

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 March 10, 2022, regarding Detailed Site Plan DSP-20045 for Marlboro Crossroads, Starbucks, the Planning Board finds:

1. **Request:** The subject application is a detailed site plan (DSP) for the renovation of an existing 2,628-square-foot bank building, to use as an eating and drinking establishment with drive-through service within an existing integrated shopping center known as Marlboro Crossroads on Parcel A.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	C-S-C	C-S-C
Use	Integrated Shopping Center	Integrated Shopping Center
Total Acreage	10.54	10.54
Parcel	1	1
Gross Floor Area (sq. ft.)	73,137	73,137
Of which gross floor area impacted by this DSP	2,628	2,628

Parking and Loading

Integrated Shopping Center	Spaces Required*	Spaces Approved
Eating and drinking establishment with drive-through (2,628 sq. ft)	11	-
Retail (5,280 sq. ft)	22	-
Grocery (65,229 sq. ft)	261	-
Total (1space/250 sq ft. for 73,137 sq. ft)	293	304
Of which are required handicap-accessible van spaces	8	1*

Loading		
Integrated shopping center having at least 25,000 sq. ft. of gross floor area (73,137 sq. ft)	3	4

Note: *The parking schedule does not provide a breakdown of the type and number of parking spaces on-site and should be revised. A condition is included herein, requiring the applicant to revise the parking schedule and provide the number and type of parking spaces on the property.

3. **Location:** The site is located within a portion of the overall Marlboro Crossroads shopping center, in Planning Area 82B and Council District 9. More specifically, it is located on the east side of US 301 (Robert Crain Highway), at the southeast quadrant of its intersection with MD 4 (Pennsylvania Avenue) in the Commercial Shopping Center (C-S-C) Zone.
4. **Surrounding Uses:** The site is bounded to the north and east by industrial uses in the Heavy Industrial Zone and by the intersection of US 301 and MD 4, to the west by US 301, and to the south by MD 976C, with vacant property in the Open Space and C-S-C Zones beyond.
5. **Previous Approvals:** The site is known as Parcel A of Marlboro Crossroads, recorded in Plat Book VJ 164 page 81, in December 1992. The property is subject to two preliminary plans of subdivision (PPS), which include PPS 4-78160 and PPS 4-77321, and were approved in 1978. These are shown on the record plat (Plat Book VJ 164 page 81). The current plat for Parcel A was a result of parcel consolidation and contains the existing 73,137-square-foot integrated shopping center, Marlboro Crossroads, which was constructed in 1990. The prior approvals for the site did not explicitly give a trip cap, but after examining the traffic generated by the proposed development, the Planning Board finds that this project is within the existing entitlement. Therefore, a new PPS will not be required.
6. **Design Features:** The subject DSP proposes to renovate the vacant 2,628-square-foot bank building and convert it to an eating and drinking establishment with drive-through service, specifically a Starbucks. The renovation will not change the gross floor area of the building and only proposes minor improvements to the site and exterior renovations to the existing structure to reflect the new use. The other 65,229-square-foot commercial building on the property, including the Giant Food store, is not impacted by this application.

The impacted building is in the southwestern portion of the site and accessed from an existing driveway that is shared with the remainder of the shopping center and connects to MD 976C south of the site. The application proposes to use the exiting drive-through on the north, west, and south sides of the building, and reconfigure the parking area. The main entrance to the building is located on the north side of the building. Sidewalks are proposed allowing pedestrian access from the overall shopping center and crosswalks are provided at vehicular crossings for safe passage. A sufficient number of parking spaces is proposed on the site to accommodate the new use.

Architecture

The proposed architectural elevations show a contemporary franchise look and feature a color scheme and finish materials including gray block, wood, black trim, and metal accents. These elements provide visual interest that will rejuvenate the existing building. The main entrance to the building remains the same and is located on the north elevation, which is accented by wood panels and signage. A secondary entrance is located on the south side of the building, to access a proposed covered outdoor seating area. The roof of the building includes a hipped roof design and features flat canopies above the outdoor seating area and over the drive-through window.

Lighting

The photometric plan was not submitted with this application and the on-site lighting will be generally unchanged. The only changes to on-site lighting require the relocation of one pole light and the addition of building-mounted lighting. The Planning Board finds that the proposed lighting is acceptable and will illuminate the site's access, drive aisles, building entryways, walking paths, and complement the building's façade.

Signage

Three signs are proposed, including two building-mounted and one channel letter style sign. The building mounted signs feature the corporate logo and are located on the north and west elevations. The channel letter sign is proposed on the south façade on the canopy covering the outdoor seating area and advertises the name of the business. The building-mounted signs measure approximately 6 to 12 square feet and are acceptable. In addition, it is noted that the DSP includes several directional signs to assist with drive-through traffic on the site. However, due to the number and variety of signs proposed, a sign table is required to show conformance to the requirements of Section 27-613 and Section 27-629(a)(1) of the Prince George's County Zoning Ordinance, as conditioned herein.

Loading and Trash Facilities

Loading is not required for the eating and drinking establishment due to the size of the facility. However, a trash dumpster is proposed and located on the north side of the building and is screened by a 7.5-foot-high concrete masonry block enclosure. The enclosure will be covered by a metal seam roof and finished in gray block to match the building. Details for this facility are included and are acceptable.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-S-C Zone and the site design guidelines of the Zoning Ordinance, as follows:
 - a. The subject application is in conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in commercial zones. The proposed eating and drinking establishment with drive-through is a permitted use in the C-S-C Zone, subject

to Footnote 24, which requires a DSP. This application has been filed in fulfillment of this requirement.

- b. The DSP shows a site layout that is consistent with the requirements of Section 27-462(b) of the Zoning Ordinance and meets the specific regulations for development in commercial zones relating to setbacks.
 - c. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For example, grading will be minimized to the extent practicable, all disturbed areas will be restored, and the architecture proposed for the building is constructed of durable, low-maintenance materials and employs a variety of architectural features and designs such as window and door treatments and colors.
8. **Preliminary Plans of Subdivision 4-78160 and 4-77321:** PPS 4-78160 covers areas of the property formerly known as Parcels 4 and 5, while PPS 4-77321 covers an area formerly known as Parcel 2. PPS 4-77321 was approved on February 9, 1978, and PPS 4-78160 was approved on August 17, 1978. The available records for these PPS approvals are limited, and they do not give a specific gross floor area or use category approved for the site. The available records do indicate that the two PPS approvals are subject to the same three conditions. The conditions that are pertinent to the review of this DSP are discussed as follows:
- 1. **The conditions set forth in Maryland Department of Transportation letter, dated February 8, 1978, with the understanding that the applicant accepts these conditions including dedication of a 70- foot right of-way on Maryland Route 976C;**

Dedication necessary to reach a 70-foot-wide right-of-way for MD 976C was previously made from the south side of the property in a prior record plat, Plat Book NLP 100, page 18. The current record plat (Plat Book VJ 164 page 81) dedicated additional right-of-way along MD 976C.
 - 2. **Submission of a site development plan to the Planning Board for review and approval of landscaping and sign control;**

The subject application has been submitted in fulfillment of this condition. The proposed signage and landscaping on-site are acceptable. A detailed discussion of these features is in Findings 6 and 10 of this approval.
 - 3. **Requesting the Maryland Department of Transportation to consider light synchronization at the proposed exit route of Parcel B panhandle with the proposed signal at the intersection to the southwest.**

Parcel B, abutting the subject property to the east, includes a panhandle providing frontage on MD 976C. There is a driveway within the panhandle connecting the warehouse use to the street, however, there is no traffic light to synchronize with the

traffic light at the intersection of MD 976C and US 301, southwest of the subject property. This condition, if necessary, would have been addressed following the initial approval of the PPS and subsequent permitting of development on the property. This application is for renovating an existing building on Parcel A only, and the review by the Planning Board finds that no prior conditions of approval on the subject property related to transportation improvements are relevant.

9. **2010 Prince George's County Landscape Manual:** The application is exempt from the 2010 *Prince George's County Landscape Manual* (Landscape Manual) because it meets the requirements of Sections 1.1(d) and 1.1(g). The site improvements proposed by the subject application are limited to interior and façade renovations and reconfiguration and restriping of the existing parking areas. Schedules for Sections 4.3 and 4.9 of the Landscape Manual have been included and should be removed because they do not apply. Conditions have been included herein, to require the applicant to remove those schedules and provide a general note indicating such exemption.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The project is grandfathered from the current regulations of Subtitles 24 and 25 of the Prince George's County Code because the site is subject to the 1989 Woodland Conservation Ordinance and has an existing tree conservation plan. A Type 2 Tree Conservation Plan (TCP2-110-90-02) was submitted with the DSP application, and a revised TCP2 was submitted on February 2, 2022. According to the original approvals for TCP2-110-90 and the -01 revision, the overall site area is 10.76 acres within the C-S-C Zone. When the property was developed, the existing trees were removed. To mitigate the removal of those trees, the site was subject to woodland conservation afforestation requirement of 1.08 acres. That requirement was fulfilled with 1.10 acres of afforestation.

Violation Notice 3360-2021 was issued by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) for the clearing of 0.76 acre of the planting that was required to fulfill the woodland conservation requirements resulting from the prior development. The review of this TCP2 stands as the corrective action required to address the violation notice. The violation is to be satisfied with a fee-in-lieu payment, to be made at the time of permit.

Corrections are required to be made on the woodland conservation worksheet. For example, the gross tract area shall be corrected to be 10.76 acres, and the rest of the worksheet adjusted accordingly. The TCP2 requires additional technical corrections to be in conformance with the original approvals and the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. These revisions are specified in the conditions herein.
11. **Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties zoned C-S-C are required to provide a minimum of 10 percent of the gross tract area covered in TCC. The subject application provides the required TCC schedule demonstrating conformance with this requirement.

12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
- a. **Community Planning**—The Planning Board has reviewed and adopts a memorandum dated February 3, 2022 (Lester to Bishop), incorporated herein by reference, which noted that pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
 - b. **Historic Preservation**—The Planning Board has reviewed and adopts a memorandum dated January 10, 2022 (Stabler and Smith to Bishop), incorporated herein by reference, which noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources.
 - c. **Transportation Planning**—The Planning Board has reviewed and adopts a memorandum dated February 9, 2022 (Ryan to Bishop), incorporated herein by reference, which finds that the on-site vehicular and pedestrian transportation is acceptable.
 - d. **Subdivision**—The Planning Board has reviewed and adopts a memorandum dated February 7, 2022 (Diaz-Campbell to Bishop), incorporated herein by reference, which provides an evaluation of the application that is incorporated into the findings of this approval, and finds the application acceptable.
 - e. **Environmental Planning**—The Planning Board has reviewed and adopts a memorandum dated February 7, 2022 (Nickle to Bishop), incorporated herein by reference, which noted that a natural resources inventory equivalency letter (NRI-161-2020) has been issued for the site. In addition, it was noted that the proposed work will not result in any significant changes to the limits of disturbance of the previously approved TCP2, or create additional impacts to any regulated environmental features. A stormwater management (SWM) concept plan and approval letter (47127-2020-00) was issued on July 30, 2021, from DPIE.
 - f. **Permit Review**—The Planning Board has reviewed and adopts a memorandum dated February 7, 2022 (Jacobs to Bishop), incorporated herein by reference, which offered comments related to permit issues that have been addressed by revisions to the plans, or have been included as conditions of approval, as appropriate.
 - h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts a memorandum dated January 6, 2022 (Giles to Bishop), incorporated herein by reference, in which DPIE offered numerous comments that will be addressed through their separate

permitting process. They indicated that the DSP is consistent with SWM Concept Plan 4712-2020-00, which was approved on July 30, 2021.

- i. **Prince George's County Health Department**—The Planning Board has reviewed and adopts a memorandum dated January 8, 2022 (Adepoju to Bishop), incorporated herein by reference, in which the Health Department provided health-related recommendations on the property. These comments have been provided to the applicant and are included as conditions of approval, as appropriate.
 - j. **Prince George's County Police Department**—At the time of the writing of this approval, a memorandum had not been provided by the Police Department.
 - k. **Prince George's County Fire/EMS Department**—The Planning Board has reviewed and adopts an email dated February 2, 2022 (Reilly to Bishop), incorporated herein by reference, in which the Fire Department indicated they had no comments on this proposal.
 - l. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board has reviewed and adopts an email dated January 5, 2022 (Westendorf to Bishop), incorporated herein by reference, in which WSSC provided detailed comments on the application. These comments have been provided to the applicant and will be addressed through WSSC's separate permitting process.
13. As required by Section 27-285(b)(1) 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 costs and without detracting substantially from the utility of the proposed development for its intended use.
14. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(15).**

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, based on the limits of disturbance shown on the TCP2.

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 TCP2-110-90-02, and further APPROVED Detailed Site Plan DSP-20045 for the above-described land, subject to the following conditions:

1. Prior to certification of the detailed site plan (DSP), the applicant shall make the following revisions to the plans:
 - a. Provide the following general site plan notes:

“During the construction phase, the applicant shall adhere to all applicable Prince George’s County or State of Maryland regulations and laws regarding particulate matter, pollution, and noise.”

“This DSP is exempt from the Landscape Manual in accordance with Sections 1.1(d) and 1.1(g).”
 - b. Include dimensions of the canopy on the site plan and architectural elevations.
 - c. Provide additional dimensions of the existing drive aisles and parking spaces on the site plan.
 - d. Label and dimension the handicap accessible parking spaces that are proposed to serve the use.
 - e. Provide a signage area table demonstrating how the building-mounted and freestanding signs conform to Section 27-613 and Section 27-629 (a)(1) of the Prince George’s County Zoning Ordinance.
 - f. Provide the height of the sign proposed above the roof line to demonstrate that it is in conformance with Section 27-613(b)(1) of the Prince George’s County Zoning Ordinance.
 - g. Revise the parking schedule to provide the number and type of each parking space on the property, and clearly label their locations on the site plan.
 - h. Remove the Section 4.3 and 4.9 schedules from the landscape plan.
 - i. Revise the Type 2 tree conservation plan (TCP2) as follows:
 - (1) Revise the note near the worksheet as follows:

“On February 26, 2021, the property was subject to Violation Notice 3360-2021. The violation will be satisfied with the payment of fee-in-lieu with approval of this TCP2. Payment will be made at time of permit. “
 - (2) Correct the woodland conservation worksheet to reflect a gross tract area of 10.76 acres and adjust the rest of the worksheet accordingly.

- (3) Correct the case number in the Environmental Planning Section approval block from "TCP2-100-90-02" to "TCP2-110-90".
- (4) Have the worksheet and plans signed and dated by the qualified professional who prepared them.


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, March 10, 2022, in Upper Marlboro, Maryland.

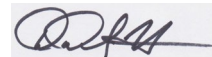
Adopted by the Prince George's County Planning Board this 31st day of March 2022.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

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APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: March 21, 2022