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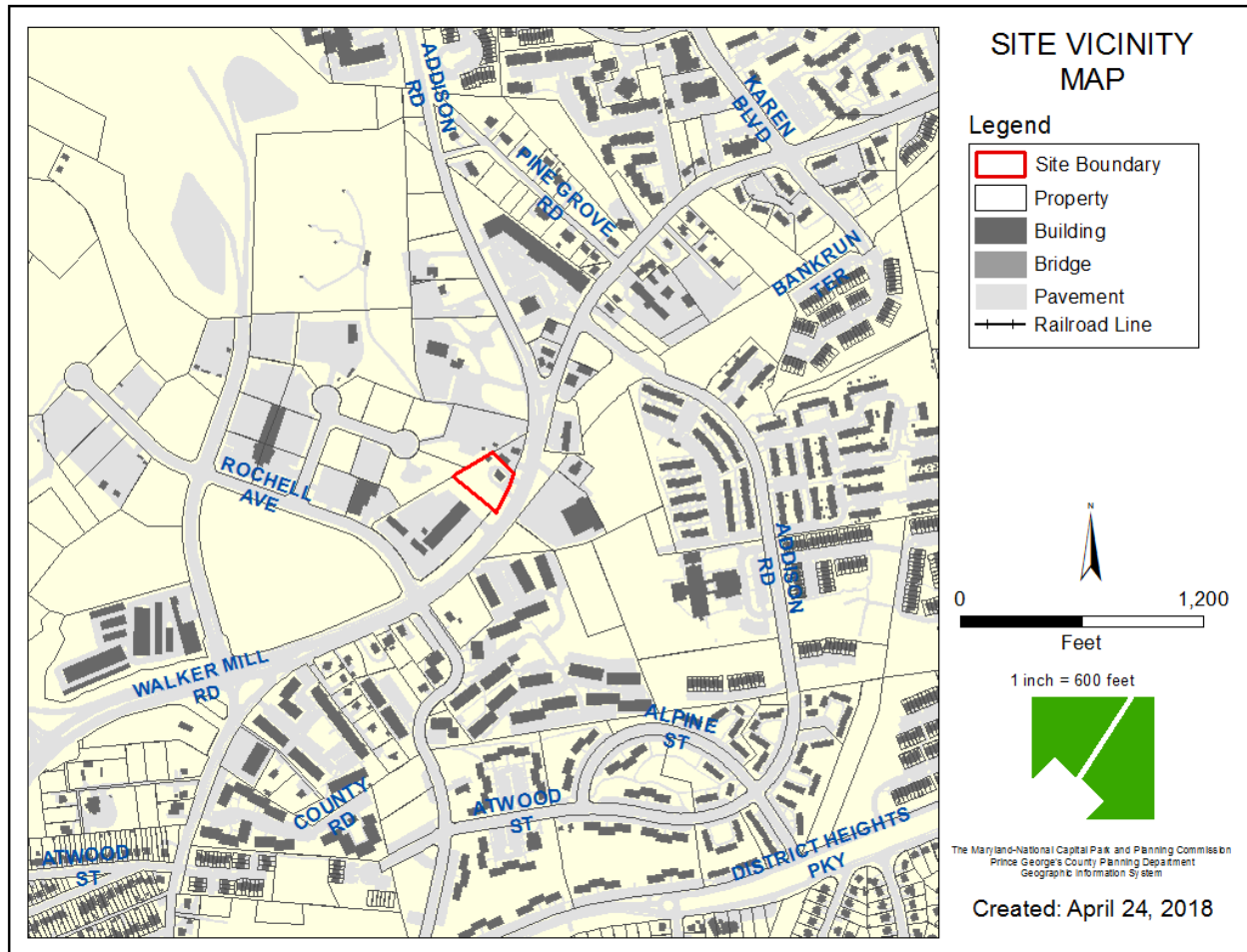
Special Exception

SE-4815

Application	General Data	
Project Name: Hunt Real Estate Development Location: On the west side of Walker Mill Road, approximately 350 square feet south of its intersection with Addison Road. Applicant/Address: HRES Capitol Heights, LLC 5100 W Kennedy Boulevard, Suite 100 Tampa, FL 33609 Property Owner: Boertlein Living Trust John and Josephine Boertlein, Trustee 6336 Johns Lane Dunkirk, MD 20754	Planning Board Hearing Date:	09/20/18
	Staff Report Date:	08/29/18
	Date Accepted:	06/08/18
	Planning Board Action Limit:	N/A
	Plan Acreage:	43,273 sq. ft.
	Zone:	C-S-C
	Gross Floor Area:	3,010 sq. ft.
	Lots:	0
	Parcels:	1
	Planning Area:	75A
	Council District:	07
	Election District	18
	Municipality:	N/A
	200-Scale Base Map:	203SE06

Purpose of Application	Notice Dates	
Removal of all existing structures on Parcel B and construction of a 3,010-square-foot food and beverage store with associated gas station.	Informational Mailing	04/26/18
	Acceptance Mailing:	06/06/18
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Ras Tafari Cannady II Phone Number: 301-952-3411 E-mail: Ras.Cannady@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: Ras Tafari Cannady II, Senior Planner, Subdivision and Zoning Section
Development Review Division

SUBJECT: Special Exception SE-4815

REQUEST: **To remove existing structures on Parcel B and construct a 3,010-square-foot food or beverage store with associated gas station.**

RECOMMENDATION: **APPROVAL with conditions**

NOTE:

The Planning Board has scheduled this application on the consent agenda for transmittal to the Zoning Hearing Examiner on the agenda date of September 20, 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.

FINDINGS:

1. **Location:** The property is located on the west side of Walker Mill Road, approximately 350 feet south of its intersection with Addison Road in Capitol Heights. The site is comprised of 43,273 square feet of land in the Commercial Shopping Center (C-S-C) Zone. The property is currently improved with an 84-square-foot metal shed and a 1,434-square-foot vacant building constructed in 1954, with signage indicating that the building was used as the Washington Art Glass Studio. The site has two existing driveway entrances from Walker Mill Road and an asphalt circular driveway around the building. All of the existing structures are to be razed.

During the field inspection, it was noted that the site has some existing natural wooded areas along the west and south sides of the property. Some of the woodlands are beyond the subject site, which provide natural screening and buffering from the adjacent retail, commercial, and industrial land uses abutting the property. Six-foot-high wood and chain-link fences also exist along the site's northern and western property lines, which are to be removed and replaced. Vehicular access to the site will be provided by a single driveway from Walker Mill Road with the proposed redevelopment.

2. **History and Previous Approvals:** According to the Maryland Department of Assessment and Taxation database, the subject property was developed in 1954 with a 1,434-square-foot commercial building and an 84-square-foot metal shed. There are no existing use and occupancy permits on record with the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) regarding the use history of this property.

The subject property is known as Parcel B, recorded in Plat Book WWW 34-70, approved by the Prince George's County Planning Board on March 29, 1959. This plat does not have any associated plat notes.

A Departure from Parking and Loading Standards (DPLS-434, PGCPB Resolution No. 17-143) for the subject site was approved by the Prince George's County Planning Board on November 30, 2017, for a departure of 18 parking spaces from the 51 spaces required by the Prince George's County Zoning Ordinance for development of a 9,180-square-foot department and variety store (without food or beverage). However, DPLS-434 does not remain relevant with the subject application because the specified use was never established on the property.

The site has an approved Stormwater Management Concept Plan (54536-2015-00), which was approved on August 11, 2016 and remains valid until August 11, 2019.

3. **Neighborhood and Surrounding Uses:** The general neighborhood is bounded to the north by Addison Road; to the south and east by Walker Mill Road; and to the west by Rollins Avenue. The immediate area surrounding the subject property is developed with commercial and industrial uses as follows:

West— A construction storage yard in the Light Industrial (I-1) Zone.

East— Walker Mill Road and across Walker Mill Road, opposite the subject site, is the Saint Paul Church in the C-S-C Zone.

North— A gas station, housing gas pumps that are currently out of service, with associated food and beverage store in the C-S-C Zone.

South— The Walker Mill Business Park which is developed with various commercial uses including an insurance company, churches, a fitness center, and a photography studio in the I-1 Zone.

4. **Request:** This application proposes to raze all of the existing structures on the site (Parcel B) and construct a gas station with associated food and beverage store. A new 3,010-square-foot food and beverage store, and six multi-product dispensers with a 3,096-square-foot canopy (36 feet by 86 feet) are proposed. A gas station with associated food or beverage store is permitted in the C-S-C Zone with the approval of a special exception, in accordance with Section 27-461 of the Zoning Ordinance.

5. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Vacant Building	Gas Station with associated food or beverage store
Acreage	43,273 sq. ft.	43,273 sq. ft.
Parcels	1	1
Gross Floor Area	1,518 sq. ft.	3,010 sq. ft.
Lots	0	0

6. **Required Findings:** A special exception is subject to the general findings for approval of all special exceptions contained in Section 27-317(a) of the Zoning Ordinance. Part 4 of the Zoning Ordinance also includes additional required findings for specific uses. A gas station is subject to the findings of Section 27-358, and the food or beverage store component is subject to the additional findings contained in Section 27-355. The analysis of all the required findings for approval are provided below.

In support of the application, the applicant filed a statement of justification (SOJ) dated June 8, 2018, which was superseded by a revised SOJ submitted on August 15, 2018. The applicant also included a market analysis (dated July 9, 2018) and site and landscape plans.

General Special Exception Findings: Section 27-317(a) provides that:

(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 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 uses; and to exclude uses incompatible with general retail shopping centers and institutions. As outlined in the applicant's SOJ (August 15, 2018), adopted herein by reference, and

throughout this technical staff report, staff finds that the uses and the site plan, as proposed, will be in harmony with the purposes of this Subtitle if approved with the recommended conditions contained herein.

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

As outlined within this technical staff report, this application has demonstrated conformance with the requirements and regulations of the Zoning Ordinance.

(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 Map Plan, the General Plan.

The gas station with associated food or beverage store will not impair the integrity of any master plan, functional plan, or the *Plan Prince George's 2035 Approved General Plan* (Plan 2035). This application is in the Established Communities area of Plan 2035, which is most appropriate for context-sensitive infill and low- to medium-density development. This application is consistent with that vision.

The *Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA), retained the subject property in the C-S-C Zone and recommends mixed-use residential land use for the subject property. Although this site is part of the Walker Mill Business Park, the master plan points out that the business park has not enjoyed the same level of success as others in more prominent locations, which have access to a regional transportation network. The master plan states, "Transforming the site away from industrial and integrating in new retail and residential uses is highly recommended" (page 337). Staff finds that this application for the removal of vacant structures for the addition of a gas station with associated food or beverage store will not substantially impair the integrity of the Subregion 4 Master Plan and SMA, as the proposed development is permitted in the C-S-C Zone, when meeting the special exception criteria.

The proposed special exception is in conformance with the environmental provisions of Plan 2035, the area master plan, and the Countywide Green Infrastructure Plan, as outlined in a memorandum from the Environmental Planning Section dated July 11, 2018 (Burke to Cannady II), which is incorporated herein by reference.

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

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 agency received by staff, and incorporated herein by reference, indicate that the proposed removal of vacant structures for the addition of a gas station with associated food and beverage store, subject to 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.

The subject application proposes to raze the existing structures and redevelop the properties with a modern and convenient gas station with associated food and beverage store. The redevelopment of the property will be beneficial to the surrounding community by addressing its modern retailing needs.

Staff notes that there is an existing Namco gas station with associated food and beverage store abutting the subject site to the north. The existing Namco gas station with associated food and beverage store currently houses gas pumps that are not in use and offers a limited variety of food and beverage options. The applicant has provided a market analysis which studies gas stations with associated food and beverage stores within a one-mile radius. The analysis concludes there is a conservative demand in the area for a gasoline station.

The proposed development will not detrimentally impact the use or development of the adjacent properties, as the proposed gas station is compatible with the existing surrounding developments and will provide goods and services ,which will supplement those on abutting properties.

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

The site has been issued a standard letter of exemption from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (S-036-2017), issued on February 28, 2017 with an expiration of February 28, 2019, and therefore, conforms to this requirement.

(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).

This special exception site plan does not contain any regulated environmental features and, therefore, conforms to this requirement.

Specific Special Exception Requirements:

Section 27-355. Food or beverage store.

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

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

A gas station with associated food or beverage store may be permitted within the C-S-C Zone by special exception, if the applicant can show a reasonable need for the use in the neighborhood. The proposed food or beverage store is located in close proximity to several multifamily residential communities and will be accessed by Walker Mill Road, which is an arterial roadway.

In the applicant's revised SOJ (August 15, 2018), the applicant asserted the following:

"It is well established that this criterion requires that the applicant demonstrate that the proposed food and beverage store is reasonably convenient or expedient. "It is an elastic and relative term infusing the local agency with a degree of discretion to be exercised in a non-arbitrary manner applying the facts of each case to the requirement." *Friends of Ridge v. Baltimore Gas & Electric Co.*, 120 Md. App. 707. It does not mean that the use is absolutely necessary. The issue of convenience to the consumer is central to this test. In this case, the proposed use will be strategically located along Walker Mill Road, which is a heavily traveled arterial roadway. The use will be in a prime location to serve the travelling public on Walker Mill Road. In addition, this location will allow the food and beverage store to serve not only the residents of the residential communities along Addison Road to the north of the subject property, but also the employees of the industrial park located to the south of Walker Mill Road and the subject property.

"Finally, the current practice of co-locating food and beverage stores with practicality, for every new gas station that arises from the similar appropriateness of a site with high vehicular traffic for both gas station and food and beverage uses. The co-location has the added benefit for [sic] providing for increased vehicular trips efficiency, by allowing customers to expediently combine trips and minimize traffic on the roads. In other words, the co-location of the food and beverage store and gas station makes the combined use reasonable and convenient for the consumer. We therefore, believe that the use will be reasonably convenient for motorists, employees, and residents of the neighborhood. The issue of convenience to the consumer is in our opinion, central essential [sic] to this test. The more stringent test is to show that the use is "necessary," and carries the burden of showing an actual deficit exists, which can be filled by the requested use. The proposed use would be strategically located near homes in Fairwood [sic] and other nearby subdivisions. Also, the use would serve the traffic on westbound MD 450 (Annapolis Road), which is a heavily traveled arterial roadway. We therefore, believes [sic] that the use will be reasonably convenient for motorists and residents of the nearby subdivisions."

Staff agrees with the applicant's assertion that there is a reasonable need for the proposed food and beverage store and that it will be convenient and help serve the needs of the community.

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

One access point at Walker Mill Drive is proposed on-site. The 3,010-square-foot building is an appropriate size for the site and conforms to the regulations applicable in the C-S-C Zone. The location and access are reasonably convenient and will therefore be geared toward meeting the 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 proposed food or beverage store will be operated in conjunction with a gas station. The proposed uses will not restrict the availability of land or upset the balance of land uses in the area. The combination of uses on one property will allow other properties to develop with other uses, that will help further address the needs and demands of the community. Staff notes that there is an existing Namco gas station with an associated food or beverage store abutting the subject site to the north. The existing Namco gas station with associated food and beverage store currently houses gas pumps that are not in use and provides limited food and beverage options. The proposed development will not unduly restrict the availability of land or upset the balance of land uses in the area, including the existing Namco gas station, but will add to the convenience options in the area.

- (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;**

The proposed use is located within the C-S-C Zone. This criterion does not apply to the subject application.

- (5) **The retail sale of alcoholic beverages from a food or 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 retail sale of alcoholic beverages is not proposed with the subject application.

Section 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;**

The subject property has 205 linear feet of frontage along Walker Mill Road. Walker Mill Road has a variable right-of-way width that exceeds 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;**

The subject property is not located within 300 feet of a school, playground, hospital, or library.

- (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 subject application does not include the display and rental of cargo trailers, trucks, or similar uses.

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

The subject property will not be used for the storage or junking of wrecked motor vehicles (whether capable of movement or not).

- (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 Permitting, Inspections, and Enforcement, 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 access driveway proposed on Walker Mill Road is more than 30 feet wide, conforming to this requirement. The subject property is not a corner lot.

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

The proposed driveway, defined by curbing, is shown on the site plan.

- (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;**

The application is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Subregion 4 Master Plan and SMA. The MPOT recommends an eight-foot-wide shared-use sidepath, or wide sidewalk along Walker Mill Road. This facility will connect to the existing wide sidewalk along Ritchie Marlboro Road at the I-95/495 (Capital Beltway) interchange, in addition to providing access to Walker Mill Regional Park, John H. Bayne Elementary School, and Walker Mill Business Park. The proposed sidewalk along the site's frontage on Walker Mill Road needs to be dimensioned and labeled to demonstrate a width of eight feet on the site plan. A condition of approval addressing the implementation of an eight-foot-wide sidepath/sidewalk has been included in the Recommendation section of this report.

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

The proposed gas pumps are set back more than 25 feet from Walker Mill Road, as required by this section. The applicant shows the dimensions from the right-of-way to the gas pump canopy is 36.71 feet. The gas pumps are located under the canopy and no other service appliances are shown on the plans.

- (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.**

Vehicle repair services are not proposed with the subject application.

- (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.**

The application shows elevations for the gas station with associated food and beverage store. The surrounding development is largely industrial and utilitarian and, therefore, it is not desirable for this proposed building to blend with those sites. However, the existing buildings east of Walker Mill Road consist of brick and cementitious siding. The finishes and architectural character of the proposed food and beverage building is of a high quality and proposes the use of fiber cement panels, which are finished to imitate brick. The finish provides two brick tones, with a darker brick at the base of the building and a lighter brick atop. A trash enclosure is proposed utilizing the same materials and pattern. The gas pump canopy is proposed with a white face with striping to match the proposed building signage. Therefore, the architectural character of the gas station proposed will be compatible with the 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.**

Section 27-296(c) of the Zoning Ordinance lists the plan submission requirements for special exception applications. The subject application complies with the criteria listed within this section. In regard to the plan requirements listed above, the site plan submitted in conjunction with the subject application shows the topography of the subject properties

as well as the topography of the abutting properties for a depth of more than 50 feet. The location of the trash enclosure is shown along the southern portion of the food or beverage store; and a detail sheet has been provided showing the materials used and type of trash enclosure which complements the proposed building. There are no vending machines or vending areas proposed with the subject application.

- (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.**

The applicant has agreed to comply with this provision, as stated in the SOJ dated August 15, 2018, which should be noted on the plans.

- (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.**

A gas station with associated food or beverage store may be permitted within the C-S-C Zone by special exception, if the applicant can show that the gas station component is necessary to the public within the surrounding area. The applicant submitted a market analysis (dated July 9, 2018) prepared by the Director of Acquisitions at Hunt Real Estate Services, Inc. The purpose of the study was to provide a determination on whether there is a reasonable need for the use of a gas station with associated food and beverage store within the neighborhood. There are three existing convenience gas store operations within a one-mile radius, which the applicant used to comprise the primary market area surrounding the proposed gas station with associated food and beverage store; Namco (6622 Walker Mill Road), BP (6701 Walker Mill Road), and Citgo (6700 Walker Mill Road). One of the gas stations with associated food and beverage store, Namco, has a pending Maryland Department of the Environment (MDE) case showing the tanks are temporarily out of use. The applicant utilized five different methods to show that the applicant’s proposed gas station will provide goods and services that are not available at other stations. These methods are outlined below.

Method 1

Identify the primary market area demand for residents and workers as a gallon per year figure by identifying the number of households within the market area, the number of vehicles per household, and the gallon demand per year.

Method 2

Identify the primary market area demand for workers within the market area who either drove alone or carpooled.

Method 3

Identify the primary market area demand for households based on one fill-up per vehicle per week.

Method 4

Utilizing Maryland State Highway Administration (SHA) volume traffic data, identify the primary market area demand for traffic counts within the area.

Method 5

Identify the primary market area demand based on gallons per month, based on average daily trips of workers and transient commuters.

Upon reviewing the proposal and the applicant's market analysis, staff finds that the applicant has identified a market area in close proximity to the site (one-mile radius), the other gas stations therein, and demonstrated that there is an excess demand based on the gallons pumped by the existing gas stations. Further, the Research Section, in a memorandum dated August 8, 2018 (Kowaluk to Cannady II), concluded that the convenience of consumers combining their shopping trips at the food and beverage store with a gas station indicates the proposed station will be expedient or reasonably convenient and useful to the public. Therefore, staff finds the proposed gas station will provide reasonable and necessary accommodations to the surrounding community.

There is not any indication that the approval of the proposed gas station would upset the balance of land use in the area, nor would the use unduly restrict the availability of land in the area for other commercial uses. The subject property is located along an arterial road, Walker Mill Road, which houses industrial uses to the south of the site, and commercial uses to north and of the site.

7. **Parking Regulations:** In accordance with the parking and loading regulations contained in Part 11 of the Zoning Ordinance, 19 parking spaces, including 1 handicap parking space, are required, given the 20 percent joint use reduction allowed pursuant to Section 27-572 of the Zoning Ordinance. The subject application's site plan shows 19 parking spaces being provided, including 1 handicap parking space, satisfying the parking regulations of the Zoning Ordinance. The subject application's site plan also correctly shows one loading space required and provided.

8. **Prince George's County Landscape Manual Requirements:**

Section 4.2, Landscape Strips Along Streets—The proposed project is subject to Section 4.2 for its Walker Mill Road frontage. The current submitted plan provides the appropriate schedules showing that the planting requirements of this section are being met.

Section 4.3, Parking lot Requirements—The special exception plan proposes a new parking lot, requiring interior planting in accordance with this section. The submitted plan indicates that all of the requirements of this section are being met with the correct schedules.

Section 4.4, Screening Requirements—Section 4.4 requires screening of loading, maintenance, merchandise storage, trash collection facilities, and mechanical equipment. In the subject project, loading and trash collection facilities are included and meet the screening requirements of Section 4.4.

Section 4.7, Buffering Incompatible Uses—The site is subject to the requirements of Section 4.7, as the subject project proposes a new building and there are uses deemed incompatible by the Landscape Manual on adjacent properties. The appropriate schedule has been provided, demonstrating conformance with these requirements.

Section 4.9, Sustainable Landscaping Requirements—The site is subject to the requirements of Section 4.9, and a schedule is provided on the plan demonstrating conformance to these requirements.

Tree Canopy Coverage—The project is subject to the requirements of the Prince George’s County Tree Canopy Coverage Ordinance, as it involves a disturbance in excess of 5,000 square feet of land area. As the project is located in the C-S-C Zone, 10 percent of the square footage is required to be covered in tree canopy. As the site measures 43,273 square feet, 4,327 square feet should be covered in tree canopy. The required tree canopy coverage schedule should be provided on the landscape plan, demonstrating conformance with this requirement, and is recommended as a condition of this approval.

9. **Sign Regulations:** This application includes the review of one building-mounted sign, one automated teller machine (ATM) hanging sign (interior), six vinyl window signs, three canopy signs, one Americans with Disabilities Act (ADA) parking sign, four aluminum composite metal strips associated with the convenience store and gas station, and one freestanding monument sign on the subject site. The proposed signage meets the area, height, and setback requirements of the applicable sign regulations of the Zoning Ordinance.
10. **Referral Comments:** The following referrals were received and are incorporated herein by reference; all of the comments are addressed on the site plan, or as part of this technical staff report:
 - a. Urban Design Section dated June 29, 2018 (Grover to Cannady II)
 - b. Transportation Planning Section dated July 27, 2018 (Hancock to Cannady II)
 - c. Environmental Planning Section dated July 11, 2018 (Burke to Cannady II)
 - d. Historic Preservation Section dated June 19, 2018 (Stabler to Cannady II)
 - e. Community Planning Division dated July 9, 2018 (Umeozulu to Cannady II)
 - f. Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) dated July 5, 2018 (Giles to Cannady II)
 - g. Transportation Planning Section (Trails) dated June 29, 2018 (Shaffer to Cannady II)

RECOMMENDATION

A special exception use is considered compatible with uses permitted by-right within the zone, as long as specific special exception criteria are met. Unless unique 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 SOJ dated June 8, 2018, 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 (in general); Section 27-355, Food or beverage store; and Section 27-358, Gas station, of the Zoning Ordinance, in this instance. Therefore, staff recommends approval of Special Exception SE-4815, subject to the following conditions:

1. Prior to certification of the special exception, the site plan shall be revised, as follows:
 - a. Provide adequate elevation drawings/photographs of the planter box and associated screening.
 - b. Include an eight-foot-wide sidepath/sidewalk with measurements along the subject site's entire frontage along Walker Mill Road, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement.
 - c. Include a bicycle rack accommodating a minimum of two bicycles on-site.
 - d. Utilize a composite material, instead of wood, for the privacy fence proposed along the west side of the subject site.
 - e. Provide a tree canopy coverage schedule and demonstrate conformance with the requirements on the landscape plan.
 - f. Provide a note on the site plan stating the requirements of Section 27-358(c) of the Prince George's County Zoning Ordinance.