

PGCPB No. 17-140

File No. DSP-17019

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 October 26, 2017, regarding Detailed Site Plan DSP-17019 for 3700 Donnell Drive (Royal Farms), the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) proposes to raze the existing bank/office building and construct a gas station with a 5,166-square-foot food and beverage store.
2. **Development Data Summary:**

	EXISTING C-M/M-I-O	APPROVED C-M/M-I-O
Zone(s)		
Use(s)	Vacant Bank /Office	Food and beverage store in combination with a gas station
Acreage	2.40	2.40
Building Gross Floor Area (sq. ft.)	0	5,166

OTHER DEVELOPMENT DATA

Parking Spaces Required:

A Gas station with a Food and Beverage Store Office

(5,166 sq. ft.)

31 spaces

1 space /150 sq. ft. for first 3,000 sq. ft.

1 space/200 sq. ft. for above 3,000 sq. ft.

ADA-Compliant Spaces

2 spaces

Loading Spaces

1 space

1 loading space for GFA between 10,000–100,000 sq. ft.

Parking Spaces Provided:

Standard Spaces (9 feet x 20 feet)

49 spaces*

ADA-Compliant Spaces (8 feet x 19 feet)

3 spaces

52 spaces

Total Loading Spaces Provided

1 space

Note: *The Planning Board noted that this application proposes an abundance of parking and could reduce the amount of parking to provide additional green area. See Finding 9 of this report for a discussion regarding conformance with the Landscape Manual.

3. **Location:** The subject property is a combination of two adjoining parcels, including parts of Parcel A and Parcel 240. It is located in the southeast quadrant of the intersection of Donnell Drive and MD 4 (Pennsylvania Avenue), at 3700 Donnell Drive in District Heights, Maryland, in Planning Area 75A, Council District 6.
4. **Surrounding Uses:** The property is bounded on the north side by MD 4, a designated expressway; on the west side by Donnell Drive; on the east side by multifamily condominiums in the Multifamily Medium Density Residential (R-18) Zone; and on the south side by a self-storage location in the Commercial Miscellaneous (C-M) Zone. The remainder of the neighborhood is made up of a mix of single-family and multifamily residences to the south, with a mix of commercial uses located across MD 4 to the north.
5. **Previous Approvals:** The subject property, known as Parcel A and Parcel 240, is located on Tax Map 89 in Grid E. Parcel A (1.073 acres) is the subject of a plat recorded in Plat Book WWW 71-2, approved on March 26, 1969, and is subject to Preliminary Plan of Subdivision (PPS) 12-2959, for which there are no available records. Parcel A is currently developed with a 13,693-square-foot building. Parcel 240 (1.327 acres) is a legal acreage parcel created by deed prior to 1982, has never been the subject of a PPS or record plat, and is undeveloped. The prior approvals for the subject application are discussed in detail below:

The subject property was rezoned from the Commercial Office (C-O) Zone to the Residential Townhouse (R-T) Zone in June of 2010 by the *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA); subsequently, Zoning Map Amendment A-10036 was filed to rezone the property from the R-T Zone to the C-M Zone. This amendment was adopted on May 5, 2016 (PGCPB Resolution No. 16-57). The Prince George's County Planning Board approved the amendment, subject to two conditions.

The site also has an approved Stormwater Management Concept Letter (62132-2016-00), and associated plans were submitted with the application for this site. The approval was reissued on April 4, 2017 and is valid until April 4, 2020.

6. **Design Features:**

Site Design—This site proposes a single two-way ingress and egress point from the property's frontage on Donnell Drive on the western side of the site. Eight pump islands covered by a canopy serve the gas station use proposed for the property, and are located perpendicular to Donnell Drive. The Royal Farms building containing the food and beverage store is located in the most eastern portion of the site and faces Donnell Drive. Parking for the development is located off the circular drive and proposed on the front, rear, and both sides of the building. The applicant is providing

six outdoor tables around the entrance for dining. Pedestrian accessibility to the site is provided through the addition of sidewalks on Donnell Drive and MD 4. A sidewalk is also proposed around the perimeter of the building and along the southern property boundary of the site connecting to Donnell Drive. A bicycle rack is proposed on the south side of the building. The dumpster and loading space are located in the southern portion of the site at the rear of the building. The dumpster enclosure is proposed to be constructed with brick veneer to match the proposed building.

The Planning Board noted that there is not a detailed proposal for the table and chairs proposed with this application, and those should be included. A condition has been added to this approval requiring the applicant to provide a detail for the table and chairs proposed with the outdoor eating area.

Architecture—The architecture of the building incorporates a band of composite siding at the top portion of the building, brick veneer in the middle, and stone veneer at the base of the building. The main entrance, with a high-profile roof, projects from the rest of the building. The front elevation is accented with a pitched roof and a cupola over the main entrance, supported by stone veneer and painted steel columns. Oversized windows help break up the horizontal mass of the building. The rear elevation presents long uninterrupted bands of the composite siding, red brick, and stone veneer. The applicant has used durable quality materials including stone, brick, and composite siding. The pumps and canopy are designed to coordinate well with the architecture and materials of the main building.

The Planning Board noted that the dimensions showing the height have not been provided on the building or signage elevations, and they should be shown for informational purposes. A condition has been included in this approval requiring that the dimensions be added to show the building and signage heights prior to certification.

Signage—The applicant is proposing one 25-foot-tall pylon sign close to the intersection of Donnell Drive and MD 4. The sign will be lit internally and include a plastic sign face and painted aluminum housing. The upper almost 15 feet of the sign (162 square feet) is devoted to the traditional “Royal Farms” sign, with gas pricing on it. The project includes the following additional signs: two fuel canopy signs (35.67 square feet each), two wall signs on the front and rear of the building that include the franchise name (37.05 square feet each), and two “World Famous Chicken and Fresh Kitchen” signs on the front and rear of the building below the franchise name (11.75 square feet).

The following table includes the sign type, proposed height, and area of the freestanding and building-mounted signs proposed with this application:

Sign location	Advertising	Sign type	Height	Area
Donnell Drive	Tenant name	Pylon	25 feet	50 sq. ft.
Fuel Canopy Front	Tenant name	Canopy	_ feet	114 sq. ft.
Fuel Canopy Side	Tenant name	Canopy	_ feet	36 sq. ft.
Fuel Canopy Side	Tenant name	Canopy	_ feet	36 sq. ft.
Front Building Elevation	Tenant name	Building-Mounted	_ feet	37 sq. ft.
Rear Building Elevation	Tenant name	Building-Mounted	_ feet	37 sq. ft.
Front Building Elevation	Slogan	Building-Mounted	_ feet	12 sq. ft.
Rear Building Elevation	Slogan	Building-Mounted	_ feet	12 sq. ft.

The Planning Board noted that the signage details and architectural elevations of the building and canopy do not either show dimensions, or reflect the heights of the building, canopy, or proposed signage. A condition has been added to this approval requiring that the elevations for the building and canopy be revised to show the height of the proposed building, canopy, and signage.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject site plan has been reviewed for conformance with the applicable requirements of the C-M and M-I-O Zones and the site design guidelines. The following discussion is offered regarding these requirements.

a. **Section 27-461, Uses in Commercial Zones**—The proposed gas station with food and beverage store is a permitted use in the C-M Zone, subject to Section 27-358 of the Zoning Ordinance for the gas station use, as discussed.

(a) **A gas station may be permitted, subject to the following:**

(1) **The subject property shall have at least one hundred and fifty (150) feet of frontage on and direct vehicular access to a street with a right-of-way width of at least seventy (70) feet;**

The Planning Board noted that the subject property includes frontage on Donnell Drive and MD 4 with access from Donnell Drive. Donnell Drive has a dedicated right-of-way width of 70 feet. The site has frontage on both MD 4 and Donnell Drive for more than 150 feet of frontage, thus satisfying this requirement.

(2) **The subject property shall be located at least three hundred (300) feet from any lot on which a school, outdoor playground, library, or hospital is located;**

The Planning Board noted that there is no school, outdoor playground, library, or hospital within 300 feet of the subject property.

- (3) **The use shall not include the display and rental of cargo trailers, trucks, or similar uses, except as a Special Exception in accordance with the provisions of Section 27-417;**

The Planning Board noted that the display and rental of cargo trailers, trucks, or similar uses will not be associated with the proposed use.

- (4) **The storage or junking of wrecked motor vehicles (whether capable of movement or not) is prohibited;**

The Planning Board noted that no vehicle repair will be associated with the proposed use, thus no storage or junking of wrecked motor vehicles is proposed.

- (5) **Access driveways shall be not less than thirty (30) feet wide unless a lesser width is allowed for a one-way driveway by the Maryland State Highway Administration or the County Department of Permitting, Inspections, and Enforcement, whichever is applicable, and shall be constructed in compliance with the minimum standards required by the County Road Ordinance or Maryland State Highway Administration regulations, whichever is applicable. In the case of a corner lot, a driveway may begin at a point not less than twenty (20) feet from the point of curvature (PC) of the curb return or the point of curvature of the edge of paving at an intersection without curb and gutter. A driveway may begin or end at a point not less than twelve (12) feet from the side or rear lot line of any adjoining lot;**

The Planning Board noted that the proposed driveway is 30 feet wide and is located more than 80 feet from MD 4 and 13 feet from the lot line of the adjacent lot to the south, meeting the requirement.

- (6) **Access driveways shall be defined by curbing;**

The Planning Board noted that the access driveway and parking compound is defined by curb.

- (7) **A sidewalk at least five (5) feet wide shall be provided in the area between the building line and the curb in those areas serving pedestrian traffic;**

The Planning Board noted that a five-foot-wide sidewalk currently exists along Donnell Drive that leads to the Penn Mar shopping center north of the site, and can be accessed from a proposed sidewalk along the southern property boundary of the site. Additionally, the Maryland State Highway Administration (SHA) is proposing capital improvements along MD 4 which will add a sidewalk on southbound MD 4, in addition to a 10-foot multipurpose trail and a bike lane on the northbound side of MD 4.

- (8) **Gasoline pumps and other service appliances shall be located at least twenty-five (25) feet behind the street line;**

The Planning Board noted that the gasoline pumps, canopy, and other service applications are located approximately 130 feet behind the street line of Donnell Drive.

- (9) **Repair service shall be completed within forty-eight (48) hours after the vehicle is left for service. Discarded parts resulting from any work shall be removed promptly from the premises. Automotive replacement parts and accessories shall be stored either inside the main structure or in an accessory building used solely for the storage. The accessory building shall be wholly enclosed. The building shall either be constructed of brick (or another building material similar in appearance to the main structure) and placed on a permanent foundation, or it shall be entirely surrounded with screening material. Screening shall consist of a wall, fence, or sight-tight landscaping material, which shall be at least as high as the accessory building. The type of screening shall be shown on the landscape plan.**

The Planning Board noted that no vehicle repair services are proposed with this facility.

- (10) **Details on architectural elements such as elevation depictions of each facade, schedule of exterior finishes, and description of architectural character of proposed buildings shall demonstrate compatibility with existing and proposed surrounding development.**

The Planning Board noted that the building and canopy are designed to coordinate well with the surrounding development that features a rural aesthetic, mimicking the appearance of farm buildings and craftsmen styling, and use high-quality building materials including composite siding, steel, brick, and stone veneer.

- b. **Section 27-462, Regulations in Commercial Zones/C-M Zone Standards**—The site plan is in conformance with the regulations in the C-M Zone.
- c. **Military Installation Overlay (M-I-O) Zone**—The project is located within the M-I-O Zone. Under this zone, the project has a height limit, which requires that building height not exceed 257 feet. Note that the building's height of 38 feet is well within the 257-foot requirement, and that only residential projects, not commercial projects, are evaluated for acceptable noise levels. The DSP meets the requirements of the M-I-O Zone.

- d. **Site Design Guidelines**—Section 27-283 of the Zoning Ordinance provides that a DSP should be designed in accordance with the same design guidelines for a conceptual site plan (Section 27-274), which provides design guidelines regarding parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, and architecture.

Section 27-274(a) of the Zoning Ordinance further requires that the applicant demonstrate the following:

(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 Planning Board noted that the DSP is in general conformance with the site design guidelines contained in Section 27-274 regarding provisions for safe and efficient on-site pedestrian and vehicular circulation, as well as provisions for adequate illumination. Specifically, the plan shows interior two-way travel lanes at 22 feet in width surrounding the building. The size of these travel lanes is large enough to provide safe parking, as well as through traffic that can travel in both directions.

There are 52 total parking spaces for the proposed use, with vehicular access to the site from a 22-foot-wide drive aisle on the western side of the site. A single loading space is provided on the southern portion of the site and is safely located away from any pedestrian circulation on-site, near the trash facilities. Parking spaces have been located at convenient locations to allow customers to access the building without compromising their safety and the vehicular circulation on-site.

The Planning Board noted that it is unclear if the location of the loading space is within the travel lane circulating around the building. The loading space should be located far enough away from the travel lane to allow for the required 22 feet of drive aisle width. A condition has been added to this approval requiring the applicant to provide clarification of the 22-foot drive aisle width being met.

(3) Lighting.

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

The Planning Board noted that the proposed light fixtures include pole-mounted lighting in the parking area near the building and throughout the parking lot that provides a balanced lighting pattern throughout the property. The lighting placement has been designed to enhance the building entrances, pedestrian pathways, site design character, and to improve safety, while not causing a glare onto adjoining properties.

(4) Views.

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

The Planning Board noted that the DSP is designed to preserve, create, or emphasize views from the public roads and public spaces to the adjoining properties and green areas. The proposed buildings have been designed to provide a modern, clean, and appealing street presence along the roadways. This plan is designed to preserve, create, or emphasize views from the public roads that surround the property. The site has frontage on MD 4 and Donnell Drive, and is proposing a landscape strip along the road frontage of both roadways which is further discussed in Finding 8.

(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.**

The Planning Board noted that this DSP is required to provide landscaping for the interior parking lot, which is 2,323 square feet. The applicant has proposed 2,890 square feet of interior landscaping within the parking lot, exceeding this requirement. The landscaping requirement for green area is further discussed in Finding 8 of this report.

(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.**

The Planning Board noted that the applicant is not proposing any site or streetscape amenities as part of this development. However, the DSP does propose a landscape strip along that road frontage of the property that contributes to an attractive and coordinated development pattern of the streetscape bordering 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.**

The Planning Board noted that the development is being proposed on a site that has been previously mass-graded and is relatively flat. Minor fine grading will be required, but should be designed to minimize disruption to the existing topography and other natural resources on the site and on adjacent properties.

(8) Service Areas.

- (A) Service areas should be accessible, but unobtrusive.**

The Planning Board noted that the DSP proposes loading areas on the southern side of the site, away from the building, and are partially screened by the location of the trash facilities and landscaping from public roadways.

The Planning Board noted that no landscaping is proposed on the southern side of the loading area, and additional landscaping is required along the southern boundary of the site with the storage facility on Parcel A. A condition has been added to this approval requiring the applicant to provide additional landscaping to screen the loading area.

(9) Public Spaces.

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

The Planning Board noted that the DSP does not propose any public space in this development, but this application does propose several outdoor dining tables, which can be used by staff or customers.

(10) **Architecture.**

- (A) **When architectural considerations are references 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 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 Planning Board noted that the proposed building incorporates a band of composite siding at the top portion of the building, brick veneer in the middle, and stone veneer at the base of the building. The main entrance, with a high-profile roof, projects from the rest of the building. The front elevation is accented with a pitched roof and a cupola over the main entrance, supported by stone veneer and painted steel columns. The proposed building materials are of high quality and are acceptable.

8. **Zoning Map Amendment A-10036:** The conditions of approval of A-10036 that are relevant to this application are discussed as follows:

- 1. **A detailed site plan shall be approved prior to issuance of any building permit.**

The Planning Board noted that the subject application is a DSP, which has been filed to fulfill this condition.

- 2. **A 75-foot-wide vegetative buffer shall be established along the eastern boundary of Parcel 240, Tax Map 89 (3710 Donnell Drive).**

The Planning Board noted that the subject application is proposing a 75-foot-wide vegetative buffer along the eastern boundary of Parcel 240, and meets this condition.

9. **2010 Prince George's County Landscape Manual:** The new construction on the site is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The requirements apply as follows:

- a. **Section 4.2, Requirements for Landscaped Strips along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip should be provided on the property abutting all public and private streets. More specifically, the applicant has provided Section 4.2 landscape strips along MD 4 (Pennsylvania Avenue) and Donnell Drive. The proposed landscape strip along Donnell Drive is in accordance with the requirements of the Landscape Manual with regard to

width and the number of plant units required, and is in conformance with the requirements of Section 4.2. Alternative compliance is proposed for the landscape strip along MD 4 and is discussed in detail in Finding 9(d).

- b. **Section 4.3, Parking Lot Requirements**—Section 4.3 specifies that proposed parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to provide shade and visual relief. The application meets the requirements of Section 4.3(c)(1) for landscape strips along parking lots, and provides the required amount of landscape material. Alternative compliance is proposed for Section 4.3(c)(2), which provides requirements for interior landscape area and is discussed in detail in Finding 9(d).
- c. **Section 4.4, Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The proposed use requires a loading space and proposes trash facilities on-site, and is required to screen from loading and mechanical areas. The applicant is proposing a dumpster enclosure located at the rear of the building on the southeast portion of the site, which is appropriately buffered from the adjacent properties and public road. The enclosure is designed with the same materials as the building and blends with the architecture of the building, meeting the requirements of the Landscape Manual.

The Planning Board noted that no landscaping is proposed on the south side of the loading area and additional landscaping is required along the southern boundary of the site with the storage facility on Parcel A. A condition has been added to this approval requiring the applicant to provide additional landscaping adjacent to the loading area on the southern boundary of the site with the storage facility on Parcel A.

- d. **Alternative Compliance AC-17014**—The applicant has filed a request for Alternative Compliance from the requirements of the Landscape Manual for Section 4.2, Requirements for Landscape Strips Along Streets, along MD 4 (Pennsylvania Avenue), and Section 4.3(c)(2), Parking Lot Interior Planting Requirements.

Section 4.2, Requirements for Landscape Strips Along Streets

REQUIRED: 4.2 Landscape Strips along Streets, along Pennsylvania Avenue

Length of Landscape Strip	444 l.f.–75 l.f. (existing trees) = 369 l.f.
Width of Landscape Strip	10 feet
Shade Trees (1 per 35 l.f.)	11
Shrubs (10 per 35 l.f.)	106

PROVIDED: 4.2 Landscape Strips along Streets, along Pennsylvania Avenue

Length of Landscape Strip	444 l.f.–75 l.f. (existing trees) = 369 l.f.
Width of Landscape Strip	Varies
Shade Trees	2
Shrubs	215

Justification of Recommendation:

The applicant is requesting Alternative Compliance from Section 4.2 because there exists limited area to plant along MD 4 due to existing Washington Suburban Sanitary Commission (WSSC) and gas line easements along the right-of-way. Instead, the applicant has provided for two shade trees set back from the right-of-way, outside of the easements, and proposes an equivalent amount of shrubbery as an alternative. Although the applicant has not yet provided evidence that the utility companies will allow for the planting of shrubs within their rights-of-way, the applicant is seeking approval for the planting as proposed. As a safeguard that the planting will be provided, the Planning Board suggests that the applicant provide evidence of the approval to plant within the WSSC and gas line easements prior to signature approval of the plans. If the public utilities do not grant the applicant permission, then the applicant may be required to file another application for alternative compliance or seek a departure from design standards to obtain relief from the provisions of Section 4.2.

The Planning Board noted that the applicant provided evidence that the Maryland State Highway Administration (SHA) has plans to provide for some tree planting within the right-of-way near the easternmost corner of the site. The landscape plan has been amended to provide for the tree type and location, and the Planning Board has taken this into consideration in the review of the subject plans.

Section 4.3(c)(2), Parking Lot Interior Planting

Section 4.3(c)(2)(A) references Figure 4.3-7 entitled "Parking Lot Area," which provides an example of how the interior planting area is determined when designing a parking lot. Table 4.3-1 sets forth the requirements for the minimum percentage of interior planting area required, based upon the overall proposed parking compound area. The applicant requests approval of an alternative design to provide shade trees immediately adjacent to the parking lot, outside of the area designated for interior planting area.

REQUIRED: 4.3(c)(2) Parking Lot Interior Planting Requirements

Parking Lot Area	29,037 sq. ft.
Interior Landscaped Area Required	8% (2,323 sq. ft.)

PROVIDED: 4.3(c)(2) Parking Lot Interior Planting Requirements

Interior Landscaped Area provided	10% (2,890 sq. ft.)
Minimum Number of Shade Trees Required (1 per 300 sf of interior planting area provided)	10
Shade trees provided	14

One shade tree is proposed outside of the area designated as the interior planting area, behind the curb along the westernmost row of parking spaces between Mirco-bio #1 and Micro-bio #2, and four shade trees along the southern entrance to the site. The locations of these shade trees will provide added shade within the asphalt area of the site.

Justification of Recommendation:

The applicant is requesting Alternative Compliance from Section 4.3(c)(2)(A), Parking Lot Interior Planting. The Landscape Manual has specific requirements for where interior planting should be placed, specifically within the limits of the parking compound. As an alternative to the locational requirements, the applicant is providing shade trees along the southern property line of the site behind the curb, and one tree along the western side of the parking compound, which will provide added shade within the asphalt area of the site. The Planning Board finds the proposed alternative compliance measures to be equally effective as normal compliance with Section 4.3(c)(2) of the Landscape Manual.

Recommendation:

The Planning Board approved Alternative Compliance for Section 4.2(b)(3)(A)(1), Requirements for Landscape Strips Along Streets, along MD 4 (Pennsylvania Avenue) and Section 4.3(c)(2), Parking Lot Interior Planting Requirements, of the Landscape Manual, for 3700 Donnell Drive.

- e. **Section 4.9, Sustainable Landscaping Requirements**—This DSP application conforms to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. The applicant has provided 75 percent of the required shade trees, 100 percent of ornamental trees, 61 percent of the evergreen trees, and 39 percent of shrubs in native varieties in accordance with the Landscape Manual requirements. The DSP meets this requirement.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The project has an approved Natural Resources Inventory, NRI-228-16, which was issued on December 22, 2016. There are no regulated environmental features known to occur on-site. No woodlands exist on-site. No additional information is required regarding the NRI.

A Type 2 tree conservation plan (TCP2) was submitted for review with this application. The 2.04-acre site contains 0.61 acre of existing woodland, of which no woodland is within the 100-year floodplain. The site has a woodland conservation threshold of 0.36 acre, or 15 percent of the net tract, as tabulated. The TCP2 shows a total woodland conservation requirement of 0.66 acre. The TCP2 proposes to meet this requirement by providing 0.10 acre of on-site woodland preservation, 0.23 acre of reforestation, and the remaining 0.33 acre in off-site preservation and woodland conservation credits. The submitted TCP has been reviewed, and found to be in conformance with the requirements of the Woodland and Wildlife Habitat Conservation Ordinance.

11. **Prince George's County Tree Canopy Coverage Ordinance:** The site is subject to the Tree Canopy Coverage Ordinance because it proposes more than 5,000 square feet of disturbance. The Tree Canopy Coverage Ordinance requires that, based on the C-M zoning of the site, 10 percent of the site is to be covered in tree canopy. The overall site measures 2.4 acres and, therefore, requires 0.24 acre, or 10,455 square feet, of the site in tree canopy coverage (TCC).

The site plan proposes 10,980 square feet in the schedule demonstrating that this requirement has been met by the inclusion of 5 ornamental trees, 36 major shade trees, 37 evergreens, and 12 small evergreens, providing 22,306 square feet of TCC.

The Planning Board noted that the site is 2.4 acres and the schedule shows that site plan was calculated for a total site area of 2.09 acres. The schedule should be revised to include the appropriate acreage. A condition has been added to this approval requiring that the TCC schedule be revised to provide the correct site acreage.

12. **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:
- a. **Historic Preservation and Archeological Review**—The Planning Board noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites, indicates that the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources, or known archeological sites.
 - b. **Community Planning**—The Planning Board noted that the application conforms with the commercial land use recommendation of the master plan, and the requested land uses for the site are consistent with the specific uses permitted in the C-M Zone.
 - c. **Transportation**—The Planning Board has reviewed the DSP application referenced above and found that the site consists of approximately 2.4 acres in the C-M Zone established in 2015 through Zoning Map Amendment A-10036. This site is within the area of the Subregion 4 Master Plan and SMA. The site is located on the south side of

MD 4, in the southeastern quadrant of the intersection of MD 4 and Donnell Drive. The applicant is proposing a gas station and convenience store.

Review Comments—Detailed Site Plan

The site is composed of Parcel A, Penn Mar Office Center, formerly the First National Bank of Southern Maryland, recorded in 1969; and Parcel 240 which is undeveloped. The site is improved with a vacant two-story building consisting of 13,693 square feet which was used as a bank, and has surface parking. This building will be razed. There are no underlying transportation-related plat notes or other conditions that would control the development of this site. The plan is subject to general site plan requirements, as well as the requirements in Section 27-358 of the Zoning Ordinance for the gas station.

The applicant is proposing a convenience store of 5,166 square feet and a gas station with 16 fueling positions. Access would be through one driveway onto Donnell Drive, with no access from MD 4, and this access point is acceptable.

A circulation plan was not submitted to review how fueling vehicles would access the site and pumps. In an effort to better understand this, The Planning Board requests that the applicant provide a circulation plan to better understand the flow throughout the site. A condition has been added to this approval to require a circulation exhibit or add the information on the site plan.

The Subregion 4 Master Plan and SMA recommends that MD 4 be expanded from four to six lanes. Donnell Drive, while not a master plan facility, is slated to undergo geometric improvements to better facilitate pedestrian safety.

Conclusion

The Planning Board requested circulation plan from the applicant before a final determination can be made.

A condition has been added to this approval requiring that a circulation plan, or relevant information, be provided.

- d. **Subdivision Review**—The subject property is known as Parcel A and Parcel 240, located on Tax Map 89 in Grid E. The land consists of a total of 2.4 acres in the C-M Zone. Parcel A (1.073 acres) is the subject of a plat recorded in Plat Book WWW 71-2, approved on March 26, 1969, and is subject to Preliminary Plan of Subdivision 12-2959, for which there are no available records. Parcel A is currently developed with a 13,693-square-foot building. Parcel 240 (1.327 acres) is a legal acreage parcel created by deed prior to 1982, has never been the subject of a PPS or record plat, and is undeveloped.

The applicant proposes to raze the existing building on Parcel A and construct a gas station with a food and beverage store totaling 5,166 square feet, with part of the building on Parcel A and part of the building on Parcel 240. The site plan appears to propose less than 5,000 square feet of gross floor area (GFA) on each parcel; however, this should be verified and noted on the site plan.

The Planning Board determined that the development of less than 5,000 square feet of GFA on Parcel A, which constitutes the developed site in accordance with permits for the existing building, is exempt from the requirement of resubdivision, pursuant to Section 24-111(c)(2) of the Subdivision Regulations which states:

Section 24-111. – Resubdivision of land.

- (c) **A final plat of subdivision approved prior to October 27, 1970, shall be resubdivided prior to the issuance of a building permit unless:**
 - (2) **The total development proposed for the final plat on a property that is not subject to a Regulating Plan approved in accordance with Subtitle 27A of the County Code and does not exceed five thousand (5,000) square feet of gross floor area; or**

The development of less than 5,000 square feet of GFA on Parcel 240 is also exempt from the requirement of filing a PPS, pursuant to Section 24-107(c)(7)(B) which states:

Section 24-107. Jurisdiction.

- (c) **The following shall be exempt from the requirement of filing a preliminary plan and final plat of subdivision, except for any portion of land within the Interim Land Use Control (ILUC) Area subject to Sec. 24-120.03(b) of this Subtitle and consistent with Part 18 of the Zoning Ordinance unless otherwise noted below:**
 - (7) **Any subdivision of land by deed of a lot prior to January 1, 1982, provided:**
 - (B) **The total development proposed for the subdivision on a property that is not subject to a Regulating Plan approved in accordance with Subtitle 27A of the County Code and does not exceed five thousand (5,000) square feet of gross floor area.**

The applicant should be aware that the development of more than 5,000 square feet of GFA on Parcel A or Parcel 240 will require approval of a PPS.

Plan Comments

- (1) Prior to approval of the detailed site plan;
 - (a) All plan sheets shall clearly reflect the property line between Parcel A and Parcel 240.
 - (b) The general notes shall provide the existing parcel information and acreage of each parcel.
 - (c) The general notes shall provide the total gross floor area proposed and the gross floor area proposed on each parcel (Parcel A and Parcel 240).

The Planning Board noted that these comments have been either addressed during the review process or worded as conditions of approval that are included in this approval.

- e. **Trails**—The Planning Board reviewed the DSP application for the subject project for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and/or the appropriate area master/sector plan in order to implement planned trails, bikeways, and pedestrian improvements, and provided the following comments:

The subject application is located along the south side MD 4, on the east side of the intersection with Donnell Drive. The site is accessed off Rhode Island Avenue and is covered by the MPOT and the 2010 Subregion 4 Master Plan and SMA. The subject application proposes a gas station and a 5,166-square-foot convenience store.

Background: The MPOT recommends two master plan trails/bikeways that impact the subject property. A shared-use path is recommended along MD 4 and designated bike lanes and continuous sidewalks are recommended along Donnell Drive. The text in the MPOT regarding the MD 4 trail is copied below.

MD 4 Shared-Use Side path: A side path has been recently completed along the north side of MD 4 from Walters Lane to Parkland Drive. It is recommended that this trail be completed along the entire length of MD 4 inside the Beltway. This trail will link adjacent residential communities, provide access to existing bus stops, and improve access to commercial areas. There is an existing need for this facility as residents currently walk along the shoulder or parallel to the road to reach nearby bus stops and commercial areas (MPOT, page 27).

SHA has completed some initial designs for the project and has recently installed a full pedestrian traffic signal to get pedestrians safely across MD 4, to the west of the subject property. It is envisioned that the side path will be completed on the north side of MD 4, while the south side of MD 4 will include a standard sidewalk. Consequently, the side

path will be on the opposite side of the road from the subject site and does not impact the subject application. However, the Planning Board recommends the provision of a standard sidewalk along MD 4, unless modified by SHA. Pedestrian safety has been a sincere concern along the corridor and there have been numerous fatalities in recent years, which is the reason SHA implemented the signal and plans to install the side path and sidewalk along the road. However, it should be noted that, if an access permit is not required along MD 4, it is likely that SHA will not require any frontage improvements for the subject site and the sidewalk will have to be installed by SHA as funding becomes available.

Donnell Drive has an existing sidewalk along the east side, including the frontage of the subject site. Striping for bike lanes (or other appropriate bicycle treatment) will be considered by the Prince George's County Department of Public Works and Transportation (DPW&T) comprehensively for the road at the time of road resurfacing. The Planning Board recommends one "Share the Road with a Bike" sign along the site's frontage, in the interim.

The Complete Streets element of the MPOT reinforces the need for these recommendations and includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

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.

Conclusion:

- (1) In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the Subregion 4 Master Plan and SMA, prior to signature approval, the plans shall be revised to include the following:
 - (a) A standard sidewalk along the subject site's entire frontage of MD 4, unless modified by SHA.
 - (b) A bicycle rack accommodating a minimum of two bicycles at a location convenient to the entrance to the convenience store.
- (2) Prior to issuance of the first building permit, provide a financial contribution of \$420 to DPW&T for the placement of one Share the Road with a Bike sign along Donnell Drive.

- f. **Permit Review**—The Planning Board noted that the permit review issues have either been addressed by revisions to the plans or are worded as conditions in this approval.
- g. **Environmental Planning**—The Planning Board has reviewed the above referenced DSP for environmental-related issues and noted:

Background

The Planning Board reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-228-2016	N/A	Staff	Approved	12/22/2016	N/A
TCP2-060-05	N/A	Staff	Approved		N/A
DSP-17019	TCP2-060-05-01	Planning Board	Pending	Pending	Pending

No other previous environmental reviews have occurred on this site.

Grandfathering

The project is subject to the current regulations of Subtitles 25 and 27 of the Prince George's County Code that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new DSP and there are no previous approvals.

Site Description

The subject property is located on the southeast side of the Donnell Drive and MD 4 intersection. The site is relatively flat, sloping towards MD 4, containing woodlands and no specimen trees. The site is located within the Henson Creek watershed basin, and the site drains to the Potomac River. The predominant soils found to occur, per the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), are Beltsville-Urban land complex and Croom-Urban land complex. According to available information, Marlboro clay and Christiana complex are not identified on the property. 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. There are no floodplains, streams, waters of the US, or wetlands associated with the site. No forest interior dwelling species (FIDS) or FIDS buffer are mapped on-site. The site has frontage on both Donnell Drive and MD 4. Donnell Drive is not identified as a master-planned roadway, but MD 4 is identified as a master-planned expressway roadway that is a traffic noise generator. Due to the proposed commercial use, traffic-generated noise is not regulated in relation to the subject application. Neither Donnell Drive nor MD 4 are identified as historic or scenic roadways. The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by the *Plan Prince George's 2035 Approved General Plan*. According to the 2017 *Countywide Green Infrastructure Plan*,

the undeveloped areas of the site are located within the regulated and evaluation areas of the network.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

Natural Resources Inventory/Existing Conditions

An approved Natural Resources Inventory (NRI-228-16) was submitted with the review package, which was approved on December 22, 2016. The NRI verifies that no regulated environmental features occur on the subject property. This site contains 0.61 acre of woodlands.

No revisions are required for conformance to the NRI.

Woodland Conservation

This application has an approved Type 2 Tree Conservation Plan (TCP2-060-05) on the undeveloped portion of the site. A TCP2 has been submitted for review covering the entire application area. The 2.04-acre site contains 0.61 acre of existing woodland on the net tract and no woodland within the 100-year floodplain. The site has a woodland conservation threshold of 0.36 acre, or 15 percent of the net tract, as tabulated. The TCP2 shows a total woodland conservation requirement of 0.66 acre. The TCP2 proposes to meet this requirement by providing 0.10 acre of on-site woodland preservation, 0.23 acre of reforestation, and the remaining 0.33 acre in off-site woodland conservation credits.

The TCP has been reviewed and requires technical revisions to be in conformance with the applicable Woodland Conservation Ordinance.

Condition: Prior to signature approval of the detailed site plan, the Type 2 tree conservation plan (TCP2) shall be revised, as follows:

- (1) Revise the approval block to show TCP2-060-05.
- (2) Revise the approval block to show the "00" version that was approved by B. Metzger and dated 5/24/05.
- (3) Add the planting schedule for the reforestation and planting details to Sheet 2.
- (4) Add DSP-17019 to the standard TCP2 notes.
- (5) Add owner notification blocks on all TCP2 sheets.
- (6) Have the revised plan signed and dated by the qualified professional who prepared the plan.

Condition: Prior to signature approval of the Type 2 tree conservation plan (TCP2) for this site, the documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submission to the Office of Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan, as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber ____ Folio _____. Revisions to this TCP2 may require a revision to the recorded easement.”

Condition: Prior to issuance of the first grading permit, copies of the recorded easement documents with the approved liber and folio shall be provided to the Environmental Planning Section. The liber and folio of the recorded woodland conservation easement shall be added to the Type 2 tree conservation plan.

Condition: Development of this subdivision shall be in conformance with an approved Type 2 Tree Conservation Plan (TCP2-060-05). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 2 Tree Conservation Plan (TCP2-060-05), or as modified by a future TCP2 and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved TCP and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

Recommended Condition: The following note shall be placed on the final plat:

“Prior to signature approval of a TCP2 for this property, pursuant to Section 25-122(d)(1)(B), all woodland preserved, planted, or regenerated on-site shall be placed in a woodland conservation easement recorded in land records and the liber/folio of the easement shall be indicated on the TCP2.”

Regulated Environmental Features

The site contains no regulated environmental features.

Specimen Trees

The site contains no specimen trees.

Stormwater Management

An approved Stormwater Management Concept Letter (62132-2016-00) and associated plan were submitted with the application for this site. The approval was reissued on April 4, 2017 for this project by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The plan proposes to construct four new on-site micro-bioretenention ponds with infiltration. A stormwater management fee of \$1,706.70 for on-site attenuation/quality control measures is required.

No further action regarding stormwater management is required with this DSP review.

Scenic and Historic Roads

In accordance with Section 24-152 of the Subdivision Regulations, there are no scenic or historic roads located on or adjacent to the subject property. The subject property is located adjacent to MD 4 and Donnell Drive.

No additional information is required concerning scenic or historic roadways for the subject property.

Soils

The predominant soils found to occur on-site, according to the USDA NRCS WSS, are Beltsville-Urban land complex and Croom-Urban land complex. According to available information, Marlboro clay or Christiana complex are not identified on the property. This information is provided for the applicant's benefit. The County may require a soils report, in conformance with County Council Bill CB-94-2004, during the building permit review process.

The Planning Board approved Detail Site Plan DSP-17019, and included environmental-related conditions in this approval.

- h. **Prince George's County Fire/EMS Department**—At the time of this writing, comments regarding the subject project were not received from the Fire/EMS Department.
- i. **Prince George's County Department of Inspections, Permitting and Enforcement (DPIE)**—At the time of this writing, comments regarding the subject project were not received from DPIE.
- j. **Prince George's County Police Department**—At the time of this writing, comments regarding the subject project were not received from the Police Department.
- k. **Prince George's County Health Department**—In a memorandum dated September 5, 2017, the Health Department stated that they had completed a health impact assessment review of the DSP submission for 3700 Donnell Drive, and had the following comments/recommendations.

1. **The demolition of the existing structure must be preceded by a raze inspection performed by the designated Environmental Health Specialist at the Department of Permits, Inspections and Enforcement (DPIE) to assure the proper remediation of any asbestos containing materials on-site.**
2. **During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.**
3. **During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.**
4. **Miscellaneous solid waste materials (construction debris, shopping carts) must be collected and properly disposed to the municipal waste landfill.**

The Planning Board has included the proposed conditions in this approval that would require the applicant, prior to certificate approval, to include site plan notes to state the intent to meet the above requirements during the construction/demolition activities connected with the subject project.

- l. **Washington Suburban Sanitary Commission (WSSC)**—At the time of this approval, comments regarding the subject project had not been received from WSSC.
 - m. **Verizon**— At the time of this approval, comments regarding the subject project had not been received from Verizon.
 - n. **Potomac Electric Power Company (PEPCO)**— At the time of this approval, comments regarding the subject project had not been received from PEPCO.
14. Based on the foregoing, and as required by Section 27-285(b)(1), the DSP, if revised in accordance with the proposed conditions below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
 15. As there are no environmental features located on the subject property, the normally required finding pursuant to Section 27-285(b)(4) of the Zoning Ordinance, that the regulated environmental features on a site have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(5) of the Subdivision Regulations, does not need to be made for the subject project at this time.

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 TCP2-060-05 and APPROVED Alternative Compliance AC-17014, and further APPROVED Detailed Site Plan DSP-17019 for the above described land, subject to the following conditions:

1. Prior to certification of the detailed site plan (DSP), the applicant shall submit the following information, or revise the plans as follows:
 - a. Provide clarification if the 22-foot drive aisle width is being met near the location of the loading area, as shown on the site.
 - b. Show the height of the proposed building, canopy, and signage on the architectural elevations.
 - c. Provide a circulation plan or add the information on the site plans.
 - d. Clearly reflect the property line between Parcel A and Parcel 240.
 - e. Revise the General Notes to provide the existing parcel information, acreage of each parcel, and the total gross floor area proposed on each parcel.
 - f. Provide the sign setbacks for the pylon sign.
 - g. Clearly identify the dumpster location on the site plan and landscape plan.
 - h. Provide the method of erecting the building sign.
 - i. Correct the Section 27-613(b) note in the Notes section of the Building and Canopy Sign table.
 - j. Correct the evergreen tree height to six to eight feet, not five to six feet, in the landscape schedule and show it on the landscape plans.
 - k. Provide a detail for the table and chairs proposed with the outdoor dining area.
 - l. Revise the Tree Canopy Coverage schedule to show the correct site acreage.
 - m. Provide additional landscaping adjacent to the loading area in the southern part of the site serving the storage facility on Parcel A.

- n. Add the following site plan notes:

“During the demolition and construction phases, this project will conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”

“During the demolition and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR).”

- o. Revise the Type 2 tree conservation plan (TCP2) as follows:

- (1) Revise the approval block to show TCP2-060-05.
- (2) Revise the approval block to show the “00” version that was approved by B. Metzger and dated 5/24/05.
- (3) Add the planting schedule for the reforestation and planting details to Sheet 2.
- (4) Add DSP-17019 to the standard TCP2 notes.
- (5) Add owner notification blocks on all TCP2 sheets.
- (6) Have the revised plan signed and dated by the qualified professional who prepared the plan.
- (7) The following note shall be added to the standard TCP2 notes on the plan:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber _____ Folio _____. Revisions to this TCP2 may require a revision to the recorded easement.”

2. Prior to approval of a final plat, the applicant shall place notes on the final plat, as follows:

“This development is subject to restrictions shown on the approved Type 2 Tree Conservation Plan (TCP2-060-05), or as modified by a future Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

"Prior to signature approval of a TCP2 for this property, pursuant to Section 25-122(d)(1)(B), all woodland preserved, planted, or regenerated on-site shall be placed in a woodland conservation easement and be recorded."

3. Prior to issuance of the first grading permit, the applicant shall submit copies of the recorded easement documents, with the approved liber and folio, to the Environmental Planning Section. The liber and folio of the recorded woodland conservation easement shall be added to the Type 2 tree conservation plan.

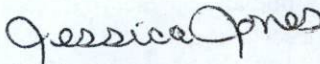
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Hewlett voting in favor of the motion at its regular meeting held on Thursday, October 26, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of November 2017.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:rpg

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPG Legal Department

Date 11/8/17