



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Revision of Site Plan

ROSP SE-3647/02

Application	General Data
Project Name: Bowie Belair Mobil Location: Southeast corner of Stonybrook Drive and Annapolis Road, known as 3233 Stonybrook Drive Applicant/Address: Richard Arnold Bowie Belair Mobil 3233 Stonybrook Drive Bowie, Maryland 20715	Date Accepted: 11/1/04
	Planning Board Action Limit: N/A
	Plan Acreage: 1.27
	Zone: C-S-C
	Dwelling Units: NA
	Square Footage: 2,844
	Planning Area: 71B
	Tier: Developing
	Council District: 04
	Municipality: Bowie
	200-Scale Base Map: 209NE13

Purpose of Application	Notice Dates
Addition of 210 square feet to existing car wash	Adjoining Property Owners Previous Parties of Record Registered Associations: N/A (CB-12-2003)
	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

December 7, 2004

PLANNING DIRECTOR DECISION

Limited Departures and Revisions to Approved Plans

Application No: ROSP SE-3647/02

Project Name: Bowie Bel Air Mobil

Reviewer's Name: Laxmi Srinivas, Senior Planner

- A. **Nature of the Applicant's Request:** This minor revision was filed for a 210-square-foot addition on the east side of the existing car wash building. The size of the building is being increased to provide a separate room for the car wash mechanical equipment to reduce equipment corrosion. The subject property is being used as a gas station with a convenience store and car wash.

Zoning History: Special Exception SE-788 was approved by the District Council for the existing gas station on August 17, 1962. Another Special Exception, SE-2297, was approved by the District Council on May 20, 1970, for adding a fourth gas dispensing bay and enlarging the storage area. Another Special Exception, SE-3647, was approved by the Zoning Hearing Examiner on April 23, 1986, for renovation of the gas station, consisting of the demolition of the former service building and removal of three gas pump islands and the construction of a new 2,268-square-foot service station building, four new pump islands, a canopy, a new 576-square-foot freestanding car wash building, and a 391-square-foot convenience store within the new service station building. The total gross floor area of the existing buildings and car wash building is 2,844 square feet. The proposed 210-square-foot addition will increase the existing gross floor area by 7.4 percent.

- B. **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 re-filed 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.

(CB-8-1984; CB-1-1989; CB-48-1998; CB-22-1999; CB-72-1999)

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.

C. Determinations:

The subject property is a 1.27-acre parcel located on the southeast corner of Stonybrook Drive and Annapolis Road (MD 450), known as 3233 Stonybrook Drive.

It is surrounded by the following uses:

North—Annapolis Road

East—Shopping center in the C-S-C Zone

South—Plaza Way

West—Stonybrook Drive

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 Stonybrook Drive and Annapolis Road and has vehicular access from both the streets. Both the streets have sufficient capacity to accommodate the type and amount of traffic expected to be generated by the use.
3. The existing gas station and car wash facility will serve the surrounding residential and commercial development as previously determined by the District Council.
4. The existing landscaping will not be altered by the subject proposal.
5. The existing parking on the property will accommodate the proposed addition to the car

wash building. A condition of approval has been added to require the applicant to provide a parking schedule that shows that the existing parking meets the requirements of the Zoning Ordinance and accommodates the proposed addition.

6. A condition of approval has also been added to require that the color, materials and design of the proposed addition match the color, materials and design of the existing building so that the addition is compatible with the existing building.
7. With the proposed conditions, the proposed revision meets the criteria for a limited minor change approvable by the Planning Director because it is only 7.4 percent of the existing floor area. The proposed changes are minor in scope and nature and will have no appreciable effect on adjacent properties.
8. The proposed revision conforms to the requirements of the Zoning Ordinance and the conditions of approval of the original special exception. The architecture, building materials and color scheme will be similar in character to that approved by the District Council.
9. 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.
10. 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 Bowie Collington Mitchelville and vicinity master plan.

D. Recommendation:

Based on the above findings, it is recommended that ROSP SE-3647/02 be APPROVED. Prior to certification of the plans, the site plan shall be revised to show the following:

1. A parking schedule that shows that the existing parking meets the requirements of the Zoning Ordinance and accommodates the proposed addition.
2. A note stating that the color, design and materials of the proposed addition shall match the color, design and materials of the existing building.

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

By: _____ Date: _____

Jimi Jones, Acting Zoning Supervisor