestrian pathways. The pattern of light pooling is directed into the site, to ensure that no excessive lighting spills over to adjacent properties. Light fixtures are durable and compatible with the scale, architecture, and use of the site.
 - The site landscaping complies with all the requirements of the Landscape Manual, and native species are used throughout the development.
 - Building architecture and materials are high-quality and visually interesting, and compatible with the architecture of the neighboring hotel building.
- d. The proposed development is required to provide parking, in conformance with Part 11, Off Street Parking and Loading, of the Zoning Ordinance. Thirty-one spaces are provided for the proposed development. The parking provided on-site is sufficient for the proposed development because it surpasses the number of parking spaces required pursuant to Section 27-568 of the prior Zoning Ordinance.
8. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because it has a previously approved tree conservation plan. A Type 2 Tree Conservation Plan (TCP2-026-2015-02) was submitted with the DSP application. No additional clearing is proposed as part of this submission. The TCP2 worksheet reflects the previously approved TCP2-026-2015-01 worksheet. The site is 5.30 acres, has a woodland conservation threshold of 0.80 acre (15 percent), and a total requirement of 2.09 acres. TCP2-026-2015-01 approved 4.60 acres of woodland clearing, and 0.60 acre of woodland on-site designated as Woodland Preservation Area Not Credited (WP-NC). The 0.60-acre WP-NC is less than 50 feet wide in several places, therefore, it could not be used to meet woodland conservation requirements. The woodland conservation requirement was met with 2.09 acres of off-site woodland conservation (Liber 39536 Folio 334), which was acquired with the implementation of permits in conformance with TCP2-026-2015.
9. **2010 Prince George's County Landscape Manual**—Per Section 27-471(b) of the prior Zoning Ordinance, landscaping, screening, and buffering for development in the I-3 Zone is subject to the provisions of the Landscape Manual. Specifically, this DSP is subject to Section 4.2,

Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual.

The landscape plans provided with the subject DSP contains the required schedules demonstrating conformance to these requirements.

10. **Prince George's County Tree Canopy Coverage Ordinance**—The DSP is subject to the requirements of Subtitle 25, Division 3, the Prince George's County Tree Canopy Coverage Ordinance. Section 25-128 of the Prince George's County Code requires a minimum percentage of tree canopy coverage (TCC) on projects that require a building or grading permit that propose 5,000 square feet or greater of gross floor area or disturbance. Properties zoned I-3 are required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. TCC requirements for the original Parcel 1 was addressed with DSP-15021. Proposed Parcel 3, which contains the existing hotel building, will still meet the TCC requirements. However, a schedule shall be added to the DSP to demonstrate conformance of Parcel 3 to the TCC requirements. The development acreage of Parcel 2 included in this application is 2.0 acres, resulting in a TCC requirement of 0.20 acre, or 8,172 square feet. The subject DSP provides the required schedule to demonstrate conformance to the TCC requirements for Parcel 2.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The Planning Board has reviewed and adopts referral comments that are incorporated herein by reference and summarized, as follows:
 - a. **Historic Preservation**—In a memorandum dated March 15, 2023 (Stabler, Smith, and Chisholm to Gupta), the following comments were offered:
 - (1) The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (master plan) includes goals and policies related to historic preservation (pages 287–296). However, these are not specific to the subject site or applicable to the proposed development.
 - (2) A Phase I archeology survey was completed on the subject property in 1995. One archeological site was identified—18PR507, a prehistoric lithic scatter. No further investigations were requested on the site. No additional archeological investigations are necessary on the subject property. The subject property does not contain, and is not adjacent to, any designated Prince George's County historic sites or resources. The subject proposal will not affect any County historic sites or resources.
 - b. **Community Planning**—In a memorandum dated March 8, 2023 (Nair to Gupta), it was stated that, pursuant to Subtitle 27, Part 3, Division 9, Subdivision 2, of the prior Zoning Ordinance, master plan conformance is not required for this application.

- c. **Transportation Planning**—In a memorandum dated March 22, 2023 (Ryan to Gupta), the following comments were provided:

Prior Conditions of Approval

The site is subject to approval of Final Plat 5-15059, which established adequacy for two development options for the site, of which the second option included a convenience store with 12 fueling pumps. The site is also subject to SE-4845, which was approved for a 3,939-square-foot convenience store with 16 fueling pumps. In addition, the site is subject to CSP-21006, PPS 4-22006, and ADQ-2022-037. The relevant conditions of approval related to transportation are addressed under Finding 5.

Master Plan Compliance

This application is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the master plan.

Master Plan Roads

The subject property has frontage on Brightseat Road (C-412). Per the MPOT and master plan, the portion of Brightseat Road that fronts the subject property is designated as a four-lane collector roadway with an ultimate right-of-way of 80 feet. The DSP accurately depicts the existing configuration of Brightseat Road, along the property's frontage, with a variable width right-of-way which exceeds 80 feet, along the majority of the property's frontage. However, a small area along the southwest corner of the site will need additional dedication to meet the master plan(s) recommendations and to facilitate future sidewalk connections, as shown on the plan sheets. The DSP shows the additional dedication and the total acreage for the area to be dedicated. This portion of Brightseat Road has already been constructed.

The MPOT recommends a bicycle lane along the site's frontage of Brightseat Road. The bicycle lane is reflected on the PPS, and the existing and recommended right of-way is consistent with the master plan recommendations and is sufficient to accommodate the recommended bike lane.

The subject property also has frontage on Medical Center Drive (A-30). Per the MPOT, the portion of Medical Center Drive that fronts the subject property is designated as a six-lane arterial roadway, with an ultimate right-of-way of 120 to 150 feet. The MPOT does not contain any recommendations regarding right-of-way width or lane configuration for this portion of Medical Center Drive. The DSP displays the existing configuration of Medical Center Drive as a variable width right-of-way with six lanes of travel, which is consistent with MPOT recommendations. This portion of Medical Center Drive has already been constructed, and as such, no additional right-of-way dedication is required with this application.

Master Plan Pedestrian and Bicycle Facilities

This development case is subject to the MPOT, which recommends the following facilities:

- **Planned Bicycle Lane: Brightseat Road**

The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, pages 9–10):

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The DSP displays a continuous sidewalk and a bicycle lane along the site's frontage of Brightseat Road. A sidewalk has already been constructed along the south side of the site access driveway, which provides a pedestrian connection from Brightseat Road to the existing hotel on-site. On-site sidewalks and crosswalks, in accordance with the recommendations of the MPOT, are provided on the DSP. These facilities adequately serve the goals and policies, as stated in the MPOT and master plan, and further bicycle and pedestrian movement within the site and its immediate surroundings.

Regarding the master plan's recommended transportation policies and strategies in Living Area C (Zone 1), the DSP shows sufficient right-of-way to support the facilities referenced in the above strategies, along Brightseat Road and Medical Center Drive (formerly Arena Drive). However, the implementation of bike lanes/side path along the property frontage with Medical Center Drive was not required, due to safety concerns given its close proximity with the Capital Beltway interchange. In addition, there is an existing 8-foot-wide shared-use path on the opposite side of the street that is buffered from Medical Center Drive, that pedestrians and cyclists can use.

Sidewalks are present along the frontage of Brightseat Road. Details of on-site sidewalks and crosswalks connecting pedestrians to the parcels and Brightseat Road are provided on the DSP.

Transportation Planning Review

Zoning Ordinance Compliance

Section 27-283 discusses transportation and circulation requirements for a DSP, and includes the following design guidelines in Section 27-274(a) of the prior Zoning Ordinance:

(2) Parking, loading, and circulation.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

- (ix) Pedestrian and vehicular circulation routes should generally be separate and clearly marked;**
- (x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and**
- (xi) Barrier-free pathways to accommodate the handicapped should be provided.**

The applicant proposes a single point of vehicle access (which is already constructed) along Brightseat Road, which will be shared with the existing hotel. Upon entering the internal access road along Brightseat Road, the subject site is located immediately to the south. The site access to the proposed development is found to be sufficient. In addition, the internal roadways are confined only to the site, thereby ensuring that no cut-through traffic will take place from any neighboring developments. The proposed use results in a requirement of 28 on-site parking spaces and one loading space. The DSP displays 31 parking spaces and one loading space. The Planning Board finds the proposed parking to be in conformance with the Zoning Ordinance.

The applicant also submitted truck-turning plans displaying heavy vehicle movement throughout the site. The truck turning plans indicate that a WB-50 intermediate semi-trailer cannot safely maneuver within the site without making contact with a curb. Specifically, trucks appear to make contact with the curb area along the western edge of the site directly west of the fuel island canopy, the curb area directly southeast of the proposed convenience store, and the curb area at the eastern point of vehicle access where heavy vehicles depart the site. To ensure safe vehicular movement on-site, prior to certification of the DSP, a condition is included for the applicant to update the site layout.

The updated site layout shall provide a vehicular path of sufficient width for a WB-50 intermediate semi-trailer to safely maneuver through the site, without making contact with any curbs or other site features that could result in vehicular conflict.

The DSP displays a sidewalk along the site's frontage, along Brightseat Road, as well as an internal sidewalk that surrounds the convenience store. A series of crosswalks are also shown on the DSP, which provide pedestrian connections where sidewalk facilities are interrupted. Bicycle parking has been provided at the front of the convenience store. The Planning Board finds that the site access and circulation are sufficient and meet the required findings of the Zoning Ordinance for a DSP.

- d. **Subdivision**—In a memorandum dated March 21, 2023 (Heath to Gupta), the following comments were provided:
- (1) The property is subject to PPS 4-22006, which was approved by the Planning Board on March 16, 2023 (PGCPB Resolution No. 2023-32). The PPS approved two parcels for the development of 51,674 square feet of commercial development (47,624 square feet of which currently exists). This PPS supersedes Final Plat of Resubdivision 5-15059, which was approved by the Planning Board (PGCPB Resolution No. 16-26) on July 7, 2016. A new final plat will be required pursuant to the current approved PPS, prior to approval of permits.
 - (2) Technical corrections are needed to the DSP, to ensure the accuracy of information provided on the plan drawing and in the general notes.
- e. **Environmental Planning**—In a memorandum dated March 20, 2023 (Meoli to Gupta), it was determined that the development is acceptable, with conditions relating to the TCP2.

The following applications and associated plans were previously reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
DSP-87063-03	TCP1-044-91	Planning Board	Approved	6/13/1991	91-210
4-91067	N/A	Planning Board	Approved	6/27/1991	91-230
NRI-090-2015	N/A	Staff	Approved	7/7/2015	N/A
DSP-15021	TCP2-026-2015	Planning Board	Approved	2/18/2016	16-21
SE-4845	TCP2-026-2015-01	Zoning Hearing Examiner	Approved	7/26/2022	N/A
NRI-90-2015-01	N/A	Staff	Approved	10/05/2022	N/A
CSP-21006	TCP1-003-2023	Planning Board	Approved	3/2/2023	2023-22
4-22006	TCP1-003-2023-01	Planning Board	Approved	3/16/2023	2023-32
DSP-15021-01	TCP2-026-2015-02	Planning board	Approved	4/20/2023	2023-47

Site Description

The 5.3-acre subject property is located on the northeast side of the intersection of Medical Center Drive and Brightseat Road. An access ramp to the Capital Beltway lies to the east. This overall site was graded as part of the grading permit associated with DSP-15021 and is in conformance with TCP2-026-2015. There is 0.60 acre of existing woodland along the northern boundary of the property. No regulated environmental features (REF) are located on-site. Medical Center Drive is identified as a master-planned arterial roadway and Brightseat Road is identified as a collector roadway. The site is located within the Southwest Branch, which is a portion of the Western Branch watershed of the Patuxent River basin. According to the Sensitive Species Project Review Area map prepared by the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. The 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* shows that the parcel is entirely within an evaluation area. The site is located within Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map, as designated by the 2014 *Plan Prince George's 2035 Approved General Plan*.

Review of Prior Approvals

The site was subject to DSP-87063-03, which annexed the parcel into a proposed 24-lot subdivision. PPS 4-91067 approved a 17-lot subdivision. Previous conditions of approval, related to the use, are not applicable to this DSP because the site design has changed.

DSP-15021 and TCP2-026-2015 were approved by the Planning Board on February 18, 2016. SE-4845 and TCP2-026-2015-01 were approved on July 26, 2022. All previous environmentally related conditions of approval, applicable to this DSP, were addressed with CSP-21006 and Type 1 Tree Conservation Plan TCP1-003-2023, and PPS 4-22006 and TCP1-003-2023-01.

Natural Resources Inventory

Natural Resources Inventory NRI-090-2015-01 was provided with this DSP. This NRI was approved on October 5, 2022. The site does not contain REF. The TCP2 and DSP show all required information correctly, in conformance with the NRI. No additional information is required regarding the NRI.

Specimen Trees

The site does not contain any specimen, champion, or historic trees.

Regulated Environmental Features

Section 24-130(b)(5) of the prior Subdivision Regulations requires the following finding: "Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the

Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

No REF exist on-site; therefore, none will be impacted by the proposed development, and REF have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirement of Section 24-130(b)(5).

Soils

The predominant soils found to occur, per the United States Department of Agriculture, Natural Resources Conservation Services, Web Soil Survey, are Collington-Wist, Collington-Wist-Urban land, Udorthents highway, Urban land-Collington-Wist and Widewater and Issue soils. According to available information, Marlboro clay and Christiana complex are not identified on the property.

Stormwater Management

An approved SWM Concept Plan (3656-2021-00) and approval letter were submitted with the subject DSP. The approval was issued on June 7, 2021, by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). The applicant proposes four micro-bioretenention facilities to treat stormwater for the entire project site. No further information pertaining to SWM is required.

- f. **Special Projects**—The Special Projects Section did not offer comments on this application.
- g. **Permit Review**—In a memorandum dated March 21, 2023 (Bartlett to Gupta), several comments were provided, which are incorporated as conditions of approval, as relevant.
- h. **Prince George’s County Department of Parks and Recreation (DPR)**—DPR did not offer comments on the subject application.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 21, 2023 (Giles to Gupta), the following comments were provided:
 - (1) DSP-15021-01 is consistent with Site Development Concept Plan 3656-2021, which was approved on June 7, 2021.
 - (2) In the permitting stage, the applicant is to provide frontage improvements for Brightseat Road, per its status as a collector roadway in the MPOT. Improvements including but not limited to street lighting, signing and pavement marking, street trees, and maintenance of traffic.

- (3) In the permitting stage, the applicant is to provide a bike lane along Brightseat Road, as per the MPOT.
- (4) Medical Center Drive is a state roadway; as such, all comments on Medical Center Drive are deferred to the Maryland State Highway Administration (SHA).
- j. **Prince George's County Health Department**—In a memorandum dated February 17, 2023 (Adepoju to Gupta), several comments were provided, which are incorporated as conditions of approval, as relevant.
- k. **Maryland State Highway Administration (SHA)**—SHA did not offer comments on the subject application.
- l. **City of Glenarden**—The subject property is located within one mile of the geographical boundaries of the City of Glenarden. The DSP application was referred to the City for review and comments on February 9, 2023, however, no correspondence was received from the City.
- m. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not offer comments on this application.
- n. **Prince George's County Police Department**—The Police Department did not offer comments on the subject application.
- o. **Prince George's County Soil Conservation District (PGSCD)**—PGSCD did not offer comments on the subject application.
- p. **Washington Metropolitan Area Transit Authority (WMATA)**—WMATA did not offer comments on the subject application.
- 12. As required by Section 27-285(b)(1) of the prior Zoning Ordinance, if revised as conditioned below, the DSP represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
- 13. Section 27-285(b)(4) of the prior Zoning Ordinance requires that, for approval of a DSP, the REF on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5). There are no REF on the site; therefore, none will be impacted by the proposed development. The REF have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirement of Section 27-285(b)(4).

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 Type 2 Tree Conservation Plan TCP2-026-2015-02, and further APPROVED Detailed Site Plan DSP-15021-01 for the above-described land, subject to the following conditions:

1. Prior to certification of the detailed site plan, the following revisions shall be made, or information shall be provided:
 - a. Update General Note 1 on Sheet 3, to show the amount of square feet dedicated to Brightseat Road.
 - b. Provide dimensions from the centerline of Brightseat Road to the property line.
 - c. In General Note 4, identify that General Note 4A refers to Parcel 2.
 - d. Provide a width dimension for one of the parking spaces located in front of the building.
 - e. Provide a detail for the proposed 2-foot-high retaining wall located next to Brightseat Road, listing the color and building material. The material should complement the materials used for the convenience store building.
 - f. Revise General Note 35 to state that construction shall conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code.
 - g. Revise General Note 36 to add "During the construction phases of this project, no dust shall be allowed to cross over property lines and impact adjacent properties."
 - h. Provide a tree canopy coverage schedule for Parcel 3, to demonstrate conformance to the requirements of the Prince George's County Tree Canopy Coverage Ordinance, as per Section 25-128 of the Prince George's County Code.
 - i. Based on the submitted truck turning plans, either modify the plans to not impact on-site curbs or modify the site layout to allow for a WB-50 intermediate semi-trailer to safely maneuver through the site. The exact design and truck turning plans, with design vehicle classification, shall be evaluated and accepted by the Transportation Planning Section.
 - j. Revise the proposed loading space to be 12 feet wide by 33 feet long, in accordance with Section 27-578(a) of the prior Prince George's County Zoning Ordinance.
 - k. Revise the signage chart to list the building length in accordance with that shown on the site plan.

- l. Revise the signage chart to provide correct Prince George’s County Code regulations for calculation of freestanding sign areas, including gas price signs.
 - m. Revise the area of the 25-foot-high pylon sign, so that the area is no more than the maximum allowed, per Section 27-614(c)(4) of the prior Prince George’s County Zoning Ordinance.
 - n. Per Section 27-614(c)(6) of the prior Prince George’s County Zoning Ordinance, revise the area of a gas price sign included in the pylon sign to be no more than the maximum allowed, or demonstrate that three or more types of gasoline are being advertised.
 - o. Relocate the monument sign to the south side of the Americans with Disabilities Act ramp. Provide an enlarged insert plan of the area around the monument sign, to clearly show its location, dimension, and setbacks.
 - p. Locate the two bicycle racks in an area with hard surfaces, near the front entrance to the convenience store building.
 - q. Provide a detail for the proposed handrail located near the Americans with Disabilities Act ramp.
 - r. On Sheet 1, General Note 3, delete the word “Existing.”
 - s. On the site plan, please call out the location of the 4-foot aluminum fence.
 - t. On the site plan, add the location where the details can be found that depict the trash enclosure and the retaining wall.
2. Prior to the certification of the detailed site plan, the Type 2 tree conservation plan shall be revised as follows:
 - a. Add the approval information for the -01 revision in the Environmental Planning Approval Block.
 - b. Depict the new property boundaries (based on Preliminary Plan of Subdivision 4-22006) on the plan and update the parcel information on Sheet 2 (black-lined version of the plan).

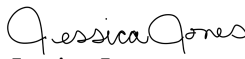
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

* * * * *

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, Bailey, Doerner, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, April 20, 2023, in Upper Marlboro, Maryland.

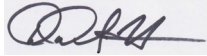
Adopted by the Prince George's County Planning Board this 18th day of May 2023.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:MG:jah

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: May 16, 2023