

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on November 19, 2020, regarding Detailed Site Plan DSP-20016 for PMG Brooks Drive, the Planning Board finds:

- Request:** The subject detailed site plan (DSP) requests approval for the development of a 3,000-square-foot food and beverage store and a gas station with six multi-product dispensers. The companion Departure from Design Standards DDS-670, (PGCPB Resolution No. 2020-171), requests a reduction in the standard parking space size from 9.5 feet by 19 feet to 9 feet by 18 feet.

**2. Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
<b>Zone</b>	C-M	C-M
<b>Use(s)</b>	Gas Station	Food or beverage store and gas station
<b>Gross Acreage</b>	0.60	0.60
<b>Total Gross Floor Area</b>	183 sq. ft.	3,000 sq. ft.

**OTHER DEVELOPMENT DATA**

**Parking Spaces**

	<b>Required</b>	<b>Provided</b>
1 space per employee (1 employee) plus 1 space per 150 square feet for the first 3,000 square feet of GFA	17*	18
Handicap-Accessible**	1	1
<b>Total***</b>	<b>17</b>	<b>18</b>

**Note:** \*In accordance with Section 27-572 of the Prince George’s County Zoning Ordinance, the proposed development qualifies for a 20 percent reduction in the total off-street parking requirement, as a joint parking lot is provided to serve the two proposed uses. Therefore, the requirement is reduced from 21 spaces to 17.

\*\*Accessible spaces are included in the total number of required and provided parking spaces.

\*\*\*DDS-670 requests all non-accessible spaces to be 9 feet by 18 feet.

### Loading Spaces

	Required	Provided
1 loading space per 2,000-10,000 square feet GFA	1	1
<b>Total</b>	<b>1</b>	<b>1</b>

- 3. Location:** The site is in Planning Area 75A and Council District 7. More specifically, it is located at 2000 Brooks Drive, in the southwest quadrant of the intersection of Brooks Drive and Marlboro Pike.
- 4. Surrounding Uses:** The subject property is bounded to the northwest by the right-of-way of Brooks Drive, to the northeast by the right-of-way of Marlboro Pike, and to the west and south by a single property in the Commercial Shopping Center Zone that is developed with an auto repair facility and car wash.
- 5. Previous Approvals:** The site is known as Parcel A of Lagana Subdivision recorded in Plat Book WWW 68-90 and is not the subject of any prior zoning approvals. The site has been issued an approved Stormwater Management (SWM) Concept Plan, 49830-2019-00, on January 17, 2020.
- 6. Design Features:** The subject 0.60-acre site is generally square-shaped and includes an existing gas station built in the 1970s. The site has frontage on both Brooks Drive and Marlboro Pike. Most of the existing site is paved, with a limited amount of landscaping along the periphery of the property. The existing gas station is centrally located on the property and consists of a single canopy, with four fuel dispensers and a small kiosk at its center. There are no other existing buildings on-site. There are four existing vehicular access points to the site, two on its eastern side from Marlboro Pike, and two on its western side from Brooks Drive. As Brooks Drive includes a median in its center adjacent to the site, one of the existing driveways functions as right-in, right-out only. Marlboro Pike is designated as a historic roadway adjacent to the subject site, with both driveways providing ingress and egress.

The proposed development includes razing of the existing gas station and the construction of a new gas station with six multi-product dispensers, a 3,000-square-foot food and beverage store, and associated site features. The proposed triangular-shaped, single-story building is located in the southern corner of the site, with the proposed gas station canopy centrally sited, facing the roadway intersection. A trash enclosure is located west of the building. The building and trash enclosure are each proposed approximately five feet from adjacent lot lines. As there are no residential properties adjoining the subject site, there is no minimum setback required, in accordance with Section 27-462 of the Zoning Ordinance.

Half of the existing vehicular access points to the site are removed, with two points of access retained, one at the far western corner of the site, to Brooks Drive, and second at the far eastern corner of the site, to Marlboro Pike. Pedestrian and bicycle access to the building is provided by a sidewalk from Brooks Drive only. The provision of a walkable connection between the building and Marlboro Pike is also appropriate, but is not reflected on the DSP. A condition has been included herein for the provision of this connection. A standard five-foot-wide sidewalk is provided along Brooks Drive and a six-foot-wide sidewalk is provided along Marlboro Pike. A total of 18 parking spaces are provided and the departure submitted requests to reduce the size of parking spaces to 9 feet by 18 feet, as discussed in Finding 7 below.

### **Architecture**

The proposed 3,000-square-foot food and beverage store is a 25-foot-high, single-story, triangular-shaped structure. The front façade of the building faces north, toward the interior of the site. Building elevation drawings do not provide dimensional data or details regarding façade treatments. A condition has been included herein for the plan to be revised to provide this information. Based on the elevations as submitted, appropriate fenestration is provided on the front façade, with no windows provided elsewhere on the building. Given the proposed use and configuration of the building on the site, the location and quantity of fenestration provided is acceptable. A raised cornice and lighter material coloration provided in the middle of the front façade adds interest to the design.

The proposed gas station canopy is located in the central portion of the site, with its length parallel to the building's front façade. The canopy is approximately 86 feet long, 37 feet wide, and 20 feet in height. A total of six multi-product dispensers are proposed. The façade of the canopy is faced with branded signage and logos.

### **Signage**

A comprehensive signage program is provided that includes freestanding, canopy-mounted, and building-mounted signs for the proposed gas station and food and beverage store. Building-mounted signage is designed in conformance with Section 27-613 of the Zoning Ordinance. Canopy-mounted signage area is not provided on the DSP and appears greater than permissible by Section 27-613(c). Details are provided for two freestanding signs, one with fuel pricing only, and a second larger sign with fuel pricing and business identity and advertising. Locations for both freestanding signs are shown adjacent to the intersection of Brooks Drive and Marlboro Pike. The second, smaller sign with fuel pricing only is permissible per Section 27-594(a) of the Zoning Ordinance, which requires a price sign at each entrance to the station. It is also in conformance with the requirements of Section 27-614(c)(6) of the Zoning Ordinance, relative to allowed area. A condition has been included herein for the signage plan to be revised to conform with Section 27-613.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the Commercial Miscellaneous (C-M) Zone of the Zoning Ordinance:
- a. In accordance with the commercial use table in Section 27-461(b) of the Zoning Ordinance, a food and beverage store in combination with a gas station is a permitted use subject to DSP review unless the gas station requires a special exception. In this case, a special exception is not required, as a gas station is a permitted use in the C-M Zone subject to DSP review, in accordance with Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9), and (10) of the Zoning Ordinance, 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 subject property has 166.5 feet of frontage on Brooks Drive, which has a right-of-way width of 120 feet, and 150.9 feet of frontage on Marlboro Pike, which has a variable width right-of-way 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, outdoor playground, library, or hospital.
- (4) **The storage or junking of wrecked motor vehicles (whether capable of movement or not) is prohibited;**
- Storage or junking of wrecked motor vehicles is not proposed on-site by this DSP.
- (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;**

Access driveways are located and sized in conformance with these criteria. The access driveway to Marlboro Pike is 30 feet wide and the driveway to Brooks Drive is 34 feet wide.

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

As shown on the DSP, the access driveways are 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;**

As shown on the plan, a five-foot-wide sidewalk provides a complete pedestrian connection between the proposed food and beverage store building and Brooks Drive. However, in reviewing this requirement relative to the site design guidelines contained in Section 27-274 of the Zoning Ordinance, as cross-referenced in Section 27-283 of the Zoning Ordinance, the Planning Board determined that a clearly defined walkable connection must also be provided between the building and Marlboro Pike. It is important to have one in this area as there is a bus stop along Marlboro Pike in front of the adjacent property, so there will be pedestrian traffic along this roadway in need of safe access into the site and to the building. A condition requiring such a connection to serve pedestrian traffic is included herein.

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

Gasoline pumps and service appliances are located further than 25 feet behind the street lines.

**(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.**

No vehicle repair service is proposed by this DSP.

**(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 of each façade of the proposed building and gas station canopy were provided. The images show structures that are compatible with existing development in the surrounding area.

Complete details regarding the building's architecture, such as a schedule of exterior finishes, was not provided. A condition has been included herein for the DSP to be revised to include this information.

- b. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274, as cross-referenced in Section 27-283. For example, adequate illumination is provided, the parking spaces are located close to the use they serve, and the architecture proposed for the building employs a variety of architectural features and designs, such as projections, colors, and materials.

**8. 2010 Prince George's County Landscape Manual:** Development proposed by this DSP is subject to Section 4.2, Requirements for Landscape Strips Along Streets (Brooks Drive); Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from a Special Roadway (Marlboro Pike); Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Regarding the requirements of Sections 4.3, 4.4, 4.7 and 4.9, the Planning Board finds the DSP in conformance. Alternative compliance has been requested from the requirements of Sections 4.2 and 4.6.

Section 4.2 requires a minimum 10-foot-wide landscape strip with one shade tree and 10 shrubs per 35 linear feet of frontage, excluding driveway openings. The site includes 122 linear feet of frontage along Brooks Drive and is required to provide 4 shade trees and 35 shrubs. The applicant is requesting a varied width landscape strip and proposes a reduction in the width of the landscape strip from 10 feet to 5 feet for a portion of the property's frontage. This reduction includes approximately 30 linear feet, or 25 percent of the property's frontage, but the required number of plant units for normal compliance is proposed. However, it is noted that one of the shade trees is located outside, but in very close vicinity to the landscape strip along the frontage of Brooks Drive, and is not counted toward the total plant units, or fulfilling any other landscape requirement.

Section 4.6(c)(2)(A)(i) requires the subject site, which is in the Developed Tier, to provide a minimum of a 10-foot-wide buffer with one shade tree and 10 shrubs per 35 linear feet of frontage, excluding driveway openings. As shown in the tables below, the site includes 116 linear feet of frontage along Marlboro Pike, excluding driveway entrances, and is required to provide a minimum 10-foot-wide bufferyard with 4 shade trees and 34 shrubs. The applicant is requesting a reduced landscape buffer area varying from 8.5 to 10 feet in width for a portion of the property's frontage. This reduction includes approximately 31 feet, or 26 percent, of the site's frontage to allow for a 22-foot drive aisle on the property. The proposed landscape buffer provides the required number of plant units. However, it is noted that one of the shade trees is located outside, but in very close vicinity to the landscape buffer, along the frontage of Marlboro Pike, and is not counted toward the total plant units, or fulfilling any other landscape requirement.

The landscape plan submitted provides the required number of shade trees for both of the site's frontages on Brooks Drive and Marlboro Pike, and proposes 11 percent more shrubs than required along these frontages, thereby, satisfying the planting requirements of Sections 4.2 and 4.6. However, as noted above, the two additional shade trees proposed on the landscape plan in the vicinity of the Section 4.2 landscape strip and Section 4.6 landscape buffer have not been counted toward fulfilling any landscape requirement. If these were included in the proposed Section 4.2 and 4.6 schedules, the application would exceed the total required number of plant units by 18 percent. Therefore, the landscape schedules shall be revised to reflect the additional shade trees in fulfillment of the requirements. The two additional shade trees are conditioned to be added to the planting schedules of Sections 4.2 and 4.6, respectively.

As conditioned, the number and type of the proposed plantings not only satisfies the requirements of Sections 4.2(c)(3)(A)(i), and 4.6(c)(2)(A)(i), but also exceeds the required number of planting units in the landscape strip and the landscape buffer along the site's frontage by 18 percent. Therefore, the Alternative Compliance Committee finds that the applicant's proposed alternative landscape design is equally effective as normal compliance with the requirements of Sections 4.2 and 4.6 of the Landscape Manual.

The Planning Board APPROVES of Alternative Compliance AC-20009 for PMG Brooks Drive, from the requirements of Section 4.2 (c)(3)(A)(i), Requirements for Landscape Strips Along Streets and Section 4.6(c)(2)(A)(i), Buffering Development from Special Roadways, subject to conditions contained herein.

9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has been issued a standard exemption letter from the Woodland and Wildlife Habitat Conservation Ordinance (S-160-2019) because the site is less than 40,000 square feet in size and has no previous tree conservation plan approvals. A Natural Resource Inventory equivalency letter (NRI-135-2019) has been issued for the site. The NRI was issued based on the standard woodland conservation exemption and that no regulated environmental features will be impacted.
10. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-128, Tree Canopy Coverage Requirements, requires properties in the C-M Zone to provide a minimum tree canopy coverage (TCC) of 10 percent. The 0.60-acre subject site is required to provide 0.06 acre

(2,614 square feet) in TCC. Through the subject DSP, the applicant has shown that approximately 0.09 acre (4,000 square feet) of TCC will be provided, satisfying this requirement.

- 11. Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:
- a. **Community Planning**—The Planning Board adopts, herein by reference, a memorandum dated October 19, 2020 (Byrd to Bossi), which noted that pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
  - b. **Transportation Planning and Trails**—The Planning Board adopts, herein by reference, a memorandum dated October 21, 2020 (Smith and Hancock to Bossi), which concludes that the proposed parking and vehicular circulation facilities are acceptable. The reduction of access points to Brooks Drive and Marlboro Pike and relocation of remaining access drives away from the intersection will help avoid traffic conflicts. A five-foot-wide sidewalk is included along Brooks Drive, with connection between the proposed building and Brooks Drive provided. A six-foot-wide sidewalk is provided along Marlboro Pike, in accordance with the recommendations of the 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment*. The Planning Board has determined that a pedestrian connection between the food and beverage store and Marlboro Pike is appropriate and necessary to demonstrate acceptable pedestrian circulation has been provided, especially because there is a bus stop along Marlboro Pike in the vicinity of the site.
  - d. **Permits**—The Planning Board adopts, herein by reference, a memorandum dated October 5, 2020 (Hughes to Bossi), which identified minor technical corrections to be made to the DSP, which are conditioned herein, as appropriate.
  - e. **Environmental Planning**—The Planning Board adopts, herein by reference an email dated September 30, 2020 (Schneider to Bossi), which noted that a SWM concept plan and approval letter (49830-2019) were submitted and show the use of micro-bioretenion and a SWM fee of \$31,450.00 in lieu of providing on-site attenuation/quality control measures.
  - f. **Subdivision**—The Planning Board adopts, herein by reference, a memorandum dated October 1, 2020 (Vantandoost to Bossi), which notes that the site is exempt from the requirement of resubdivision, pursuant to Section 24-111(c)(2) of the Prince George’s County Subdivision Regulations. No more than 5,000 square feet of development is proposed; therefore, the project meets the exemption. Corrections to general notes of the site plan are conditioned herein.
  - g. **Historic Preservation**—Historic Preservation did not offer comments on the subject application.



- h. **Prince George's County Fire Department**—The Planning Board adopts, herein by reference, an email dated June 25, 2020 (Reilly to Bossi), which indicated the Fire Department had no comments on this DSP.
  - i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not offer comments on the subject application.
  - j. **Prince George's County Police Department**—The Planning Board adopts, herein by reference, a memorandum dated September 29, 2020 (Contic to Planer Coordinator), which noted the Police Department had no comments on the DSP.
  - k. **Prince George's County Health Department**—The Health Department did not offer comments on the subject application.
  - l. **Maryland State Highway Association (SHA)**—SHA did not offer comments on the subject application.
  - m. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board adopts, herein by reference, a memorandum and site plan comments dated September 29, 2020, which noted the project's conceptual water and sewer plan that will require attention through WSSC's permitting processes.
12. Based on the foregoing and as required by Section 27-285(b) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
13. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a DSP:
- (4) The plan shall demonstrate 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).**

No regulated environmental features such as streams, wetlands, 100-year floodplain, associated buffers, or primary management areas are located on-site.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Alternative Compliance AC-20009, and further APPROVED Detailed Site Plan DSP-20016 for the above described land, subject to the following conditions:

1. Prior to certification, the detailed site plan shall be revised, or additional information shall be provided, as follows:
  - a. Provide a walkable path from Marlboro Pike to the entrance of the food and beverage store that does not overlap with the loading space.
  - b. Provide dimensional data and labels of features and materials on all architectural elevations for the food and beverage store.
  - c. Revise the plan and signage table to include gas station canopy mounted signage data and demonstrate canopy mounted signage conforms with Section 27-613(c) of the Prince George’s County Zoning Ordinance.
  - d. Update general notes regarding parking to reference the reduction in parking space size provided by Departure from Design Standards DDS-670 and to provide a breakdown of the number of spaces provided.
  - e. Correct landscape schedules for Section 4.7, Buffering Incompatible Uses, to note that the auto repair and car wash development adjoining the subject site to the southeast and southwest is classified as “high” impact use.
  - f. Correct General Note 5 (Liber/Folio) to indicate the deed reference for the property as Liber 37632 folio 473.
  - g. Correct General Note 6 to give the correct plat number (WWW 68-90).
  - h. Revise the Section 4.2 landscape schedule to include one additional shade tree.
  - i. Revise the Section 4.6 landscape schedule to include one additional shade tree.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, November 19, 2020, in Upper Marlboro, Maryland.

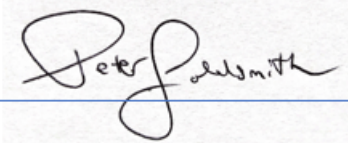
Adopted by the Prince George's County Planning Board this 10th day of December 2020.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department  
Date: December 7, 2020