

R E S O L U T I O N

WHEREAS, Dash In Food Stores, Inc. is the owner of a 5.65-acre parcel of land known as Lot 34, said property being in the 9th Election District of Prince George's County, Maryland, and being zoned Commercial Shopping Center (C-S-C) Zone and Military Installation Overlay (M-I-O); and

WHEREAS, on August 19, 2021, Arcland filed an application for approval of a Preliminary Plan of Subdivision for 2 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-21011 for Arcland-Dangerfield Road was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on November 4, 2021, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended approval of the application with conditions; and

WHEREAS, on November 4, 2021, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-014-2021, and APPROVED Preliminary Plan of Subdivision 4-21011, including a Variation from Section 24-121(a)(3), for 2 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
 - a. Update General Note 18 to state that the property is in the Noise Intensity Zone, Accident Potential Zones 1 and 2, and Area B of the Military Installation Overlay Zone.
 - b. Update General Note 20 to specify that the existing gross floor area includes a 1,358-square-foot car wash and 907 square feet of convenience store. Specify that the proposed conditions include a 1,358-square-foot car wash, 907 square feet of convenience store, and 116,283 square feet of self-storage facility. The total area of the convenience store (3,357 square feet) may be included in a separate note which states that 2,450 square feet of the convenience store are located off-site.
 - c. Adjust the line weights of the lot lines shown on Sheets C-201 and C-301 so that Parcels 1 and 2 are fully outlined by the property boundary and the street frontage of Parcel A is not shown as part of the property boundary.

2. Any residential development on the subject property shall require approval of a new preliminary plan of subdivision, prior to approval of any permits.
3. Development of Parcel 1 shall be in conformance with Stormwater Management (SWM) Concept Plan 8745-2018-0 and any subsequent revisions, and development of Parcel 2 shall be in conformance with approved SWM Concept Plan 16017-2021-0 and any subsequent revisions.
4. Prior to approval of a final plat, the final plat shall:
 - a. Include the 10-foot-wide public utility easements along the public rights-of-way, in accordance with the approved preliminary plan of subdivision.
 - b. Note the Planning Board's approval of a variation to Section 24-121(a)(3) of the Prince George's County Subdivision Regulations, for one direct vehicular access driveway onto MD 223 from Parcel 1.
5. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-014-2021). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-01-2021), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Conservation Policy.”
6. Prior to the issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”
7. Total development within Parcel 2 of this preliminary plan of subdivision (PPS) shall be limited to uses which generate no more than 12 AM peak-hour and 20 PM peak-hour vehicle trips. Total development within Parcel 1 of this PPS shall be limited to uses which generate no more than 28 AM peak-hour and 33 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new PPS.

8. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2013 *Approved Subregion 5 Master Plan*, the applicant and the applicant's heirs, successors, and/or assignees shall show the following additional improvements on the detailed site plan, prior to its acceptance:
 - a. A continental style crosswalk traversing the drive aisle at the entrance to the self-storage facility.
9. At the time of building permit, if a nonresidential use is required by Subtitle 4 (Building Code) of the Prince George's County Code, to provide noise-level reduction within the interior of a building, such noise reduction must be certified by an acoustical engineer or qualified professional of competent expertise.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The site is located at the southeast quadrant of the intersection of Dangerfield Road and MD 223 (Woodyard Road). The site consists of one lot known as Lot 34 of the Townsend Subdivision, which was recorded in Plat Book VJ 178 page 55, in February 1997. The property has an address of 8310 Dangerfield Road. The 5.65-acre property is in the Commercial Shopping Center (C-S-C) Zone, and it is subject to the Military Installation Overlay (M-I-O) Zone for height, noise, and safety. It is subject to the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA). The northernmost 1.09 acres of the subject property are part of a previously approved gas station, convenience store, and car wash special exception site plan. The remaining 4.56 acres of the site are vacant and contain existing woodland.

This PPS is approved to subdivide the property into two parcels, Parcels 1 and 2, for 118,548 square feet of commercial development. Parcel 1 will contain part of the previously approved gas station; this gas station was approved under Special Exception application SE-4812 in August 2018, with minor site modifications approved under Revision of Site Plan ROSP-4812-01 in July 2020. The gas station site consists of Parcel 1, as well as abutting off-site Parcels A and B. Of the 4,715 square feet of gross floor area approved for the gas station, only 2,265 square feet are located on Parcel 1 and therefore subject to this preliminary plan of subdivision (PPS). Parcel 2 is to be developed with a 116,283 square-foot self-storage facility. A future detailed site plan (DSP) will be required for development on Parcel 2.

The property is the subject of one previously approved PPS, 4-93036 (PGCPB Resolution No. 93-305), approved in November 1993. The current PPS is required to further subdivide the property into two new parcels and to obtain additional capacity entitlement. The current PPS supersedes PPS 4-93036.

The applicant also requested a variation from Section 24-121(a)(3) of the Prince George’s County Subdivision Regulations, for the gas station’s entrance onto MD 223, an arterial roadway. Though this entrance was previously approved under SE-4812, it was not subject to this section of the Subdivision Regulations at that time since a PPS is not required to precede a special exception application. Section 24-121(a)(3) prohibits direct access from parcels to arterial roadways. The variation request is further discussed in the Transportation finding of this resolution.

3. **Setting**—The site is located on Tax Map 117 in Grids A-1 and B-1 and is within Planning Area 81A. North and northwest of the site across MD 223 are several commercial and industrial businesses in the Commercial Miscellaneous, Limited Intensity Industrial, and C-S-C Zones. To the east of the site is a neighborhood of single-family detached dwellings in the Rural Residential (R-R) Zone known as the Townsend Subdivision. South and west of the site are large lot single-family detached dwellings in the C-S-C and R-R Zones.

Between the subject property and the street corner of MD 223 and Dangerfield Road, there are two parcels known as Parcels A and B of Busada’s Addition to the Townsend Subdivision. These two parcels form the west half of the gas station site, with the east half of the gas station site being located on the subject property.

The site and its surroundings are within the M-I-O Zone. The boundary between Accident Potential Zone (APZ) 1 and APZ 2 passes through the subject property on Parcel 1. The boundary between the Noise Intensity Zone and the High Noise Intensity Zone is just east of the subject property within the Townsend Subdivision.

4. **Development Data Summary**—The following information relates to the subject PPS and the approved development.

	EXISTING	APPROVED
Zone	C-S-C/M-I-O	C-S-C/M-I-O
Use(s)	Gas Station Car Wash Food or Beverage (convenience) Store	Gas Station Car Wash Food or Beverage (convenience) Store Self-Storage Facility
Acreage	5.65	5.65
Gross Floor Area	2,265	118,548
Dwelling Units	0	0
Parcels	0	2
Lots	1	0
Outlots	0	0
Variance	Yes Section 25-122(b)(1)(G)	Yes Section 25-122(b)(1)(G)
Variation	No	Yes Section 24-121(a)(3)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on September 3, 2021. The requested variation from Section 24-121(a)(3) was also heard on that date, as required by Section 24-113(b) of the Subdivision Regulations.

5. Previous Approvals—The site is subject to the following previous approvals:

PPS 4-93036

A previous PPS, 4-93036 (PGCPB Resolution No. 93-305), was approved by the Prince George's County Planning Board in November 1993. The PPS 4-93036 approved one lot, known as Lot 34, for development of a 30,000-square-foot fraternal lodge with a vestibule, a bar, a meeting/banquet room, and kitchen facilities, or other permitted uses generating no more than 0 AM and 8 PM trips. The current PPS 4-21011 supersedes PPS 4-93036.

PPS 4-93036 was approved subject to seven conditions, and the following conditions of approval are relevant to the review of the current PPS:

1. Development of this subdivision shall be in accordance with the approved Conceptual Stormwater Management Plan, CSD No. 938011070.

The site is currently subject to two Stormwater Management (SWM) Concept Plans, 7745-2018-0 for the gas station site and 16017-2021-0 for the self-storage site, which supersede the above-named plan. These two plans are discussed further in the Stormwater Management finding of this resolution.

2. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCP1/21/93). The following note shall be placed on the Final Plat:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP1/21/93), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy and Subtitle 25.”

With the subject PPS, the applicant submitted a new Type 1 tree conservation plan (TCP1) for approval, TCP1-014-2021. This TCP1 supersedes the above-named plan. The TCP1 submitted for approval is discussed further in the Environmental finding of this resolution.

4. Total development of this site shall be limited to a 30,000 square foot fraternal lodge containing a vestibule, a bar, a meeting/banquet room, and kitchen facilities or permitted uses generating no more than the number of peak hour trips (8 PM peak

hour trips) generated by the above development. Any development other than that identified herein above which generates more than this identified number of trips shall require an additional Preliminary Plat of Subdivision with a new traffic analysis in order to determine the adequacy of transportation facilities.

The development will generate trips exceeding the trip cap of the previous PPS; therefore, a new PPS is required. New trip caps are contained in the Transportation finding of this resolution.

- 6. At the time of approval for the Final Plat of Subdivision, the applicant, his heirs, successors, and/or assignees, shall dedicate right-of-way along MD 223 and Dangerfield Road as shown on the submitted Preliminary Plat.**

This right-of-way dedication was previously accomplished and is shown on the plat recorded in Plat Book VJ 178 page 55. No additional right-of-way dedication is required with the subject PPS.

SE-4812

The site is subject to SE-4812, which was approved by the Zoning Hearing Examiner in August 2018. The decision of the ZHE became final when no appeals were filed, and the District Council did not elect to review the application. SE-4812 was approved for development of a gas station with a 3,357 square-foot food or beverage (convenience) store and a 1,358 square foot car wash. The special exception was filed on an approximately 1.09-acre portion of Lot 34 as well as abutting off-site Parcels A and B. A Type 2 Tree Conservation Plan, TCP2-007-2018, was approved alongside SE-4812 with a variance from Section 25-122(b)(1)(G) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), in order to allow removal of two specimen trees on the east side of the gas station site.

At the time of the special exception application, Parcels A and B were found to be exempt from resubdivision in accordance with Section 24-111(c)(2) of the Subdivision Regulations, as the proposed development was less than 5,000 square feet. The portion of the development on Lot 34 was found to exceed the development entitlement of PPS 4-93036 and therefore, the subject PPS is required to address the necessary increase of capacity to allow a gas station with associated uses and the consolidated storage development. It is noted that a PPS is not required to precede a special exception application. The portion of the gas station on Parcel 1 is subject to the requirements of 4-21011, but the portions on Parcels A and B are not subject and the uses thereon will continue based on the current subdivision exemption.

SE-4812 was approved subject to seven conditions, and the following conditions of are relevant to the review of the current PPS:

- 1. Prior to certification of the Special Exception, the Special Exception Site Plan shall be revised, as follows:**

a. Dimension of the sidewalks along Dangerfield Road and MD 223 (Woodyard Road), which shall be a minimum of five feet wide.

The sidewalks required with the current PPS are consistent with those previously approved at the time of the special exception. The applicant submitted an exhibit showing the sidewalks, which will be provided, which are consistent with the prior approval and the current requirement. Five-foot-wide sidewalks will be provided both in front of the gas station site and in front of the self-storage site, along the public rights-of-way.

h. Add a note specifying that the subject property is in a high-intensity noise area.

This note shall be carried forward and be placed on the current PPS.

6. Provide an approved Stormwater Concept Plan and letter prior to signature approval of the Special Exception, address any changes resulting from that review.

The SWM concept plan for the gas station (7745-2018-0) was previously approved and re-submitted with the subject PPS.

7. At the time of building permit, if a nonresidential use is required by Subtitle 4 (Building Code) of the Prince George's County Code to provide noise-level reduction within the interior of a building, such noise reduction must be certified by an acoustical engineer or qualified professional of competent expertise.

This condition is a requirement of Section 27-548.55(c)(1)(A) of the Prince George's County Zoning Ordinance and shall be carried forward and applied to the nonresidential development Parcels 1 and 2, as both parcels are within the High-Intensity Noise Zone of the M-I-O Zone.

ROSP-4812-01

A revision to the special exception was approved by the Planning Director in July 2020 for the purpose of making minor revisions to the gas station's approved site layout. The minor revisions included widening the trash enclosure, widening drive aisles, adding a parallel parking space, reducing the total on-site parking to 27 spaces, and reducing the width of the sidewalk apron abutting the food and beverage store. ROSP-4812-01 was approved without conditions.

Permits for the gas station were approved in late 2020 through early 2021. The applicant stated at the Planning Board hearing on November 4, 2021 that construction of the gas station was complete, and the business was operational.

6. Community Planning—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the Subregion 5 Master Plan and SMA are evaluated, as follows:

Plan 2035

This PPS is in the Established Communities area of Plan 2035. The vision for the Established Communities is that they are most appropriate for context-sensitive infill and low- to medium-density development (page 20).

Master Plan

The master plan recommends Commercial future land use for the subject property. The SMA retained the subject property in the C-S-C Zone (Prince George's County Council Resolution CR-81-2013, July 24, 2013). Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this PPS conforms to the master plan.

Aviation/M-I-O Zone

This PPS is located within the M-I-O Zone. Pursuant to Section 27-548.54(e)(2)(D), Requirements for Height, of the Zoning Ordinance, the development must conform to the height requirement corresponding to the 50:1 South End approach/departure height clearance. A small area of the subject property along MD 223 is within APZ 1, while most of the subject property is within APZ 2. Pursuant to Section 27-548.56(c) of the Zoning Ordinance, a lighting plan is required for development applications within the Safety Zones, which shall be provided at the time of DSP for the self-storage facility. The site is also within the 60 db to 74 db noise contour, and if noise-level reduction is required by Subtitle 4 of the Prince George's County Code for the non-residential uses, it shall be provided at the time of building permit and certified by an acoustical engineer or qualified professional of competent expertise in accordance with Section 27-548.55(c)(1)(a).

- 7. Stormwater Management**—The site has two associated SWM concept plans which have been approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE); one for the gas station and one for the self-storage facility. SWM Concept Plan 8745-2018-0 was approved in August 2018 for Parcel 1, and SWM Concept Plan 16017-2021-0 was approved in August 2021 for Parcel 2. Between the two plans, a total of eleven micro-bioretenion facilities are included, six on the gas station site and five on the self-storage site. No further action regarding SWM is required with this PPS.

In accordance with Section 24-130 of the Subdivision Regulations, development of the site shall conform with the approved SWM concept plans and any subsequent revisions to ensure no on-site or downstream flooding occurs.

- 8. Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the subject PPS is exempt from Mandatory Dedication of Parkland requirements because it consists of non-residential development.
- 9. Bicycle/Pedestrian**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the master plan, and Subtitle 24 of the Prince George's County Code to provide the appropriate bicycle and pedestrian transportation facilities.

Proposed Pedestrian and Bicycle Infrastructure

The subject site is bound by MD 223 to the north and Dangerfield Road to the west. The applicant's submission includes sidewalks along the property's entire frontages of MD 223 and Dangerfield Road. Crosswalks were previously provided at both entrances to the gas station, on Parcel 1 and Parcel B. Shared-lane markings (sharrows) and a "bicycles may use full lane" signage assembly have been displayed along the frontage of Dangerfield Road. In addition, the applicant's submission includes bicycle parking at the self-storage building. All of these improvements are shown on an exhibit submitted by the applicant, incorporated by reference herein. It is noted that the exhibit is entitled "BPIS Exhibit," however, the depicted improvements are not provided, pursuant to BPIS requirements. The subject site is not within a 2002 General Plan Corridor or a 2035 General Plan Center and is therefore, not subject to Section 24-124.01 of the Subdivision Regulations and the "Transportation Review Guidelines, Part 2."

Review of Master Plan Compliance

This PPS is subject to the MPOT and the master plan, which recommend the following facilities:

- Planned Side Path: MD 223 (Woodyard Road)
- Planned Shared Roadway: Dangerfield Road

As mentioned above, the applicant has included shared-lane markings and bicycle signage for a shared roadway as recommended along the site's frontage of Dangerfield Road.

Regarding the MD 223 sidepath, SE-4812 previously approved a five-foot-wide sidewalk along the frontage of MD 223 for both Parcel A and the part of Lot 34 where Parcel 1 is now located. Parcel A is not subject to the current PPS, and further improvements cannot be required for it at this time. Requiring a sidepath for Parcel 1 only would be inconsistent with the five-foot-wide sidewalk previously required for Parcel A. Therefore, for the subject PPS, a five-foot-wide sidewalk is required along the frontage of MD 223 for Parcel 1. This requirement will ensure the sidewalk width stays consistent along the gas station's entire MD 223 frontage.

The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The Transportation Systems Section of the master plan makes the following recommendations:

- **Encourage developers at employment destinations to provide new sidewalks, bicycle trails, lockers, bike friendly intersection improvements, and trail connections as part of their development proposals (page 121).**
- **Install bicycle signage and safety improvements along designated shared-use roadways when development occurs, or roadways are upgraded. Bikeway improvements may include paved shoulders, painted bike lanes, and bike signage (page 121).**

The subject PPS does not feature any new road construction. Sidewalks have been included along the subject property’s frontage of Dangerfield Road and MD 223. The crosswalk the applicant is providing across the entrance to the self-storage facility shall be continental style for improved visibility.

Based on the findings presented above, adequate pedestrian and bicycle transportation facilities will exist to serve the subdivision, as required under Subtitle 24, and will conform to the MPOT and the master plan.

- 10. Transportation**—Transportation-related findings related to adequacy are made with this PPS, along with any determinations related to dedication, access, and general subdivision layout.

Analysis of Traffic Impacts

The table below summarizes trip generation in weekday peak hours used in reviewing traffic and developing a trip cap for Parcel 2 of this site:

Weekday Trip Generation Summary: 4-21011: Arcland - Dangerfield Road								
Land Use	Use Quantity	Metric	Weekday AM Peak Hour			Weekday PM Peak Hour		
			In	Out	Total	In	Out	Total
Mini-Warehouse (ITE 151)	116,283	square feet	7	5	12	9	11	20
Recommended Weekday Trip Cap			7	5	12	9	11	20

The critical intersections include:

- MD 223 at Dangerfield Road/Old Alexandria Ferry Road (signalized)
- Dangerfield Road at Site Access (Site Access is stop-controlled) under build condition

The subject property is located within Transportation Service Area 2, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

Signalized intersections: The critical lane volume method should be used to measure the Level-of-service (LOS). LOS D, with signalized intersections operating at a critical lane volume of 1,450 or better will be acceptable.

Unsignalized intersections: The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted, and the standards are explained below:

For two-way stop-controlled intersections a three-part process is employed:
 (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the critical lane volume is computed, (d) a critical lane volume no more than 1,150 will be acceptable.

For all-way stop-controlled intersections a two-part process is employed:
 (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the critical lane volume is computed, (c) a critical lane volume no more than 1,150 will be acceptable.

The critical intersections identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM and PM)		Level of Service (LOS, AM, and PM)	
	MD 223 at Dangerfield Road/Old Alexandria Ferry Road (signalized)	646	1267	A

The critical intersections are not programmed for any lane configuration changes within the next six years in the current Maryland Department of Transportation “Consolidated Transportation Program” or Prince George's County “Capital Improvement Program.” Approved, but unbuilt developments have been identified within the study area, and background traffic has been developed. A 1.5 percent annual growth rate for a period of six years has been assumed.

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM and PM)		Level of Service (LOS, AM, and PM)	
	MD 223 at Dangerfield Road/Old Alexandria Ferry Road (signalized)	739	1388	A

The critical intersections identified above, when analyzed with total future traffic as developed using the “Transportation Review Guidelines, Part 1” (Guidelines) including the site trip generation as described above, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM and PM)		Level of Service (LOS, AM, and PM)	
	MD 223 at Dangerfield Road/Old Alexandria Ferry Road (signalized)	741	1398	A
Dangerfield Road at Site Access (stop-controlled)	9.6*	10.2*	N/A	N/A
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

Based on the analysis results, all the signalized critical intersections will operate at LOS E or better during the peak hours. At the unsignalized intersections, the maximum movement delay will be less than 50.0 seconds, or the maximum critical lane volume computed as a part of the three-step analysis is within the standards of the Guidelines. A trip cap for Parcel 2 consistent with its assumed trip generation is required.

The site is adjacent to the MD 223 (an arterial) and Dangerfield Road (a collector) rights of way identified in the MPOT. Adequate right-of-way for each roadway has been previously dedicated, and no additional dedication is required from this plan. The access to Parcel 2 is from Dangerfield Road. The accesses to the gas station/food and beverage store/car wash area (Parcel 1) are from MD 223 and Dangerfield Road.

The site includes a portion of a gas station/food and beverage store/car wash approved as part of SE-4812. These uses were analyzed with SE-4812 and are expected to generate 28 AM peak-hour trips and 33 PM peak-hour trips. These trips form the required trip cap for Parcel 1.

Variation

The PPS includes a driveway directly from MD 223 for access to Parcel 1. A variation request for access from MD 223 has been supplied by the applicant and reviewed. Section 24-121(a)(3) requires that lots proposed on land adjacent to an existing or proposed planned roadway of

arterial or higher classification shall be designed to front on either an interior street or service roadway. There are four criteria that must be met for this variation to be approved (a fifth criterion does not apply). The applicant provided a statement of justification dated August 31, 2021, incorporated by reference herein, in support of the required criteria for approval of the variation. The criteria, with discussion, are noted below:

(1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;

The development for Parcel 1 is for redevelopment of a former gas station site, for which access has existed from MD 223 since the late 1960s. The traffic generation from the proposed consolidated storage facility will not utilize this access and will be provided separate access from Dangerfield Road. The gas station site previously had two access driveways onto MD 223 from abutting Parcel A, and under the current design approved with SE-4812 those two access driveways will be removed in lieu of one access driveway from Parcel 1. The consolidation and relocation of the access driveways further from the intersection of MD 223 and Dangerfield Road will provide for improved safety of vehicles while not affecting utility of the site. MD 223 is under the authority of the Maryland State Highway Administration (SHA). Access permits will be required by SHA to ensure the safety of the citizens using the site access and MD 223.

(2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;

Unlike other nearby commercial and industrial properties, the property is not large enough to provide an interior street or a service road, and the long, peculiar shape of the property, which has a short width and differs from the shape of surrounding properties, could not accommodate the proposed development and an interior street or a service road. Furthermore, MD 223 is an arterial facility with no plans for the construction of a service road. The subject site is located next to two small parcels redeveloped with part of the gas station (Parcels A and B), but those parcels, which are located at the intersection of Dangerfield and MD 223, are not included in this PPS. The off-site properties and Parcel 1 of this PPS are part of an overall site design approved under SE-4812. The access from MD 223 to the gas station site has existed since the late 1960s, and the existing two driveways will be changed to one with redevelopment of the site, thereby improving and reducing site access from MD 223. These conditions are unique to the subject site and not generally applicable to other properties.

(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and

A variation to the Subdivision Regulations is unique to and under the sole authority of the Planning Board. The applicant will further be required to obtain access permits from SHA and SHA will ensure conformance with other applicable access regulations.

Therefore, this variation does not constitute a violation of any other applicable law, ordinance, or regulation.

- (4) **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

The closure of this access would greatly impact the redevelopment of the gas station/ food and beverage store/car wash site which has relied upon direct access to MD 223 since the 1960s. The subject site is located next to two small parcels redeveloped with part of the gas station (Parcels A and B), but which are not included in this PPS, at the intersection of MD 223 and Dangerfield Road. The properties are configured such that subject site has a narrow frontage onto MD 223 which does not allow sufficient area for dedication of a public roadway through the site while supporting meaningful development of the site. Adding a public roadway at this location for access to the site would cause the same or greater vehicular impact given that the same vehicles using the gas station on Parcels A and B, in addition to those using Dangerfield Road, could utilize such a roadway at that location. The site has been designed to reduce the access driveways onto MD 223 and to locate the driveway further from the intersection of MD 223 and Dangerfield Road for strict use of the gas station only.

By virtue of positive findings for each of the criteria for variation approval, a variation is granted from Section 24-121(a)(3) for one vehicular access driveway onto MD 223.

Based on the preceding findings, adequate transportation facilities will exist to serve the subdivision, as required in accordance with Section 24-124 of the Subdivision Regulations.

11. **Schools**—Pursuant to Section 24-122.02 of the Subdivision Regulations, this PPS is exempt from review for impact on school facilities because the proposal consists of nonresidential development.
12. **Public Facilities**—In accordance with Section 24-122.01 of the Subdivision Regulations, water and sewerage, police, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section dated September 1, 2021, (Perry to Diaz-Campbell) and incorporated herein by reference.
13. **Use Conversion**—As set forth in the PPS, the total development included in this PPS is 118,548 square feet of commercial development in the C-S-C Zone. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval and reflected on the PPS, that revision of the mix of uses shall require approval of a new PPS prior to approval of any building permits. If any residential development is proposed that proposal shall require approval of a new PPS prior to approval of any building permits.

- 14. Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The property abuts MD 223 to the north and Dangerfield Road to the west. Ten-foot-wide PUEs were provided along both these roads with the prior PPS. The PUEs are shown on the subject PPS and will be re-recorded with the subsequent final plat of subdivision.

- 15. Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The majority of the property has been previously disturbed. The subject property does not contain and is not adjacent to any Prince George’s County historic sites or resources. This proposal will not impact any historic sites, historic resources or known archeological sites. A Phase I archeology survey is not required.
- 16. Environmental**—The subject PPS 4-21011 and TCP1-014-2021 were received on August 19, 2021. Verbal and written comments were provided in a SDRC meeting on September 3, 2021. Revised plans and information were received on September 23, 2021.

The following applications and associated plans were previously reviewed for the subject site applicable to this case:

Review Case Number	Associated Tree Conservation Plan Number	Authority	Status	Action Date	Resolution Number
ROSP-SE-3698	N/A	Planning Board	Approved	10/19/1994	94-314
NRI-023-2018	N/A	Staff	Approved	3/09/2018	N/A
NRI-023-2018-01	N/A	Staff	Approved	8/22/2018	N/A
SE-4812	TCP2-007-2018	Zoning Hearing Examiner	Approved	1/16/2019	ZHE Decision
ROSP-4812-01	N/A	Planning Director	Approved	7/27/2020	N/A
4-21011	TCP1-014-2021	Planning Board	Approved	12/2/2021	2021-136

Grandfathering

The project is subject to the environmental regulations of Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012 because it is a new PPS.

Site Description

The subject property is located at 8310 Dangerfield Road, at the southeast corner of its intersection with MD 223, in Clinton. MD 223 is identified as a historic road and classified as an arterial road. The approved Natural Resources Inventory, NRI-023-2018-01, does not identify any streams or floodplain on-site; however, wetlands and the associated buffer are identified in the southeast corner of the property. The soils found to occur on this site, according to the US Department of Agriculture Natural Resource Conservation Service Web Soil Survey, are Grosstown-Hoghole-Urban land complex (zero to five percent slopes), Beltsville-Urban land complexes, and Sassafras sandy loams. Marlboro clays or Christiana complexes are not identified on or in the vicinity of this property. This site has also been mapped by The Department of Natural Resources as a Tier II Catchment area; however, no streams or buffers are located on this property. The property is in the Piscataway Creek watershed of the Potomac River basin. This property is not within the Sensitive Species Project Review Area, according to PGAtlas.com.

Master Plan Conformance

2014 Plan Prince George's 2035 Approved General Plan

The site is located within Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035. According to Plan 2035, it is also in the Established Communities of the General Plan Growth Policy Map and recommended for Residential Low use according to the General Plan Generalized Future Land Use Map.

Subregion 5 Master Plan, Section V: Environment

In the approved master plan, the section on Environment contains eight sections (A-H), each of which contain policies and strategies. The text in **bold** is the policy text from the master plan and the plain text provides comments on plan conformance.

A. Green Infrastructure

- **Implement the master plan's desired development pattern while protecting sensitive environmental features and meeting the full intent of environmental policies and regulations.**
- **Ensure the new development incorporates open space, environmental sensitive design, and mitigation activities.**
- **Protect, preserve, and enhance the identified green infrastructure network.**

The 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan) has identified the entire site within the Evaluation Area. Most of the property is wooded. The recent SE-4812 application area on-site has an approved TCP2 (TCP2-007-2018) and has been cleared and graded. According to the

approved NRI, a small wetland system and associated buffer is in the southeast corner of the site. This area is shown as woodland preservation with no impacts.

The WCO requires priority be placed on the preservation and planting of regulated environmental features, and it emphasizes the preservation of large contiguous woodland within the green infrastructure network. This project meets the entire woodland conservation requirement of 1.59 acres on-site with 1.97 acres of woodland preservation.

B. Water Quality, Stormwater Management, and Groundwater

- **Encourage the restoration and enhancement of water quality in degraded areas and the preservation of water quality in areas not degraded.**
- **Protect and restore groundwater recharge areas such as wetlands and the headwater areas of streams.**

The SWM design is required to be reviewed and approved by DPIE to address surface water runoff issues, in accordance with Subtitle 32 Water Quality Resources and Grading Code. This requires that environmental site design be implemented to the maximum extent practicable. The development has two associated SWM concept plans, one for the gas station (8745-2018-0) and one for the self-storage facility (16017-2021-0). Between the two plans, a total of eleven micro-bioretenment facilities are included, six on the gas station site and five on the self-storage site.

C. Watersheds

- **Ensure that, to the fullest extent possible, land use policies support the protection of the Mattawoman Creek and Piscataway Creek watersheds.**
- **Conserve as much land as possible, in the Rural Tier portion of the watershed, as natural resource land (forest, mineral, and agriculture).**
- **Minimize impervious surfaces in the Developing Tier portion of the watershed through use of conservation subdivisions and environmentally sensitive design and, especially in the higher density Brandywine Community Center, incorporate best stormwater design practices to increase infiltration and reduce run-off volumes.**

This PPS is for the construction of a 118,548-square-foot commercial development within an existing partially wooded lot. The site is located within the Piscataway Creek watershed. A small wetland system and associated buffer are in the southeast corner of the site, which drains to the east off-site onto an adjacent wooded lot. The PPS meets the entire woodland conservation requirement of 1.59 acres on-site with 1.97 acres of woodland preservation. This preservation area includes the wetland system and associated wetland buffer and one specimen tree.

The subject property is located within Environmental Strategy Area 2, which was formerly the Developing Tier. All the proposed development is outside the environmentally sensitive areas. The applicant meets their woodland requirement on-site with preservation. The use of environmentally sensitive design is shown on the SWM concept plan.

D. Chesapeake Bay Critical Area

- **Enhance the County’s Critical Area protection program in response to local, regional, and statewide initiatives and legislative changes.**

The subject property is not located in the Chesapeake Bay Critical Area.

E. Air Quality and Greenhouse Gas Emissions

- **Reduce air pollution through transportation demand management (TDM) projects and programs.**
- **Promote “climate-friendly” development patterns through planning processes and land use decisions.**
- **Increase awareness of the sources of air pollution and greenhouse gas emissions.**

Air quality is a regional issue that is currently being addressed by the Council of Governments.

Conformance with the Countywide Green Infrastructure Plan

According to the Green Infrastructure Plan, the site is in the Evaluation Area within the designated network of the plan. The conceptual design, as reflected on the PPS and the TCP1, is in keeping with the goals of the Green Infrastructure Plan and focuses development outside of the most sensitive areas of the site. A detailed evaluation of major Green Infrastructure Plan components has been provided in the Master Plan Conformance section of this finding, above.

Environmental Review

Natural Resources Inventory/Existing Conditions

NRI-023-2018-01, approved on August 22, 2018, was provided with this PPS. The NRI shows non-tidal wetlands and the associated buffer located in the southeast corner of the property. The TCP1 and PPS show all the required information correctly, in conformance with the NRI. No revisions are required for conformance to the NRI.

Woodland Conservation

This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. TCP1-014-2021 was submitted with the PPS.

The TCP1 submitted with this PPS covers a gross tract and net tract area of 6.79 acres because it includes abutting Parcels A and B in addition to the subject property. The site contains 4.25 acres of woodlands. The woodland conservation worksheet shows the clearing of 2.28 acres of the net tract area for a woodland conservation requirement of 1.59 acres.

This woodland conservation requirement was placed in a recorded woodland conservation easement (Liber 42437, Folio 111 through 124) as part of the special exception application, providing 1.97 acres of on-site woodland preservation.

Currently, the TCP1 shows infrastructure such as a proposed storage building, surface parking, access lane, stormwater structures, and woodland preservation.

Specimen Trees

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

The site contains one specimen tree (chestnut oak) in fair condition, which is to be retained within the on-site preservation area. At the time of the special exception application, a variance to remove specimen trees 2 and 3 was approved with the TCP2 and the trees have since been removed.

SPECIMEN TREE SCHEDULE SUMMARY

SPECIMEN TREE	COMMON NAME	Diameter (in inches)	CONDITION	DISPOSITION
1	Chestnut oak	35	Fair	To be saved
2	Black oak	36	Dead	Has been removed
3	Scarlet oak	31	Poor	Has been removed

The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, based on the limits of disturbance shown on the TCP1.

- 17. **Urban Design**—The proposed development of the 116,283-square-foot self-storage facility is subject to DSP approval. The gas station is already subject to an approved special exception.

Conformance with the Requirements of the Prince George’s County Zoning Ordinance

The PPS is approved to subdivide Lot 34 into two parcels and retains the gas station in

combination with a food and beverage store and carwash on Parcel 1. This use was previously approved under SE-4812. Parcel 2 is proposed for future construction of a 116,283-square-foot consolidated storage facility. This use is permitted on the property in accordance with Section 27-461(b) of the Zoning Ordinance, subject to Footnote 69, which requires specific criteria be met through the approval of a DSP. Conformance with these criteria and other regulations regarding the use included in the Zoning Ordinance will be reviewed with the future DSP application, including but not limited to the following:

- Section 27-454, C-S-C Zone
- Section 27-461, Uses (C-S-C Zone)
- Section 27-462, Regulations
- Part 10C, Military Installation Overlay Zone
- Part 11, Off-street Parking and Loading
- Part 12, Signs, respectively.

Conformance with the 2010 Prince George’s County Landscape Manual

The proposed development is subject to the 2010 *Prince George’s County Landscape Manual*. Specifically, Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements, apply to this site. Conformance with the landscaping requirements will be determined at the time of DSP review.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and requires a grading permit. Properties in the C-S-C Zone are required to provide a minimum of 10 percent of the gross tract area in tree canopy coverage. Compliance with this requirement will be evaluated at the time of DSP review.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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 4, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of December 2021.

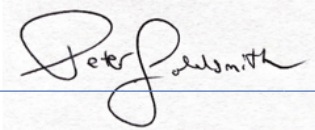
Elizabeth M. Hewlett
Chairman



By Jessica Jones
Planning Board Administrator

EMH:JJ:EDC:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: November 12, 2021