THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
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Upper Marlboro, Maryland 20772
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PGCPB No. 2021-24 File No. DSP-20008

R E S O L U T I O N

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 February 11, 2021, regarding Detailed Site Plan DSP-20008 for Hope Village - Phase I Royal Farms #282, the Planning Board finds:

1. Request: The subject detailed site plan (DSP) requests approval for the development of a 4,650-square-foot food and beverage store and a gas station with eight multi-product dispensers.

2. Development Data Summary:

	EXISTING	APPROVED
Zone	M-X-T/M-I-O	M-X-T/-M-I-O
Use(s)	Agriculture	Food or beverage store, eating or drinking establishment, and gas station
Parcels	1	2
Gross Acreage	3.27	3.27
Total Gross Floor Area	0	4,650 sq. ft.

Floor Area Ratio (FAR) in the M-X-T Zone

Base FAR Permitted	0.40
Total FAR Permitted*	1.40 FAR*
Total FAR Proposed**	0.003

Notes: *Additional density is allowed, in accordance with Section 27-545(b)(4), Optional method of development, of the Prince George's County Zoning Ordinance, for providing 20 or more dwelling units within Conceptual Site Plan CSP-18007.

**Pursuant to Section 27-548(e) of the Zoning Ordinance, the proposed FAR shall be calculated based on the entire property (37.17 net acres), as approved with CSP-18007. The total FAR proposed was not provided on the DSP, and a condition to include the total FAR on the DSP is included herein.

Parking Spaces

	Provided*
Food or Beverage Store – 4,650 sq. ft.	69 (including 3 handicapped-accessible)
Eating or Drinking Establishment (not including drive-through service) 29 seats	
Gas Station (self-service) – 8 employees	
Bicycle Spaces	6
Loading Spaces	1

Note: *Per Sections 27-574 and 27-583 of the Zoning Ordinance, there is no specific required number of parking or loading spaces in the Mixed Used-Transportation Oriented (M-X-T) Zone. The applicant has included an analysis that is approved by the Prince George's County Planning Board. See Finding 7f for a discussion of the parking analysis.

3. **Location:** The site is in Planning Area 82A and Council District 9. More specifically, it is located in the southeast quadrant of the intersection of Woodyard Road (MD 223) and Marlboro Pike.

4. **Surrounding Uses:** To the north beyond Marlboro Pike is vacant property in the Local Activity Center Zone. To the west of the property, beyond MD 223, is Windsor Park in the Rural Residential (R-R) Zone, and the Norbourne townhouse development in the Townhouse Zone. A single parcel in the M-X-T Zone, the remainder of the Hope Village development, abuts the site to the south and east.

5. **Previous Approvals:** The 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (Subregion 6 Master Plan and SMA) (Prince George's County Council Resolution CR-83-2013, Revision 3) rezoned the subject property from the R-R Zone to the M-X-T Zone.

On February 6, 2020, the Planning Board approved CSP-18007 (PGCPB Resolution No. 2020-19) for the mixed-use development of a 37.59-acre property, inclusive of the area of this DSP, subject to four conditions.

On January 21, 2021, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-20003. The PPS proposes to create the two parcels proposed for development by this DSP, as well as a separate outparcel for future development.

The site has an approved Stormwater Management (SWM) Concept Plan, 21659-2019-00.

6. **Design Features:** The subject site is roughly square in shape and includes two proposed parcels totaling approximately 3.27 acres. Parcel 1 includes approximately 2.3 acres for the development

of a food and beverage store, with an eating or drinking establishment component, and a gas station. Parcel A is approximately one acre and wraps the eastern and southern side of Parcel 1 for the development of a private roadway. The existing site consists of undeveloped agricultural land at the southeast corner of MD 223 and Marlboro Pike.

This DSP proposes to develop a 4,650-square-foot Royal Farms brand food and beverage store and a gas station with eight multi-product dispensers on Parcel 1. The proposed single-story, rectangular-shaped building is in the east-central portion of the site, with the gas station canopy located on its west-central side. The length of the building and gas station canopy are oriented toward MD 223. A trash enclosure is located in the southeast corner of the site. The DSP provides for 25-foot setbacks in all yards, and shows all structures located over 25 feet from all lot lines. The Planning Board finds the locations provided for the building, gas station canopy, and site features are acceptable. An outdoor eating area is shown on the west side of the building. Parking spaces are provided on the north, west, and south sides of the site, and two loading spaces are provided to the east of the building. A condition is included for minor technical corrections to be made to the parking schedule.

Two access points to the site are provided, one in the northeast corner of the site to Marlboro Pike, and one at the southwest corner of the site with a right-in/right-out connection to the northbound lanes of MD 223. Within Parcel A, at each site entry location, portions of the private roadway are provided to connect the subject site and abutting roadways. The location of these access points is acceptable, however, the entirety of the private road within Parcel A must be provided with the development of Royal Farms on Parcel 1. This is determined necessary to ensure safe, efficient, and convenient circulation, as further discussed in Finding 9. Pedestrian and bicycle access to the building is provided by five-foot-wide sidewalks along the private roadway to the building and an eight-foot-wide shared-use path to be provided along MD 223. The Planning Board determined eight-foot-wide crosswalk connections to the food and beverage store are appropriate and the applicant proffered to widen these two crosswalks accordingly. Sidewalks are not provided along the site's frontage with Marlboro Pike, consistent with the CSP and PPS. Three bicycle racks are located at the southwest corner of the building. The Planning Board finds the facilities for pedestrian and bicycle use provided to be acceptable, with minor adjustments as conditioned herein. The photometric plan provided with the DSP shows adequate on-site lighting. Additionally, the applicant proffered to provide infrastructure with this DSP to support the installation of electric vehicle charging stations in the future. As such, a condition has been included herein for electric vehicle charging station infrastructure to be shown on the DSP.

Architecture

The proposed 4,650-square-foot food and beverage store is a single-story rectangular-shaped structure with a height of approximately 22 feet. The western façade of the building includes its main entrance. An eight-foot-wide entry vestibule extends from the western façade and is accented with by a gabled roof extending to 32.5 feet that is topped with a five-foot-high decorative cupola. Appropriate fenestration is provided on the western façade and decorative canopies are provided along portions of each façade. Brick, stone veneer, and cementitious siding will clad each side of the building. A beige color pattern, accented with red and white trim,

is provided and is typical of the Royal Farms branded buildings. Minor technical corrections are required to the architectural elevations as conditioned herein.

The proposed gas station canopy is in the west-central portion of the site, with its length parallel to the building's front façade and MD 223. The canopy is approximately 131 feet long and 40 feet wide. A total of eight multi-product dispensers are proposed. Plans show the canopy will include branded signage and façade treatments that are complimentary to the proposed building. A condition is included herein for labeling to be added to the canopy elevations to specify the structure's height, as well as materials and colors for façade treatments.

Signage

A comprehensive signage program is provided that includes freestanding, canopy-mounted, and building-mounted signs for the proposed gas station and food and beverage store. Signage provided is typical for the Royal Farms brand and proposed uses. A number of technical corrections to the signage plan and associated tables are needed to demonstrate conformance with the Zoning Ordinance; and conditions for such are included herein. Within the M-X-T Zone, design standards for signage shall be determined by the Planning Board at the time of DSP review, in accordance with Section 27-613(f)(1) of the Zoning Ordinance, for building-mounted signage and Section 27-614(e) of the Zoning Ordinance, for freestanding signage.

Four building-mounted signs, totaling approximately 92 square feet, are shown proximate to entrances to the Royal Farms building. Signage table calculations do not include all building mounted signage area. Gas station canopy signage is not shown consistently between architectural and site plans, and the signage table does not fully account for all canopy mounted signage area. Plans and signage table calculations for canopy mounted signs should be made consistent and complete. Regarding free standing signage, two identically designed, double-sided pylon signs are shown on the DSP; one at the northeast corner of the site adjacent to the site entrance to Marlboro Pike, and the second centrally located on the site's frontage along MD 223. Two smaller directional signs are also provided adjacent to each driveway into the site. Architectural plans provide a second, different design for the pylon signs that should be removed from the plan set. The Planning Board finds the proposed pylon signs, as shown on the DSP, to be oversized for the site and proposed uses and are larger than would normally be permitted in Euclidian zones. Proposed pylon signs have a height of 27 feet, which is two feet taller than the maximum height generally permitted for similar developments. As such, the pylon signs shall be reduced to a height of no greater than 25 feet. In addition, the total area of signage is not accurately reflected in the signage table, and as designed, pylon signage area is in excess of what is normally permitted for this type of development. The Planning Board finds the area of pylon signage must be designed in conformance with Section 27-614(c)(6) as conditioned herein. ,

COMPLIANCE WITH EVALUATION CRITERIA

7. Prince George's County Zoning Ordinance: The DSP application has been reviewed for compliance with the requirements of the M-X-T Zone, Military Installation Overlay (M-I-O) Zone, and the site design guidelines of the Zoning Ordinance and was found to be in conformance as follows:

a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in all mixed-use zones.

(1) The proposed food and beverage store and gas station uses are permitted in the M-X-T Zone and were shown on CSP-18007.

(2) Section 27-547(d) of the Zoning Ordinance provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:

(d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:

(1) Retail businesses;
(2) Office, research, or industrial uses;
(3) Dwellings, hotel, or motel.

The applicable CSP-18007 proposed two types of uses as required, including 38 one-family attached dwelling units, as well as 14,500 square feet of commercial/retail/gas station uses. These proposed uses satisfy the mixed-use requirement of Section 27-547(d).

b. The DSP is consistent with Section 27-548, Regulations, of the Zoning Ordinance. The following discussion is offered:

(1) The maximum proposed floor area ratio (FAR) for the site is 0.17, as provided on the CSP. This is less than the maximum base density of 0.40 FAR, but below the maximum FAR of 1.40, which is allowed by using the optional method of development. This DSP, as the first within the area of the CSP, proposes an FAR of 0.003.

(2) Developments in the M-X-T Zone are required to have vehicular access to a public street, in accordance with Section 27-548(g) of the Zoning Ordinance, noted below.

(g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

The proposed commercial parcel has frontage on two public streets, but has vehicular access via private streets, as approved on the PPS. The Planning Board finds that these private streets must be built in their entirety at this time to allow for safe and efficient circulation.

c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:

(1) The proposed development is in conformance with the purposes and other provisions of this Division;

The purposes of the M-X-T Zone are provided for in Section 27-542 of the Zoning Ordinance. The subject DSP will be in conformance with the purposes and other provisions of the M-X-T Zone. Specifically, this development is the first phase of a larger project envisioned in the approval of CSP-18007, of which the subject site is part of. The CSP provides for a mixed-use development with residential and non-residential uses near each other. In addition, the project proposed by this DSP will promote the orderly development of land in the vicinity of the intersection of MD 223 and Marlboro Pike.

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan or General Plan;

The Subregion 6 Master Plan and SMA rezoned the subject property from the R-R Zone and the M-X-T Zone. At the time of approval of CSP-18007, the Planning Board found that the development program proposed substantially conformed with the recommendations of the Master Plan, which recommends residential low land use for the middle part of the site, commercial land use to the north and institutional land use to the south. This DSP proposes a Royal Farms

development in the area designated for commercial development by the CSP, and therefore is in conformance with the guidelines intended to implement the Master Plan.

(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;

The DSP is proposed as the first phase of a larger mixed-use development approved by CSP-18007 and will add convenience retail services to the area of the intersection of Marlboro Pike and MD 223. The proposed development has an outward orientation and is intended to serve as a catalyst for adjacent community improvement.

(4) The proposed development is compatible with existing and proposed development in the vicinity;

The approved CSP-18007 anticipated commercial uses and development as provided by this DSP. Adherence to the principles and guidance provided in the CSP will maintain the compatibility for future development. A food and beverage store, including an eating or drinking establishment use, and a gas station, are all permitted uses within the M-X-T Zone.

(5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;

In approving CSP-18007, the Planning Board found the arrangement of buildings, and other improvements and amenities will relate to the surrounding development and produce a cohesive development capable of sustaining an independent environment of continuing quality and stability. The subject DSP proposes the first phase of development of the CSP and will provide services that will help sustain the development in the surrounding area.
However, the incomplete development of the private roadway shown on Parcel A of the DSP inhibits the capability of the project to sustain an independent environment of continuing quality and stability. As further detailed in Finding 13.b, the lack of full development of these streets will yield unacceptable vehicular traffic and circulation problems on and surrounding the site.
A condition has been included for the full development of the private roadway on Parcel A to be shown on the DSP , which shall be approved and have full financial assurances prior to the issuance of a building permit.

(6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;

The DSP provides for the first phase of development associated with CSP-18007. This development is designed as a self-sufficient entity that can be effectively integrated into subsequent phases of development as provided in the CSP.

(7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;

A convenient and comprehensively designed pedestrian system is provided. Sidewalks are provided on both sides of all internal roadways with crosswalks at all access driveways to the site. Additional sidewalks and crosswalks are provided internal to the site to connect to the building. An eight-foot-wide shared use path is provided along the site's frontage of MD 223. No sidewalks are provided along Marlboro Pike, which is consistent with the CSP and PPS.

(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and

The DSP provides sidewalks throughout the site and an outdoor eating area along the western façade of the building. As discussed in Finding 6, special attention has been paid to the design of western façade of the building through the use of materials, colors and well-defined entrance, and adequate lighting is provided for the site. Given the proposed uses of the site, the Planning Board finds that adequate attention has been paid to the scale, design, and amenities associated with pedestrian activities and gathering areas for people.

(9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the

Planning Board from later amending its finding during its review of subdivision plats.

The subject application is a DSP; therefore, this requirement does not apply. However, the Planning Board found conformance with this requirement at the time of approval of CSP-18007 (PGCPB Resolution No. 2020-19).

(10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).

Adequacy findings associated with this DSP were made through the Planning Board's approval of PPS 4-20003.

(11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.

The subject property is 3.27 acres and is not proposed as a mixed-use planned community.

d. This application is located within the M-I-O Zone for height: Conical Surface for the right runway of 20:1. The subject property is located approximately 9,350 feet from the runway. Therefore, structures up to 467.5 in height could be constructed at this location without becoming an obstacle to air navigation. The maximum height of the proposed Royal Farms is 38.5 feet. The subject property is not located within safety or noise M-I-O Zone.

e. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, as cross-referenced in Section 27-283 of the Zoning Ordinance, as conditioned herein. For example, adequate illumination is provided, the parking spaces are located close to the use they serve, and the architecture proposed for the building employs a variety of architectural features.
However, the Planning Board has determined full development of the private roadway on Parcel A is needed to provide safe and efficient circulation for the Royal Farms development proposed on Parcel 1.

f. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b) of the Zoning Ordinance. The applicant has submitted a parking analysis with the following major points:

1. The methodology in Section 27-574 requires that parking be computed for each use, in accordance with Section 27-568 of the Zoning Ordinance. The parking schedule shows that the uses would require 48 parking spaces. Given that the site does not provide a mix of uses at this time, there is no opportunity for shared parking, and consequently, this is the base requirement per Section 27-574.

2. The plan provides 69 parking spaces to serve the proposed gas station and food and beverage store.

3. Given that the provided parking exceeds the required parking, the applicant concludes that the site has adequate parking.

In consideration of the information provided in the applicant's parking study, the Planning Board finds that the site plan provides adequate parking for the proposed uses in accordance with Section 27-574.

8. Conceptual Site Plan CSP-18007: The Planning Board approved CSP-18007 on February 22, 2020 (PGCPB Resolution No. 2020-19), subject to four conditions that are relevant to the review of this DSP as follows:

3. Prior to issuance of any building permits within the subject property, unless modified at the time of preliminary plan of subdivision, pursuant to Section 27-546(d)(9) of the Prince George's County Zoning Ordinance:

a. The following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians):

MD 4 (Pennsylvania Avenue) at Dower House Road:

(1) Provide two additional through lanes along both eastbound and westbound MD 4 to the east and west of Dower House Road.

(2) On the northbound approach, provide four approach lanes with two left-tum lanes, one through lane, and a right-turn lane.

If the above-listed improvements are to be provided pursuant to the "MD 4 Pennsylvania Avenue" project in the current Prince George's County Capital Improvement Program, the applicant shall, in cooperation with the Prince George's County Department of Permitting, Inspections and Enforcement and/or the Prince George's County Department of Public Works and Transportation, demonstrate the construction and/or financial participation. This information shall be supplied to the Transportation Planning Section at the time of preliminary plan of subdivision.

This condition was modified by PPS 4-20003, pursuant to Section 27-546(d)(9) of the Zoning Ordinance, to be implemented as a phased condition to be enforced when Outparcel 1 of the subject PPS is subdivided at a later time.

b. The following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians): MD 223 (Woodyard Road) at Dower House Road: (1) On the eastbound Dower House Road approach, provide a dedicated right-turn lane. MD 223 at Marlboro Pike: (1) Modify the traffic signal to provide east/west split-phased operations.

The MD 223 and Dower House Road intersection is programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation "Consolidated Transportation Program." The project is for the widening of eastbound Dower House Road to include a dedicated right-turn lane and is included in the list of minor Maryland State Highway Administration (SHA) projects. At this time, the first portion of the condition is deemed to be satisfied. With regard to the second portion of the condition, regarding MD 223 and Marlboro Pike, it was modified by PPS 4-20003, pursuant to Section 27-546(d)(9). The condition may be needed in the future, but it was not implemented at this time because the intersection was shown during the PPS review to operate acceptably under total traffic with improvements that are bonded and being constructed by Norbourne Property.

4. Prior to approval of the initial detailed site plan proposing development within the site, unless modified at the time of preliminary plan of subdivision, pursuant to Section 27-546(d)(9) of the Prince George's County Zoning Ordinance:
The applicant shall submit an acceptable traffic signal warrant study to the Maryland State Highway Administration (SHA) for signalization at the intersection of MD 223 (Woodyard Road) at the MD 4 (Pennsylvania Avenue) southbound ramps. The applicant should utilize a new 12-hour count and should analyze signal

warrants under total future traffic, as well as existing traffic, at the direction of SHA. If signalization or other traffic control improvements are deemed warranted at that time, the applicant shall bond the improvements with SHA prior to release of any building permits within the site and complete installation at a time when directed by SHA.

Evidence was provided in the Planning Board's review of PPS 4-20003 that signalization is bonded and scheduled for implementation at this location by the developer of Westphalia Town Center as a part of $16 million in improvements to the MD 4 and MD 223 interchange. As such, and in accordance with the "Transportation Review Guidelines, Part 1" (Guidelines), privately bonded improvements have the same status as improvements in an agency's capital program when all three criteria cited in the Guidelines are met. During review of the PPS, it was determined that:

A. The bonding is sufficient to cover 100 percent of the construction cost of the improvements assumed in the traffic analysis, including the signalization.

B. The construction permit was approved by SHA.

C. A construction schedule was included in the permit package.

Therefore, it has been determined that the CSP condition is met, and it was further determined that this condition would not be carried over to the PPS.

9. Preliminary Plan of Subdivision 4-20003: The Planning Board approved PPS 4-20003 on January 21, 2021 (PGCPB Resolution No. 2021-11) subject to conditions which are relevant to the review of this DSP as follows:

5. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assigns shall provide, and depict in the detailed site plan prior to its certification, the following facilities:

a. Bikeway signage and shared lane markings (e.g., "sharrow") along the subject site's frontage of Marlboro Pike, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.

b. A minimum eight-foot-wide shared-use path along the subject site frontage of MD 223, unless modified by the Maryland State Highway Administration, with written correspondence.

c. Standard sidewalks along both sides of all internal roads, public or private, excluding alleys, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.

d. A separated and marked pedestrian connection connecting the entrance of the future development on the subject site with sidewalks of all frontage roads, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.

e. A minimum of two bicycle parking racks near the entrance of the future development on the subject site.

The DSP provides facilities that meet the requirements of 5.b, 5.c, 5.d, and 5.e. A condition has been included herein for signage and shared lane markings to be provided in accordance with the requirement 5.a.

6. Total development within the subject property shall be limited to uses that would generate no more than 96 AM and 82 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.

Development shown on the DSP is generally consistent with the trip generation summary and trip caps established with the PPS, as outlined in the table below:

Trip Generation Summary: DSP-20008: Hope Village Royal Farms								
Land Use	**Use Quantity**	**Metric**	**AM Peak Hour**			**PM Peak Hour**		
			In	**Out**	**Tot**	**In**	**Out**	**Tot**
Food and Beverage Store/Gas Station	4,650	Square feet	201	201	402	171	172	343
	16	Fueling positions						
Less Pass-By (76 percent AM and PM)			-153	-153	-306	-130	-131	-261
Net Gas/Food and Beverage Store Trips			**48**	**48**	**96**	**41**	**41**	**82**
Proposed Development: DSP-20008			**48**	**48**	**96**	**41**	**41**	**82**
Trip Cap – 4-20003					**96**			**82**

9. The roadways within the private rights-of-way shown on this preliminary plan of subdivision shall be constructed at the time of building permit, unless otherwise modified at the time of DSP.

Regarding access and circulation, the DSP shows Parcel A as a private right-of-way, but the private streets are shown as built only to the driveways into the Royal Farms site (i.e., not completed in their entirety). The streets within the private rights-of-way are believed to be essential in serving this use that generates more than 400 entering and exiting trips during its heaviest peak hour.

The public street access points into the site include a full-movement access onto Marlboro Pike and a right-in right-out access onto MD 223, and while this might be a workable arrangement where feasible options do not exist, this access is improved by having the private street around the site completed. A large food and beverage store combined with a 16-fueling position gas station generates significant traffic.

Cars on the north and east sides of the site attempting to leave to go north on MD 223 would either have to make a left turn onto Marlboro Pike or funnel into the busiest area of the site between the store and the gas pumps to use the right-out onto MD 223. Completion of the private street would reduce traffic within the site. Likewise, cars on the south and west sides of the site would have to traverse areas with heavy pedestrian traffic in order to exit onto Marlboro Pike. Completion of the private street would reduce this component of traffic within the site.

The Planning Board has determined that this incomplete circulation plan results in conditions that are not safe, efficient, or convenient for pedestrians and drivers. As such, the Board finds that the full development of the private street to the east and south of the Royal Farms is necessary to ensure safe, efficient, and convenient conditions for vehicles and pedestrians utilizing the site.

10. 2010 Prince George's County Landscape Manual: Development proposed by this DSP is subject to Section 4.2, Requirements for Landscape Strips Along Streets (Marlboro Pike); Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Special Roadways (MD 223), Section 4.9, Sustainable Landscaping Requirements, and Section 4.10, Street Trees Along Private Streets. The Planning Board finds that conformance with the applicable requirements of the Landscape Manual has been demonstrated. However, as the Planning Board finds full completion of the private streets in Parcel A necessary, the landscape plan and schedule for Section 4.10 shall be updated accordingly. Additionally, in response to citizen concerns, the Planning Board encourages the applicant to explore the potential for additional site beautification and screening from the adjacent public roadways.

11. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance: This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because it has previously approved tree conservation plans. A Type 2 Tree Conservation Plan, TCP2-043-2020, was submitted with the DSP.

Based on the TCP2 submitted with this application, the overall site is 35.59 acres in size with 0.39 acre of 100- year floodplain area and 0.03 acre of previously dedicated area for a net tract area of 35.17 acres. The phased woodland conservation worksheet shows that the 2.30-acre application area contains 0.12-acre net tract woodlands, no wooded floodplain, and all 0.12 acre of woodlands will be removed as part of the development for this phase. The woodland conservation requirement for this phase of the development is 0.47 acre. Currently, the worksheet shows that the site will only reforest 0.12 acre on-site and 0.33 acre of specimen tree credit.

The proposed specimen tree credit must be removed because credit for saving specimen trees can only be granted when the trees are located outside of preservation areas. The remaining 0.35 acre of the woodland conservation requirement needs to be met with off-site woodland bank credits. None of the 24 on-site specimen trees are proposed to be removed as part of this phase of development.

In accordance with Subtitle 25, Division 2, Section 25-122, Methods for Meeting the Woodland and Wildlife Conservation Requirements, if off-site woodland conservation is approved to meet the requirements, then the following locations shall be considered in the order listed: within the same eight-digit subwatershed, within the same watershed, within the same river basin, within the same growth policy tier, or within Prince George's County. Applicants shall demonstrate to the Planning Director or designee due diligence in seeking out opportunities for off-site woodland conservation locations following these priorities. All woodland conservation is required to be met within Prince George's County.

Currently, the TCP2 shows all proposed improvements on-site and off-site. At this time, minor changes are required of the TCP2 as conditioned herein.

12. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-128, Tree Canopy Coverage Requirements, requires properties in the M-X-T Zone to provide a minimum tree canopy coverage (TCC) of 10 percent. The 3.27-acre subject site is required to provide 0.33 acre (14,375 square feet) in TCC. The TCC schedule provided is inaccurate as calculations were not based on the gross tract area as required by Section 25-128(b). A condition has been included herein for the TCC schedule to be revised.

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. **Community Planning**—The Planning Board adopts, herein by reference, a memorandum dated December 21, 2020 (Irminger to Hurlbutt), which notes that pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.

b. **Transportation Planning**—The Planning Board adopts, herein by reference, a memorandum dated January 22, 2021 (Masog to Bossi), which notes the subject site is on parcels to be created, pursuant to PPS 4-20003. Findings regarding transportation adequacy were made in connection with PPS 4-20003, so further traffic-related analyses are not required. The development shown on this DSP is generally consistent with the PPS from the standpoint of access and circulation. Discussion was provided relative to previous conditions of approval and circulation issues which are incorporated into findings above.

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP as described in the Zoning Ordinance, if revised as conditioned.

c. **Pedestrian/Bicycle Facilities—**The Planning Board adopts, herein by reference, a memorandum dated January 11, 2021 (Smith to Hurlbutt), which notes sidewalks are provided along internal roadways connecting the proposed buildings to sidewalks with access to Marlboro Pike and MD 223. An eight-foot-wide shared use path is provided along MD 223 and no sidewalks are provided along Marlboro Pike, consistent with the CSP and PPS. Per the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), a waiver was granted to build an acceleration/deceleration lane without a sidewalk along the frontage of Marlboro Pike due to right-of-way constraints. Pedestrian and bicycle infrastructure provided is acceptable. Minor technical revisions to the DSP are required, as is the inclusion of bikeway signage and shared lane markings along site's frontage of Marlboro Pike.

d. **Permits**—The Planning Board adopts, herein by reference, a memorandum dated January 11, 2021 (Jacobs to Bossi), which identifies minor technical corrections to be made to the DSP, which are conditioned herein, as appropriate.

e. **Environmental Planning**—The Planning Board adopts, herein by reference, a memorandum dated January 11, 2021 (Schneider to Hurlbutt), which notes that the overall 37+ acre Hope Village Center development, which includes the subject 3.27-acre site, has a Natural Resource Inventory, NRI-164-2006, which was approved on April 30, 2019. The overall site contains 24 on-site specimen trees with the ratings of excellent (specimen tree 23 and 24), good (specimen trees 4, 8, 9, 15, 16, and 21), fair (specimen trees 2, 5, 6, 10, 14, 18, 19, 20, 25, 26, and 27), and poor (specimen trees 1, 3, 11, 17, and 22). Phase 1 of the Hope Village Center subdivision does not contain any specimen trees nor does the DSP's limit of disturbance.

A SWM Concept Approval Letter (21659-2019-00) and associated plan for the commercial phase of development at Hope Village Center were approved by DPIE on November 21, 2019. The approval was issued on November 21, 2019 with this project from DPIE. The plan proposes to construct eight micro-bioretention ponds. No SWM fee for on-site attenuation/quality control measures are required.

f. **Subdivision**—The Planning Board adopts, herein by reference, a memorandum dated January 11, 2021 (Heath to Bossi), which notes that the property, which is the subject of this DSP, is shown as proposed Parcel 1 and Parcel A on the underlying PPS 4-20003. The PPS is for the subdivision of the existing Parcel 6 (37.59 acres) into two parcels and one outparcel for the development of a 4,650-square-foot food and beverage store with a gas station. Minor technical corrections to the DSP are conditioned herein.

g. **Historic Preservation**—The Planning Board adopts, herein by reference, a memorandum dated December 2, 2020 (Smith and Stabler to Hurlbutt), which notes the

subject property does not contain, and is not adjacent to, any designated historic sites or resources. This proposal will not impact any historic sites, historic resources or known archeological sites.

h. **Prince George's County Fire Department**—The Fire Department did not offer comments on the subject application.

i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopts, herein by reference, a memorandum dated January 19, 2021 (Giles to Hurlbutt), in which DPIE provided comments relative to roadway and right-of-way improvements required for the proposed development, including a requirement for the full development of private roadways within Parcel A. DPIE further noted the DSP is not consistent with the approved SWM Concept Plan 21659-2019-00, and that a soil investigation report is required.

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

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

l. **Maryland State Highway Association (SHA)**—SHA did not offer comments on the subject application.

m. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comments on the subject application.

14. Based on the foregoing and 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. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a DSP:

(4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).

No impacts to regulated environmental features or primary management areas are proposed by this DSP, satisfying this requirement.

16. Written and oral testimony submitted at the hearing included comments and concerns from citizens signed up to speak in opposition to the application. Although not relevant to the approval

of this DSP application, concerns regarding the food and beverage store and gas station uses, traffic, crime, safety, air pollution, food odors, and aesthetics were raised with the Board and applicant. The general layout of uses for the Hope Village site was considered and approved by the Planning Board in CSP-18007, and relevant traffic concerns were addressed as part of the Board's approval of PPS 4-20003. The Planning Board encouraged the applicant and concerned citizens to continue the dialog regarding the project.

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 TCP2-043-2020, and further APPROVED Detailed Site Plan DSP-20008 for the above described land, subject to the following conditions:

1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:

    a. Show dimensions for all sides of the proposed building, including the entry vestibule.

    b. Show the setbacks from the roadways for the two freestanding pylon signs.

    c. Revise labeling on the building and gas station canopy elevations to identify the sides shown as north, south, east, or west.

    d. Add labeling to the gas canopy elevations to specify the structure's height, as well as materials and colors for façade treatments.

    e. Show gas station canopy signage consistently between architectural and site plans and adjust signage area tables correspondingly.

    f. Correct the signage area calculations for building mounted signage to include all of the area of all building mounted signs.

    g. Reduce the height of pylon signs to a maximum of 25 feet and reduce the sign area to be consistent with Section 27-614(c)(6) of the Prince George's County Zoning Ordinance area standards for freestanding gas station price signs.

    h. Show the full development of the private roadways on Parcel A and update the landscape plan to show conformance with Section 4.10 of the 2010 *Prince George's County Landscape Manual* for the additional private roadway area.

    i. Correct General Note 5 to indicate that zero lots are proposed.

    j. Correct General Note 6 to indicate that two parcels are proposed.

k. Label the acreage of proposed public right-of-way dedication and right-of-way width along Woodyard Road.

l. Provide bikeway signage and shared lane markings (e.g., "sharrow") along the subject site's frontage of Marlboro Pike, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.

m. Revise the crosswalk shown on the drive aisle from Street A to the building to be eight-feet wide and labeled as a "painted crosswalk."

n. Revise the crosswalk shown on the drive aisle from Street B to the building to be eight-feet wide and labeled as a "painted crosswalk."

o. Correct the Tree Canopy Coverage schedule to utilize gross tact area in calculations.

p. Correct the parking schedule to show 10 spaces are required for the eating or drinking establishment use.

q. Note the total floor area ratio proposed relative to the overall conceptual site plan area on the cover sheet of the DSP.

r. Show infrastructure for electric vehicle charging stations, which shall be installed with site development to facilitate the future installation of charging stations.

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

a. On Sheet 1 of 3:

(1) Label the top left table as "Overall Site Data Table – Phase 1".

(2) Revise the number for "Woodland Clearing in NTA" to 0.12 acre.

(3) Revise the number with "Woodland Reforestation and Afforestation" to 0.12 acre.

b. On Sheet 2 of 3, label the lower left table as "Phase 1 Statistics Table".

c. On Sheet 3 of 3:

(1) Remove the "NRI Site Statistics Table" from the plan.

(2) Revise the woodland conservation worksheet to show 0.12 acre of reforestation not 0.29 acre.

(3) Revise the woodland conservation worksheet to remove the specimen tree credit of 0.33 acre from the woodland conservation worksheet.

(4) The site is required to meet to meet its own requirement. Demonstrate how the remaining woodland conservation requirement will be met.

(5) Revise the revision blocks with the new updated information and update the qualified professional certification block with a signature and date.

d. Place the following note under the TCP2 certification block relative to the proposed on-site reforestation and any on-site preservation used to meet woodland conservation requirement:

"Woodlands preserved, planted, or regenerated in fulfillment of on-site woodland conservation requirements 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."

e. Place the following note on the plan, if off-site woodland credits are used to meet woodland conservation requirements:

"Prior to the approval of the first permit for the development shown on this TCP2, all off site woodland conservation required by this plan shall be identified on an approved TCP2 plan and recorded as an off-site easement in the land records of Prince George's County. Proof of recordation of the off-site conservation shall be provided to the M-NCPPC, Planning Department prior to approval of any permit for the associated plan."

3. Prior to approval of a building permit, the construction of roadways within Parcel A shall have full financial assurances and have an agreed-upon timetable for construction with the appropriate operating agency that shall require completion of construction of roadways within Parcel A, including all landscaping, lights and other improvements, no later than 18 months following the issuance of the building permit and in any event no later than 90 days following the issuance of a certificate of occupancy for the building on Parcel 1.

Consideration: With respect to the landscape plan, the applicant shall consider providing supplemental plantings to further enhance screening and beautification of the site from the public roadways.

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, Doerner and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, February 11, 2021, in Upper Marlboro, Maryland.

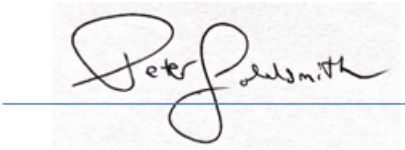
Adopted by the Prince George's County Planning Board this 4th day of March 2021.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: February 25, 2021