

R E S O L U T I O N

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 February 4, 2021, regarding Detailed Site Plan DSP-19056 for Wawa Old Branch Avenue, the Planning Board finds:

- Request:** The subject detailed site plan (DSP) requests approval for the development of a 5,600-square-foot food and beverage store and a gas station.

The DSP has a companion departure from sign design standards, DSDS-710, to allow a freestanding sign that is 20 feet high and 51.65 square feet, which is 12 feet taller and 1.65 square feet larger than permitted, in the Commercial Office (C-O) Zone. In addition, a departure is requested to allow for building and canopy-mounted signage that are a total of approximately 20 square feet larger than allowed in the C-O Zone. The Planning Board approved DSDS-710 on February 4, 2021 (PGCPB Resolution No. 2021-20).

- Development Data Summary:**

	EXISTING	APPROVED
Zone	C-O	C-O
Use(s)	Vacant	Eating and drinking establishment, food or beverage store, and gas station
Gross Acreage	1.63	1.63
Total Gross Floor Area	3,375 sq. ft.	5,600 sq. ft.

OTHER DEVELOPMENT DATA

Parking Spaces

Wawa	Required	Provided
Retail- 5,600 sq. ft. @ 1 space/150 sq. ft. of first 3,000 sq. ft. and 1 space/200 sq. ft. above 3,000 sq. ft.	33	39
Employee	1	
Handicap-Accessible*	2	2 (van-accessible)
Total – Wawa	34	39

Note: *Total required and provided parking includes accessible and van-accessible spaces.

Loading Spaces

	Required	Provided
Wawa	1	1
Total	1	1

Bicycle Spaces

	Required	Provided
Wawa	0	2
Total	0	2

3. **Location:** The subject property is located southwest of MD 5 (Branch Avenue) at its intersection with Beech Road.
4. **Surrounding Uses:** The property to the north of the site, directly across MD 5, is zoned Commercial Miscellaneous/Development District Overlay (D-D-O). There is nearby land owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) that is zoned Reserved Open Space (R-O-S)/D-D-O. There is additional land owned by M-NCPPC in the R-O-S Zone to the southeast of the site. The property across Beech Road to the west is zoned C-O, and the property located southeast of the site is zoned Light Industrial (I-1).
5. **Previous Approvals:** The property was originally subdivided pursuant to a plat of subdivision recorded on December 19, 1969 in Plat Book WWW 73 Plat No. 10. The vacant bank building was built in approximately 1971. The site also has an approved Stormwater Management (SWM) Concept Plan, 19609-2019-00, which is valid through May 4, 2023.

6. **Design Features:** The 1.63-acre site contains a vacant Suntrust bank building. The applicant proposes to demolish the existing building to construct a Wawa gas station with a 5,600-square-foot food and beverage store. The gas station will consist of 8 pump islands with a total of 16 fueling stations situated parallel to MD 5. There will be an enclosed dumpster to the southeast corner of the site. Access to the site will be from two driveways on Beech Road and no access is proposed from MD 5. The site proposes 39 parking spaces, including one employee space and two handicapped accessible spaces, and an inverted U-shaped bike rack. The Planning Board also encourages the applicant to explore adding charging stations for electric vehicles.

The loading space is located along the northwest side of the building and faces Beech Road. There was discussion regarding relocating the space to the southeast site of the building, but the applicant was unable to satisfy the request due to feasibility and other site restrictions. The applicant is proposing to install a berm and heavy landscaping within the island located along the right-of-way, in conformance with Section 4.4(c)(2) of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) to address the concern of the visibility of the loading space.

Architecture

The proposed 5,600-square-foot Wawa food and beverage store is a single-story structure in the middle of the site and oriented towards MD 5. The front of the building facing MD 5 and side facing Beech Road will include multiple windows and roof features. The gas station canopy will have a slanted roof with a maximum height of approximately 21 feet with signage. The façade of the building will contain a combination of exterior insulation finishing system dryvit and manufactured stone veneer. Both the building and gas station canopy will have aluminum dutch seam roofing.

Signage

This site proposes freestanding, canopy-mounted and building-mounted signs for the Wawa food and beverage store and gas station. There are a total of five signs being proposed. Two signs are proposed on the building to include one sign over each of the entrances. One sign is proposed on the canopy, and two spanner signs are proposed above the end pump islands.

The applicant is proposing a 20-foot-tall freestanding sign that is 51.65 square feet in area. The signage area will be composed of two separate cabinets to include the Wawa branding and the prices of gas by grade. In the C-O Zone, the maximum height of a freestanding sign is eight feet; the applicant is proposing a 20-foot-high sign and requesting a departure of 12 feet. The maximum area for a freestanding sign in the C-O Zone is 25 square feet, unless the use is located on a divided highway with a right-of-way of at least 100 feet, in which case the maximum area is 50 square feet, which applies in this case. As a result, the proposed sign is 12 feet taller and 1.65 square feet larger than freestanding signs allowed in the C-O Zone requiring the companion DSDS-710, which was approved by the Planning Board.

The applicant is proposing a 7.67-foot-wide by 1.67-foot-high flush mount canopy sign to include the Wawa lettering and goose logo along with gas pump spanners that are 13.67 feet wide and 2 feet tall. The building-mounted signs include Wawa's logo with illuminated channel lettering

and the goose image, with the front sign being approximately 68 square feet and the rear one being approximately 37 square feet. Because of the unique calculations for building and canopy mounted signage in the C-O Zone, a departure of approximately 20 square feet is also required for these signs, and was approved in DSDS-710.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the C-O Zone of the Zoning Ordinance:
- a. In accordance with the commercial use table in Section 27-461(b) of the Zoning Ordinance, a food or beverage store, in combination with a gas station, is a permitted use subject to DSP review in accordance with Part 3, Division 9, and Footnote 74. A gas station is also a permitted use subject to Footnote 74, which states:

74 Permitted use, provided that:

- (A) **The proposed use is on property that has frontage on a roadway with a functional transportation classification of arterial or higher and abuts land in the I-1 Zone;**
- (B) **The proposed development shall be subject to a Detailed Site Plan Approval process in accordance with Part 3, Division 9, of this Subtitle; and**
- (C) **The Planning Board and/or District Council finds that the proposed gas station use conforms with all regulations set forth in Section 27-358(a) of this Subtitle.**

The proposed development fronts on MD 5, which is classified as an arterial roadway, and is adjacent to I-1-zoned property to the west. Conformance with the regulations set forth in Section 27-358(a) of the Zoning Ordinance is 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 includes 273.93 feet of frontage and direct vehicular access to Beech Road, which has a right-of-way width of 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;**

No schools, outdoor playgrounds, libraries, or hospitals are located within 300 feet of the subject site.

- (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 display and rental of cargo trucks and trailers, or similar uses, is not proposed by this application.

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

The storage or junking of wrecked motor vehicles is not proposed.

- (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 proposed driveways for this site are 30 feet wide and are located more than 20 feet from the point of curvature of the curb return. The entrances are more than 12 feet from the adjoining lot.

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

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;**

There is a four-foot-wide sidewalk that currently exists along the property frontage on Beech Road and serves pedestrian traffic. The applicant will reconstruct this sidewalk to provide the five-foot width as part of this application and provide a connection from there to the sidewalk around the building.

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

Gasoline pumps and all other service appliances are located at least 25 feet behind the street line of Beech Road and MD 5.

(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 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.

Details regarding architectural elements of all proposed structures are provided and demonstrates the food and beverage store and gas station canopy will be compatible with existing surrounding development.

- b. **Variance**—The applicant has also requested a variance to the requirements of Section 27-462(b) of the Zoning Ordinance to allow the proposed retaining wall, in excess of 6 feet high, to be located within the required front yard adjacent to a street (MD 5) and the side yard adjacent to land in a residential zone and to not meet the required setbacks for main buildings. A variance of 6 feet is required along the side yard and a variance of 5.5 feet is required along the setback for MD 5 for the retaining wall. Pursuant to Section 27-230(a) of the Zoning Ordinance, a variance may only be granted when the Planning Board finds that:

- (1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;**

The subject property has been improved for 50 years without SWM. The property is a trapezoidal shape and exhibits severe topography, with a 20-foot drop at the edge of the existing development. To allow the redevelopment of the property and satisfy current development standards, a retaining wall will be constructed to accommodate this steep topography. The location of the wall is further constrained by an existing Potomac Electric Power Company right-of-way and an existing Washington Suburban Sanitary Commission easement along the northeast corner of the property, which prevents grading into these areas. As a result, the first criteria for approval of a variance is satisfied in that the property exhibits exceptional topographic conditions that directly contribute to the need for the variance.

- (2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and**

The variance being requested by the applicant satisfies the criteria of undue hardship. The variance would allow sufficient useable area to accommodate the proposed use and satisfy all other regulatory requirements. The existing easements which impact the property already constrain the useable area. If the variance is not granted, the useable area of the property will be even further constrained to the point where redevelopment will not be practical. The variance request will have no adverse impact on abutting properties or the public realm.

- (3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.**

The proposed development is consistent with the master plan recommendation and presents no impairment to any applicable plans as a result of granting this variance. The Planning Board approves of the applicant's request for a variance to Section 27-462(b) for the proposed retaining wall.

- c. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, as cross-referenced in Section 27-283 of the Zoning Ordinance. For example, the subject development provides pedestrian access to the site from the public right-of-way, 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; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements. The Planning Board finds the proposal conforms with the requirements of Section 4.2, Section 4.3, Section 4.4, and Section 4.9 of the Landscape Manual, as shown on the plans.

9. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the 2010 Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet and contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan, TCP2-041-2020, was submitted for review.

According to the woodland conservation worksheet, the site is 1.64 acres in size within the C-O Zone. A total of 0.56 acre of existing woodlands are on the net tract. The site has a woodland conservation threshold of 0.25 acre, or 15 percent of the net tract, as tabulated. The TCP2 shows a total woodland conservation requirement of 0.57 acre. The TCP2 shows this requirement will be met by providing 0.57 acre of off-site conservation credits.

The TCP2 requires several additional minor technical revisions that are included in the conditions below.

10. **Prince George’s County Tree Canopy Coverage Ordinance:** Section 25-128, Tree Canopy Coverage Requirements, requires properties in the C-O Zone to provide a minimum tree canopy coverage (TCC) of 10 percent. The 1.63-acre subject site is required to provide 0.16 acre in TCC. Through the subject DSP, the applicant has shown that approximately 0.16 acre 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 accepts the memorandum dated January 4, 2021 (Tariq to Butler), which indicated that pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.

b. **Subdivision and Zoning**—The Planning Board accepts the memorandum dated January 4, 2021 (Gupta to Butler), which indicated that the property is not subject to a previously approved preliminary plan of subdivision (PPS). The final plat of subdivision was approved under application numbers 5-69263 and 5-19107. The final plat includes only one note which is applicable to this DSP. Note 3 on the record plat states:

“Development or redevelopment of this property is subject to the resubdivision requirements of Section 24-111(c).”

The proposed DSP comprises the entire area under Parcel G as shown on Plat Book 253-20. In accordance with Section 24-111(c) of the Prince George's County Subdivision Regulations, the subject property must be resubdivided prior to the issuance of a building permit since the final plat of subdivision was approved prior to October 27, 1970, unless the property satisfies one of four criteria set forth in that section. In this case, the subject property does not satisfy any of the four criteria under Section 24-111(c). However, a new preliminary plan is not required. Section 24-111 further provides:

“If for the purpose of resubdivision, the recorded final plat is submitted without modifications, the Planning Board shall approve the resubdivision as submitted if it finds that adequate public facilities exist or are programmed for the area within which the subdivision is located, as defined in Division 3 of this Subtitle. If the recorded final plat is submitted with modifications, the Planning Board may approve the resubdivision in accordance with Subsection (a) or (b), above.”

The applicant proposes to submit a new final plat for the subject property, without modifications to the existing plat, subsequent to this DSP and prior to building permits. Adequacy of public facilities will be tested at the time of review of the new final plat as provided by Section 24-111(c). The requirement for a new final plat is conditioned herein.

- c. **Transportation Planning**—The Planning Board accepts the memorandum dated December 20, 2020 (Burton to Butler), which noted that given the current proposal, and based on information provided in the *Trip Generation Manual, 10th edition* (Institute of Transportation Engineers), the proposed development will generate approximately 529 AM and 421 PM on the adjacent streets during the peak hours. The ITE Manual also recommends a pass-by trip reduction rate of 76 percent. Consequently, the proposed development will generate 127 AM and 101 PM new trips on the adjacent streets to this development.

The property is located in the southeast quadrant of the intersection of Beech Road, and MD 5, a master planned arterial (A-69) within a variable-width right-of-way. No additional right-of-way is required for this frontage. The subject application is proposing two full movement access driveways on Beech Road. Beech Road has no master plan designation; it is being shown as a 70-foot right-of-way existing road. No additional right-of-way is required. A truck turning movement template representing different truck sizes was applied to the site plan and demonstrated that the size and layout of the site could accommodate various types of vehicles.

Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP.

- d. **Permits**—The Planning Board accepts the memorandum dated January 5, 2020 (Bartlett to Butler), which identified minor technical corrections to be made to the plan. Comments are provided as conditions.
- e. **Environmental Planning**—The Planning Board accepts the memorandum dated December 31, 2020 (Reiser to Butler), which indicated that the subject TCP2 is in conformance with the approved NRI (NRI-009-2019). There are no specimen, historic, or champion trees, or regulated environmental features such as streams, wetlands, 100-year floodplain, associated buffers, or primary management areas (PMAs) located on the site.

Soils

The predominant soils found to occur, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Croom-Marr-Urban Land complex (five to fifteen percent slopes), Potomac-Issue Complex (frequently flooded) and Udorthents, Highway (zero to sixty-five percent slope). Neither Marlboro clay nor soils containing Christiana complexes are known to occur on and within the vicinity of this property.

Stormwater Management

The site has an approved SWM concept letter (5698-2019-00) and associated plan that is in conformance with the current code, which is valid until April 19, 2022. The plan shows the use of four micro-bioretenion areas, and one oil/grit separator to treat the majority of stormwater before it leaves the site. An additional fee of \$6,827.00 in lieu of providing on-site attenuation/quality control measures is also required by the Prince George's County Department of Permitting, Inspections and Enforcement. The approved concept plan is consistent with the DSP.

- f. **Historic Preservation**—The Planning Board accepts the memorandum dated November 17, 2020, (Stabler to Butler), which noted that the subject property does not contain and is not adjacent to any Prince George's County historic site or resource. This proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase I archeology survey is not recommended.
 - g. **Maryland State Highway Association (SHA)**—The Planning Board accepts an email dated November 13, 2020 (Woodroffe to Burke), in which SHA indicated that no work is proposed in the state right-of-way, so they have no comments.
12. 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, and PMAs are located on-site. Therefore, this finding does not apply.

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 APPROVE Detailed Site Plan DSP-19056 and Type 2 Tree Conservation Plan TCP2-041-2020, for Wawa Old Branch Avenue, subject to the following conditions:

1. Prior to certification, the detailed site plan shall be revised as follows:
 - a. Label the height and dimensions for the food and beverage store and gas station canopy.
 - b. Revise the parking calculations to include the number of employee spaces and the breakdown of the parking spaces by use.
 - c. Provide the dimensions of the parking spaces on the plan, with one in each bay.
 - d. Label the building setback and the freestanding sign setback from the street line to demonstrate conformance with Section 27-614(a)(1) and (a)(4) of the Prince George's County Zoning Ordinance.
 - e. Revise the sign table formatting to clearly communicate the 50 percent channel letter reduction.
 - f. Correctly show the property bearings and distances in conformance with record plat 253-20.
 - g. Revise the Type 2 tree conservation plan to show the bottom and top of wall elevations for all retaining walls.
2. Prior to the approval of a building permit, a new final plat shall be approved, in accordance with Section 24-111(c) of the Prince George's County Subdivision Regulations.

Consideration: With respect to electric vehicle charging stations, the applicant shall consider adding charging stations for electric vehicles.

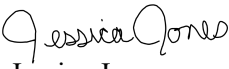
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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, February 4, 2021, in Upper Marlboro, Maryland.

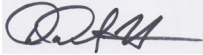
Adopted by the Prince George's County Planning Board this 4th day of March 2021.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:TB:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: February 16, 2021