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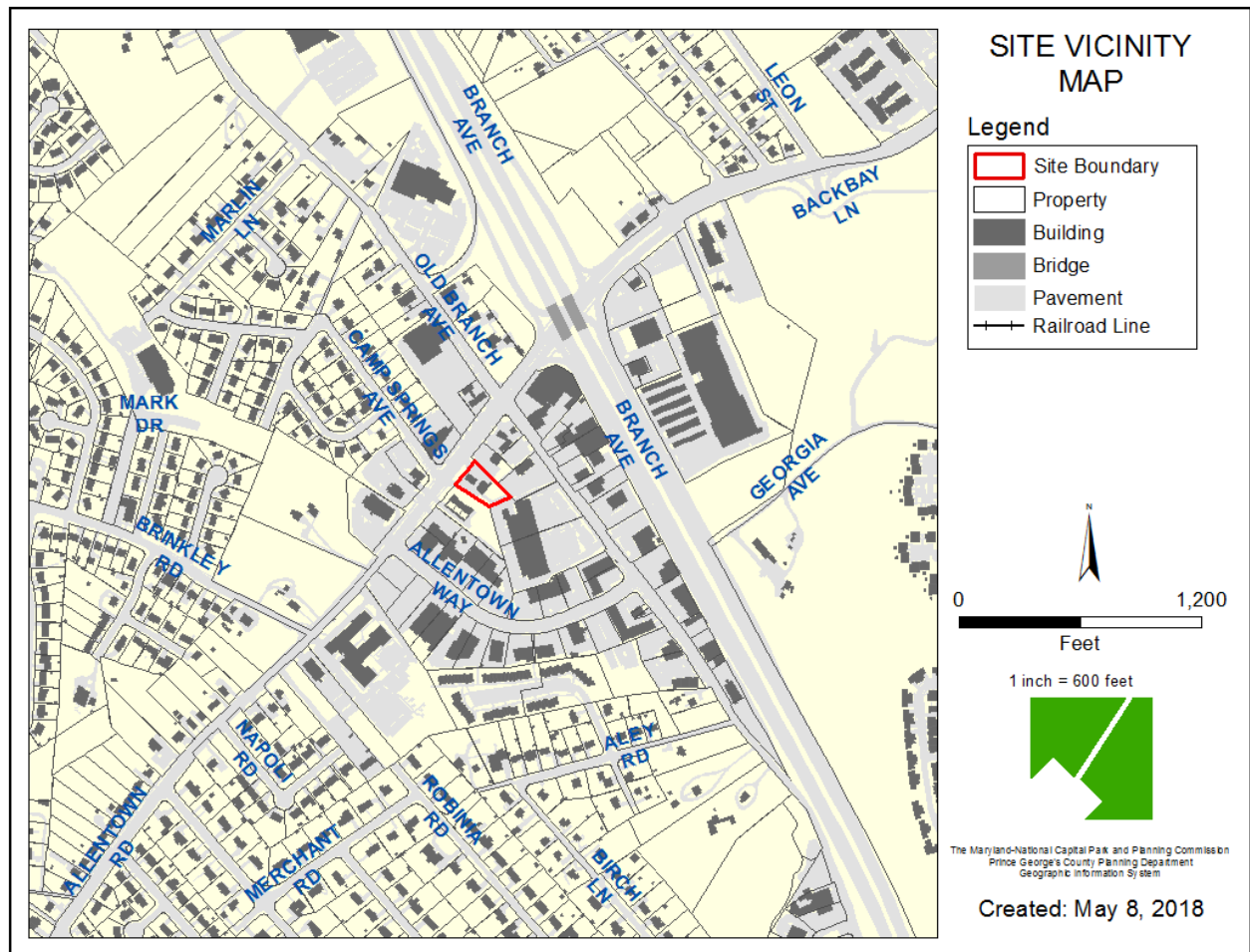
## Special Exception Alternative Compliance

**SE-4772  
AC-17018**

Application	General Data	
<b>Project Name:</b> Sunoco Gas Station and Car Wash  <b>Location:</b> On the east side of MD 337 (Allentown Road), approximately 320 feet southeast of the intersection of MD 5 (Branch Avenue) and MD 337.  <b>Applicant/Address:</b> Clearview 6308, LLC 6308 Allentown Road Temple Hills, MD 20748  <b>Property Owner:</b> Same as applicant	Planning Board Hearing Date:	06/21/18
	Staff Report Date:	06/13/18
	Date Accepted:	08/28/17
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.695
	Zone:	C-S-C
	Parcels:	1
	Gross Floor Area:	2,668 sq. ft.
	Planning Area:	76B
	Council District:	08
	Election District	09
	Municipality:	N/A
	200-Scale Base Map:	208SE05

Purpose of Application	Notice Dates	
Request for a proposed car wash as an added use to an existing gas station with a food and beverage store.  Alternative compliance from the requirements of Section 4.7-1 of the 2010 <i>Prince George's County Landscape Manual</i> .	Informational Mailing:	07/19/17
	Acceptance Mailing:	08/24/17
	Sign Posting Deadline:	N/A

<b>Staff Recommendation</b>		<b>Staff Reviewer:</b> Ivy Thompson <b>Phone Number:</b> 301-952-4326 <b>E-mail:</b> Ivy.Thompson@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

**TECHNICAL STAFF REPORT:**

TO: The Prince George's County Planning Board  
The Prince George's County District Council

VIA: Sherri Conner, Acting Supervisor, Subdivision and Zoning Section  
Development Review Division

FROM: Ivy R. Thompson, Senior Planner, Subdivision and Zoning Section  
Development Review Division

SUBJECT: Special Exception SE-4772  
Alternative Compliance AC-17018  
Sunoco Gas Station and Car Wash

REQUEST: **SE-4772:** Request to add a car wash to an existing gas station with a food and beverage store.

**AC-17018:** Alternative compliance from Section 4.7-1 of the 2010 *Prince George's County Landscape Manual*.

RECOMMENDATION: **SE-4772: APPROVAL with conditions**  
**AC-17018: APPROVAL with conditions**

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NOTE:

The Planning Board has scheduled this application to be reviewed on the agenda date of June 21, 2018. If the Planning Board decides to hear the application, it will be placed on a future agenda.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

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## FINDINGS

1. **Location and Field Inspection:** The subject property, known as Parcel A recorded in Plat Book WWW 63–36, is located at 6308 Allentown Road, Temple Hills, Maryland, on the east side of MD 337 (Allentown Road), approximately 320 feet southeast of the intersection of MD 5 (Branch Avenue) and MD 337. The 0.695-acre parcel is zoned Commercial Shopping Center (C-S-C), within the Military Installation Overlay (M-I-O) Zone, and is improved with an existing gas station and a food and beverage store. Additional structures on the site include four gasoline pump dispensers, one canopy, three underground storage tanks, one freestanding sign, and fourteen surface parking spaces. The property has direct vehicular access to MD 337. The subject property is in Council District 8.
2. **History and Previous Approvals:** Special Exception SE-1452 was approved by the Prince George’s County District Council on November 18, 1966, permitting a gas station. The site plan was revised in 1990 to raze and replace the gas pumps with self-serve gas pumps and to add a food and beverage store. The revised site plan for SE-1452 (PGCPB Resolution No. 89-644) was approved on December 14, 1989, with conditions, by the Prince George’s County Planning Board. None of the conditions from the previous approval (PGCPB Resolution No. 89-644) are brought forward, as this application is a major revision of the special exception and is reviewed for all applicable criteria as a new application, pursuant to Section 27-323(a) of the Prince George’s County Zoning Ordinance.
3. **Neighborhood and Surrounding Uses:** The general neighborhood is bounded to the north and east by MD 5, and to the south and west by Allentown Way. The properties immediately surrounding the subject property are also zoned C-S-C and contain the following uses:

<b>North—</b>	A carpet store and Masonic Temple
<b>West—</b>	Old Branch Crossing Shopping Center
<b>South—</b>	A Potomac Electric Power Company utility station
<b>East—</b>	MD 337 (Allentown Road)
4. **Request:** The subject application proposes to add a car wash to an existing gas station with a food and beverage store. All uses require approval of a special exception in the C-S-C Zone, subject to separate standards. The special exception site plan reflects the existing canopy, 4 fuel pump dispensers providing 8 fueling stations, the 1,900-square-foot food and beverage store building, existing signs, and the proposed 768-square-foot building for the car wash, with 2 stop signs at the egress.

5. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	C-S-C	C-S-C
Uses	Gas Station, Food and Beverage Store	Gas Station, Food and Beverage Store,* and Car Wash
Acreage	0.695	0.695
Square Footage/GFA	8-pump Gas Station with a 1,900-square-foot Food and Beverage Store	8-pump Gas Station with a 1,900-square-foot Food and Beverage Store* and a 768-square-foot Car Wash

**Note:** \*There are no physical improvements or revisions proposed to the fuel pumping stations or the existing food and beverage store building.

6. **Required Findings:** A gas station, with a food and beverage store, and a car wash are permitted uses in the C-S-C Zone, each subject to a special exception.

Section 27-317 of the Zoning Ordinance provides the following required findings for approval of a special exception with code cited in **boldface** type, followed by staff comment:

(a) **A Special Exception may be approved if:**

- (1) **The proposed use and site plan are in harmony with the purposes of this Subtitle;**

The purposes of Subtitle 27 of the Prince George's County Code, as set forth generally in Section 27-102(a)(1) through (15) of the Zoning Ordinance, are generally to protect the health, safety, and welfare of the public; to promote compatible relationships between various land uses; to guide orderly development; and to ensure adequate public facilities and services. Specific to the C-S-C Zone, as set forth in Section 27-454(a) of the Zoning Ordinance, the purposes relate to providing locations for predominately retail commercial shopping facilities; compatible institutional, recreational, and service use; and to exclude uses incompatible with general retail shopping centers and institutions. As outlined in the applicant's statement of justification (SOJ) (pages 4–9) and throughout this technical staff report, with the recommended conditions, staff finds that the uses and the site plans, as proposed, are in harmony with the purposes of this Subtitle.

- (2) **The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;**

Part 6, Division 1, General, and Division 2, Specific Commercial Zones, Section 27-454(b) through (d), sets forth the applicable requirements in the C-S-C Zone, as follows:

- (b) **Landscaping, screening and buffering**—Section 27-454(b)(1) requires that landscaping and buffering be provided in accordance with Section 27-450, Landscaping, screening and buffering, which states all landscaping, screening, and buffering of all development in commercial zones shall be in accordance with the provisions of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual). The site plan, as proposed, conforms to the Landscape Manual requirements, specifically Sections 4.2, 4.3, 4.4, 4.7, and 4.9. Alternative compliance was requested to Section 4.7-1 and is discussed further in this technical staff report.
- (c) **Uses**—The gas station, with a food and beverage store, and car wash are permitted by special exception per Section 27-461(b)(B) of the Zoning Ordinance, as discussed further in this technical staff report.
- (d) **Regulations**—The site plan (special exception site plan dated April 22, 2018) drawn by Digiterra Design, has been reviewed for conformance to the regulations applicable in the C-S-C Zone (Section 27-462 of the Zoning Ordinance), and is determined to be in general conformance.

As set forth in the applicant’s SOJ and in the general notes on the site plan, the redevelopment of this site will conform to the regulations of the Zoning Ordinance. With the recommended conditions, the proposal will be in conformance with all applicable requirements and regulations of the subtitle.

- (3) **The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;**

The *Plan Prince George’s 2035 Approved General Plan* (Plan 2035), locates the subject property in the Established Communities area within the Growth Boundary, in an area generally designated as Mixed Use, which is described as “areas of various residential, commercial, employment and institutional uses” (page 100). The vision for the Established Communities area is “context-sensitive infill and low- to medium-density development” (page 20).

The 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (Central Branch Avenue Corridor Sector Plan) recommends residential mixed-use (Map 26, page 80) land uses on the subject property, with residential as the dominant use. The sector plan makes additional recommendations for building massing and contextual compatibility for infill development. Although the proposed use is broadly inconsistent with the sector plan, pursuant to Section 27-317(a)(3), this application will not substantially impair the integrity of the Central Branch Avenue Corridor Sector Plan. Though the sector plan recommends residential mixed-use land use for the subject property, with residential units over ground floor retail, the recommended land use cannot be achieved with the current C-S-C zoning, and the proposed use is permitted by special exception. Thus, it can be concluded that the proposed use will not

substantially impair the integrity of any validly approved master plan or functional master plan, or in the absence of a master plan or functional master plan, Plan 2035.

- (4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;**

A gas station with a food and beverage store has been in continuous operation on this property since 1966. The proposal is designed to provide for the safe internal flow of pedestrians and vehicles on-site and for the safe ingress and egress of vehicles. None of the responses from any referring agencies received by staff indicate that the proposed car wash, along with the continuation of the gas station and food and beverage store uses, subject to specific conditions, will adversely affect the health, safety, or welfare of residents or workers in the area.

- (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and**

The proposed addition of the car wash use to the existing gas station with a food and beverage store site will not result in a significant change to the character of the neighborhood. Adjacent properties are commercial in nature. In addition, the Transportation Planning Section has indicated that the current proposal will have minimal impact on the existing transportation network. Therefore, the proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

- (6) The proposed site plan is in conformance with an approved Tree Conservation Plan.**

The site plan is in conformance with the approved Standard Letter of Exemption (S-007-16) from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO). The site is less than 40,000 square feet in size and has no previous approved tree conservation plans, and a standard exemption letter was issued by the Environmental Planning Section. No other environmental issues relate to the applicant's proposal.

- (7) The proposed site plan demonstrates 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).**

There are no regulated environmental features on the subject property that would require preservation and/or restoration.

- (b) In addition to the above required findings, in a Chesapeake Bay Critical Area Overlay Zone, a Special Exception shall not be granted.**

The site is not located in a Chesapeake Bay Critical Area Overlay Zone.

7. **Specific Special Exception Requirements—Division 3 Additional Requirements for Special Exceptions:**

Section 27-355, Food or beverage store of the Zoning Ordinance provides the specific special exception requirements for a food or beverage store, as follows:

**Section 27-355 Food and beverage store**

**(a) A food and beverage store may be permitted, subject to the following:**

- (1) The applicant shall show a reasonable need for the use in the neighborhood;**

The food and beverage component of this site has been in successful operation for more than two decades and has consistently operated. This evidences that the food and beverage store is reasonably convenient to the public and that there is a need for the use in the neighborhood.

- (2) The size and location of, and access to, the establishment shall be oriented toward meeting the needs of the neighborhood;**

The 1,900-square-foot building is an appropriate size for the site and conforms to the regulations applicable in the C-S-C Zone. It is adequate in size to serve the convenience needs of the neighborhood.

- (3) The proposed use shall not unduly restrict the availability of land, or upset the balance of land use, in the area for other allowed uses;**

The current use has operated on this subject property, in conjunction with the gas station, for more than 20 years. It is an area that is rapidly developing. The proposed expansion with the car wash continues the uses on this property, while maintaining the existing balance of land uses in the area. The expanded uses will not interfere with the ability of other vacant land to be developed with other allowed uses.

- (4) In the I-1 and I-2 Zones, the proposed use shall be located in an area which is (or will be) developed with a concentration of industrial or office uses;**

This property is located in the C-S-C Zone, therefore, this criteria does not apply.

- (5) The retail sale of alcoholic beverages from a food and beverage store approved in accordance with this Section is prohibited; except that the District Council may permit an existing use to be relocated from one C-M zoned lot to another within an urban renewal area established pursuant to the Federal Housing Act of 1949, where such use legally existed on the lot prior to its classification in the C-M Zone and is not inconsistent with the established urban renewal plan for the area in which it is located;**

The sale of alcoholic beverages is not proposed with this zoning application.

Section 27-358, Gas Station of the Zoning Ordinance provides the specific special exception requirements for a gas station as follows:

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

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

The property has more than 150 feet of frontage on, and direct vehicular access to, MD 337, an arterial roadway with a variable right-of-way width in excess of 70 feet.

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

No such facilities are located within 300 feet of the subject property.

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

The applicant does not propose to display and rent cargo trailers, trucks, or similar uses.

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

The applicant does not propose storage or junking of motor vehicles (whether capable of movement or not) or vehicle servicing on the subject property.

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

The accompanying site plan shows that the two access drives are 27.3 feet wide (northern) and 26.5 feet wide (southern) and each provide two-way access. The northern entrance driveway is more than 12 feet from the adjoining lot; however, the southern driveway entrance abuts the side lot line of the adjoining lot. The applicant will have to indicate reconstruction of the entrances to meet the 30-foot width requirement, 12 feet from the side lot line of the adjoining properties, on the site plan to demonstrate conformance to this requirement. Alternatively, the

applicant may propose a lesser width for one-way ingress/egress, with the approval of the operating agency.

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

The site plan shows that all access driveways are defined by curbing except for the southern boundary of the south access driveway. Notwithstanding revisions to the location and width of the access driveways, the plans will need to be revised to reflect curbing along both sides of the access driveways.

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

An existing sidewalk is located along the sites frontage on Allentown Road, behind the roadway curb, to serve pedestrian traffic. The existing sidewalk needs to be measured and labeled to demonstrate a minimum width of five feet or indicate replacement on the site plan.

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

The existing gas pumps are set back 25 feet from the Allentown Road, as required by this section. The applicant shall show the dimensions on the site plan.

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

Repair services are not proposed.

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

Architectural elevations are provided for the car wash façade showing grey concrete block and stucco masonry, which is compatible with the existing food and beverage store. This section of MD 337 is characterized by commercial uses, including concrete block buildings on the properties immediately north and south. Masonry is compatible with the surrounding development and façades in the area.

(b) **In addition to what is required by Section 27-296(c), the site plan shall show the following:**

- (1) **The topography of the subject lot and abutting lots (for a depth of at least fifty (50) feet);**
- (2) **The location and type of trash enclosures; and**
- (3) **The location of exterior vending machines or vending area.**

The proposal complies with the above criteria. The site is currently developed with an existing gas station and a food and beverage store. The accompanying site plan provides the topography of the subject property and abutting lots, as required. No exterior vending machines or vending areas, nor a dumpster, have been shown on the site plan.

(c) **Upon the abandonment of a gas station, the Special Exception shall terminate, and all structures exclusively used in the business (including underground storage tanks), except buildings, shall be removed by the owner of the property. For the purpose of this Subsection, the term “abandonment” shall mean nonoperation as a gas station for a period of fourteen (14) months after the retail services cease.**

In the event of abandonment of the gas station, the applicant will comply with the requirements of this section.

(d) **When approving a Special Exception for a gas station, the District Council shall find that the proposed use:**

- (1) **Is necessary to the public in the surrounding area; and**
- (2) **Will not unduly restrict the availability of land, or upset the balance of land use, in the area for other trades and commercial uses.**

The public’s need for the gas station and food and beverage store is evident, as the gas station has existed for three decades and has continued to serve the public. The owner now seeks to upgrade the site to add a car wash. The gas station has served the needs of, and been reasonably convenient to, the surrounding community and traveling public by its long-standing history of operations. Because it has existed for so long, continued operation, with the addition of the car wash, will not unduly restrict the availability of land for other trades.

The proposed redevelopment is a continuation and expansion of an existing use. The need for this development was determined with Special Exception SE-1452 and again with the subsequent approved revision. The proposal will not unduly restrict the availability of land, or upset the balance of land use, in the area for other trades and commercial uses.

8. **Parking and Loading Regulations:** Section 27-568(a)(5) of the Zoning Ordinance sets forth the required number of parking spaces for commercial trade/services. In this instance, the existing 1,900-square-foot food and beverage store requires one off-street parking space for every 150 square feet of GFA for the first 3,000 square feet of GFA; the car wash requires one parking space for every 500 square feet of GFA; and the gas station requires one parking space per employee. One employee is noted on the site plan. Therefore, sixteen parking spaces are required

for the three uses on the subject property. When the 20 percent joint-use parking reduction calculation is applied for the multiple uses (Section 27-572), the parking spaces required is reduced by three. Therefore, 13 parking spaces are required. Seven parking spaces are provided. The applicant requested a Departure from Parking and Loading Standards (DPLS-438) for 9 of the 16 required off-street parking spaces. However, given the 20 percent joint-use reduction allowed, a departure for only 6 parking spaces is needed from the 13 parking spaces required. The departure is processed as a separate application, which has been filed concurrently with the special exception application.

Section 27-582 of the Zoning Ordinance requires one loading space for 2,000 to 10,000 square feet of GFA. The combined GFA for the food and beverage store (1,900 square feet) and the car wash (768 square feet) is 2,668 square feet of GFA. The applicant has not provided a loading space on the site plan and has requested a departure for the loading space, included in DPLS-438.

9. **2010 Prince George's County Landscape Manual Requirements:** This application to add a car wash to an existing gas station involves new construction and is subject to the requirements of the Landscape Manual. The application is in general conformance with Sections 4.2, 4.3, 4.4, 4.7, and 4.9 of the Landscape Manual. Alternative compliance was requested for Section 4.7-1 of the Landscape Manual.

#### **Section 4.2, Requirements for Landscape Strips Along Streets**

The proposal is subject to Section 4.2, Requirements for Landscape Strips Along Streets, along the MD 337 frontage. The current submitted plan provides the appropriate schedules showing the planting requirements of this section as being met. However, Criteria 5 in the schedule, indicating the total number of trees provided, needs correction. The number of units on the site plan and the schedule are inconsistent and should be the same.

#### **Section 4.3, Parking Lot Requirements**

The site is exempt from this requirement because the plan does not propose an increase in impervious area for parking or loading spaces.

#### **Section 4.4, Screening Requirements**

There are no trash facilities indicated on the site plan. Any dumpster to be located on the subject site must be screened in accordance with the Landscape Manual.

#### **Section 4.7, Buffering Incompatible Uses**

The site is subject to the requirements of Section 4.7 of the Landscape Manual because it proposes a new building. A bufferyard is required to be provided on this site from the abutting incompatible uses and has been provided in accordance with the tables below. Alternative compliance is requested from the requirements of the Landscape Manual for Section 4.7, Buffering Incompatible Uses, along the northeastern and southern property lines, adjacent to a private club (Masonic Temple), a retail sales and consumer service establishment, and a public utility structure.

REQUIRED: 4.7 Buffering Incompatible Uses, along the northeastern property line, adjacent to a private club (Bufferyard 1–Parcel 91):

Length of bufferyard	113 feet
Minimum building setback	30 feet
Landscape yard width	20 feet
Fence or wall	No
Percent with existing trees	0 percent
Plant units	91

PROVIDED: 4.7 Buffering Incompatible Uses, along the northeastern property line, adjacent to a private club (Bufferyard 1–Parcel 91):

Length of bufferyard	113 feet
Minimum building setback	31 feet
Landscape yard width	5–20 feet
Fence or wall	No
Percent with existing trees	0 percent
Plant units	110

REQUIRED: 4.7 Buffering Incompatible Uses, along the northwestern property line, adjacent to a 20,791-square-foot retail sales and consumer service establishment (Bufferyard 2–Parcel B):

Length of bufferyard	148 feet
Minimum building setback	30 feet
Landscape yard width	20 feet
Fence or wall	No
Percent with existing trees	0 percent
Plant units	119

PROVIDED: 4.7 Buffering Incompatible Uses, along the northwestern property line, adjacent to a 20,791-square-foot retail sales and consumer service establishment (Bufferyard 2–Parcel B):

Length of bufferyard	148 feet
Minimum building setback	31 feet
Landscape yard width	5–6 feet
Fence or wall	No
Percent with existing trees	0 percent
Plant units	42

REQUIRED: 4.7 Buffering Incompatible Uses, along the southern property line, adjacent to a public utilities structure (Bufferyard 3–Lot 1):

Length of bufferyard	196 feet
Minimum building setback	30 feet
Landscape yard width	20 feet
Fence or wall	No
Percent with existing trees	0 percent
Plant units	157

PROVIDED: 4.7 Buffering Incompatible Uses, along the southern property line, adjacent to a church (Bufferyard 3–Lot 1):

Length of bufferyard	196 feet
Minimum building setback	17-18 feet
Landscape yard width	2.5-20 feet
Fence or wall	No
Percent with existing trees	0 percent
Plant units	165

**Justification**

The applicant is requesting alternative compliance from Section 4.7 of the Landscape Manual. A Section 4.7 Type B bufferyard, including a 30-foot building setback and a 20-foot-wide landscape yard is required along both the northern and southern property lines, adjacent to Parcel 91, Parcel B, and Lot 1, more specifically defined as a private club, a retail sales and consumer service establishment, and a public utilities structure.

Along both the northern and southern property lines (Bufferyards 1, 2, and 3), the full building setback and/or landscape yard is not being provided, as the existing improvements do not allow for the full landscape buffer to be implemented on the southern property line. The proposed car wash encroachment into the southern bufferyard, adjacent to the public utilities structure, does not meet the building setback, preventing the full bufferyard from being provided. Existing utilities along the northern side prevent the required building setback and landscape yard from being implemented along the entirety of the northern property line. The site, which has existed in its current configuration since the 1990s, cannot accommodate the strict requirements of the Landscape Manual.

**Bufferyard 1** is adjacent to a private club, where the required building setback is 30 feet and the required width of the landscape yard is 20 feet. The proposed width of the landscape yard is 5 to 20 feet and does not meet the 20-foot-width requirement through the entire bufferyard length. The applicant proposes to provide 4 shade trees and 14 evergreen trees, providing a total of 110 plant units, thus meeting the plant unit requirement of 91 plant units. The application meets the building setback.

**Bufferyard 2** is adjacent to a 20,791-square-foot retail sales and consumer service establishment, where the required building setback width is 30 feet and the required landscape yard width is 20 feet. The proposed width of the landscape yard is five to six feet and does not meet the 20-foot-width requirement along the entire bufferyard length. The applicant proposes to provide three shade trees and 12 shrubs, thus not meeting the plant unit requirement of 119 plant units.

The applicant meets the building setback. Staff recommends the addition of a six-foot-high, sight-tight fence and six up-right, pyramidal Eastern Red cedars (*Juniperus virginiana*), or equivalent.

**Bufferyard 3** is adjacent to a public utilities structure, where the required building setback width is 30 feet and the required landscape yard width is 20 feet. The proposed width of the landscape yard is 2.5 to 20 feet and does not meet the 20-foot-width requirement throughout the entire bufferyard length. The applicant proposes to provide nine shade trees (five of which are existing) and 15 evergreen trees, providing 165 plant units, thus meeting the plant unit requirement of 157 plant units. The applicant does not meet the minimum building setback where the car wash is proposed to be 17.8 feet from the property line.

The applicant's proposed alternative compliance measures are as equally effective as normal compliance with Section 4.7 of the Landscape Manual, given that the plant material quantities are being met on a site developed in the late 1960s.

#### **Section 4.9, Sustainable Landscaping Requirements**

The site is subject to the requirements of Section 4.9, Sustainable Landscape Requirements, and the appropriate schedule has been provided. The Section 4.9 schedule should be updated with any revisions made to the landscape plan, to reflect an accurate total of the proposed plant material for the site.

#### **Tree Canopy Coverage Ordinance**

This application is not subject to the Tree Canopy Coverage Ordinance because it proposes less than 5,000 square feet of GFA or disturbance. However, any additional disturbance on the site required by conditions of this approval may require conformance to the Tree Canopy Coverage Ordinance.

10. **Signage:** The applicant is not proposing any new building, canopy, or freestanding signage. The site plan shows two proposed stop signs at the egress of the car wash. The existing signage on the property, as approved via Revision of Site Plan ROSP-SE-1492, appears to meet the area, height, and setback requirements, but should be correctly labeled on the site plan, demonstrating conformance with all sign regulations.
11. **Referrals:** The following comments were received from the referring agencies for review of the special exception application:
  - a. **Transportation**—The subject site is within Transportation Service Area 1, as defined in Plan 2035. The source for estimates of trip generation is the *Trip Generation Manual, 9th Edition* (Institute of Transportation Engineers). The table below provides information regarding site trip generation. The comparison of trip rates for the existing uses, versus the proposed uses under this special exception, are shown in the following table:

Comparison of Estimated Trip Generation, SE-4772, 0.695 acre								
Zoning or Use	Vehicle Fueling Positions	AM Peak-Hour Trips			PM Peak-Hour Trips			Daily Trips
		In	Out	Total	In	Out	Total	
<b>Existing Sunoco and Convenience Store</b>	4	20	20	40	27	27	54	651
With Pass-By	4	14	14	28	19	19	38	456
<b>Proposed Car Wash</b>	4	24	23	47	28	27	55	611
With Pass-By	4	17	16	33	20	19	39	428
<b>Comparison of Existing vs. Proposed</b>				<b>+7</b>			<b>+1</b>	<b>-40</b>

It is determined that the proposed uses will have minimal impact on the existing transportation system. The existing access exiting and entering the site is proposed to remain, and is acceptable with the recommended conditions. The proposal for a single drive-through car wash as an additional use to an existing Sunoco gas station and convenience store meets the requirements of Subtitle 27 of the County Code for approval of a special exception, from the standpoint of vehicular circulation and transportation.

- b. **Urban Design**—In a memorandum dated May 15, 2018, the Urban Design Section reviewed the special exception for conformance to the Zoning Ordinance. The site meets the requirements of Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements of the Landscape Manual. Alternative compliance to Section 4.7 is recommended for approval, with conditions, as discussed in this staff report. The Urban Design Section has no other specific recommendations.
- c. **Permit Review**—In a memorandum dated September 11, 2017 (Gallagher to Thompson), the Permit Review Section reviewed the special exception application for conformance with the Zoning Ordinance, noting several site plan revisions that were addressed by the applicant or are addressed as recommended conditions of approval for this application.
- e. **Community Planning**—In a memorandum dated September 22, 2017 (Lester to Thompson), the Community Planning Division reviewed the special exception for consistency with the approved master plan. The 2013 Central Branch Avenue Corridor Sector Plan recommends residential mixed-use (Map 26, page 80) land uses on the subject property, with residential as the dominant use.

The proposed use is broadly inconsistent with the sector plan; however, pursuant to Section 27-317(a)(3), this application will not substantially impair the integrity of the sector plan because the recommended land use cannot be achieved with the current C-S-C zoning.

- f. **Environmental Planning**—In a memorandum dated September 18, 2017 (Schneider to Thompson), the Environmental Planning Section reviewed the special exception for conformance to the environmental regulations of Subtitle 27 of the County Code. An approved and signed Natural Resources Inventory, NRI-267-2015, and WCO Exemption Letter (S-007-16) was issued for this site. The WCO exemption letter expired on January 8, 2018 and should be replaced. There are no environmental issues.

### **Stormwater Management**

A Stormwater Management Concept Plan and Letter (1373-2017-00) was approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on May 15, 2017. However, DPIE has indicated that the proposed development does not meet the intent of the approved stormwater concept plan and that revisions will be needed to address the inconsistencies. The applicant will be required to have stormwater management concept approval, consistent with the proposed development, at the time of permitting.

- g. **Subdivision and Zoning**—Parcel A, as shown on the site plan, matches the Record Plat, WWW 63–36. Pursuant to Section 24-111(c)(3) of the Subdivision Regulations, the proposed development does not exceed 5,000 square feet, so a preliminary plan of subdivision is not required. The record plat referenced on the site plan should be revised to note the correct record plat, and the property lines superseded by the current plat should be removed from the plans.
  - h. **Historic Preservation**—In a memorandum dated September 8, 2017 (Berger to Thompson), the Historic Preservation Section noted that the probability of archeological sites within the subject property is low. The proposal will not impact any historic sites, historic resources, or known archeological sites.
  - i. **Special Projects**—In a memorandum dated September 6, 2017 (Mangalvedhe to Thompson), the Special Projects Section has determined that adequate public facilities, including fire, rescue, and police facilities, exist to serve the site.
  - j. **Prince George's County Health Department**—In a memorandum dated September 12, 2017 (Johnson to Thompson), the Health Department offered the following comments:
    - (1) During the demolition/construction phases of this project, no dust should be allowed to impact adjacent residential areas. 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.
    - (2) During the demolition/construction phase of this project, no noise should be allowed to adversely impact activities on the adjacent residential areas. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
- The applicant should note on the site plan that development will conform to the activity dust control and construction activity noise control requirements.
- k. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated October 12, 2017 (Giles to Thompson), DPIE offered several comments regarding approval of this plan. DPIE's comments have been addressed within the findings and recommended conditions of this report or will be addressed by the applicant at the time of permit submittal.

## RECOMMENDATION

A special exception use is considered compatible with uses permitted by-right within the zone, when specific special exception criteria are met. Unless adverse impacts are identified, the special exception may be approved. The appropriate standard for determining whether the use would create an adverse impact upon surrounding properties is to show that the proposed use, at this particular location proposed, would not have adverse impacts above and beyond those inherently associated with the special exception use, regardless of its location within the zone.

Based on the applicant's statement of justification, the analysis contained in this technical staff report and associated referrals, and materials in the record, the applicant has demonstrated conformance to the required special exception findings, as set forth in Section 27-317, Required Findings; Section 27-355, Food or beverage store; and Section 27-358, Gas Station, in this instance. Therefore, staff recommends adoption of the findings of this technical staff report for Special Exception SE-4772 and Alternative Compliance AC-17018 for Sunoco Gas Station and Car Wash, subject to the following condition:

1. Prior to certification of the special exception, the special exception site and landscape plan shall be revised, as follows:
  - a. Correct General Note 9 and the roadway dedication labeled on the site plan to indicate Record Plat WWW 63-36 as the recording reference, and remove from the plans the property lines superseded by the current plat.
  - b. Correct General Note 23 on the plans to indicate that the property is in the Military Installation Overlay Zone, and provide the criteria.
  - c. Add the date of construction of the existing building to the plans.
  - d. The height of the existing building shall be labeled on the plans in order to demonstrate compliance with the setback requirements provided in Section 27-462(b) of the Prince George's County Zoning Ordinance.
  - e. Provide the area, height, and setback for all signage.
  - f. Label the existing sidewalk along MD 337 (Allentown Road) to demonstrate a minimum width of five feet, or indicate replacement with a proposed sidewalk of that width, in accordance with the County Road Ordinance, the Prince George's County Department of Public Works and Transportation specifications and standards, and the Americans with Disabilities Act.
  - g. Indicate reconstruction or replacement of the access driveways to demonstrate a minimum width of 30 feet, unless a lesser width for one-way access is allowed by the applicable operating agency, in accordance with the County Road Ordinance and the Prince George's County Department of Public Works and Transportation specifications and standards.
  - h. Indicate reconstruction or replacement of the access driveways to demonstrate that the location is a minimum of 12 feet from the adjoining side lot lines and define the access driveways with curbing.
  - i. Dimension the pump locations from the right-of-way.

- j. Correct General Note 3 to indicate the C-S-C Zone.
- k. Revise the usage of the property from “masonic temple” to private club, from “commercial” to retail sales and consumer service establishment less than 60,000 square feet, and from “utilities” to public utility structure.
- l. Dimension and label the required and provided building setbacks and the landscape yard length and width for each bufferyard.
- m. Revise the north arrow on the plan to show true north.
- n. Revise Bufferyard 2 to include the addition of a six-foot-high, sight-tight fence and six up-right, pyramidal Eastern Red cedars (*Juniperus virginiana*), or equivalent.
- o. Label the dimensions from the building to the property line and label the dimensions of the car wash and the food and beverage store.
- p. Provide a note indicating intent to conform to the construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- q. Provide a note indicating intent to conform to the construction activity noise control requirements as specified in Subtitle 19 of the Prince George’s County Code.
- r. Correct the Section 4.2 Landscape Schedule and/or landscape plan for consistency as to the proposed plant units. The Section 4.9 Landscape Schedule shall be revised, in accordance with revisions made to the landscaping, to reflect the total number of plant units for the site.
- s. The applicant shall obtain a new Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance exemption letter.