

\*The Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530



*Note: Staff reports can be accessed at [www.mnccppc.org/pgco/planning/plan.htm](http://www.mnccppc.org/pgco/planning/plan.htm).*

## Revision of Site Plan (Limited Minor Change) ROSP SE-1673/05

Application	General Data
<b>Project Name:</b> Shell Oil Company (Sandy Spring Rd.)  <b>Location:</b> Northeast corner of Bauer Lane and Sandy Spring Road, known as 6000 Sandy Spring Road.  <b>Applicant/Address:</b> Lee Bouchez Motiva Enterprises, LLC 2715 Mountain Olive Road Mt. Airy, Maryland 21774	Date Accepted: 4/22/05
	Planning Board Action Limit: N/A
	Plan Acreage: 0.67
	Zone: C-S-C
	Dwelling Units: NA
	Square Footage: 25
	Planning Area: 60
	Tier: Developing
	Council District: 01
	Municipality: N/A
	200-Scale Base Map: 220NE06

Purpose of Application	Notice Dates
Addition of heating oil tank	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003)           N/A
	Sign(s) Posted on Site and Notice of Hearing Mailed:           N/A

Staff Recommendation		Staff Reviewer: Laxmi Srinivas	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**  
**14741 Governor Oden Bowie Drive**  
**Upper Marlboro, Maryland 20772**

May 31, 2005

## **Limited Departures and Revisions to Approved Plans**

Application No:           ROSP SE 1673/05

Project Name:           Shell Oil Company (Sandy Spring Road)

Reviewer's Name:       Laxmi Srinivas, Senior Planner

- A.     **Nature of the Applicant's Request:** This minor revision is for the addition of an above ground heating oil tank on the north side of the property behind the existing convenience store. The subject property is improved with a gas station and a convenience store. The proposed tank is for bulk oil and fast lube oil storage. The proposed tank will be 6'1" long, 4'2" wide and 2'8" deep. It will be a double-wall fabricated steel tank. The proposed tank will be screened from the property to the north by an existing fence and landscaping along the northern property line.
- B.     **Zoning History:** The District Council approved a Special Exception for the existing gas station on January 16, 1968. Four revisions to the Special Exception have been approved as of this date.
- C.     **Required Findings:**

### **Section 27-325 (c). Limited Minor Changes—Planning Director**

- (1)     The Planning Director is authorized to approve minor changes administratively, without public hearing, only if the proposed minor changes are limited in scope and nature, including an increase in gross floor area or land covered by a structure other than a building up to ten percent. The Director shall deny any administrative approval request proposing site plan changes that will have a significant impact on adjacent property.
- (2)     Before approving a minor change, the Director shall make all findings the Planning Board would be required to make, if it reviewed the application.
- (3)     The Director is not authorized to waive requirements in this Subtitle, grant variances, or modify conditions, considerations, or other requirements imposed by the Planning Board or District Council in any case.

- (4) The applicant's property shall be posted within ten days of the Director's acceptance of the filing of the application. Posting shall be in accordance with Part 3, Division 1. On and after the first day of posting, the application may not be amended.
- (5) The Director may waive posting after determining, in writing that the proposed minor change is so limited in scope and nature that it will have no appreciable impact on adjacent property.
- (6) If posting is waived or a written request for public hearing is not submitted within the posted time period, then the Director may act on the application. The Director's approval concludes all proceedings.
- (7) If the Director denies the application or a timely hearing request is submitted, then the application shall be treated as refiled on the date of that event. The applicant, Director, and technical staff shall then follow the procedures for Planning Board review.

### **Sec. 27-358. Gas Station**

- (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;
  - (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;
  - (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;
  - (4) The storage or junking of wrecked motor vehicles (whether capable of movement or not) is prohibited;
  - (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;
  - (6) Access driveways shall be defined by curbing;
  - (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;
  - (8) Gasoline pumps and other service appliances shall be located at least twenty-five (25) feet behind the street line;
  - (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.

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

(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.

(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.

(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.

#### **Sec. 27-317. Special Exceptions—General Requirements**

(a) A special exception may be approved if:

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

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

(4) The proposed use will not 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

(6) The proposed site plan is in conformance with an approved tree conservation plan.

#### **D. Determinations:**

The subject property is a 0.67-acre parcel located on the northeast corner of Bauer Lane and Sandy Spring Road, known as 6000 Sandy Spring Road. It is surrounded by the following uses:

North— Residential Uses in the R-R Zone

East— Residential Uses in the R-R Zone

South— Sandy Spring Road and residential uses in the R-R Zone across from Sandy Spring Road

West—Bauer Road and residential uses in the R-R Zone across from Bauer Road

1. The posting requirement for this minor revision was waived because the proposed minor change is so limited in scope and nature that it will have no appreciable impact on adjacent property.
2. The subject property has frontage on Sandy Spring Road and Bauer Road and has vehicular access from Sandy Spring Road. Sandy Spring Road has sufficient capacity to accommodate the type and amount of traffic generated by the use.
3. The existing gas station will serve the surrounding communities as previously determined by the District Council.
4. The existing use of the property as a gas station will not be altered by the subject proposal. The proposal will enhance the existing use by providing a tank for bulk oil and lube oil.
5. The proposal will not alter any of the previous conditions of approval for Special Exception SE-1673. The Permits Section has required minor revisions to the site plan. Conditions of approval have been added to require the same. The Environmental Planning Section has stated that the proposal is exempt from the requirements of the Prince George's County Woodland Conservation Ordinance.
6. The proposed revision meets the criteria for a limited minor change approvable by the Planning Director because it is less than ten percent of the existing floor area. The proposed changes are minor in scope and nature and will have no appreciable effect on adjacent properties.
7. With the proposed conditions, the proposed revision conforms to the requirements of the Zoning Ordinance and the conditions of approval of the original special exception. The proposed tank will be sufficiently screened from the adjacent streets and adjacent properties by the existing fence and landscaping.
8. The proposed revision does not alter the previous findings of the District Council with regard to the nature and scope of the operation and the type and amount of traffic to be generated.
9. The proposed revisions will not alter the previous findings of compatibility with the surrounding area, conformance with the regulations of the Zoning Ordinance, or impairment of the Northwestern Area Master Plan for Planning Area 60.

**E. Recommendation:**

Based on the above findings, it is recommended that ROSP SE-1673/05 be APPROVED. Prior to certification, the site plan shall be revised to show the following:

1. Dimensions of the parking spaces

2. Notes regarding the completion of work for the proposed portico enclosure approved under ROSP SE-1673/04
3. Notes from ROSP SE-1673/04
4. A note stating that the existing sign has been relocated
5. Uses and Zoning of the adjacent properties.

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**APPROVED BY AUTHORITY OF:  
Fern V. Piret, Planning Director**

**By:\_\_\_\_\_ Date:\_\_\_\_\_**

**Jimi Jones, Acting Zoning Supervisor**