

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 January 27, 2022, regarding Detailed Site Plan DSP-21005 for Quarles Petroleum Site 407, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) requests approval for a change of use from an existing gas station/vehicle repair and service station to a commercial fuel depot.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	I-1/M-I-O*	I-1/M-I-O*
Use(s)	Gas station/vehicle repair and service station	Commercial fuel depot
Gross Acreage	0.81	0.81
Total Gross Floor Area (GFA)	1,334 sq. ft.	1,334 sq. ft.
Parcels	1	-
Green Area (10 percent required)	-	17,900 sq. ft./50.7 percent

OTHER DEVELOPMENT DATA

Parking and Loading Spaces

Use	Required	Provided
Gas Station – Self-Serve: 1 space/employee	1	1
Handicap-Accessible**	1	1
Total Parking Spaces	2	2
Loading	Required	Provided
Gas Station	0	0
Total Loading Spaces	0	0

Note: *The property is in the Military Installation Overlay (M-I-O) Zone and is subject to specific requirements, as discussed in Finding 7 of this approval. A condition has been included herein requiring that the general notes be revised to add this information.

**Total required and provided parking includes accessible spaces.

3. **Location:** The subject property is located in the northwest quadrant of the intersection of Old Marlboro Pike and Grey Eagle Drive, approximately 1,100 feet north of its intersection with Suitland Parkway. More specifically, the property is known as Parcel A and is recorded in Plat Book NLP 101 page 11. The property is located at 8331 Old Marlboro Pike, in Planning Area 78 and Council District 6, within the Light Industrial (I-1) and M-I-O Zones.
4. **Surrounding Uses:** The property is currently improved with an existing gas station and vehicle repair and service station that was constructed in approximately 1991. The site is in a mostly industrial area and is bounded to the north and west by property in the I-1 Zone; to the east by the right-of-way of Old Marlboro Pike, and to the south by the right-of-way of Grey Eagle Drive, with industrial uses beyond in the I-1 Zone. The subject property and the surrounding properties are all within the M-I-O Zone.
5. **Previous Approvals:** The site is subject to Preliminary Plan of Subdivision (PPS) 4-78067, for which no records were found, and is recorded in Plat Book NLP 101 page 11, dated August 9, 1978. The site also had an approved Site Development Concept Plan filed under PG-DER Case No. 89244-50A, which was approved by the Prince George's County Department of Environmental Resources on February 24, 1992, and a re-inspection report dated October 1, 2020, that was submitted with the application to certify that the maintenance and/or repair of the existing privately owned stormwater management facility on the property is in good condition.
6. **Design Features:** The subject 0.81-acre site proposes to change the existing use of the property from a gas station with a vehicle repair and service station to a commercial fuel depot. The existing gas station equipment, the 1,280-square-foot service building, and the 54-square-foot accessory shed are proposed to remain and be used for the commercial fuel depot operation. The property is accessed from three existing driveways: two from Old Marlboro Pike to the east and one from Grey Eagle Drive on the south. On-site vehicular circulation includes a drive aisle that provides access to the four gasoline product dispensers at the center of the site and the two parking spaces located on the northwest side of the site near the service building. However, circulation on the property is unclear, and a condition requiring the applicant to provide directional arrows and dimensions of the drive aisles and parking spaces has been included herein. The existing one-story service building on the north portion of the site is proposed to remain and is approximately 16 feet in height, with a gross floor area of 1,280 square feet. The building is currently vacant and will be used to serve the commercial fuel depot operation. However, it is noted that the use of all the buildings on-site should be shown. Aerial photographs and images of the site show a chain-link-fence on the north and west boundaries of the site, but these are not reflected on the site plan. Conditions have been included herein to label the use of the buildings and to show the existing chain-link fence with labels indicating the limits of the fence, and if it is proposed to remain.

Lighting

The photometric plan submitted with this DSP shows the lighting levels and illumination for the building, parking, and pedestrian walkways on site. The proposed lighting is designed to provide sufficient illumination and reduce glare onto adjoining properties and roadways.

Architecture

The 16-foot-high existing building is rectangular and includes a flat roof. The primary entrance and service entrance with roll up door are shown on the southern elevation. The building is generally constructed in gray masonry block and does not include architectural accents.

The Planning Board requires that additional architectural treatments be provided on the building façades to provide visual interest. Specifically, accents should be added to the north, east, and south facades, which will be visible from the public rights-of-way. Accents could include horizontal or vertical banding, the addition of a second finish material, or the introduction of a different color complimenting the existing building.

Signage

One existing freestanding sign is proposed to be removed and replaced with an illuminated 15-foot freestanding sign on the east side of the site, at the intersection of Old Marlboro Pike and Grey Eagle Drive. The total area of the sign is approximately 63 square feet and meets the maximum allowable limit established by Section 27-614 of the Prince George's County Zoning Ordinance.

Loading and Trash Facilities

Based on the gross floor area, loading is not required for the commercial fuel depot. However, a trash facility is proposed in the northwest portion of the site, and a six-foot-high board-on-board enclosure to screen the dumpster is proposed. A detail for this enclosure has not been provided and is needed. Therefore, a condition is included herein, requiring the applicant to provide construction details of this enclosure.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the Zoning Ordinance in the I-1 and M-I-O Zones and the site design guidelines:
 - a. This DSP is in conformance with the requirements of Section 27-473(b) of the Zoning Ordinance, which governs uses in industrial zones. The proposed use is permitted in the I-1 Zone, subject to Footnote 51, which requires that the application provide specific requirements as discussed below:

- (A) **The use is limited to property that has at least one hundred and fifty (150) feet of frontage on and vehicular access to at least one (1) road classified as a collector or lower classification on the applicable Master Plan and a minimum right-of-way width of sixty (60) feet;**

The property has approximately 170 feet of frontage on Old Marlboro Pike, which is classified as a collector and has a right-of-way of 80 feet, in conformance with this requirement.

- (B) **A Limited Detailed Site Plan shall be approved for the use in accordance with Section 27-286(a). The site plan shall address architecture, landscaping, lighting, and infrastructure which is essential to the development of the site including streets, utilities, and stormwater management facilities;**

The subject DSP has been reviewed in accordance with Section 27-286(a) of the Zoning Ordinance, which requires the application be reviewed in conformance with the site design guidelines for a DSP because they reasonably relate to the purposes of the zones. The subject DSP generally meets these requirements. For example, grading will be minimized to the extent practicable, and the architecture will employ a variety of architectural features and designs, and treatments, as conditioned.

- (C) **The Limited Detailed Site Plan shall demonstrate compliance with Section 27-358(a)(2), (3), (4), (5), (6), (8), and (10); and (b)(1), (2), and (3); and**

The applicable parts of Section 27-358(a) and (b) of the Zoning Ordinance provides the following:

- (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 property is more than 300 feet from a school, outdoor playground, library, or hospital.

- (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 use does not propose the display or rental of cargo trailers.

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

No storage of junked or wrecked motor vehicles is proposed with this application.

- (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;**

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

Access driveways are a minimum of 30 feet wide and are defined by concrete curbs.

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

The gasoline pumps are approximately 26.7 feet behind the street line.

- (10) **Details on architectural elements such as elevation depictions of each facade, schedule of exterior finishes, and description of architectural character of proposed buildings shall demonstrate compatibility with existing and proposed surrounding development.**

No new structures are proposed with this application, which proposes a change in use only. However, the Planning Board requires that additional architectural features be added to the existing building, as conditioned herein.

- (b) **In addition to what is required by Section 27-296(c), the site plan shall show the following:**

- (1) **The topography of the subject lot and abutting lots (for a depth of at least fifty (50) feet);**

- (2) **The location and type of trash enclosures; and**

(3) The location of exterior vending machines or vending area.

A site plan of the DSP shows the topography of the property and the location of a trash facility in the southwest portion of the lot. No vending machines are proposed with this application.

(D) Upon the abandonment of a commercial fuel depot, all structures exclusively used in the business (including underground storage tanks), except buildings, shall be removed by the owner of the property. For the purpose of this footnote, the term "abandonment" shall mean nonoperation as a commercial fuel depot for a period of fourteen (14) months after the services cease.

The owner will be required to remove the underground storage tanks upon the abandonment of the commercial fuel depot 14 months after the services cease, and this is noted on the plan.

- b. The DSP is consistent with those regulations in the I-1 Zone, including Section 27-469(b) and (c) of the Zoning Ordinance, by providing more than 10 percent green area and no outdoor storage, and meets the specific regulations in Section 27-474 of the Zoning Ordinance relating to setbacks.
- c. Section 27-548.50 of the Zoning Ordinance sets forth criteria for the M-I-O Zone. This property is in Area B which limits the allowed building height to 62 feet. The subject property is also in the High Noise Intensity Zone labeled 75+ dB, and Accident Potential Zone 1. The application does not propose residential development, the existing building is not more than 16 feet in height, and a gas station is not a prohibited use per Section 27-548.56(a) of the Zoning Ordinance; therefore, it has been found that this application meets the requirements of the M-I-O Zone.

8. Preliminary Plan of Subdivision 4-78067: PPS 4-78067 is applicable to the site, for which there are no available records. The plat of subdivision recorded in Plat Book NLP 101 page 11 does not contain notes relevant to development of the property.

Development entitlement for Parcel A was referred to the Transportation Planning Section to analyze the traffic capacity that was considered in the approval of the PPS. The Planning Board finds that the proposed development is within the trip limitation established with the PPS, as shown in the trip generation table below, which summarizes the existing and proposed weekday peak-hour trip generation for the site. The proposed commercial fuel depot will generate fewer peak-hour trips than those from the existing gas station and vehicle repair service station and, therefore, does not present any Subtitle 24 adequacy issues.

Weekday Trip Generation Summary: DSP-21005: Quarles Petroleum Site 407								
Land Use	Use Quantity	Metric	Weekday AM Peak Hour			Weekday PM Peak Hour		
			In	Out	Total	In	Out	Total
Existing Gasoline/Service Station (ITE-944)	1.28	1,000 square feet GFA	54	54	108	70	70	140
Proposed Truck Stop (ITE-950)	1.28	1,000 square feet GFA	17	17	34	15	15	30

9. **2010 Prince George’s County Landscape Manual:** The subject application for only a change of use is exempt from the 2010 *Prince George’s County Landscape Manual* (Landscape Manual) per Section 1.1(d), as the two uses are the same intensity. However, the submitted plans show the DSP will meet the requirements of Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Schedules were included on the landscape plan and the Planning Board finds that the proposal is in conformance with the Landscape Manual.

10. **Prince George’s County Woodland and Wildlife Habitat Conservation:** The subject DSP is exempt from the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site has less than 10,000 square feet of existing woodlands on the site, and the property has no previous tree conservation plan approvals. In addition, a Standard Letter of Exemption (S-071-17) was issued previously for the property on May 4, 2017. The Planning Board finds that the change in use would not require a natural resources inventory equivalency letter, WCO exemption, or a tree conservation plan for conformance.

11. **Prince George’s Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. The subject application does not propose any disturbance and is exempt. However, the submitted plans indicate that 10 percent of the gross tract area is covered in TCC, specifically proposed plants, which would meet this ordinance.

12. **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 has reviewed and adopts a memorandum dated November 22, 2021 (White to Bishop), which notes that master plan conformance is not required for this application.

- b. **Historic Preservation**—The Planning Board has reviewed and adopts a memorandum dated November 10, 2021 (Stabler and Smith to Bishop), which notes that there are no Prince George’s County historic sites or resources on, or adjacent to the subject property. The probability of archeological sites within the subject property is low. A Phase I archeology survey is not required.
- c. **Transportation Planning**—The Planning Board has reviewed and adopts a memorandum dated December 28, 2021 (Yang to Bishop), which provides comments on the subject application relative to vehicular transportation planning issues. The transportation-related issues of adequacy and access have been incorporated into this approval and, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP.
- d. **Pedestrian and Bike Facilities**—The Planning Board has reviewed and adopts a memorandum dated December 28, 2021 (Ryan to Bishop), which provides comments on the subject application relative to pedestrian/bicycle planning issues. The memorandum determines that there are no prior conditions of approval on the subject property specific to pedestrian or bicycle improvements, and that the multimodal transportation, site access, and circulation of this plan is acceptable, subject to conditions related to pedestrian and bicycle improvements that are included herein.
- e. **Subdivision**—The Planning Board has reviewed and adopts a memorandum dated December 29, 2021 (Gupta to Bishop), which notes that the subject application is the subject of PPS 4-78067, of which there are no available records. Conditions related to technical corrections and revisions to the general notes of the DSP were provided and have been included herein.
- f. **Permits**—The Planning Board has reviewed and adopts a memorandum dated December 17, 2021 (Shaffer to Bishop), which provides 11 comments that have been addressed by the applicant in revisions to the DSP, or have been included as conditions herein.
- g. **Environmental Planning**—The Planning Board has reviewed and adopts an email dated November 10, 2021 (Kirchhof to Bishop), which notes that no other environmental requirements are identified for this application.
- h. **Prince George’s County Fire/EMS Department**—At the time of the writing of this approval, the Fire/EMS Department did not offer comments on the subject application.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts a memorandum dated December 17, 2021 (Giles to Bishop), which offers comments from DPIE that are related to roadway improvements and noted that DSP-21005 is consistent with the approved site development concept plan filed under PG-DER Case No. 89244-50A, approved on February 24, 1992.

- j. **Prince George’s County Police Department**—At the time of the writing of this approval, the Police Department did not offer comments on the subject application.
 - k. **Prince George’s County Health Department**—The Planning Board has reviewed and adopts a memorandum dated November 8, 2021 (Adepoju to Bishop), in which the Health Department offered one recommendation with respect to health-related issues on the property, and it is included in this approval.
 - l. **Maryland State Highway Association (SHA)**—At the time of the writing of this approval, SHA did not offer comments on the subject application.
 - m. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this approval, WSSC did not offer comments on the subject application.
13. 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.
14. As required by Section 27-285(b)(4) of the Zoning Ordinance, the Planning Board finds that the regulated environmental features on a site have been preserved and/or restored in a natural state to the fullest extent possible, in accordance with the requirements of Subtitle 24-130(b)(5) of the Prince George’s County Subdivision Regulations. The subject application proposes no disturbance; therefore, the Planning Board finds that the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

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 Detailed Site Plan DSP-21005 for the above-described land, subject to the following conditions:

- 1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Revise the distance of the property boundary adjoining Grey Eagle Drive, in accordance with the right-of-way conveyance recorded in Prince George’s County Land Records in Liber 7610 at folio 438.
 - b. Label the property as Parcel A and reference Plat Book NLP 101 page 11.
 - c. Revise General Note 4 to add Military Installation Overlay Zone.
 - d. Revise General Note 7 to state the following: “Number of Parcels: 1 Parcel (Parcel A).”

- e. Revise General Note 8 to state that the proposed development is exempt from filing a new preliminary plan of subdivision.
- f. Add a general note listing Preliminary Plan of Subdivision 4-78067 as the prior approval applicable to the property.
- g. Correct the plat reference to Plat Book NLP 101 page 11 in the legal description located in the lower left corner of the site plan.
- h. Provide a “bicycles may use full lane” signage assembly along the subject property’s frontage of Old Marlboro Pike, subject to modification by the Prince George’s County Department of Permitting, Inspections and Enforcement, with written correspondence.
- i. Provide a crosswalk on the drive aisle(s) at the point of vehicle entry along Old Marlboro Pike, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement, with written correspondence.
- j. Provide construction details of the six-foot-high board-on-board enclosure to screen the trash facilities.
- k. Provide additional architectural treatments on the northern, eastern, and southern elevations of the service building such as horizontal or vertical banding, a second finish material, or the addition of complementary colors.
- l. Label the existing fence on the DSP and add labels showing the limits and if it is to remain or be removed.
- m. Provide parking space striping, directional arrows, and the dimensions of the drive aisles on the site plan, in conformance with Part 11, Off-street Parking and Loading, of the Prince George’s County Zoning Ordinance.
- n. Label the use of both the service building and the shed, in accordance with Section 27 254(c)(1)(C), (D), and (F) of the Prince George’s County Zoning Ordinance, and revise the parking schedule, as appropriate, to reflect all the proposed uses on the property.
- o. Provide the height of the shed on the site plan.
- p. Add a general note to indicate that the applicant should assure that all sources of air pollution have been registered with the Maryland Department of the Environment, Air and Radiation Management Administration.

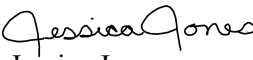
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

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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, Geraldo, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, January 27, 2022, in Upper Marlboro, Maryland.

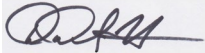
Adopted by the Prince George's County Planning Board this 10th day of February 2022.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: February 2, 2022