

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 September 17, 2020, regarding Detailed Site Plan DSP-20021 for Potomac Energy Holdings, LLC (Shell), the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) for a 3,170-square foot food and beverage store, a gas station with 6 multi-product dispensers, and a 1,355-square-foot car wash.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	I-1	I-1
Use(s)	Gas Station (8 fueling positions) with 3 Service Bays	Gas Station (12 fueling positions) Food or Beverage Store and Car Wash
Acreage	0.90	0.90
Parcel	1	1
Total Gross Floor Area (square foot)	2,188 (to be removed)	4,525

Parking and Loading

	REQUIRED	PROVIDED
Food and beverage store	21	18
Car wash	3	2
Total	24	20*
Van-Accessible Handicapped Spaces	1	2
Loading space	1	1

Note: *Departure from Parking and Loading Spaces, DPLS-415, was previously approved, and remains valid, for a reduction of four spaces for this site for the exact same uses as proposed in this DSP.

3. **Location:** The site is located on the north side of MD 193 (Greenbelt Road), in the northeast quadrant of its intersection with Aerospace Road, in Planning Area 70 and Council District 4, with a street address at 10000 Greenbelt Road, Lanham, MD 20706.
4. **Surrounding Uses:** The subject property is bounded to the north by a car wash, beyond is a large office building/warehouse, both in the Light Industrial (I-1) Zone; to the east by a consolidated storage, a church, and a bank all in the I-1 Zone; to the west by the public right-of-way (ROW) of Aerospace Road, with a strip-commercial center (Aerospace Plaza) in the I-1 Zone; and to the south by the public ROW of Greenbelt Road, with a large multifamily apartment complex (Woodland Landing) beyond, in the Multifamily Medium Density Residential Zone.
5. **Previous Approvals:** The subject property was rezoned to the I-1 Zone, pursuant to Zoning Map Amendment A-7677 on August 28, 1970. The existing gas station was built several years later as a permitted use in the I-1 Zone. In 1998, the Prince George's County District Council, pursuant to County Council Bill CB-40-1998, amended the Zoning Ordinance to require a special exception (SE) for a gas station in the I-1 Zone. The existing gas station has remained in its current configuration since the time it was first built.

In 2015, the District Council approved SE-4757 for a gas station, car wash, and food and beverage store on the subject property, along with a Departure from Parking and Loading Spaces, DPLS-415, from Section 27-582(a) of the Zoning Ordinance for four of the required 24 off-street parking spaces and a Departure from Sign Design Standards, DSDS-688, from Section 27-614(a)(4) of the Zoning Ordinance, which requires freestanding signs in all commercial and industrial zones (except the Planned Industrial/Employment Park Zone) to be located at least 10 feet behind the street line. The existing sign, which the applicant wishes to retain, is located 5 feet from the ROW. The development approved in SE-4757 was never constructed. In 2017, the County Council adopted CB-82-2017, which amended the Zoning Ordinance to require approval of a DSP for a gas station and food and beverage store in the I-1 Zone that necessitates the filing of this new application.

The site also has a valid Stormwater Management Concept Plan, 447-2015-00, which is valid through July 6, 2021.

6. **Design Features:** The 0.90-acre parcel is zoned I-1 and is improved with an existing gas station, with three service bays, and a small convenience store. Additional structures on the site include 2 concrete pump islands, 4 gasoline pump dispensers, 1 canopy, 3 underground storage tanks, 1 freestanding sign, and 21 surface parking spaces. The application proposes to raze the existing buildings and structures to redevelop the site for a gas station, a food and beverage store, and a car wash.

The proposed development will keep the right-in and right-out access points from Greenbelt Road and consolidate the two existing accesses from Aerospace Road into a single full access.

The proposed Dash-In food and beverage store and the car wash facility will be located to the rear, northern side of the site and oriented toward Greenbelt Road. The proposed gas canopy is located along the Greenbelt Road frontage again. On-site parking is located mainly along the

site's eastern boundary area, adjacent to the right-in access from Greenbelt Road. Additional parking spaces are also located in front of the food and beverage store. The gas station canopy features Shell's franchise yellow fascia with illuminated red bar and panel with yellow logo.

Architecture: The building design of both the food and beverage store and car wash is a contemporary style that features a flat roof, three-part elevation composition, and rectangular footprint. The car wash building is finished with brick in combination with fiber cementitious panels on four sides. The main (west) elevation fronting on Aerospace Road is designed with a precast stone veneer base, windows in the middle, with fascia band above and thin brick soldier course with black metal coping system on top. The other three elevations of the car wash are designed in a similar way, except the windows are replaced with fiber cement insert panels on the east elevation, facing the food and beverage store. On the north and south elevations, vinyl rolling doors and fiber cement insert panels are the main focus.

The food and beverage store is designed in a coordinated way with the car wash building, but on a larger scale with more articulation, including a tower element. The south and west elevations, which are fronting Greenbelt Road and Aerospace Road respectively, feature an all brick tower element with Dash-In logo and sign on a fiber cement panel inset in the brick wall that provides a prominent visual impact. A large, aluminum, commercial window system is used on the south elevation, while fiber cement panels with an awning is used on the west elevation. Once again, a precast stone veneer base is seen on all four elevations. The east elevation mirrors the west elevation in terms of design and materials, without the tower element. The north elevation has no windows and is finished with 100 percent brick. All top sections of the elevations are composed of a soldier brick course with metal coping system.

A trash receptacle with enclosure is also proposed with this DSP. The enclosure is designed with the same finish materials including cast stone veneer base and brick wall.

Signage and Lighting: One building-mounted identification sign is proposed for the car wash on the west elevation fronting Aerospace Road with the logo and text of "Splash In Eco Car Wash." Two building-mounted identification signs are proposed for the food and beverage store on both the south and west elevations with the logo and text of "Dash In." The sign face area calculation table has been provided on the site plan and the building-mounted signs are acceptable.

This site also includes an existing freestanding sign, which is to be refaced with this application, and is the subject of the previously approved DSDS-688 for a reduction in the required 10-foot setback from the street line.

A lighting plan with photometric readings has been provided with this DSP. The site will use full cut-off lighting fixtures and will not result in lighting spill-over to any residential properties.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the I-1 Zone and the site plan design guidelines of the Zoning Ordinance.

- a. This DSP includes three uses: a gas station with six multi-product dispensers, a 3,170-square-foot food and beverage store, and a 1,355-square-foot car wash. A car wash is a permitted use in the I-1 Zone. Both a gas station and food and beverage store are also permitted uses, but are subject to DSP review, in accordance with Footnote 65, which requires that the development standards, regulations, and requirements shall be established and shown on the site plan.
- b. The subject application is in conformance with the requirements of Section 27-469(b) Landscaping, screening and buffering, of the Zoning Ordinance in the I-1 Zone. The site plan notes 21 percent (approximately 0.194 acre) of the net lot area maintained as green area, which exceeds the 10 percent requirement. The landscape strips adjacent to the public ROWs, as required by the 2010 *Prince George's County Landscape Manual* (Landscape Manual), are not counted as part of the required green area.
- c. **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 (referenced in Section 27-274), regarding parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, and architecture. Specifically, this DSP demonstrates the conformance with the site design guidelines, as follows:

This DSP fulfills the purposes of the I-1 Zone in which the subject land is located. A gas station and food and beverage store are permitted in the I-1 Zone, subject to the approval of a DSP. The plan shows the location and delineation of the building, its parking, on-site circulation, green areas, and other similar physical features and improvements proposed for the site.

The plan also shows that the proposed parking spaces are perpendicular to the sidewalk located around the food and beverage store. However, there are not sidewalks connecting the food and beverage store to the sidewalks within the ROWs to provide safe, separate, on-site circulation of vehicles and pedestrians. Therefore, conditions have been included herein requiring these sidewalks, and any necessary crosswalks be provided.

Adequate lighting will be provided to illuminate entrances and parking areas throughout the site. Lighting details are shown on the photometric plan. All lighting fixtures are full cut-off optics.

The DSP is designed to preserve, create, or emphasize views from the public roads that surround the property. There will be landscape strips located along the Greenbelt Road and Aerospace Drive frontages.

The site will comply with the green space requirements and the tree canopy coverage requirements.

The site is currently developed with a gas station that will be demolished and the applicant is proposing a minimal amount of additional grading as part of this redevelopment proposal.

- d. **Parking and loading:** Since the DSP has two uses, the applicant proposes to use Section 27-572, Joint use of parking lot, to reduce the parking for this site by 20 percent. However, under Section 27-572 (a)(1), the normal requirement for each use cannot be more than 20 spaces. The proposed food and beverage use requires 21 spaces that disqualifies the application of the 20 percent parking reduction for this site, as stated in Section 27-572. However, the site has a previously approved DPLS-415 for the same uses and general development, and the proposed parking is within the reduction allowed.

The DSP is also proposing to install a loading space, which will be located to the east of the food and beverage store building. This space will also be screened from Greenbelt Road by the landscape strip proposed along the road frontage.

8. **2010 Prince George's County Landscape Manual:** The subject application for a new gas station, a food and beverage store, and a car wash is subject to the requirements of the Landscape Manual. Specifically, the proposed development is subject to Section 4.2, Requirements for Landscaped Strips along Streets; Section 4.3, Parking Lot Requirements (both perimeter and interior planting); Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The required plantings and schedules are provided, in conformance with the Landscape Manual.
9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is not subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the entire site contains less than 10,000 square feet of woodlands and does not have a previously approved tree conservation plan. A Standard Letter of Exemption (S-096-14-01) from the WCO was issued for this site, which will expire on December 5, 2020. No additional information is required regarding woodland conservation for this site.

An approved Natural Resources Inventory equivalency letter (NRI-096-14-01) was submitted with the review package, which will expire on June 13, 2024. The site has previously been developed with no existing woodlands or regulated environmental features mapped on-site. The site contains no 100-year floodplain or primary management area.

- 10. Prince George's County Tree Canopy Coverage Ordinance:** This application is subject to the Tree Canopy Coverage Ordinance, as it proposes disturbance of 5,000 square feet or greater. The DSP area of 0.90 acre, or 39,080 square feet, is zoned I-1 and is required to provide 10 percent, or 3,908 square feet, of tree canopy coverage (TCC). A TCC schedule has been provided on the landscape plan indicating compliance with this requirement.
- 11. 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 adopted, herein by reference, a memorandum dated June 29, 2020 (Stabler to Zhang), which stated 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. The subject site does not contain and is not adjacent to any Prince George's County historic sites or resources.
 - b. **Community Planning**— The Planning Board adopted, herein by reference, a memorandum dated August 17, 2020 (Dickerson to Zhang), which stated that pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation**— The Planning Board adopted, herein by reference, a memorandum dated August 12, 2020 (Burton to Zhang), which noted that overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for approval of a DSP.
 - d. **Trails**— The Planning Board adopted, herein by reference, a memorandum dated August 13, 2020 (Smith to Zhang), which concluded that the pedestrian and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines, pursuant to Section 27-283, subject to conditions herein to provide sidewalk connections from both ROWs to the food and beverage store. During the public hearing on September 17, 2020, the Planning Board reviewed the two connections recommended by the trails planner due to the strong opposition from the applicant's attorney Mr. Daniel F. Lynch. After analysis of the surrounding uses, the site conditions, and the requirements of ADA (Americans with Disability Act), the Planning Board decided that the recommended connection from Aerospace Drive to the subject site is necessary and practical. However, this pedestrian route will have to cross the exit lane of the proposed car wash facility. The Planning Board added a new condition 1.b. and expanded condition 1.d. in order to ensure a safe crossing for future pedestrians.
 - e. **Environmental Planning**— The Planning Board adopted, herein by reference, a memorandum dated August 17, 2020 (Juba to Zhang), which concluded that this DSP is exempt from the requirements of the WCO without any conditions.

- f. **Permits**— The Planning Board adopted, herein by reference, a memorandum dated July 7, 2020 (Shaffer to Zhang), which provided eight comments on parking, landscaping, site plan notes, signage, and sign face area calculation. The applicable comments have been addressed during the review process.
- g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated July 24, 2020 (Giles to Zhang), incorporated herein by reference, DPIE stated that DSP-20021 is consistent with Concept Number 447-2015, issued on July 13, 2015 (extended to July 6, 2021) and the Site Development Fine Grade Permit 41743-2015, issued April 10, 2017. DPIE has no objection to the proposed DSP. The rest of the comments will be enforced through DPIE's separate permitting process.
- h. **Prince George's County Police Department**—In a memorandum dated June 23, 2020 (Contic to Zhang), incorporated herein by reference, the police department discussed territorial reinforcement in the parking lot area and store front.

Territorial Reinforcement is a principle of Crime Prevention Through Environmental Design that addresses distinction between public and private property. The police department's comments have been transmitted to the applicant.

- i. **Prince George's County Health Department**—In a memorandum dated July 6, 2020 (Adepoju to Zhang), incorporated herein by reference, the health department provided eight comments on food options in the vicinity of the site, various permits needed, air pollution, possible environmental impacts, waste water discharge, and dust and noise during the demolition and construction phases of the development. The comments have been transmitted to the applicant and the two comments regarding dust and noise have been included as conditions of approval in this resolution.
 - j. **Maryland State Highway Administration (SHA)**—In an email dated August 13, 2020 (Woodroffe to Zhang), incorporated herein by reference, SHA noted that although an access permit will not be required, the applicant will be required to apply for a District Office permit for the relocation of the sidewalk along MD 193. The SHA requirements will be enforced through the permitting process.
 - k. **Washington Suburban Sanitary Commission (WSSC)**—In an email dated June 19, 2020 (created by Mary Mapes), incorporated herein by reference, WSSC provided plan review comments on how to obtain service for the development and applicable requirements. All comments have been transmitted to the applicant and requirements will be enforced through WSSC's separate permitting process.
12. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, if approved as conditioned, the DSP 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.

13. The required finding of Section 27-285(b)(4) that regulated environmental features are preserved and/or restored to the fullest extent possible need not to be made for the subject application because there are no regulated features on the subject site.

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 Detailed Site Plan DSP-20021 for the above described land, subject to the following condition:

1. Prior to certification of the detailed site plan, the applicant shall revise the plans or provide information, as follows:

- a. Provide the following site plan notes:

“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.”

“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.”

- b. Explore, in earnest and in consultation with the technical staff, the possibility of installing an electronic warning device for pedestrians to safely cross the exit lane of the car wash.
- c. Provide a minimum 5-foot-wide sidewalk from Aerospace Drive to the handicap parking spaces located in front of the food and beverage store, including crosswalks, as necessary.
- d. Provide pedestrian warning signage, mirror, and speed hump at the exit of the car wash, warning motorists of possible pedestrian movement.
- e. Label sidewalk widths on all plan sheets.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, September 17, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of October 2020.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:HZ:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/
M-NCPPC
Principal Counsel

Date: September 25, 2020