THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
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PGCPB No. 2020-73 File No. DSP-16037-01

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on May 7, 2020, regarding Detailed Site Plan DSP-16037-01 for Brooks Drive Property, the Planning Board finds:

1. **Request:** The subject amendment to a detailed site plan (DSP) requests to construct a 5,619-square-foot food and beverage store and a gas station on Parcel 2.

2. **Development Data Summary:**

	APPROVED	**APPROVED**
Zone(s)	R-10	R-10
Use(s)	Food & Beverage Store, Consolidated Storage	Food & Beverage Store, Gas Station, Consolidated Storage
Gross Acreage	11.04	11.04
Net Tract Area	10.86	10.86
Gross Floor Area (GFA) (sq. ft.)	166,185	135,619
Parcels	4	5*

Note: *The DSP as submitted proposes an additional parcel, splitting platted Parcel 2 into proposed Parcels 2A and 2B. However, the preliminary plan of subdivision (PPS) 4-16018 only approved four parcels. Therefore, the DSP must be revised to remove all references to Parcels 2A and 2B and show Parcel 2 as platted.

Other Development Data

Parking Requirements

Use	Parking Rate	Number of Spaces Required	Number of Spaces Provided
Food and Beverage Store (Parcel 2) (5,619 sq. ft.)	1 parking space per 150 sq. ft. for the first per 3,000 sq. ft. and 1 space for each 200-sq. ft. above the first 3,000 sq. ft.	34	61
Gas Station (Parcel 2)	1 space per employee	4	4
Total Parking		**38**	**65 (including 3 handicapped accessible van)**

Use	Loading Rate	Number of Spaces Required	Number of Spaces Provided
Food and Beverage Store (5,619 sq. ft.)	1 space per 2,000 - 10,000 sq. ft. (15-foot by 33-foot)	1	1
Total Loading		**1**	**1**

3. **Location:** The subject site is located in the northwest quadrant of the intersection of Brooks Drive and MD 4 (Pennsylvania Avenue). The project is also located in Planning Area 75A and Council District 7.

4. **Surrounding Uses:** The subject site is bounded to the south by the right-of-way of MD 4 and by multifamily residential development in the Multifamily High Density Residential (R-10) Zone beyond; to the west by single-family detached units in the One-Family Detached Residential Zone; to the north by multifamily residential dwelling units in the R-10 Zone; and to the east by Brooks Drive, with multifamily residential development in the R-10 and Multifamily Medium Density Residential Zones beyond.

5. **Previous Approvals:** The site is the subject of multiple previous approvals. Two council bills also impact development regulations applicable to the site. The 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* retained the property in the R-10 Zone.

On July 11, 2013, the Prince George's County Planning Board approved PPS 4-12002 (PGCPB Resolution No. 13-81) for five lots and the development of up to 300 multifamily dwelling units. On June 4, 2015, the Planning Board approved a one-year extension to PPS 4-12002. On May 5, 2016, the Planning Board approved DSP-15038 (PGCPB Resolution No. 16-59) for the development of infrastructure for the multifamily development. However, further development was never pursued relative to these approvals.

On October 20, 2015, Prince George's County Council Bill CB-62-2015 was approved by the Prince George's County Council, to permit the Business Advancement and Food Access Infill use in the R-10 Zone under certain circumstances.

On December 8, 2016, the Planning Board approved PPS 4-16018 (PGCPB Resolution No. 16-150) for four parcels to support the development of a food or beverage store, consolidated storage facility and medical office building. The approval of PPS 4-16018 superseded PPS 4-12002, and required the submission of a new DSP for the proposed commercial development of the property.

On July 13, 2017, the Planning Board approved DSP-16037 (PGCPB Resolution No. 17-110) for the development of a 36,185-square-foot food and beverage store and 130,000-square-foot consolidated storage facility on the subject site.

On October 23, 2018, Council Bill CB-83-2018 was approved by the County Council to refine the definition of Business Advancement and Food Access Infill in Section 27-107 of the Prince George's County Zoning Ordinance, and to refine the development requirements of Section 27-445.15.

6. **Design Features:** The proposed project is to develop Parcel 2 of the Brooks Drive Property with a 5,619-square-foot food and beverage store (Wawa) and gas station with eight dispensing pumps. Parcel 2 consists of 3.46 acres and is located on the southern corner of the larger property, adjacent to the intersection of Brooks Drive and MD 4. This amendment to the DSP requests to replace the previously approved 36,185-square-foot food and beverage store (Lidl) with a smaller food and beverage store in combination with a gas station (Wawa). This amendment does not propose changes to the previously approved consolidated storage facility development.

A shared access easement enters the site from Brooks Drive and continues through the property to serve Parcel 2, the consolidated storage facility on Parcel 1 to the west, and Parcel 3 for future development to the north, all comprising the Brooks Drive Property. The access will be 32 feet wide at its connection to Brooks Drive and reduces to 26 feet wide after the first entrance into Parcel 2. Two points of entry are provided from the accessway into Parcel 2. A sidewalk is provided that transitions from the eastern to western side of the accessway, to serve the subject

site. A sidewalk connection to MD 4, near the existing bus stop, is also provided, with a switch-back to accommodate the change in elevation between the site and MD 4.

The proposed food and beverage store and gas station are centrally located within the subject site, with the gas station situated south of the store. A sidewalk is located adjacent to the northern, western, and southern facades of the store, with parking wrapping these sides of the building as well. A drive aisle and loading space are on the east side of the store. Additional parking is provided on portions of the northern, eastern, and western periphery of Parcel 2. As detailed in Finding 2, the proposed development provides 65 total parking spaces, which exceeds the requirement of 38 spaces. Site lighting is provided by 13 pole-mounted fixtures located around the periphery of the site. The lighting plan lacked photometric information and Planning Board has conditioned the submission and approval of photometric details prior to certification of this DSP.

The Wawa food and beverage store is rectangular in shape, and oriented with its main entrance facing Brooks Drive. The store is proposed as a single-story, flat roofed building with a tower element and elongated canopy accenting the main entrance. A second customer entrance is provided on the rear of the building and accented with a portico. Stone veneer wraps the lower portion of all four facades. A tan-shade of EIFS covers most of the remaining façade area, accented with white metal trim, and gray metal coping along the roofline. Gray Dutch-seam metal roofs are utilized in areas with a pitched roof, including the entry accent tower, canopy, and rear portico. The design of the gas station canopy compliments the store and incorporates several of the same materials and colors including stone veneer on vertical columns, white steel structural elements and gray metal roof. The Planning Board finds the proposed architecture acceptable.

Signage proposed includes two channel-letter signs to be building-mounted, one above each entrance to the store. Building-mounted signage has a total area of 125.28 square feet. Gas station canopy signage consists of a single, nine-square-foot, canopy-mounted identity sign, and two double-sided gas pump spanner identity signs. A single free-standing 20-foot-high pylon sign is proposed at the corner of the site adjacent to the intersection of Brooks Drive and MD 4. The sign area is proposed to be almost 60 square feet. The Planning Board finds the signage package proposed to be acceptable except for the height of the free-standing pylon sign. A prior condition of approval limits the height of such signs to a maximum of 15 feet. A condition has been included requiring the sign height to be reduced.

As with the original approval of this DSP, this amendment is proposed as part of a Business Advancement and Food Access Infill use development.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the R-10 Zone, as modified by Council Bills CB-62-2015 and CB-83-2018, and discussed herein:

a. **Section 27-441, Uses in Residential Zones**: As modified by CB-62-2015 and CB-83-2018, development proposed by this DSP amendment is part of a Business Advancement and Food Access Infill use, which is a permitted use in the R-10 Zone. The following is the definition of this use per Section 27-107.01(a)(38.1) in the Zoning Ordinance:

Business Advancement and Food Access Infill: A development which combines a food or beverage store not exceeding 40,000 square feet of gross floor area; a consolidated storage facility; may include an eating or drinking establishment, or any other use that is permitted by right, or by special exception, in the C-S-C (Commercial Shopping Center) Zone is permitted; and shall not include a Department or Variety Store, where:

(A) the proposed development is part of a revitalization project in accordance with Section 27-445.15 of this Subtitle; and

(B) the development meets the criteria of Division 5, Part 5 of this Subtitle.

This amendment to the DSP proposes a 5,619-square-foot food and beverage store and a gas station. The approved DSP provided for the development of a consolidated storage facility. The previously approved development as modified by the requested amendment meets the definition of a Business Advancement and Food Access Infill use.

b. The following is discussion of conformance to Section 27-445.15, Business Advancement and Food Access Infill, as required by the definition:

(a) Applicability. As permitted in the Residential Use Tables in Section 27-441 of this Subtitle, the following additional requirements apply to development or redevelopment in the County proposing Business Advancement and Food Access Infill uses, as defined in Section 27-107.01 of this Subtitle:

(1) the proposed use shall be located in a Revitalization Tax Credit District Census Tract;

(2) the proposed use shall be located within a Historically Underutilized Business ("HUB") Zone;

The Planning Board previously determined the Brooks Drive property is located within Revitalization Tax Credit District Census Tract and is within a Historically Underutilized Business "HUB" Zone. The food and beverage store with a gas station proposed with this amendment is within the Tract and Zone.

(3) the proposed use is located at the intersection of two (2) four-lane, divided roadways, one of which is a State road with functional transportation classification as an expressway; and

The subject site is located at the intersection of MD 4 and Brooks Drive, both of which are four-lane divided roadways, with MD 4 classified as an expressway in the 2009 *Approved Countywide Master Plan of Transportation*.

(4) the property on which the proposed uses will be located has a land area of at least eight (8) acres and abuts property in the R-10 (Multifamily High Density Residential) Zone.

The subject site is in the R-10 Zone, has a land area of 11.04 acres, and abuts property in the R-10 Zone in conformance with this requirement.

(b) Other Requirements.

(1) The prescriptions set forth in Section 27-442 of this Subtitle shall not apply to the uses and structures within a Business Advancement and Food Access Infill development project. The dimensions and structures shown on the approved detailed site plan for the project shall serve as the development regulations for the project.

(2) All Business Advancement and Food Access Infill development shall be subject to detailed site plan approval process in accordance with Division 9, Part 3 of this Subtitle.

(3) The detailed site plan review shall include review and approval of architectural elements, including building materials, typical building elevations, signs, and outdoor lighting.

DSP-16037 was previously found in conformance with these requirements. Development regulations, including architecture, building materials, elevations, signs and outdoor lighting for the Business Advancement and Food Infill use are proposed as part of this DSP amendment for the food and beverage store and gas station. Upon approval of the amendment, they will serve as the development regulations for Parcel 2. As detailed in Finding 6, the Planning Board has reviewed these design elements and finds them to be approvable, except for outdoor lighting, for which photometrics shall be reviewed and approved prior to certification of the DSP as conditioned herein.

(4) Where the proposed use includes a gas station, the detailed site plan review shall also include review of all building elevations to ensure durability and compatibility with the architecture of surrounding buildings internal to the site. In addition, where the subject property has a prior approved detailed site plan, development of the gas station use shall conform, to the maximum extent possible, with the terms of such prior site plan approval.

This DSP amendment includes a gas station and this review includes all building elevations. The Planning Board finds them to include a durable design that is compatible with the architecture of the consolidated storage building. The subject property has a prior approved DSP and the current amendment request conforms, to the maximum extent possible, with the terms and conditions of this prior site plan approval.

(5) All consolidated storage for a Business Advancement and Food Access Infill development shall meet the requirements set forth in Sections 27-344.01(a)(5), (6), and (7) of this Subtitle.

The consolidated storage facility shown on Parcel 1 of the Brooks Drive property was previously found in conformance with these requirements in the original approval of DSP-16037. The proposed amendment does not impact the previous findings of conformance.

c. **Section 27-274, Site Design Guidelines, as cross-referenced in Section 27-283:** The subject DSP amendment is in general conformance with the site design guidelines in Section 27-283, which further cross-references the same guidelines in Section 27-274, of the Zoning Ordinance.

(1) General.

(A) The Plan should promote the purposes of the Conceptual Site Plan.

A conceptual site plan is not required for this use or zone. This amendment to the DSP promotes the purposes of Section 27-281 by helping to fulfill the purposes of the R-10 Zone as a Business Advancement and Food Access Infill use, per CB-83-2018.

(2) Parking, loading, and circulation.

(A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.

The DSP amendment provides for safe and efficient vehicular and pedestrian circulation patterns for the food and beverage store and gas station site. Parking is located to provide convenient access to the store. A single loading space is provided on the east side of the store. This location is generally visually unobtrusive and does not conflict with drive aisles or areas for pedestrian circulation.

(3) Lighting.

(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character.

This DSP amendment provides a lighting plan that includes exterior parking lot, building and gas station canopy lights. However, as photometrics were not included, the Planning Board could not determine if adequate illumination is provided in a manner that enhances the site's design character. A condition has been included requiring the submission, review, and approval of adequacy of site lighting prior to certification.

(4) Views.

(A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.

The design of the subject site preserves, creates, or emphasizes views from public areas associated with MD 4 and Brooks Drive. The proposed food and beverage store and gas station include a clean, modern, and cohesive architectural design. Landscape treatments are provided throughout the site in accordance with the Landscape Manual. These techniques have resulted in a site design that confirms to this guideline.

(5) Green area.

(A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use.

On-site green area is provided around the periphery of the site and provides an appropriate space for framing parking areas and drive aisles. This space is designed to be aesthetically pleasing and provide visual interest as well as assist in mitigating localized heat island effects. The proposed amendment conforms with this guideline.

(6) Site and streetscape amenities.

(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site.

This DSP amendment and associated landscape plan conform with the above guideline. Site and streetscape amenities will contribute to the attractive and coordinated development of the Brooks Drive Property, which will enhance use and enjoyment of the site.

(7) Grading.

(A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.

Rough grading of the site and installation of public utilities on the subject site was completed under the original approval of DSP-16037. As part of that approval, site development was evaluated for environmental, stormwater management (SWM), historic or archeological impacts and found to conform with requirements. Grading proposed by this amendment is limited to Parcel 2 within the larger previously approved development.

(8) Service areas.

(A) Service areas should be accessible, but unobtrusive

The DSP amendment complies with this design guideline by providing a loading space on the east side of the store, where it provides easy access to the building, but does not interfere with regular use of the site by vehicles or pedestrians. A trash enclosure is in the northeast corner of the site, in proximity to the store, but separated by a drive aisle and parking. The trash enclosure is designed with similar materials and colors, matching the food and beverage store, and is not obtrusive because of its location and design.

(9) Public spaces.

(A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development.

This guideline is not applicable to this DSP amendment and no public space system is included in the proposal.

(10) Architecture.

(A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.

(B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.

(C) These guidelines may be modified in accordance with Section 27-277.

The DSP amendment conforms to these guidelines in so far as the architectural design of the Wawa store and associated gas station incorporate modern, clean design elements that provides for a harmonious use of materials and unified style to the design. This development is in character with the previously approved consolidated storage facility.

8. **Preliminary Plan of Subdivision 4-16018:** PPS 4-16018 was approved by the Planning Board on December 8, 2016 (PGCPB Resolution No. 16-150), subject to 20 conditions for the Brooks Drive Property. Conditions relevant to this DSP amendment are discussed as follows:

4. Total development shall be limited to uses which generate no more than 147 AM peak hour trips and 327 PM peak hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.

This condition establishes an overall trip cap for the subject property of 147 AM and 327 PM peak-hour trips.

Trip Generation Summary, DSP-16037-01, Brooks Drive Property								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Food and Beverage Store/Gas Station	5,619	Square feet	266	267	533	212	212	424
	16	Fueling positions						
Less Pass-By (76 percent AM and PM)			-202	-203	-405	-161	-161	-322
Net Gas/Food and Beverage Store Trips			64	64	128	51	51	102
Consolidated Storage	129,515	Square feet	8	5	13	10	12	22
Total Trips Utilized by Proposal (add bold numbers)			**72**	**69**	**141**	**61**	**63**	**124**
Trip Cap					**147**			**327**

The proposed consolidated storage and food and beverage/gas station uses would generate 141 AM and 124 PM peak-hour trips as noted in the table above; therefore, the proposal is within the trip cap. Future development of Parcel 3 may require a new PPS if more than 6 AM peak hour trips are generated by the proposed use.

16. **At the time of detailed site plan (DSP) review, provide an exhibit that illustrates the location and limits of all off-site improvements proffered in the bicycle and pedestrian impact statement (BPIS submitted August 31, 2016) for review by the operating agencies. This exhibit shall not delay the acceptance of the DSP.**

    This condition was previously fulfilled in the review and approval of DSP-16037.

19. **At the time of detailed site plan, the private access easement pursuant to Section 24-128(b)(9) shall be reflected with a cross section consistent with the applicants "Brooks Drive South – Private Ingress/Egress Easements Plan View."**

    The Planning Board previously found the proposed development in conformance with this condition in its approval of DSP-16037. The proposed amendment shifts this existing private access easement south, but maintains a cross-section that is consistent with the PPS exhibit.

9. **Detailed Site Plan DSP-16037:** The Planning Board approved DSP-16037 on December 8, 2016 (PGCPB Resolution No. 17-110), for the development of a 36,185-square-foot food and beverage store and 130,000-square-foot consolidated storage facility on the Brooks Drive Property, subject to two conditions, of which the following warrant discussion:

    1. **Prior to certificate approval of the detailed site plan (DSP), the applicant shall submit additional documentation and revise the plans as follows:**

c. **The applicant shall demonstrate that the rear building elevation of the grocery store is visually attractive so that it will be compatible with the surrounding architecture and the other buildings internal to the site. High-quality materials, such as brick, shall be utilized in the design of the rear elevation, and special attention should be paid to the form, massing, architectural detail, and pattern of fenestration along the rear elevation. The architecture of the rear façade shall be reviewed and approved by the Urban Design Section as the designee of the Planning Board.**

This DSP amendment removes the previously approved grocery store from the development concept and replaces it with a smaller food and beverage store with a gas station. This condition is no longer applicable; however, the architecture of the proposed store incorporates high-quality materials, provides a visually attractive design on all facades, and is compatible with surrounding architecture and buildings internal to the site.

e. **The revised and approved stormwater concept plan and letter for the current commercial proposal shall be submitted and correctly reflected on the Type 2 tree conservation plan and the DSP.**

SWM Concept Plan 61317-2016-00 was approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on July 25, 2017 for the full commercial development of the Brooks Drive Property. However, the SWM concept plan does not reflect the development change proposed for Parcel 2 by this DSP amendment. As such, a condition has been included requiring the submission of a revised and approved SWM concept plan and letter that correctly reflects the proposed development prior to certification of the DSP amendment.

g. **The dumpster enclosure for the LIDL food and beverage store shall be replace with masonry to match the building elevations and painted corrugated metal doors and compatible quality material shall be used for the gate of the dumpster of the storage facility.**

This DSP amendment replaces the previously approved LIDL with a smaller food and beverage store with a gas station (Wawa). The proposed Wawa includes a masonry dumpster enclosure with metal gates that are compatible materials and colors to match the store and gas station architecture.

i. **The applicant shall ensure that the same information, so far as it is relevant and appropriate such as grading plan, is included on the DSP and landscape plan.**

This DSP amendment includes all relevant and appropriate information to show the current proposal as well as previously approved conditions.

j. **The description of the required handicapped parking rate shall be corrected in the parking schedule on the cover sheet of the plan sheet and the calculations corrected if and as necessary.**

The DSP amendment accurately describes the required handicapped parking rate in the parking schedule and associated calculations. This condition is satisfied.

k. **Delineate all parking and loading space dimensions.**

The DSP amendment provides dimensional information for parking and loading spaces and conforms to this condition.

l. **Reduce all monument signs for both the food and beverage store and the consolidated storage facility to be no more than 15 feet in height.**

The DSP amendment proposes a monument sign for Wawa that is 20 feet in height. This exceeds the limit established by this condition, which was originally included to ensure compatibility of signs with the surrounding residential neighborhood. This concern remains pertinent. Therefore, a condition has been included requiring the newly proposed sign to be reduced in height to no more than 15 feet.

m. **Ensure the color scheme for the masonry material proposed on the consolidated storage facility is compatible with the masonry color scheme on the food and beverage store. A similar compatible masonry color scheme shall be applied to the building on Parcel 3 in the future.**

The DSP amendment provides a color scheme for the food and beverage store with gas station that is compatible with the previously approved consolidated storage facility.

10. **2010 Prince George's County Landscape Manual:** This DSP amendment is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) for Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements of the Landscape Manual. The Planning Board has reviewed the submitted landscape plans and finds that they conform with the requirements of these sections.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the applicable Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet and contains more than 10,000 square feet of existing woodland. A Type 2 tree conservation plan (TCP2) has been submitted for review.

The 11.04-acre site contains 10.82 acres of existing woodland on the net tract and 0.22 acre of woodland within the 100-year floodplain. The site has a woodland conservation threshold of 2.16 acres, or 20 percent of the net tract, as tabulated. The TCP2 shows a total woodland conservation requirement of 5.54 acres, which includes the 0.03 acre of off-site woodland clearing. The TCP2 proposes to meet this requirement by providing 0.98 acre of on-site woodland preservation and the remaining 4.56 acres in off-site woodland conservation credits. Three of the four on-site specimen trees identified on the property are proposed to be preserved, the other specimen tree is to be removed. A grading permit has been submitted based on the previously approved TCP2 for this project area and the off-site requirement has been met. No changes are required of the TCP2 at the time.

12. **Prince George's County Tree Canopy Coverage Ordinance:** The subject site is located in the R-10 Zone, and a 15 percent tree canopy coverage (TCC) requirement applies per Section 25-128(b). The site's 11.04-acre area requires 1.66 acres, or 72,135 square feet of TCC area. The subject DSP provides 73,558 square feet of TCC area, satisfying the requirement.

13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:

    a. **Historic**—The Planning Board adopts, herein by reference, a memorandum dated March 13, 2020 (Stabler to Bush), which noted that the proposed DSP amendment will not impact any historic sites or resources, or known archeological sites.

    b. **Community Planning**—The Planning Board adopts, herein by reference, a memorandum dated March 16, 2020 (Tariq to Hurlbutt), which indicated that master plan conformance is not required for this application.

    c. **Transportation**— The Planning Board adopts, herein by reference, a memorandum dated April 6, 2020 (Masog to Bossi), which noted that the project proposed by this DSP amendment conforms with the trip cap established by the PPS. In addition, no issues were found with site access, circulation, and right-of-way adequacy. From the standpoint of transportation and in consideration of the findings contained herein, it is determined that this plan is acceptable.

    d. **Subdivision**—The Planning Board finds the proposed DSP amendment is in conformance with PPS 4-16018, except for proposed Parcels 2A and 2B, as discussed in Finding 2 above. In addition, the location of the shared access easement, Liber 40100, folio 209, as shown on the DSP does not match the record plat for the property, Plat Book SJH 248, Plat No. 59. Therefore, prior to building permit, the record plat and easement recordation must be corrected to match the DSP, as conditioned herein.

    e. **Trails**— The Planning Board adopts, herein by reference, a memorandum dated April 6, 2020 (Ryan to Bossi), in which a shared-use path and sidewalks are proposed as

recommended by Planning Department staff and the State Highway Administration. Plans are acceptable from the standpoint of pedestrian and bicycle transportation. U style bicycle racks should be provided.

f. **Environmental Planning**— The Planning Board adopts, herein by reference, a memorandum dated April 6, 2020 (Schneider to Bossi), which noted that all prior conditions of approval associated with environmental issues were previously addressed.

The Natural Resources Inventory, NRI-027-12, was approved on December 17, 2012. The Planning Board determined that the wetlands shown on the NRI, are not regulated wetlands, and are the result of the previous mining and grading operation on the property. A revised NRI was submitted and approved on December 29, 2016.

A variance from Section 25-122(b)(1)(G) was granted with DSP-16037 for the removal of the one of the sites existing specimen trees (Specimen Tree 3). The required findings of Section 25-119(d) were adequately addressed for the removal of specimen trees with DSP-16037.

The predominant soils found to occur, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Croom gravelly sandy loam, Potomac-Issues complex, and Udorthents soils. Based on available information, Marlboro clay and Christiana complexes are not found on-site or in the vicinity of this property.

A SWM Concept Approval Letter (61317-2016-00) and associated plan were submitted with the application for this site. The approval was issued on July 18, 2017 for this project from DPIE. The concept plan shows three large buildings with surface parking and proposes to construct two submerged gravel wetlands and five micro-bioretention facilities. The proposed gas station and convenience building is not shown on the current SWM concept plan. DPIE requires that a new SWM Concept plan be submitted showing the new use for the subject application area of this DSP. A SWM fee of $35,307.00 for on-site attenuation/quality control measures is required.

g. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not offer any comments on the subject application.

h. **Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE)**— The Planning Board adopts, herein by reference, a memorandum dated March 26, 2020 (Giles to Bush), in which DPIE offered a series of requirements the proposed project must conform with, including but not limited to the provision of frontage improvements, sidewalks, road dedication, traffic study and improvements, and obtaining applicable DPIE permits.

i. **Prince George's County Police Department**— The Planning Board adopts, herein by reference, a memorandum dated March 17,2020 (Contic to Planner Coordinator, Urban Design), in which the Police Department offered no comments on the DSP amendment.

j. **Prince George's County Health Department**—The Health Department did not offer any comments on the subject application.

k. **Maryland State Highway Administration (SHA)**— The Planning Board adopts, herein by reference, an email dated March 2, 2020 (Woodroffe to Bush), in which SHA indicated that the applicant should provide an eight-foot shared use path along their MD 4 property frontage from Brooks Drive to the bus stop. Such work could be done as a District Permit and coordinated through SHA's Utility Section.

l. **Washington Suburban Sanitary Commission (WSSC)**— The Planning Board adopts, herein by reference, comments dated March 12 and 13, 2020, in which WSSC provided standard comments regarding water and sewer service for the site.

14. As required by Section 27-285(b) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

15. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

The proposed DSP amendment will not impact any on-site regulated environmental features, or primary management areas, as part of the development. The regulated environmental features on the subject property have been preserved and/or restored in a natural state, to the fullest extent possible, based on the evaluation provided with PPS 4-16018.

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 TCP2-005-2016-02, and further APPROVED Detailed Site Plan DSP-16037-01 for the above described land, subject to the following conditions:

1. Prior to certification, the applicant shall revise the plans as follows or provide the specified documentation:

a. Add an approval sheet to the detailed site plan set.

b. Show the height of the monument/pylon sign for Parcel 2 to be no more than 15 feet.

c. Provide a complete lighting plan showing photometrics to be reviewed for adequacy and approved by the Urban Design Section of the Development Review Division as designee of the Planning Board.

d. Submit a revised and approved stormwater management concept plan and letter for the current development proposal and correctly reference the new approval on the Type 2 tree conservation plan and detailed site plan.

e. Revise the plan to provide two inverted U-style bicycle racks to replace the proposed bicycle racks on the submitted plans.

f. Revise the plans to remove all linework, labeling and notes for Parcels 2A and 2B, and revise notes and labels to indicate Parcel 2 as platted.

2. All prior conditions of approval of Detailed Site Plan DSP-16037 remain in effect unless modified herein by this amendment.

3. Prior to approval of a building permit, the Section 24-128(b)(9) of the Prince George's County Subdivision Regulations access easement will be rerecorded in land records to match the detailed site plan. The liber and folio of that recording shall be reflected on a revised record plat.

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.

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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, Doerner and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, May 7, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of May 2020.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/
M-NCPPC Legal Department

Date: May 12, 2020