



The Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530

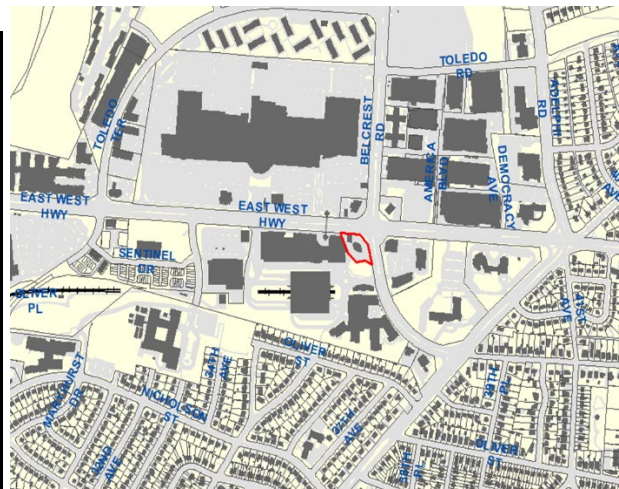
# Detailed Site Plan

## NSR Properties

# DSP-19039

REQUEST	STAFF RECOMMENDATION
An amendment to the list of allowed uses to permit a new gas station on the subject property.	DISAPPROVAL
Construction of site improvements for a new gas station and 9,592-square-foot building to include a food and beverage store and office use.	APPROVAL with conditions

<b>Location:</b> In the southwest quadrant of the intersection of MD 410 (East West Highway) and Belcrest Road.	
Gross Acreage:	0.86
Zones:	M-U-I/T-D-O
Dwelling Units:	N/A
Gross Floor Area:	9,592 sq. ft.
Planning Area:	68
Council District:	02
Election District:	17
Municipality:	Hyattsville
200-Scale Base Map:	207NE03
<b>Applicant/Address:</b> NSR Properties, LLC 7303 Hanover Parkway, #A Greenbelt, MD 20770	
<b>Staff Reviewer:</b> Jeremy Hurlbutt <b>Phone Number:</b> 301-952-4277 <b>Email:</b> Jeremy.Hurlbutt@ppd.mncppc.org	



Planning Board Date:	12/12/19
Planning Board Action Limit:	01/07/20
Staff Report Date:	11/26/19
Date Accepted:	08/09/19
Informational Mailing:	02/27/18
Acceptance Mailing:	06/26/19
Sign Posting Deadline:	11/12/19

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-19039  
NSR Properties

The Urban Design staff has reviewed the application for the subject property and presents the following evaluation and findings leading to a recommendation of DISAPPROVAL of the request to allow a new gas station and APPROVAL with conditions of the DSP, as described in the Recommendation section of this report.

**EVALUATION**

The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*;
- b. The requirements of the Prince George's County Zoning Ordinance in the Mixed Use-Infill (M-U-I) and Transit District Overlay (T-D-O) Zones;
- c. The requirements of Preliminary Plan of Subdivision 4-18013;
- d. The requirements of the 2010 *Prince George's County Landscape Manual*;
- e. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- f. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- g. Referral comments.

**FINDINGS**

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) for an amendment to the list of allowed uses to permit a new gas station on the subject property. Construction of site improvements for a new gas station, drive-up automated teller machine (ATM), and 9,592-square-foot building to include a food and beverage store and office use.

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	M-U-I/T-D-O	M-U-I/T-D-O
Use(s)	Gas Station	Food and Beverage Store, Office, and Gas Station*
Acreage	0.86	0.86
Building Square Footage/GFA	2,983 (to be razed)	9,592 (proposed)

**Parking**

	<b>MAX. PERMITTED</b>	<b>PROPOSED</b>
Commercial Development – 9,592 sq. ft. (2.5 spaces/1,000 sq. ft. of GFA in the Downtown Core)**	23**	16

**Note:** \*Use is permitted and not nonconforming within the Prince George’s Plaza Transit District if legally existing on July 19, 2016. New uses of this type are prohibited within the Transit District as discussed in Finding 8 below.

\*\*There is no minimum number of off-street parking or loading spaces within the Prince George’s Plaza TDDP, only a maximum number of surface parking spaces as specified on page 259. Bicycle parking requirements only apply for commercial uses over 10,000 square feet.

3. **Location:** The subject property is located in Council District 2 and Planning Area 68. More specifically, the project is located in the southwest quadrant of the intersection of MD 410 (East West Highway) and Belcrest Road, approximately 1,500 feet west of the intersection of MD 410 and MD 500 (Queens Chapel Road), adjacent to the Prince George’s Plaza Metro Station.

4. **Surrounding Uses:** The site is bounded to the north by MD 410 and beyond by the Mall at Prince George’s and similar commercial uses. To the south is the Prince George’s Plaza Metro Station and multifamily apartments in the Mixed Use-Infill (M-U-I) Zone. To the west is mixed-use commercial/office space in the M-U-I Zone, and to the east is Belcrest Road with commercial uses in the M-U-I Zone beyond.

5. **Previous Approvals:** Special Exception SE-691 was originally approved in 1961 for a gas station on the subject property. The existing buildings on-site were built in conformance with that approval. This special exception was revised in 1979 for a kiosk on-site. Subsequently, SE-3885 was approved for the subject property in 1989 for the purpose of adding a freestanding automatic car wash on-site and revising the gas station layout; however, this special exception was never developed as approved.

The 1992 *Prince George's Plaza Transit District Development Plan* implemented a Transit District Overlay (T-D-O) Zone on the subject property but retained the existing underlying Commercial Shopping Center (C-S-C) Zone. At that time, per Section 27-548.09 of the Prince George's County Zoning Ordinance, SE-3885 became null and void with respect to future development. The existing gas station was certified as a nonconforming use through NCGS-14, approved by the Prince George's County District Council on June 13, 1995.

The 1998 *Prince George's Plaza Approved Transit District Development Plan for the Transit District Overlay Zone* (Prince George's Plaza TDDP) rezoned the subject property from the C-S-C Zone to the Mixed Use-Transportation Oriented (M-X-T) Zone but retained the T-D-O Zone. A separate permit, 8749-99-CG, approved the addition of a drive-up ATM on the south side of the building in 2000.

Conceptual Site Plan CSP-13003, DSP-12062, and Alternative Compliance AC-13018 were heard collectively by the Prince George's County Planning Board on December 5, 2013. The applications proposed to revise the existing gas station and food and beverage store to permit a 1,192-square-foot, drive through, automatic car wash on the site, which included a request to amend the Table of Uses of the Prince George's Plaza TDDP. The Planning Board voted to approve CSP 13003, DSP-12062, and AC-13018, conditioned upon removal of the car wash. None of the conditions of approval for the previous applications are relevant to the review of this case because the site was rezoned from the M-X-T Zone to the M-U-I Zone with the adoption of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (Prince George's Plaza TDDP/TDOZMA).

On February 7, 2019, Preliminary Plan of Subdivision PPS 4-18013 and an associated variation were approved by the Planning Board (PGCPB Resolution No. 19-21) for one parcel for commercial development.

6. **Design Features:** The site is currently improved with a permitted nonconforming gas station use with four multi-product gas dispensers (MPD) and associated canopy. The site is accessed from two driveways off of both MD 410 and Belcrest Road. The existing 2,985-square-foot food and beverage store is located in the center of the site with the gas station canopy located along the MD 410 frontage. Pavement rings the gas station canopy and building.

This application proposes the removal of all existing structures on-site, with the exception of the existing freestanding sign, and the construction of a gas station with 8 MPDs, a 9,592-square-foot food and beverage store and office building, and freestanding drive-up ATM.

The proposed V-shape commercial building is shown on the southern property line and the gas station canopy is located between the building and MD 410. The applicant is proposing a drive-up ATM that will be located to the east of the canopy. Driveway entrances will be revised to just one from both MD 410 and Belcrest Road, providing access to the 16 parking spaces that are located in front of and to the sides of the building. The building is set back over 165 feet from MD 410, which the applicant is requesting an amendment to the TDDP standards, as well as additional amendments for architecture, signage, and site layout.

## Architecture

The proposed two-story, 9,592-square-foot building proposes a flat roof, which varies in height from approximately 33 to 41 feet. The façade of the building is composed of a combination of gray concrete masonry unit block that surrounds the base of the building, red brick veneer continues up to an expression line, and the second story is faced with sand colored exterior insulation finishing system (EIFS). The building has a ground-to-floor ceiling height of only 12 feet, which requires an amendment to the TDDP standard. The building is topped with a modern-styled EIFS cornice. Clear glass will be used in the store front windows, upper level windows, and doors. Each entrance will be composed of clear glass and gray metal paneling. The entrance vestibule projects from the building and will include building-mounted signage and metal canopies over the doorways. The side elevations continue the same materials and treatments as the front elevation.



Figure 1: North/Front Elevation

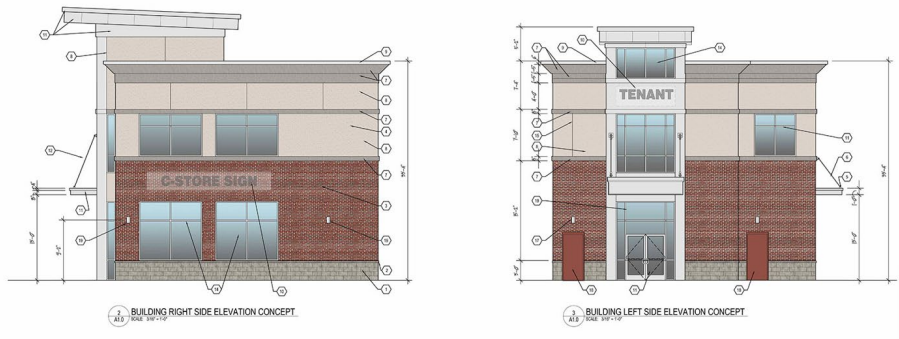


Figure 2: West/Right and East/Left Elevations

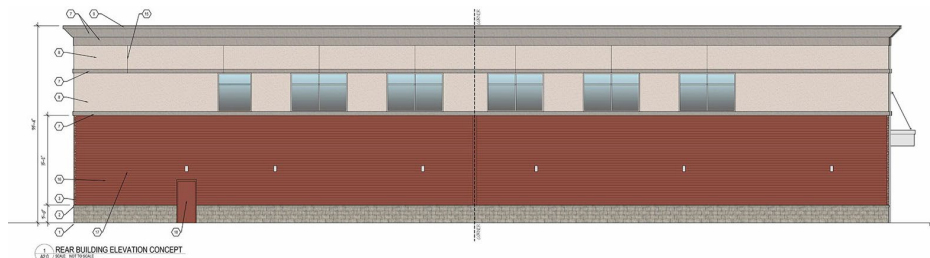


Figure 3: Rear/Southern Elevation

The rear of the building will be a large blank wall that is broken into a base of gray concrete masonry unit block and a first story of red cementitious fiber board siding that will match

the brick on the front of the building. The second story will be EIFS and windows will break up the upper level. Wall-mounted light fixtures will be placed on the side and rear of the structure.

A trash enclosure is located on the west side of the building and will face MD 410. The enclosure will use materials similar to the building and will include a gray concrete masonry unit base with red brick on top and a red metal gate.

**Lighting**

The lighting plan proposes five, light-emitting diode (LED), shadow-box, pole-mounted lights around the perimeter of the parking area, near the building, and throughout the site. Bollard lights will be placed in the small sidewalk area in front of the primary building entrance. The building will have two types of wall-mounted lights: eight utility lights on the rear of the building and over the service doors, and four lights with a metal top and base, will be located on the sides of the building. The gas station canopy will have 24 LED lights that will flood the area with light.

All of these lights shall be consistent with the TDDP standards and include full cut-off optics. A condition has been included in the Recommendation section of this report requiring that the applicant provide details demonstrating conformance.

**Signage**

Three identical building-mounted signs are proposed with this DSP and are shown on all sides of the building, except the southern rear elevation. The signs are located above the entrances and on metal panels between the windows. The signs are generally placed above the windows on the building face and line up with the edge of the window. Each sign measures approximately 52.5 square feet. Details of the building-mounted signage was not provided, and a condition has been included in the Recommendation section requiring this be added and conform to the TDDP standards.

The gas station canopy is three feet tall and fully covered by signage and graphics on all sides. There are no standards for this type of signage as this type of use is not allowed by the TDDP. Signs not expressly identified in, or exempt from, the transit district standards are prohibited (page 193). If the use is approved by the District Council, the design of the gas canopy signage should be addressed to be more harmonious with the building design.

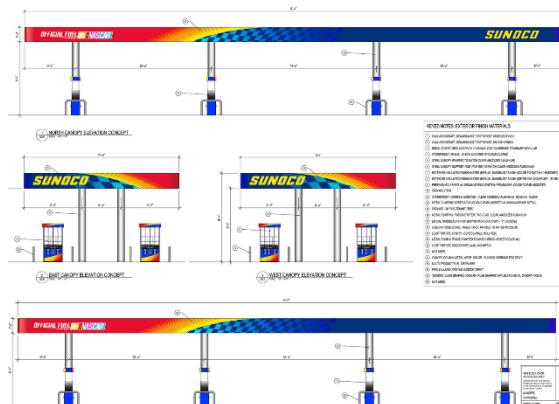


Figure 4: Multi-Product Gas Dispenser Canopy Signage

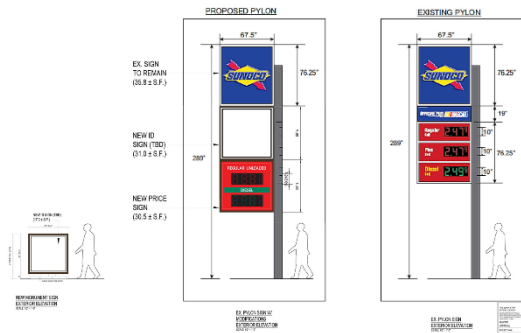


Figure 5: New and Existing Freestanding Signage

The applicant also proposes to retain the existing 24-foot-high, 97-square-foot freestanding sign and states that this sign is exempt from the TDDP, as it was lawful on July 19, 2016, and is not nonconforming. This exemption does apply currently, but the removal of existing structures and use on the property will make the existing sign no longer legal. The freestanding sign is currently located outside of the frontage zone and exceeds the 8-foot height and 3-foot width limits. A second, 4-foot-high, 17-square-foot freestanding sign is proposed along the Belcrest Road frontage. Both of these freestanding signs require an amendment to the TDDP standard.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **2016 Approved Prince George’s Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment:** The subject site is located within the Downtown Core Character Area of the Prince George’s Plaza TDDP. The Downtown Core is the transit district’s central activity hub, with a mix of residential, retail, and office development framing lively walkable streets. These pedestrian-friendly streets are envisioned to be lined with cafés and stores, which draw commuters between the Prince George’s Plaza Metro Station and the Mall at Prince George’s, activating the streetscape. The existing gas station is envisioned to be developed with new a multistory mixed-use building that would be located adjacent to MD 410 to continue the street wall that was created by the neighboring Belcrest Center development and help reposition MD 410 from a local commuter route to a true main street. The TDDP uses urban design standards to implement the plan’s vision for the Downtown Core Character Area, and the applicable standards have been evaluated as a part of the DSP process.

The submitted application and justification materials indicate the applicant’s desire to deviate from six of the transit district standards to accommodate the development as proposed on the subject property. Staff has identified a number of additional amendments, for a total of 13. The following discussion relates to the TDDP standards, specifically those requirements from which the applicant has requested amendments, in accordance with Section 27-548.08(c)(3), as follows:

- (3) **The applicant may ask the Planning Board to apply development standards which differ from mandatory requirements in the Transit District Development Plan, unless the plan provides otherwise. The Board may amend any mandatory requirements except building height restrictions and parking**



**standards, requirements which may be amended by the District Council under procedures in Part 10A, Division 1. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.**

**In approving the Transit District Site Plan, the Planning Board shall find that the mandatory requirements, as amended, will benefit the proposed development and the Transit District and will not substantially impair implementation of the Transit District Development Plan, and the Board shall then find that the site plan meets all mandatory requirements which apply.**

These alternate standard requests warrant discussion, as follows (all page numbers reference the TDDP and amendments have been grouped by section):

- a. **Streets and Frontage, Frontage Zones (page 208)**—The applicant requested an amendment of two standards in this section for frontage standards prescribed in this plan (1st bullet point), and primary building entrances or exits shall not open directly into a parking lot (6th bullet point). The primary building entrance should open to the frontage zone and not a parking lot as this DSP proposes. The building entrance would help activate the street and provide direct connection to the main street of the transit district, MD 410. The DSP reflects a reduction of the required Tree and Furnishing Zone, from 6 feet to 3 feet, along Belcrest Road. Both adjoining properties meet the frontage zone requirements. The proposed frontage zone, as shown on the DSP, does not foster a pedestrian and bicycle friendly environment as there is insufficient separation between the street and the sidewalk. Given the importance of the Tree and Furnishing Zone and a primary building entrance to the creation of an active, pedestrian-friendly frontage, the requested modifications would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, staff recommends **disapproval** of these requests.
- b. **Streets and Frontage, Build-To Lines and Zones (page 209)**—The applicant requested an amendment of one standard in this section for maximum build-to line (3rd bullet point). Table 42 (page 211) notes the maximum frontage zone depth/build-to line is 25 feet from MD 410 and 33 feet from the west side of Belcrest Road. By locating the building along the southwestern property line, the proposed building is set back approximately 140 feet from MD 410 and 63 feet from Belcrest Road. The purpose of the build-to line is to have the buildings frame the street and create an urban design relationship between abutting properties. The adjacent buildings are located along the street. The proposed building is set back to allow for the new gas station use and surface parking in front of the building, both of which are contrary to the purposes of the TDDP. Given the importance of build-to line in the creation of an active, pedestrian-friendly frontage, the requested modification would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, staff recommends **disapproval** of this request.
- c. **Streets and Frontage, Tree and Furnishing Zones (page 232)**—The applicant requested an amendment of one standard in this section for street trees to be located outside of the Tree and Furnishing Zone or the Retail Zone (1st bullet point). The applicant conforms to this standard along MD 410 but requires the amendment

along Belcrest Road, where the street trees are provided between the building and right-of-way. The applicant's justification is that there is insufficient room within the right-of-way to provide street trees. This frontage provides a main pedestrian link between the Prince George's Plaza Metro Station and the rest of the transit district. The frontage zones should be designed to meet or exceed the TDDP standards, whereas the DSP does neither. Given the importance of street trees in the creation of an active, pedestrian-friendly frontage, the requested modification would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, staff recommends **disapproval** of this request.

- d. **Streets and Frontage, Street Lights (page 234)**—Staff finds the applicant needs amendments to two standards in this section for street lights along MD 410 and Belcrest Road that do not use Potomac Electric Power Company's (PEPCO) Teardrop or equivalent style (3rd bullet point), and for street light fixtures that are spaced more than 40 feet apart (6th bullet point). The applicant has stated that they will install street lights in the right-of-way along MD 410 and Belcrest Road, but does not show the location of the street lights on Belcrest Road. The applicant also does not specify the PEPCO Teardrop street light, but an acorn-style street light. Given the importance of street lights in the creation of an active, pedestrian-friendly frontage and the importance of consistent style and spacing of the lights in the district, the requested modifications would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, staff recommends **disapproval** of these requests.
- e. **Site Elements, Screening (page 248)**—Staff identified an amendment of one standard in this section to not require all mechanical equipment to be screened from surrounding properties (3rd bullet point). A transformer and car vacuum/air station are located along the Belcrest Road-side of the building and can be seen from the public right-of-way and adjacent properties to the east and south. Given the importance of screening mechanical equipment from the public right-of-way and adjacent properties in creating a pedestrian-friendly, dense downtown, the requested modification would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, staff recommends **disapproval** of this request.
- f. **Architectural Elements, Signage, Other Freestanding Signs (page 255)**—Staff identified amendments of two standards in this section for a freestanding sign to be located outside of the Tree and Furnishing Zone (1st sentence), and for the freestanding signs to exceed 8 feet in height and 3 feet in width (2nd sentence). The existing sign along MD 410 that the applicant plans to retain is 24 feet tall, in excess of the allowed 8 feet. The applicant also proposes a 4-foot by 4-foot freestanding sign along Belcrest Road, which exceeds the 3-foot width limit. Neither sign is located in the Tree and Furnishing Zone and the applicant does not have a Retail Zone. Given the importance of signage in frontage design consistency within the Downtown Core area, the requested modifications would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, staff recommends **disapproval** of these requests.

- g. **Architectural Elements, Awnings (page 256)**—The applicant requested an amendment of one standard in this section to allow metal awnings over both entrances and first floor windows on the north side of the building. Staff finds that the awnings provide visual interest, help to highlight the entrances, and provide weather protection. Therefore, staff recommends **approval** of this request, as it will not substantially impair the implementation of the TDDP, and recommends awnings be provided for all pedestrian and service building entrances, as conditioned herein.
- h. **Parking and Loading, Surface Parking (page 260)**—The applicant requested an amendment of one standard in this section to the surface parking lot to not be screened from streets by buildings, landscaping or other cover (6th bullet point). The surface parking lot is not screened from MD 410 as circulation for the gas station limits the landscape area on this frontage. Given the importance of screening parking from the public right-of-way in creating a pedestrian-friendly, transit-oriented downtown, the requested modification would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, staff recommends **disapproval** of this request.
- i. **Downtown Core Standards, Intent, Downtown Core Mixed-Use and Nonresidential Buildings (page 267)**—The applicant requested an amendment of two standards in this section to allow for the building, within the Downtown Core, not to be attached to the one on the abutting lot to the west (1st bullet point) and to allow the minimum clear height of the retail space to be less than 14 feet (2nd bullet point). Specifically, the clear height of the retail space is reduced from 14 feet to 12 feet and the proposed building does not abut the one to the west. The applicant states circulation of fuel trucks as the reason the building could not be attached to the abutting building. The architecture is also showing a 12-foot clear height of the ground floor and the applicant does not provide justification for this. Given the importance of building frontage and retail ceiling height within the Downtown Core area, the requested modifications would not benefit the transit district, and will substantially impair the implementation of the TDDP. Therefore, staff recommends **disapproval** of these requests.

In summation, the set back and freestanding nature of the proposed food and beverage store with second floor office, and surface parking and gas station in front, is characteristic of suburban design and does not reflect the more compact main street character envisioned in the Prince George's Plaza TDDP, which would include a consistent frontage of commercial uses lining MD 410. While buildings in the Downtown Core may be constructed to a minimum 20-foot height, staff notes that buildings on the subject property may be constructed up to 28 stories tall. This provision underscores the subject property's location as the 100 percent corner of one of the County's three First-Round Downtowns. The property is designated as a special corner by the TDDP; the intersection of Belcrest Road and MD 410 is envisioned to be a focal point of one of the County's primary Regional Transit Districts. Therefore, the majority of the requested amendments to support an auto-oriented suburban development would not benefit the Transit District and will substantially impair implementation of the TDDP. Conditions have been included in the Recommendation section of this report requiring the DSP be revised to demonstrate conformance to the TDDP standards.

8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I and T-D-O Zones of the Zoning Ordinance:

- a. The Prince George's Plaza TDDP permits or prohibits certain uses, in accordance with Section 27-548.05, to limit uses that are incompatible with, or detrimental to, the goals of the Transit District and purposes of the T-D-O Zone. The applicable Transit District Use Table for the T-D-O/M-U-I Zones (pages 276-291) permits, without further qualification, the office use and the food and beverage (convenience) store use; however, a gas station is only permitted if it satisfies the condition found in the following footnote:

**Use is permitted and not nonconforming within the Prince George's Plaza Transit District if legally existing on July 19, 2016. New uses of this type are prohibited within the Transit District. (page 291)**

In addition, the introductory paragraphs to the use table state that uses inconsistent with the TDDP are prohibited. For example, auto-oriented uses are prohibited in zones that are located within the Downtown Core where the subject property is located. Therefore, the proposal to completely demolish the current, legally conforming gas station use and rebuild the proposed new, expanded gas station use is prohibited.

The applicant contends, in its statement of justification, that its proposed gas station is not new because a gas station currently operates on the subject property and has done so prior to July 19, 2016. As a consequence of the applicant's interpretation, the applicant maintains that its proposed gas station, convenience store, and two-story structure with new offices is a permitted use and not prohibited. A use is defined in Section 27-107.01 of the Zoning Ordinance as either:

- (i) **The purpose for which a "Building," "Structure," or land is designed, arranged, intended, maintained, or occupied; or**
- (ii) **Any activity, occupation, business, or operation carried on in, or on, a "Building," "Structure," or parcel of land.**

A reasonable inference that can be drawn from the inclusion of the footnote permitting gas stations existing within the boundaries of the T-D-O Zone before July 19, 2016, is that this exception was made to allow the particular gas station on the applicant's subject property to operate as a permitted use. This inference is reasonable because that gas station was the only one within the boundaries of the T-D-O Zone in existence before July 19, 2016. As the applicant acknowledges in its statement of justification, the County Council, in adopting the TDDP and enacting the T-D-O Zone, contemplated that, although an exception was carved out for this particular gas station, the use was to remain on an interim basis and to be phased out as the visions of the TDDP were realized (page 180).

As previously described, the subject property is currently improved with a gas station with four MPDs and eight pumps, a 2,983-square-foot convenience store at the center of the site, and an ATM affixed to the convenience store building. The applicant's proposal includes completely razing the existing gas station and

convenience store, doubling the number of MPDs (eight) and pumps (sixteen), constructing a two-story 9,592-square-foot building in a different location that will contain a significantly larger convenience store and an office use, and installing a stand-alone ATM on the east side of the site.

The applicant intends for the buildings, structures, and land to be completely redesigned, rearranged, maintained, and occupied. The business operations and activities on the subject property and within the proposed building and structures will drastically expand and change, rather than be discontinued as the County Council had intended. The applicant's proposal cannot be anything other than a change in the use of the property; therefore, the new gas station, which would be constructed after July 19, 2016 is prohibited.

Under the Zoning Ordinance, if the existing gas station had been a certified nonconforming use, the applicant would not have been permitted by-right to intentionally demolish the structure and rebuild it. Specifically, Section 27-243(b)(2) of the Zoning Ordinance provides in relevant part, "The intentional demolition and reconstruction of a certified nonconforming use on the same lot, which involves relocation, enlargement, or extension . . . may be permitted outside of the Safety Zones of the Military Installation Overlay Zone only upon approval of a Special Exception in accordance with Part 4."

Further evidence that the TDDP does not contemplate changes to the subject property that the applicant is proposing is found in the TDDP's General Applicability and Administration section. On page 198, which describes the TDDP's applicability and certain exemptions, the TDDP states:

**Unless specifically described otherwise, additions, expansions, or extensions of buildings, structures, and uses not subject to an exemption identified in this section are subject to DSP review, and are only required to conform to the Transit District Standards for the area of the addition, expansion, or extension of the building, structure, or use. Adding on, expanding, or extending a building or use to an extent that requires conformance to the Transit District Standards or DSP review only requires such conformance for the addition, expansion, or extension.**

In other words, the TDDP applies unless the addition, expansion, or extension of a building, structure, or use falls into one of the exemptions provided in the TDDP. Currently, the only exemption that applies to the subject property is the following:

**Until a Detailed Site Plan (DSP) is submitted, all buildings, structures and uses, which were lawful or could have been certified as legal nonconforming uses pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016, are exempt from the Transit District Standards and are not nonconforming. (page 198)**

Applying this requirement to the applicant's proposal, the expansion of the existing gas station use from four to eight MPDs is subject to DSP review and is required to conform to the transit district standards for the use. In other words, because the

applicant is required to submit a DSP for its proposal—a brand new gas station constructed after a voluntary demolition of all existing structures—the applicant now must comply with the TDDP standards, which do not allow new gas stations.

The applicant, as an alternative argument, did include a justification for an amendment to the list of allowed uses for the property as permitted under Section 27-548.09.01(b), which states, in part:

- (1) A property owner may ask the District Council, but not the Planning Board, to change the boundaries of the T-D-O Zone, a property's underlying zone, the list of allowed uses, building height restrictions, or parking standards in the Transit District Development Plan. The Planning Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.**
  
- (5) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms with the purposes and recommendations for the Transit Development District, as stated in the Transit District Development Plan, and meets applicable site plan requirements.**

The property owner requests that the District Council amend the list of allowed uses for the subject property to permit a new gas station. In rezoning this property, as well as adjacent ones, from the M-X-T to M-U-I Zone, the Prince George's Plaza TDDP includes the following justification (page 180):

**The outer properties in this zoning change are located in the Downtown Core of the Transit District, are considerably underdeveloped considering their proximity to a transit station, have auto-oriented uses that are incompatible with a walkable downtown environment, and are envisioned for a significantly increased intensity of development and mix of uses.**

**These two commercial parcels surround the Metro station, which is significantly underdeveloped with available air rights above the parking structure and platforms, and an underdeveloped retail frontage that does not embrace MD 410 as envisioned by this TDDP.**

**This rezoning permits these properties to retain the uses that they have on an interim basis while they transition, as the market allows, to the walkable urban products the real estate market increasingly demands. The M-U-I Zone, coupled with the Transit District Standards, permits a range of uses in a variety of buildings, creating the flexibility most conducive to development and redevelopment.**

This property was rezoned to allow for more walkable, urban, mixed-use development to replace the existing auto-oriented uses that occupy the property today. Allowing the development of a low-density, auto-oriented, pedestrian-unfriendly, new gas station will substantially and egregiously impair implementation of the vision described in the TDDP. This proposed use would run counter to developing high-rise, vertical, mixed-use, walkable urban development recommended for the subject property. Some of the TDDP purposes that are contrary to the proposed use include the requirement for medium- to high-density development in the Downtown Core, concentrating the largest, special corner, buildings at key intersections near the Metro station, and presenting a consistent street wall. The allowance of a new gas station along the road frontage at a key intersection does not conform to the TDDP.

The applicant's justification partially states that bringing the site into conformance with the current stormwater management (SWM) regulations, reducing access driveways, increasing the building square footage, and enhancing the sidewalks along the frontages will conform to the purposes and recommendations contained in the TDDP. These enhancements, however, could be achieved through redevelopment of the property without including auto-oriented uses that contradict the main purposes of the TDDP.

Therefore, staff recommends that the Planning Board should recommend to the District Council that the new gas station use be disapproved, and be removed from the DSP, as conditioned herein.

- b. Section 27-546.19(c), Site Plans for Mixed Uses, of the Zoning Ordinance requires that:

**(c) A Detailed Site Plan may not be approved unless the owner shows:**

- 1. The site plan meets all approval requirements in Part 3, Division 9;**
- 2. All proposed uses meet applicable development standards approved with the Master Plan, Sector Plan, Transit District Development Plan, or other applicable plan;**

The site plan does not meet applicable development standards, and, as proposed, would severely hinder the Prince George's Plaza TDDP, but as conditioned, represents a reasonable alternative for satisfying the site design guidelines, and meets the development standards, except for those alternative standards as discussed in Finding 7 above.

- 3. Proposed uses on the property will be compatible with one another;**
- 4. Proposed uses will be compatible with existing or approved future development on adjacent properties and an applicable Transit or Development District; and**

The application proposes a new gas station, food and beverage store and office use, which will be compatible with one another. However, the proposed gas station use is not permitted in the TDDP, and will not be compatible with the existing high-density commercial development to the west, nor the multifamily residential use to the south, or the existing metro station to the southwest. The TDDP envisions this site to be the highest density site, with 100 percent lot coverage, and buildings up to 28 stories high allowed. The property is located at the main intersection of one of the three designated downtowns envisioned in the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and is located adjacent to a Metro station. Development should be focused on meeting the TDDP purposes to attract an appropriate mix of land uses thereby increasing the number of residents and workers and supporting retail that supports and fully utilizes the valuable transit asset. It should also contribute to activating the main street that is MD 410. This gas station use will create conflicts with pedestrians as well as interrupting the common street wall along MD 410. The gas station is not compatible with the surrounding properties and the TDDP vision. The office and food and beverage store would be compatible with the adjacent commercial and residential uses, but should be designed to be compatible with the TDDP, as has been conditioned herein.

5. **Compatibility standards and practices set forth below will be followed, or the owner shows why they should not be applied:**
  - (A) **Proposed buildings should be compatible in size, height, and massing to buildings on adjacent properties;**
  - (B) **Primary façades and entries should face adjacent streets or public walkways and be connected by on-site walkways, so pedestrians may avoid crossing parking lots and driveways;**
  - (C) **Site design should minimize glare, light, and other visual intrusions into and impacts on yards, open areas, and building façades on adjacent properties;**
  - (D) **Building materials and color should be similar to materials and color on adjacent properties and in the surrounding neighborhoods, or building design should incorporate scaling, architectural detailing, or similar techniques to enhance compatibility;**
  - (E) **Outdoor storage areas and mechanical equipment should be located and screened to minimize visibility from adjacent properties and public streets;**
  - (F) **Signs should conform to applicable Development District Standards or to those in Part 12, unless the owner shows that its proposed signage program meets goals and objectives in applicable plans; and**



**(G) The owner or operator should minimize adverse impacts on adjacent properties and the surrounding neighborhood by appropriate setting of:**

- (i) Hours of operation or deliveries;**
- (ii) Location of activities with potential adverse impacts;**
- (iii) Location and use of trash receptacles;**
- (iv) Location of loading and delivery spaces;**
- (v) Light intensity and hours of illumination; and**
- (vi) Location and use of outdoor vending machines.**

The applicable Prince George's Plaza TDDP has multiple compatibility standards and guidelines regarding building placement, orientation, design, lighting, outdoor storage, and signage. However, the proposed development is not consistent with the majority of these as discussed in Finding 7 above. The proposed building is not compatible in size, height, or massing with the existing buildings on the adjacent properties, which are four stories and sit along the build-to line. The primary façade faces the street but is set back more than 100 feet. The site design minimizes visual intrusion onto adjacent properties and the signs will conform to the TDDP standards, only if revised as conditioned. No loading is required for this size development and the trash enclosure is designed to match the proposed building, which helps minimize adverse impacts on adjacent properties. There is no pedestrian connection from Belcrest Road to the entrance to the building and the transformer is located adjacent to the Belcrest Road. Various conditions have been included in the Recommendation section of this report to bring this proposal into conformance with these compatibility standards.

c. Pursuant to Section 27-548.08(c)(2), the following findings shall be made by the Planning Board when approving a DSP in the T-D-O Zone:

**(A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;**

The DSP is not in strict conformance with the mandatory requirements of the TDDP. The DSP requests an amendment to the list of allowed uses to permit a new gas station on this property and requires 13 amendments to the TDDP standards. However, staff recommends disapproval of the new gas station use and includes conditions herein that will substantially revise the proposed site plan in order to create a proposal that will not substantially impair implementation of the TDDP.

**(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;**

The DSP is not consistent with and does not reflect the guidelines and criteria for development contained in the TDDP. It is noted that the current gas station could be expanded and improved, without having to conform to the TDDP standards, as allowed by the exemptions. However, if revised as conditioned, the DSP will be consistent with the TDDP. These conditions would include, among other things, moving the building to the build-to line, and redesigning it, and providing required frontage improvements. Thereby, the DSP would conform with the purposes of the TDDP, which include requirements to ensure that development within the transit district possess a desirable urban design relationship with one another, the metro station, and adjoining areas.

**(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;**

The DSP does not meet the requirements of the T-D-O Zone, nor the underlying M-U-I Zone as discussed above and in Finding 7. Staff has provided conditions in the Recommendation section to address these issues for approval. Staff concludes that the DSP can only meet the requirements of the T-D-O and M-U-I Zones if revised per the recommended conditions.

**(D) The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;**

The DSP does not demonstrate that the location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking maximize safety and efficiency, and are adequate to meet the purposes of the T-D-O Zone. The DSP requests multiple amendments to substantial TDDP standards relative to frontage improvements, building location, and signage, among others. This includes standards that would reduce conflict points with pedestrians on MD 410 and provide for a cycle track along Belcrest Road to aid in bicyclist access to the Metro station. These improvements, if provided, along with standards for building placement to frame and activate the street, support the vision of a walkable transit district. Therefore, conditions have been included in the Recommendation section of this report requiring redesign of the site and frontage along MD 410 and Belcrest Road.

**(E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development; and**

The DSP does propose building materials that are compatible with adjacent commercial and multifamily uses. However, the building is not located to frame the streetscape and it does not maintain a common street wall as envisioned by the Prince George's Plaza TDDP. A gas canopy separates the building from the street and introduces a conflicting automobile use into what is to envisioned be a pedestrian-oriented main street. The scale of the building is much smaller in height, size, and lot coverage and considerably under develops the property given its proximity to a Metro station. The proposed structures and uses are incompatible with existing and proposed adjacent development, to the extent that the permission of such uses will substantially impair the TDDP.

- (F) Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to Section 27-548.09.02 of the Zoning Ordinance, meets the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.**

This requirement does not apply to the subject application because there is no total minimum required parking spaces.

- 9. Preliminary Plan of Subdivision 4-18013:** On February 7, 2019, PPS 4-18013 and an associated variation were approved by the Planning Board (PGCPB Resolution No. 19-21) for one parcel for commercial development. A final plat of subdivision will be required for the subject site. The approval of this PPS generated eight conditions, of which three are applicable to the review of this DSP, as follows:

- 2. Total development within the subject parcel shall be limited to uses which generate no more than 166 AM and 130 PM peak-hour 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 preliminary plan of subdivision.**

This condition establishes an overall trip cap for the subject property of 166 AM and 130 PM peak-hour trips. The proposed gas station with 16 fueling positions, a 4,796-square-foot food and beverage store, and 4,796 square feet of office space would generate 166 AM and 130 PM peak-hour trips, as noted in the table below. This is the same as the established trip cap.

Trip Generation Summary: DSP-19039: NSR Properties								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Proposed Super Convenience Store	4,796	square feet						
with Gas Pumps	16	fueling positions	210	211	423	177	178	355
Less Pass-By (63 percent AM/66 percent PM)			-132	-133	-265	-117	-117	-234
Net Trips for Proposed Food and Beverage/Gas			<b>78</b>	<b>78</b>	<b>156</b>	<b>60</b>	<b>61</b>	<b>121</b>
Proposed General Office	4,796	square feet	9	1	10	2	7	9
<b>Total Trips for DSP-19039</b>			<b>87</b>	<b>79</b>	<b>166</b>	<b>62</b>	<b>68</b>	<b>130</b>
<b>Trip Cap: PPS 4-18013</b>					<b>166</b>			<b>130</b>

5. **In conformance with the 2009 Approved Countywide Master Plan of Transportation and the 2016 Approved Prince George’s Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following unless modified by the road operating agency:**

a. **An eight-foot-wide sidewalk along the frontage of MD 410 (East West Highway) shall be included on the Detailed Site Plan unless modified by the Planning Board and/or District Council in accordance with Section 27-548.08 of the Zoning Ordinance.**

The submitted plan shows an 8-foot-wide sidewalk along the frontage of MD 410.

b. **A 10-foot-wide cycle track along the frontage of Belcrest Road shall be included on the Detailed Site Plan unless modified by the Planning Board and/or the District Council in accordance with Section 27-548.08 of the Zoning Ordinance.**

The submitted plan shows a 10-foot-wide sidewalk along the frontage of Belcrest Road but not a cycle track. The applicant has requested an amendment to the TDDP to allow the sidewalk in lieu of the cycle track on the grounds that there is insufficient space to accommodate the cycle track within the dedicated right-of-way. The applicant also states the installation of a cycle track would conflict with standards set by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). Staff strongly supports the implementation of the standards in the TDDP. The property is adjacent to the vehicular entrance to the Prince George’s Plaza Metro Station and the cycle track would serve as the first and last section of the dedicated bicycle connection. The cycle track is planned to connect the Prince George’s Plaza Metro Station to the rest of the transit district along

Belcrest Road. Without this section, the rest of the multimodal network envisioned for the TDDP will be compromised. The TDDP shows a 10-foot-wide cycle track along the property frontage of Belcrest Road. This improvement should be depicted on the DSP and a condition has been included herein requiring this to be added.

7. **Prior to approval of a detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide an exhibit that illustrates the location, limits, and details of the off-site bicycle and pedestrian impact statement improvements along Belcrest Road, consistent with Section 24-124.01(f) of the Subdivision Regulations.**

A conceptual level off-site bicycle and pedestrian impact statement exhibit was submitted at the time of application acceptance. It reflects the pedestrian improvements in place at the intersection, as well as the location for the crosswalk improvements. Given the low level of the cost cap (\$3,353 per Section 24-124.01(c) of the Subdivision Regulations) and the nature of the improvements (crosswalk restriping only), a more detailed exhibit is not warranted. Therefore, the condition for the exhibit has been fulfilled.

10. **2010 Prince George's County Landscape Manual:** Per page 194 of the Prince George's Plaza TDDP, the TDDP standards replace the comparable standards in the 2010 *Prince George's County Landscape Manual* (Landscape Manual). For standards not covered in the TDDP, the Landscape Manual shall serve as the requirement, unless explicitly stated otherwise. The applicant is in conformance with the applicable Landscape Manual requirements and the landscape requirements of the TDDP.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is not subject to the provisions of Woodland and Wildlife Habitat Conservation Ordinance because it is less than 40,000 square feet in area, contains less than 10,000 square feet of existing woodland, and has no previously approved tree conservation plans. A Standard Letter of Exemption, S-006-2018, was issued on January 5, 2018.
12. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-127(b)(1)(I) of the County Code states that "properties subject to tree canopy coverage requirements contained in an approved T-D-O Zone or a Development District Overlay Zone are exempt from the tree canopy coverage requirements contained in this Division." Pursuant to this section, the tree canopy coverage requirements for the Prince George's Plaza T-D-O Zone shall be met through the provision of street, on-site, and other trees preserved by a property owner or provided to comply with other transit district standards and guidelines.
13. **Referral Comments:** 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. **Historic Preservation**—In a memorandum dated August 20, 2019 (Stabler to Hurlbutt), the Historic Preservation Section noted that there are no historic sites or resources on/or adjacent to the subject property and this proposal will not impact any historic sites, resources, or significant archeological sites.

- b. **Community Planning**—In a memorandum dated November 26, 2019 (Mierow to Hurlbutt), the Community Planning Division offered an in-depth discussion of the DSP’s conformance with the TDDP that has been incorporated into Finding 7 above. It was noted that the 2016 TDOZMA reclassified the subject property into the M-U-I Zone, while retaining it within the superimposed T-D-O Zone. In addition, an analysis was provided relative to Plan 2035.
- c. **Transportation Planning**—In a memorandum dated November 12, 2019 (Masog to Hurlbutt), the Transportation Planning Section noted that access and circulation are acceptable. The number and locations of points of access are consistent with those reviewed and approved during the PPS. The site is adjacent to MD 410, which is a master plan arterial roadway, and Belcrest Road, which is a master plan collector roadway. Both existing rights-of-way are consistent with the recommendations in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The rights-of-way are also consistent with the rights-of-way shown on the PPS, as approved. The Planning Board approved the PPS with three traffic-related conditions, which are applicable to the review of this DSP and are discussed in Finding 9 above. From the standpoint of transportation and in consideration of the findings contained herein, it is determined that this plan is acceptable if the application is approved.
- d. **Subdivision Review**—In a memorandum dated November 8, 2019 (Simon to Hurlbutt), the Subdivision and Zoning Section offered an analysis of the DSP’s conformance with the PPS conditions, which are incorporated into Finding 9 above.
- e. **Trails**—In a memorandum dated November 20, 2019 (Shaffer to Hurlbutt), the trails coordinator analyzed the DSP for conformance with the MPOT and the Prince George’s Plaza TDDP, in addition to the previous conditions of approval.

The MPOT calls for a “Continuous Standard or Wide Sidewalks with On-Road Bicycle Facilities” along MD 410 (page 28).

The applicant shall provide an 8-foot wide sidewalk along their frontage of MD 410 consistent with the MPOT. This improvement shall be constructed with the access permit process with the Maryland State Highway Administration (SHA). The MPOT also calls for on-road bicycle facilities; however, the MPOT acknowledges that providing a full bicycle lane may not be possible due to right-of-way constraints. Generally, bicycle lanes are provided by SHA through striping.

The TDDP has some specific guidelines for the frontage of MD 410. This frontage is required to have six feet of Tree and Furnishing Zone, six feet of Sidewalk Clear Zone, and a variable Retail Zone; totaling a combined minimum depth requirement of 20 feet (TDDP page 211).

The TDDP also has specific guidelines for the frontage of Belcrest Road. The TDDP calls for a cycle track on the west side of Belcrest Road (the subject property). The cycle track shall be 10 feet wide and adjacent to the sidewalk (TDDP page 89).

Figure 10. Belcrest Road (Toledo Terrace To Metro Entrance) Illustrative Street Section

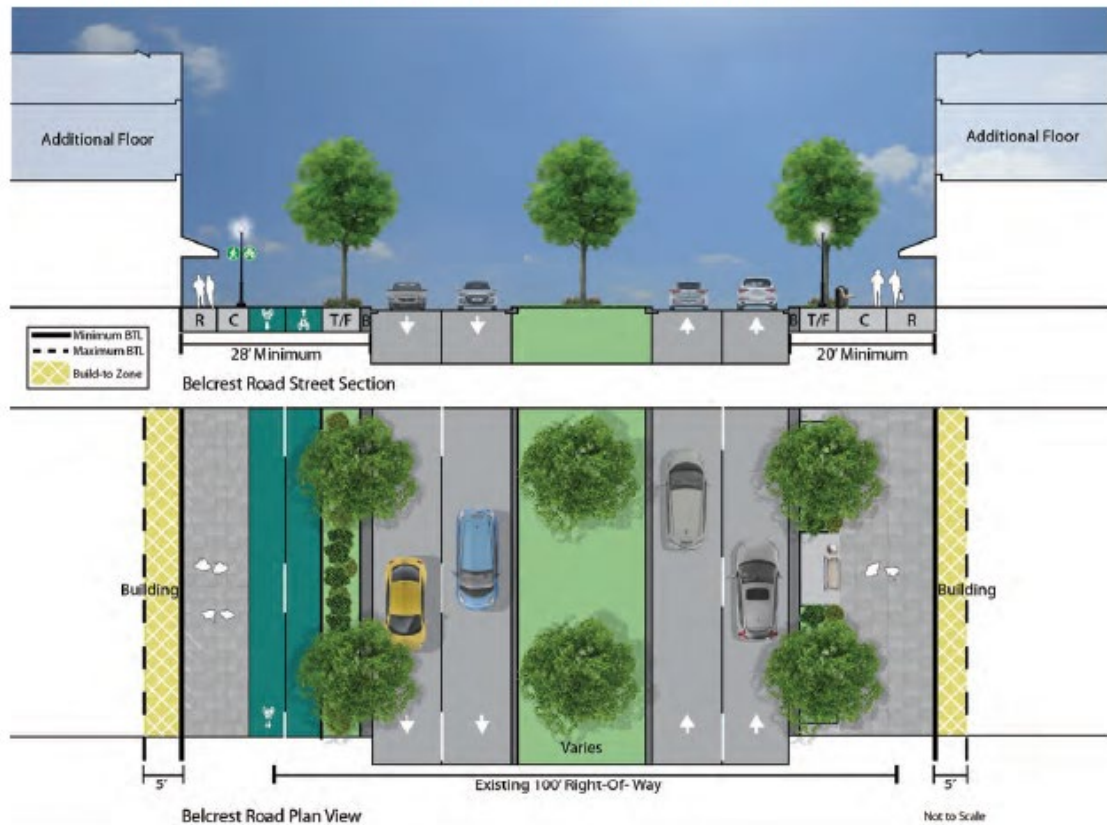


Figure 6: Belcrest Road (Toledo Terrace to Metro Entrance) Illustrative Street Section (page 215)

The applicant shall provide a 10-foot-wide cycle track along their frontage of Belcrest Road, consistent with the TDDP. The frontage along Belcrest Road is required to have 5 feet of Tree and Furnishing Zone, 5 feet of Sidewalk Zone, and a variable width of Retail Zone; totaling a combined minimum depth requirement of 28 feet (including the above-mentioned cycle track) (TDDP page 211).

The applicant shall provide frontage improvements along Belcrest Road consistent with the TDDP. This improvement shall be constructed through the access permit process of Prince George's County. One trails-related condition has been included herein to revise the plan to include the required cycle track along Belcrest Road.

- f. **Environmental Planning**—In a memorandum dated November 20, 2019 (Schneider to Hurlbutt), the Environmental Planning Section noted that a Natural Resources Inventory Equivalency Letter, NRI-004-2018, in conformance with environmental regulations, was issued on January 5, 2018. According to available information, Marlboro clay is not present, but Christiana clay does occur on or in the vicinity of this site. A geotechnical study may be required by DPIE prior to issuance of a permit. In addition, it was noted that the site has a SWM Concept Letter (2296-2018-00), which was approved on August 7, 2018 by DPIE. All on-site SWM will be controlled with one micro-bioretenion pond and an underground infiltration system.

- g. **Prince George's County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not offer comments on the subject application.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated August 26, 2019 (Snyder to Hurlbutt), DPIE offered numerous comments on the subject application that have been provided to the applicant. These comments will be addressed through DPIE's separate permitting process. They noted that the DSP is consistent with approved SWM Concept Plan 2296-2018-00, dated August 7, 2018.
- i. **Prince George's County Police Department**—At the time of the writing of this technical staff report, the Police Department did not offer comments on the subject application.
- j. **Prince George's County Health Department**—At the time of the writing of this technical staff report, the Health Department did not offer comments on the subject application.
- k. **Maryland State Highway Association (SHA)**—In a letter dated September 10, 2019 (Futrell to Speech), SHA offered numerous comments on the subject application that have been provided to the applicant. These comments will be addressed through SHA's separate permitting process.
- l. **City of Hyattsville**—In a letter dated November 4, 2019 (Hollingsworth to Hewlett), the City of Hyattsville offered numerous comments on the subject application that are summarized, as follows:

The Hyattsville City Council's opinion is that the applicant's request for variation or modification to the Prince George's Plaza TDDP standards shall be limited and that a reduction in the building footprint, consistent with the exemption provisions, should limit modification to the standards. The City requested that the Planning Board require all improvements of the subject property abide by the relevant exemption outlined within the TDDP. The City offered conditions and modifications for the Planning Board to consider, which included removal of the standalone ATM, ways to improve the existing gas station, reducing the proposed number of pumps to six, adding a bicycle repair station, providing an electric vehicular charger, and many others.

The City requested denial of support for an amendment to the Table of Uses to permit the use of the site as a gas station. Noting that:

“The Prince George's Plaza Transit District Development Plan was developed through a comprehensive process which included the participation of all public and private stakeholders, the result of which was a plan that created a framework to guide investment and a vision for pedestrian connectivity, mixed-use density and a reduced reliance on single occupancy vehicles. We firmly believe that investment in, and development of, real property within



the Prince George's Plaza Transit District shall advance the vision of the Plan and shall not undermine the goals and objectives of the Plan.”

It is the City’s opinion that the TDDP provides sufficient exemptions that permit the applicant to proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business. However, the submitted DSP does not propose a development that fits any allowed exemptions, and if it did, would most likely not require a DSP. Therefore, the plans as submitted have been analyzed and the City’s conditions relative to the current proposed improvements (items 2–8) have been included in the Recommendation section of this report with some technical modifications.

- m. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated August 12, 2019 (Asan to Hurlbutt), DPR noted that due to the fact that this DSP does not contain a residential component, is not adjacent to and/or does not impact any existing or proposed parkland, DPR offers no comment.

- 14. 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).**

There are no regulated environmental features on the subject property; therefore, the plan preserves regulated environmental features to the fullest extent possible.

## RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and:

- A. Recommend to the District Council **DISAPPROVAL** of the property owner’s request to permit a new gas station on the subject site.
- B. **APPROVE** the following alternative transit district development standards:
  - 1. **Architectural Elements, Awnings (page 256)**—To allow metal awnings over the building entrances and first floor windows.
- C. **DISAPPROVE** the following alternative transit district development standards:
  - 1. **Streets and Frontage, Frontage Zones (page 208)**—To allow the primary building entrance to open into a parking lot, and a reduction in the Tree and Furnishing Zone width along Belcrest Road.
  - 2. **Streets and Frontage, Build-To Lines and Zones (page 209)**—To allow the building to be set back approximately 140 feet from MD 410 (East West Highway) and 63 feet from Belcrest Road.

3. **Streets and Frontage, Tree and Furnishing Zones (page 232)**—To allow street trees outside of the Tree and Furnishing Zone and the Retail Zone.
  4. **Streets and Frontage, Street Lights (page 234)**—To allow for street lights along MD 410 (East West Highway) and Belcrest Road that do not use Potomac Electric Power Company’s Teardrop or equivalent style and for street light fixtures that are spaced more than 40 feet apart.
  5. **Site Elements, Screening (page 248)**—To allow mechanical equipment not to be screened.
  6. **Architecture Elements, Signage, Other Freestanding Signs (page 255)**—To allow freestanding signs to be located outside of the Tree and Furnishing Zone or Retail Zone within the Downtown Core, and to exceed the 8-foot height and 3-foot width limits.
  7. **Parking and Loading, Surface Parking (page 260)**—To allow for off-street surface parking not to be screened from MD 410 (East West Highway).
  8. **Downtown Core Standards, Intent: Downtown Core Mixed-Use and Nonresidential Buildings (page 267)**—To allow for the proposed building not to be attached to the one on the abutting lot to the west and for a reduction of the minimum clear height of retail space from 14 feet to 12 feet.
- D. APPROVE Detailed Site Plan DSP-19039 for NSR Properties, subject to the following condition:
1. Prior to certification, the DSP shall be revised, or additional information shall be provided, as follows:
    - a. Remove the gas station use and all associated site improvements.
    - b. Revise and move the proposed building to meet the maximum build-to line and be compatible in size, height, and massing with the buildings on adjacent properties.
    - c. Provide a 10-foot-wide cycle track along the frontage of Belcrest Road, consistent with the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*.
    - d. Revise plans to show conformance with all streets and frontage standards of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*, by moving the building to the maximum build-to line, having the primary entrance to the building not open to a parking lot, and moving all service entrances to the rear of the building.

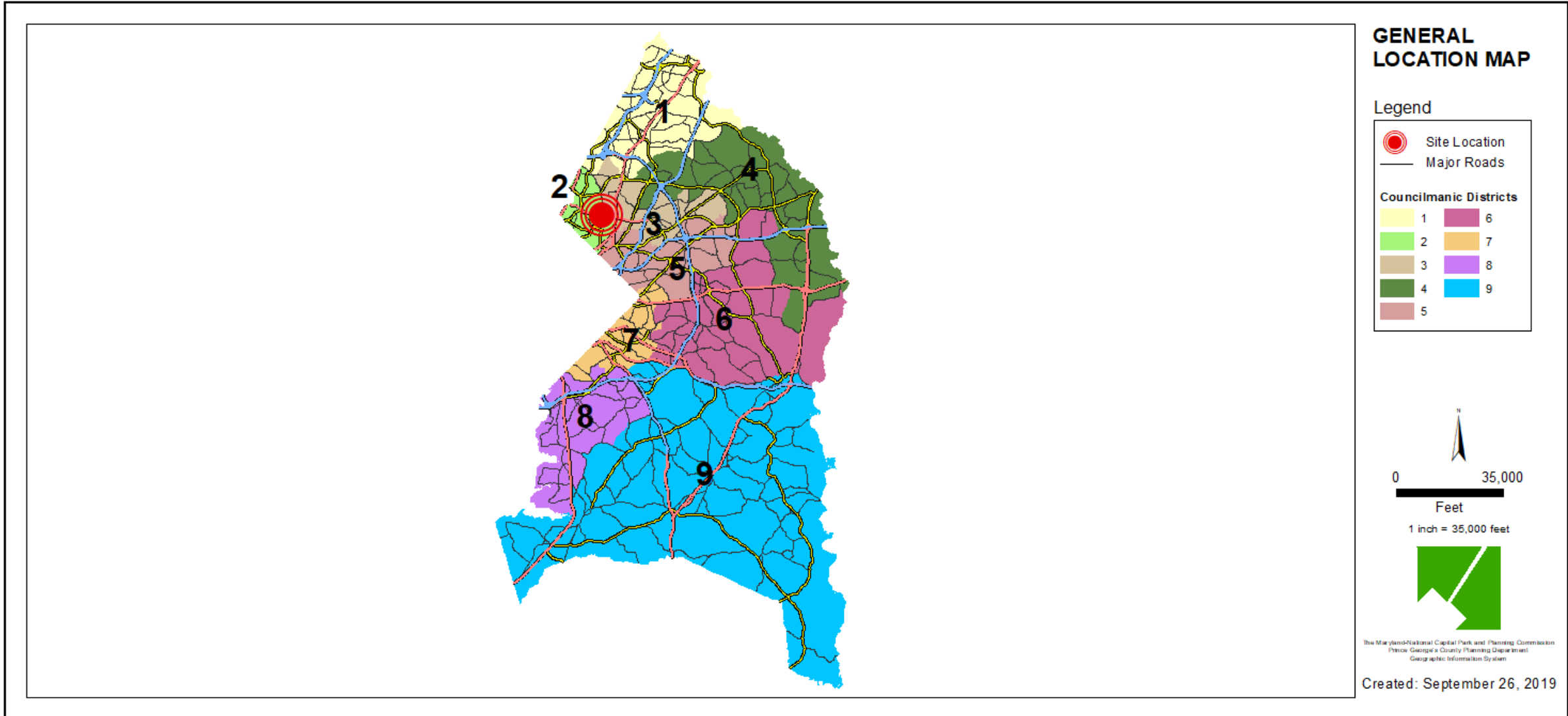
- e. Provide all elements of the Street Frontage Zone standards of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* along Belcrest Road and MD 410 (East West Highway), including pedestrian access to building entrances, street trees in the appropriate location, full width Tree and Furnishing Zone, and other improvements.
- f. Revise plans to meet the Downtown Core Mixed Use and Non-Residential standards of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* by attaching the building to the building on the abutting lot to the west and increasing the ceiling height to 14 feet on the ground level.
- g. Provide screening of any off-street surface parking from the public rights-of-way, in accordance with the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* standards.
- h. Revise the lighting plan to label lighting detail, add a note that all lights will include full cut-off optics, and show street lights along MD 410 (East West Highway) and Belcrest Road that meet the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* standards relative to style and spacing.
- i. Remove both freestanding signs; all signage shall be affixed to the structures.
- j. Remove the proposed stand-alone automated teller machine (ATM) and associated drive-aisle; any proposed ATMs shall either be affixed to the building exterior or be located within the interior.
- k. Integrate a mural or other equivalent artistic element into the proposed building, in accordance with the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* guidelines.
- l. Provide overhead awnings for all pedestrian and service building entrances.
- m. Provide details of the building-mounted signage and demonstrate conformance to all applicable 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* standards.
- n. Locate all mechanical equipment away from the public streets and adjacent properties and screen to minimize visibility.

ITEM: 5

CASE: DSP-19039

# NSR PROPERTIES

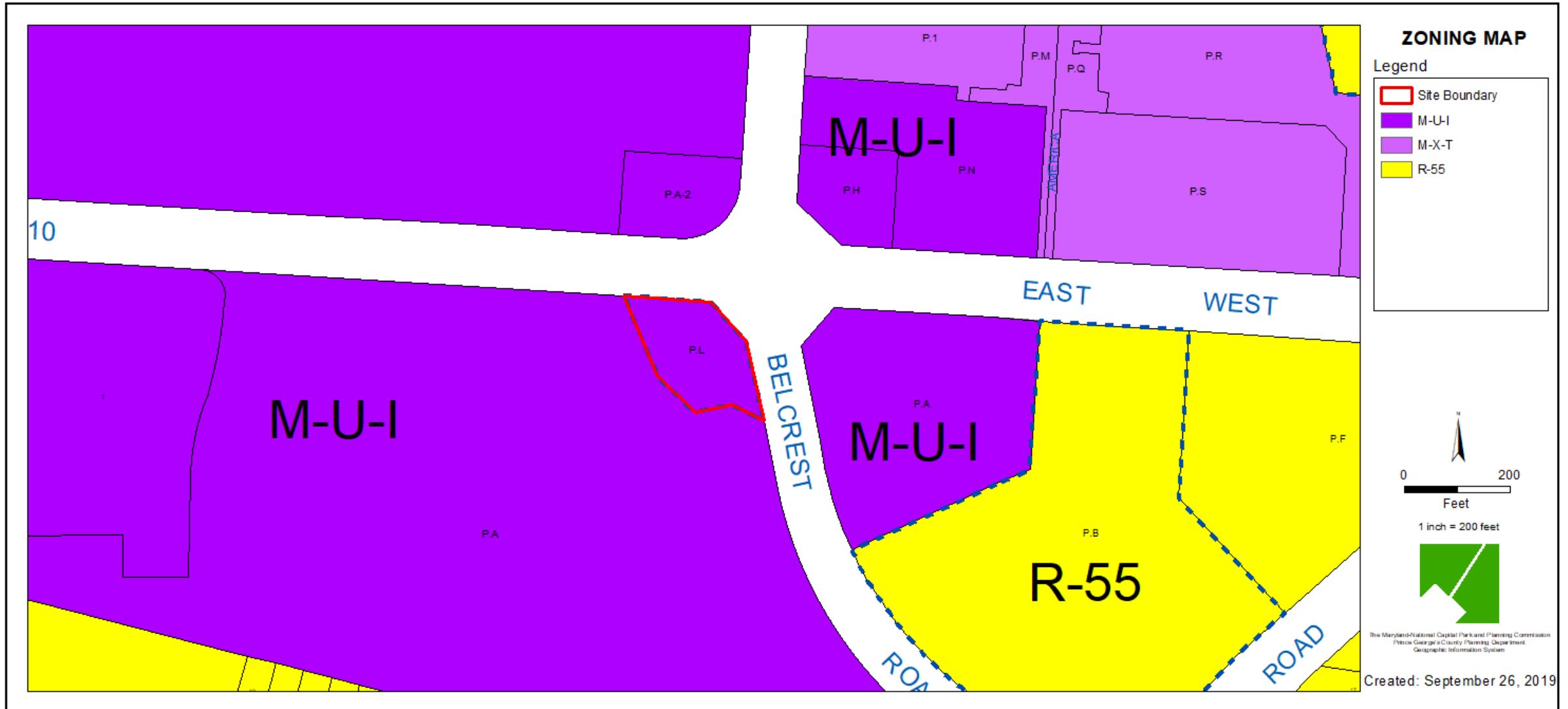
# GENERAL LOCATION MAP



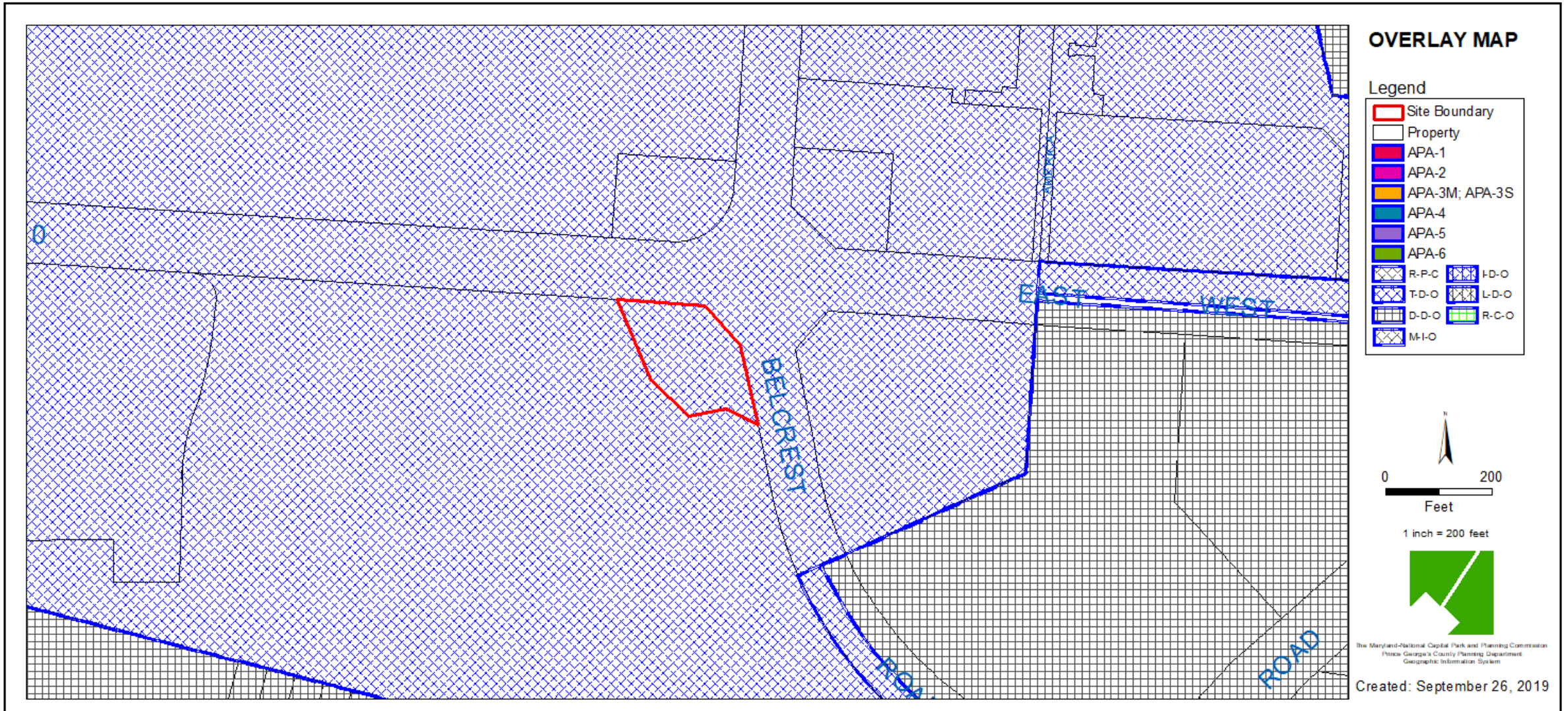
# SITE VICINITY



# ZONING MAP



# OVERLAY MAP





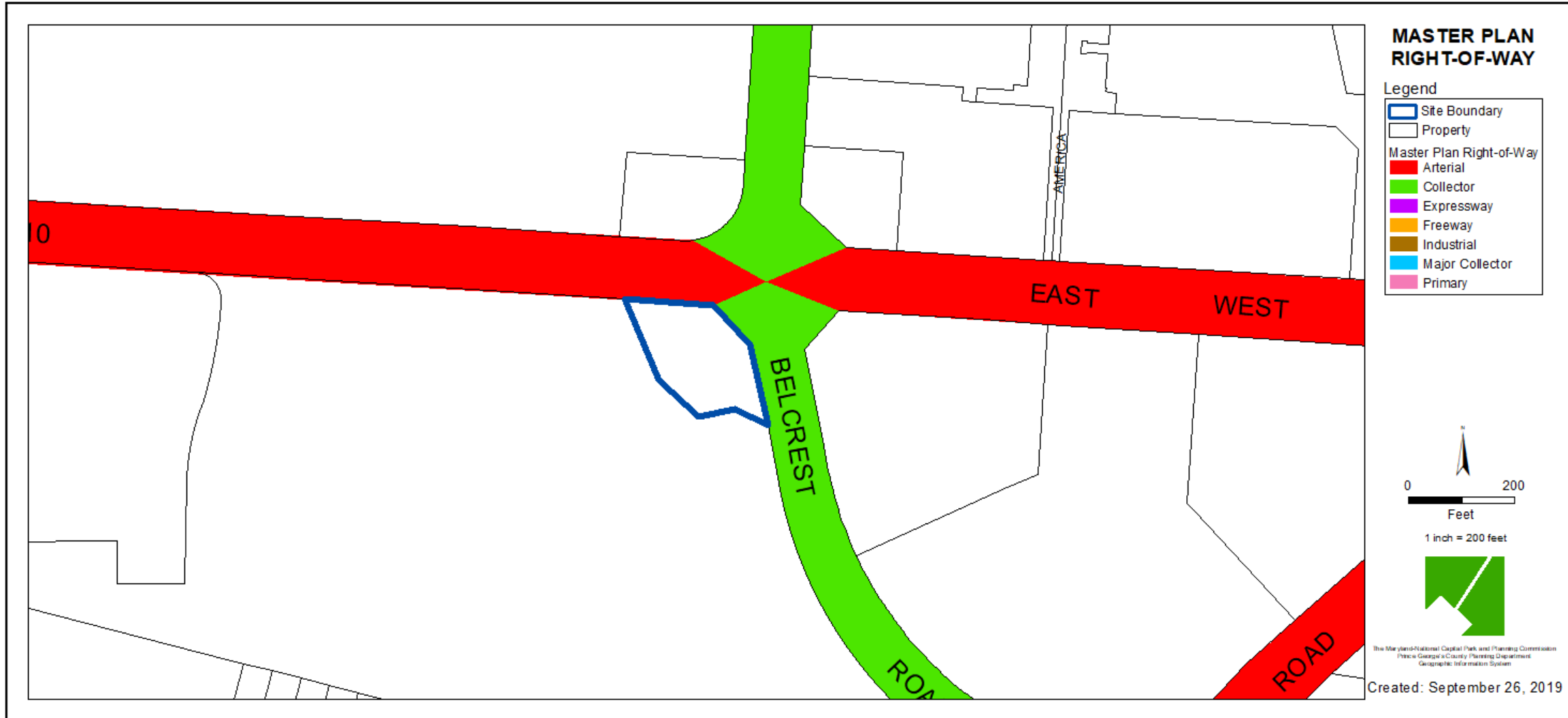
# AERIAL MAP



# SITE MAP



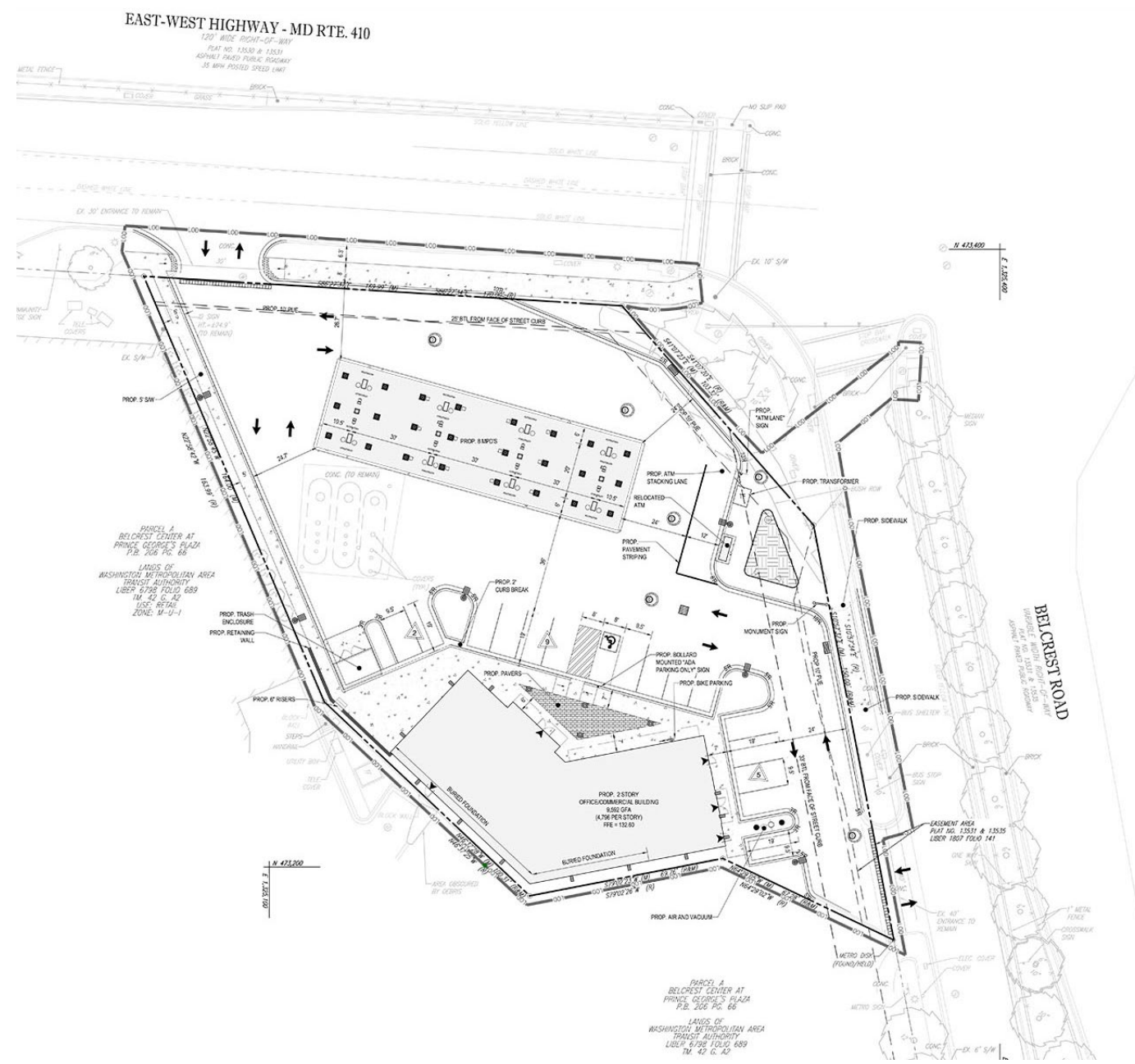
# MASTER PLAN RIGHT-OF-WAY MAP



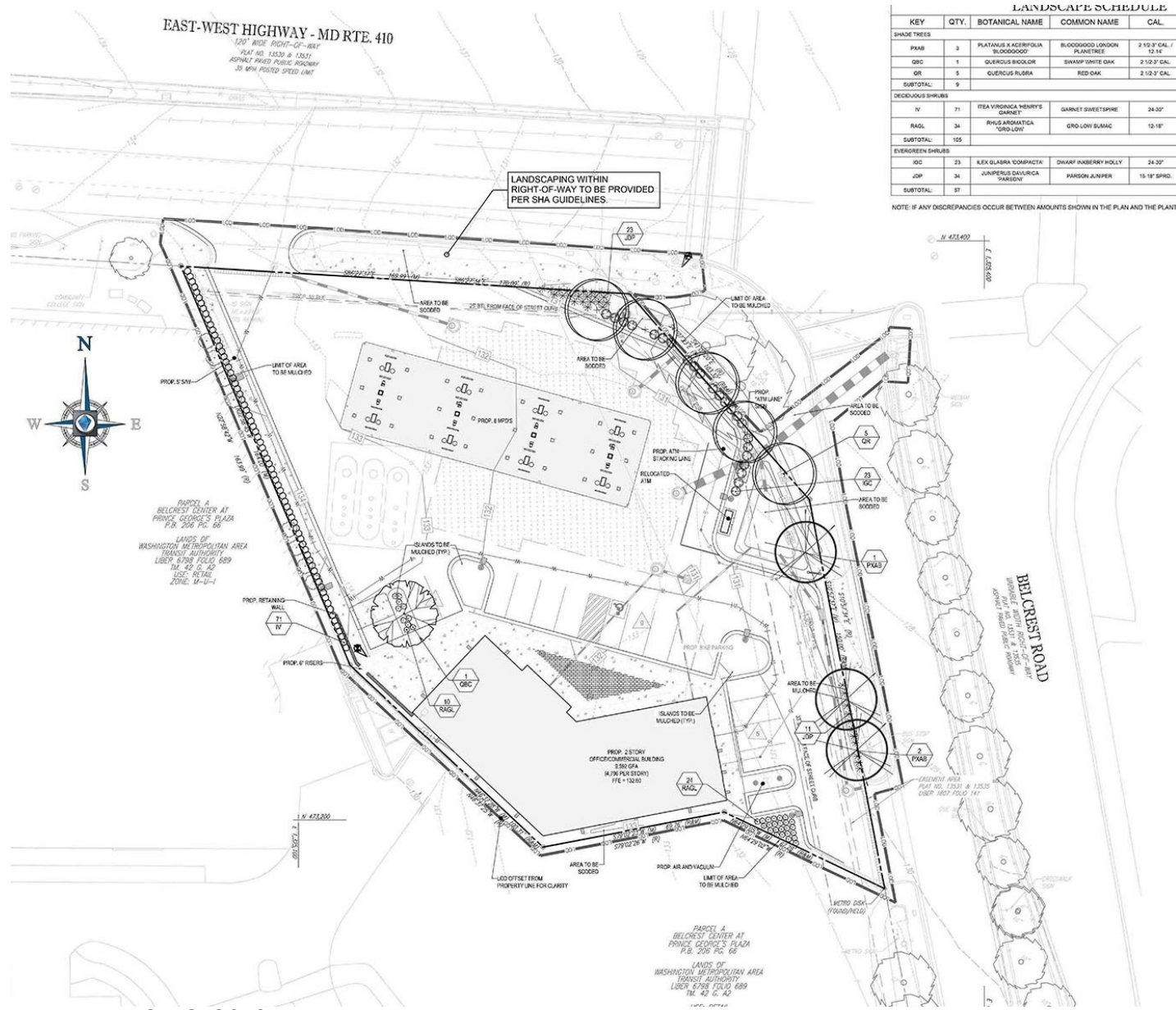
# BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



# SITE PLAN



# LANDSCAPE PLAN

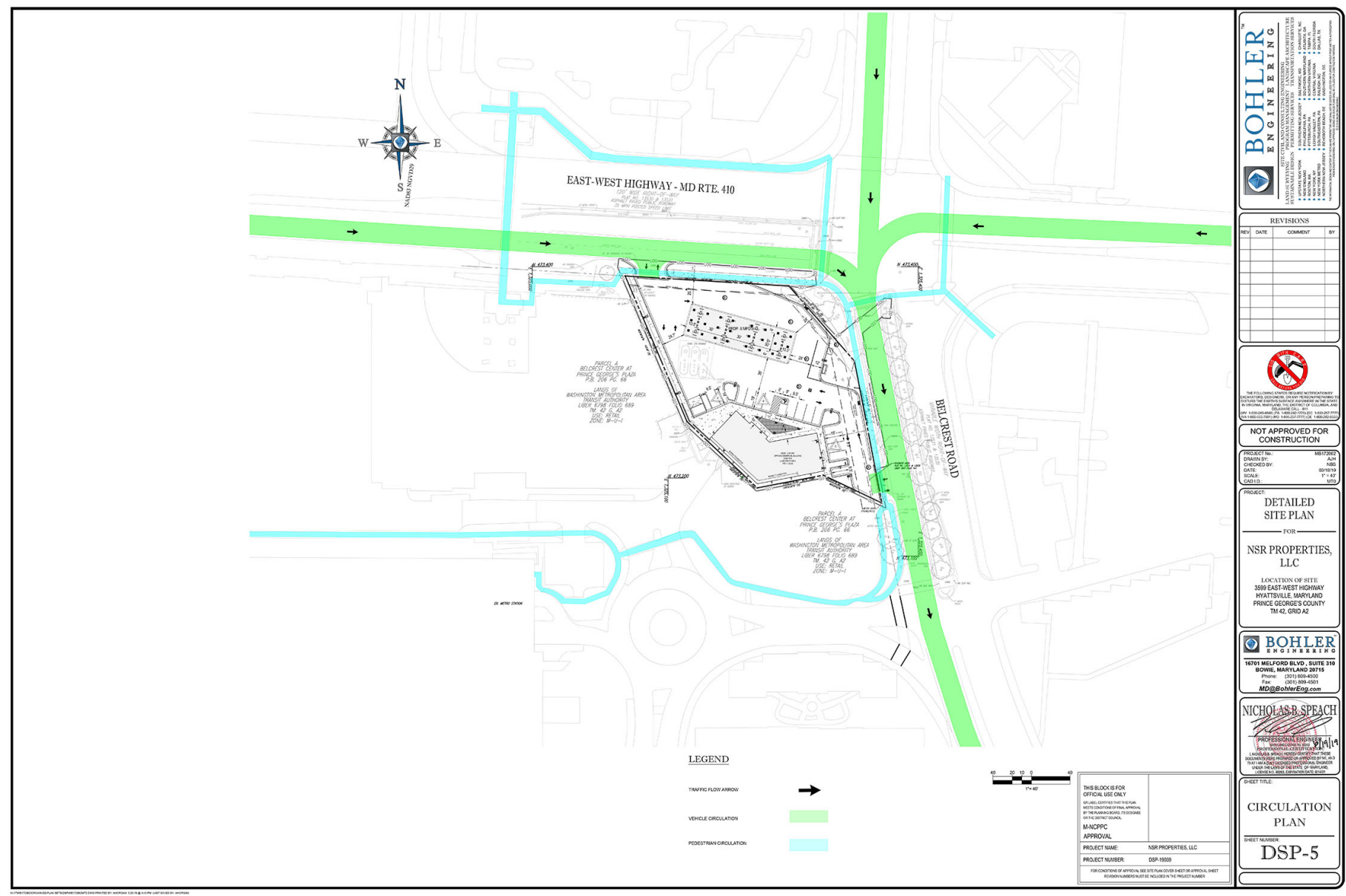


**LANDSCAPE SCHEDULE**

KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.
<b>SHADE TREES</b>				
PRAB	3	PLATANUS X ACERIFOLIA 'BLOODGOOD'	BLOODGOOD LONDON PLANETREE	3 10'-0" CAL. / 12' H.
QBC	1	QUERCUS BICOLORE	SWAMP WHITE OAK	2 10'-0" CAL.
QR	5	QUERCUS RUBRA	RED OAK	2 10'-0" CAL.
<b>SUBTOTAL:</b> 9				
<b>DECIDUOUS SHRUBS</b>				
IV	71	ITEA VIRGINICA 'HENRY'S GARNET'	GARNET SWEETSPHRE	24-30"
RAGL	34	RHUS AROMATICA 'DRO-LOW'	DRO-LOW SUMAC	12-18"
<b>SUBTOTAL:</b> 105				
<b>EVERGREEN SHRUBS</b>				
IGC	23	ILEX GLABRA 'COMPACTA'	DWARF HOBERRY HOLLY	24-30"
JOP	34	JUNIPERUS DAURICA 'PARESON'	PARSON JUNIPER	15-18' SPREAD
<b>SUBTOTAL:</b> 57				

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT

# CIRCULATION PLAN



**BOHLER ENGINEERING**  
 16701 MELFORD BLVD, SUITE 310  
 BOWIE, MARYLAND 20715  
 Phone: (301) 858-4505  
 Fax: (301) 858-4501  
 MD@BohlerEng.com

**REVISIONS**

REV	DATE	COMMENT	BY

**NOT APPROVED FOR CONSTRUCTION**

THE FOLLOWING STATEMENTS CONCERN INTERPRETATIONS OF THE PLAN AND ARE NOT TO BE USED AS A BASIS FOR ANY ACTION. THE DISTRICT GOVERNMENT IS NOT RESPONSIBLE FOR ANY SUCH ACTION. THE DISTRICT GOVERNMENT IS NOT RESPONSIBLE FOR ANY SUCH ACTION.

**NOT APPROVED FOR CONSTRUCTION**

PROJECT NO.:	19039	DATE:	08/19/19
CHECKED BY:	NSR	SCALE:	1" = 40'
DRAWN BY:	NSR	CADDED:	NSR

**DETAILED SITE PLAN**  
 FOR  
**NSR PROPERTIES, LLC**  
 LOCATION OF SITE:  
 3509 EAST-WEST HIGHWAY  
 HYATTSVILLE, MARYLAND  
 PRINCE GEORGE'S COUNTY  
 TM 42, GRID A2

**BOHLER ENGINEERING**  
 16701 MELFORD BLVD, SUITE 310  
 BOWIE, MARYLAND 20715  
 Phone: (301) 858-4505  
 Fax: (301) 858-4501  
 MD@BohlerEng.com

**NICHOLAS B. SPEACH**  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 19114  
 I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Maryland.

**SHEET TITLE:**  
**CIRCULATION PLAN**  
**SHEET NUMBER:**  
**DSP-5**



# ELEVATIONS

**KEYED NOTES: EXTERIOR FINISH MATERIALS**

- CMU: ARRS-CRAFT, RENAISSANCE 'DRIFTWOOD' CHISELED FINISH
- CMU: ARRS-CRAFT, RENAISSANCE 'DRIFTWOOD' SMOOTH FINISH
- BRICK VENEER: RED-LAND BRICK / CUSHWA #237 'CAMBRIDGE' STANDARD MODULAR
- STOREFRONT: FRAME - CLEAR ANODIZED W/ CLEAR GLAZING
- STEEL CANOPY (PAINTED TO MATCH CLEAR ANODIZED ALUMINUM)
- STEEL CANOPY SUPPORT ROD (PAINTED TO MATCH CLEAR ANODIZED ALUMINUM)
- EXTERIOR INSULATED FINISH SYSTEM (EIFS) #1: SANDBLAST FINISH (COLOR TO MATCH #1 MASONRY)
- EXTERIOR INSULATED FINISH SYSTEM (EIFS) #2: SANDBLAST FINISH (DRYVIT #104 DOVER SKY - TO BE CONFIRMED IN FIELD)
- PRE-FINISHED 2-PIECE ALUMINUM COPING SYSTEM: PERMASAP, COLOR CLEAR ANODIZED
- SIGNAGE (32.5 SQ. FT. EACH)
- STOREFRONT: DOORS & WINDOWS - CLEAR ANODIZED ALUMINUM. GLAZING - CLEAR SPANDREL GLAZING
- METAL CLADDING SYSTEM: PAC-CLAD CLEAR ANODIZED ALUMINUM (BRAKE METAL)
- SIGNAGE - BY SUB-TENANT (TBD)
- STOREFRONT WINDOWS - CLEAR ANODIZED ALUMINUM FRAME WITH BLACK SPANDREL GLAZING
- EIFS #2: SANDBLAST FINISH (DRYVIT #104 DOVER SKY - "Y" GROOVE)
- CEMENTITIOUS SIDING, JAMES HARDY, PAINTED TO MATCH #6 COLOR.
- LIGHT FIXTURE, UTILITY - EGRESS (WALL MOUNTED)
- METAL DOOR & FRAME (PAINTED TO MATCH BRICK VENEER COLOR #3)
- LIGHT FIXTURE, DECORATIVE (WALL MOUNTED)
- NOT USED
- CANOPY COLUMN METAL WRAP: COLOR - SUNOCO 'MORNING FOG GRAY'
- MULTI-PRODUCT FUEL DISPENSER
- PIPE BOLLARD (PAINTED SUNOCO 'GRAY')
- SUNOCO LOGO GRAPHIC, NASCAR FLAG GRAPHIC APPLIED TO METAL CANOPY FASCIA
- NOT USED

**1 BUILDING FRONT ELEVATION CONCEPT**  
SCALE: 3/16" = 1'-0"

**2 BUILDING RIGHT SIDE ELEVATION CONCEPT**  
SCALE: 3/16" = 1'-0"

**3 BUILDING LEFT SIDE ELEVATION CONCEPT**  
SCALE: 3/16" = 1'-0"

ISSUED	DATE
SUBMISSION	MARCH 28, 2018
REVISION	APRIL 26, 2018
REVISION	MAY 23, 2018

DESIGNED/DRAWN BY: JAL/BJ  
 REVIEWED/APPROVED BY: [Signature]  
 PROJECT NO: 2018-002  
 SCALE: AS NOTED

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MICRPPC APPROVAL

PROJECT NAME: NSR PROPERTIES, LLC  
 PROJECT NUMBER: DSP-19039

PROFESSIONAL SEAL: [Blank]

SHEET TITLE: BUILDING CONCEPTUAL EXTERIOR ELEVATIONS

SHEET NUMBER: DSP-13

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 www.dunningarchitects.com

PROJECT:  
**PG PLAZA  
 SUNOCO**  
 NSR PETROLEUM  
 3599 EAST-WEST HIGHWAY  
 HYATTSVILLE  
 PRINCE GEORGE'S COUNTY,  
 MARYLAND 20782

DEVELOPER:  
 CONSULTANTS:

PROFESSIONAL SEAL:

ISSUED: DATE:  
 SUBMISSION: MARCH 28, 2018  
 REVISION: APRIL 26, 2018  
 REVISION: MAY 23, 2018

NO. REVISION: DATE:

DESIGNED/DRAWN BY: JAL/BJ  
 REVIEWED/APPROVED BY: [Signature]  
 PROJECT NO: 2018-002  
 SCALE: AS NOTED

SHEET TITLE:  
**BUILDING  
 CONCEPTUAL  
 EXTERIOR  
 ELEVATIONS**

SHEET NUMBER:  
**DSP-13**





# ELEVATIONS

**1 REAR BUILDING ELEVATION CONCEPT**  
SCALE: NOT TO SCALE

**2 TRASH ENCLOSURE FRONT ELEVATION CONCEPT**  
SCALE: 3/8" = 1'-0"

**3 TRASH ENCLOSURE RIGHT SIDE ELEVATION CONCEPT**  
SCALE: 3/8" = 1'-0"

**4 ATM FRONT ELEVATION CONCEPT**  
SCALE: 3/8" = 1'-0" (STONE AGGREGATE PANEL, 10" METAL ROOF - PER BANK OF AMERICA STANDARD DETAILS)

**5 ATM LEFT SIDE ELEVATION CONCEPT**  
SCALE: 3/8" = 1'-0" (STONE AGGREGATE PANEL, 10" METAL ROOF - PER BANK OF AMERICA STANDARD DETAILS)

**KEYED NOTES: EXTERIOR FINISH MATERIALS**

- (1) CMU: ARRS-CRAFT, RENAISSANCE 'DRIFTWOOD' CHISELED FINISH
- (2) CMU: ARRS-CRAFT, RENAISSANCE 'DRIFTWOOD' SMOOTH FINISH
- (3) BRICK VENEER: REDLAND BRICK / CUSHWA; #237 'CAMBRIDGE' STANDARD MODULAR
- (4) STOREFRONT: FRAME - CLEAR ANODIZED W/ CLEAR GLAZING
- (5) STEEL CANOPY (PAINTED TO MATCH CLEAR ANODIZED ALUMINUM)
- (6) STEEL CANOPY SUPPORT ROD (PAINTED TO MATCH CLEAR ANODIZED ALUMINUM)
- (7) EXTERIOR INSULATED FINISH SYSTEM (EIFS) #1: SANDBLAST FINISH (COLOR TO MATCH #1 MASONRY)
- (8) EXTERIOR INSULATED FINISH SYSTEM (EIFS) #2: SANDBLAST FINISH (DRYVIT #104 DOVER SKY - TO BE CONFIRMED IN FIELD)
- (9) PREFINISHED 2-PIECE ALUMINUM COPING SYSTEM: PERMASNP, COLOR CLEAR ANODIZED
- (10) SIGNAGE (52.5 SQ. FT. EACH)
- (11) STOREFRONT: DOORS & WINDOWS - CLEAR ANODIZED ALUMINUM, GLAZING - CLEAR SPANDREL GLAZING
- (12) METAL CLADDING SYSTEM: PAC-CLAD: CLEAR ANODIZED ALUMINUM (BRAKE METAL)
- (13) SIGNAGE - BY SUB-TENANT (TBD)
- (14) STOREFRONT WINDOWS - CLEAR ANODIZED ALUMINUM FRAME WITH BLACK SPANDREL GLAZING
- (15) EIFS #2: SANDBLAST FINISH (DRYVIT #104 DOVER SKY - "Y" GROOVE)
- (16) CEMENTITIOUS SIOING, JAMES HARDI, PAINTED TO MATCH #8 COLOR.
- (17) LIGHT FIXTURE: UTILITY - EGRESS (WALL MOUNTED)
- (18) METAL DOOR & FRAME (PAINTED TO MATCH BRICK VENEER COLOR #3)
- (19) LIGHT FIXTURE: DECORATIVE (WALL MOUNTED)
- (20) NOT USED
- (21) CANOPY COLUMN METAL WRAP: COLOR - SUNOCO 'MORNING FOG GRAY'
- (22) MULTI-PRODUCT FUEL DISPENSER
- (23) PIPE BOLLARD (PAINTED SUNOCO 'GRAY')
- (24) 'SUNOCO' LOGO GRAPHIC, NASCAR / FLAG GRAPHIC APPLIED TO METAL CANOPY FASCIA
- (25) NOT USED

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MANORPC  
APPROVAL  
PROJECT NAME: NSR PROPERTIES, LLC  
PROJECT NUMBER: DSP-19039  
FOR CONDITIONS OF APPROVAL, SEE THE PLANS COVER SHEET OR APPROVAL SHEET. REVISION NUMBERS WILL BE INCLUDED IN THE PROJECT NUMBER.

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SUNOCO**  
NSR PETROLEUM  
3999 EAST-WEST HIGHWAY  
HYATTSVILLE  
PRINCE GEORGES COUNTY,  
MARYLAND 20782

DEVELOPER:  
  
CONSULTANTS:

PROFESSIONAL SEAL:

ISSUED: \_\_\_\_\_ DATE: \_\_\_\_\_  
SUBMISSION: MARCH 16, 2019  
REVISION: APRIL 28, 2019

NO. REVISION: \_\_\_\_\_ DATE: \_\_\_\_\_  
REVISION: \_\_\_\_\_ DATE: \_\_\_\_\_  
REVISION: \_\_\_\_\_ DATE: \_\_\_\_\_  
REVISION: \_\_\_\_\_ DATE: \_\_\_\_\_

DESIGNED/DRAWN BY: JA/BJ  
REVIEWED/APPROVED BY: BJ  
PROJECT NO.: 3015000  
SCALE: AS NOTED

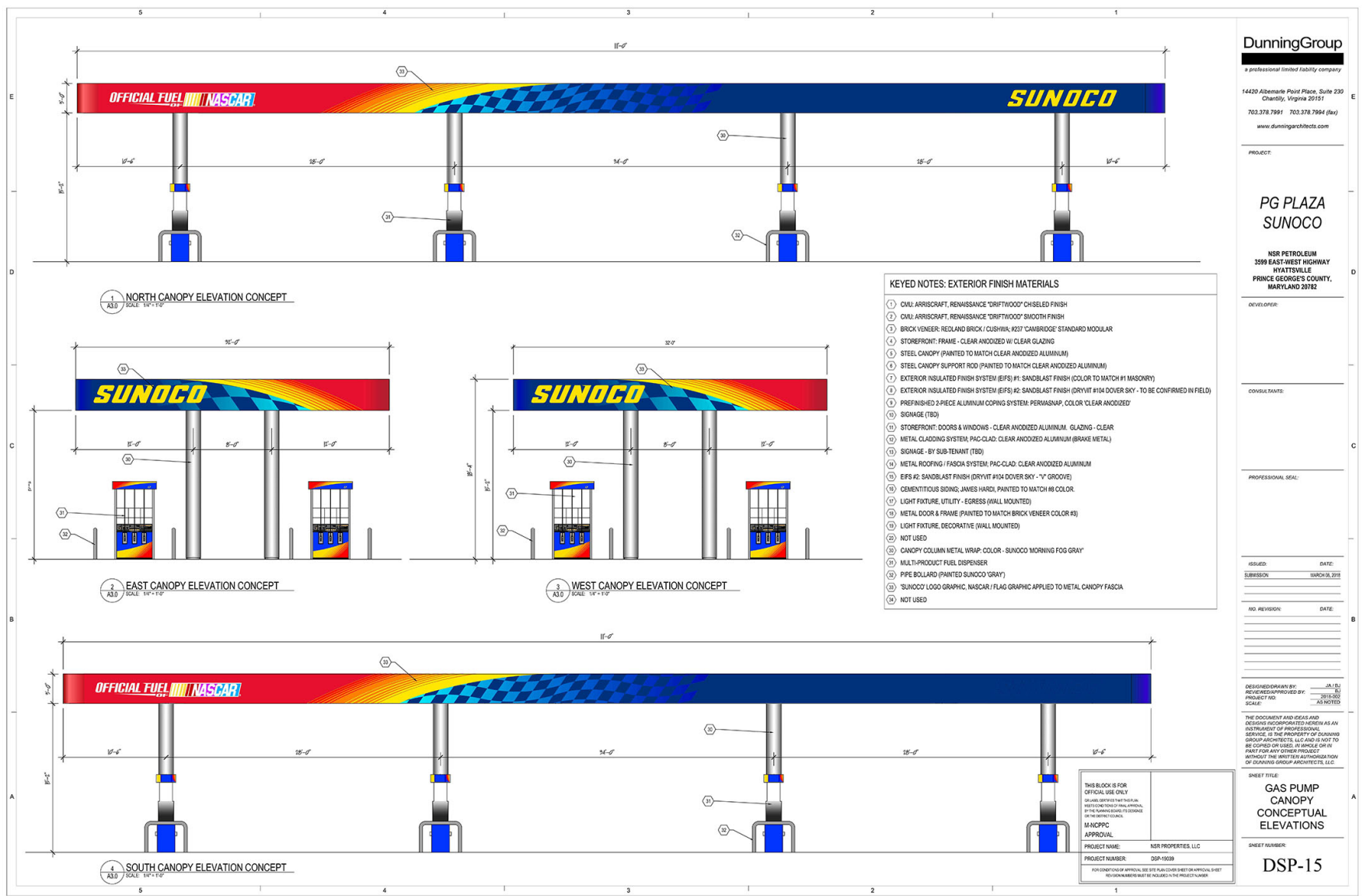
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SHEET TITLE:  
**BUILDING / TRASH ENCLOSURE & ATM CONCEPTUAL ELEVATIONS**

SHEET NUMBER:  
**DSP-14**



# SIGNAGE



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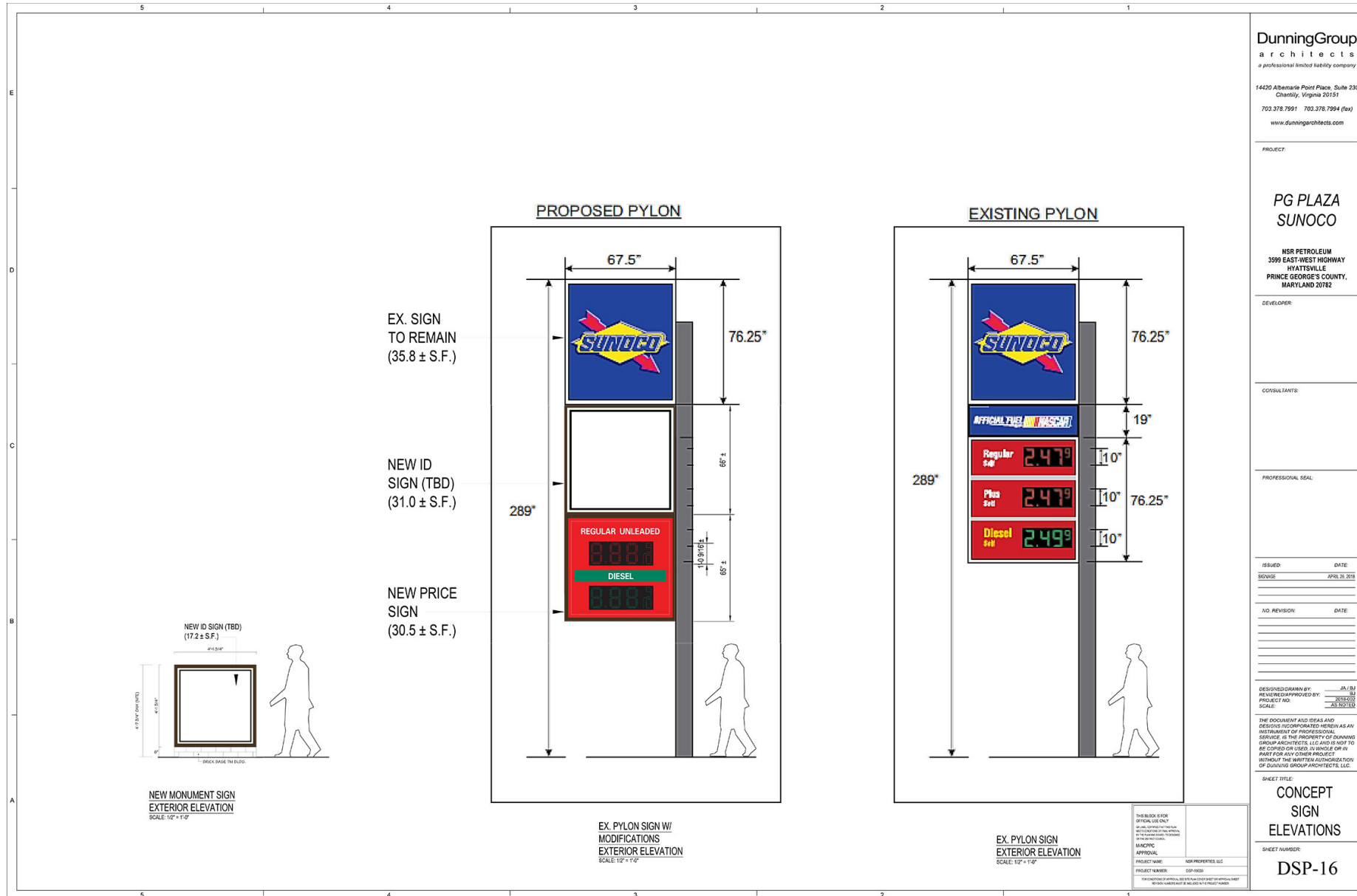
PROJECT:  
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 SUNOCO**

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 3599 EAST WEST HIGHWAY  
 HYATTSVILLE  
 PRINCE GEORGE'S COUNTY,  
 MARYLAND 20782

DEVELOPER:



# SIGNAGE



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**PROJECT:**

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HYATTSVILLE  
PRINCE GEORGE'S COUNTY,  
MARYLAND 20782

**DEVELOPER:**

**CONSULTANTS:**

**PROFESSIONAL SEAL:**

**ISSUED:** DATE: \_\_\_\_\_  
**SCALE:** APRIL 20, 2019

**NO REVISION:** DATE: \_\_\_\_\_

**DESIGNED/DRAWN BY:** J.A. BJ  
**REVIEWED/APPROVED BY:** J.E. BJ  
**PROJECT NO.:** 2019039  
**SCALE:** AS SHOWN

**SHEET TITLE:**  
CONCEPT SIGN ELEVATIONS

**SHEET NUMBER:**  
DSP-16



**STATEMENT OF JUSTIFICATION**  
**DSP-19039**

APPLICANT: NSR Properties, LLC  
7303 Hanover Parkway, #A  
Greenbelt, Maryland 20770

CORRESPONDENT: Daniel F. Lynch, Esq.  
McNamee Hosea  
6411 Ivy Lane, Suite 200  
Greenbelt, Maryland 20770  
(301) 441-2420 Voice  
(301) 982-9450 Fax  
[dlynch@mhlawyers.com](mailto:dlynch@mhlawyers.com) E-mail

REQUEST: Amendment to Detailed Site Plan, Sections 27-285(b), 27-548.25,  
27-548.26 of the Zoning Ordinance.

---

**I. DESCRIPTION OF PROPERTY**

1. Addresses –3599 East West Highway, Hyattsville, MD
2. Proposed and Use – Gas station, food and beverage store and offices
3. Election District – 17
4. Lots – Part of Parcel L
5. Total Area – 0.8370 acres
6. Tax Map – 042 /A2
7. Location – Located in the southwest quadrant of the intersection of East West Highway and Belcrest Road.
8. Zoned – M-U-I (with DDOZ overlay)
9. Owners –NSR Properties, LLC.
10. Zoning Map – 207NE03
11. Incorporated Area – City of Hyattsville

## **II. NATURE OF REQUEST**

The applicant is requesting the approval a detailed site plan (DSP-19039) to allow for the reconstruction of a gas station and food and beverage store on the subject property. The property is currently developed with a 2,983 square foot food and beverage store and 4 multi-product gas dispensers under cover of a canopy. The applicant is proposing to raze all existing improvements on the subject property and construct a 9,466 square foot building that will contain a food and beverage store and 8 multi-product dispensers and canopy.

## **II. PROCEDURAL HISTORY**

Special Exception SE-691 was originally approved for a gas station on the subject property in 1961. The existing buildings on-site were built in conformance with that approval. The special exception was revised in 1979 for a kiosk on-site. Subsequently SE-3885 was approved for the subject property in 1989 for the purpose of adding a freestanding car wash and revising the gas station layout. The property was never developed in conformance with SE-3885. A Transit District Overlay Zone was first established for Prince George's Plaza in 1992. The TDDP retained the subject property in the C-S-C Zone, but implemented a T-D-O on the property. The gas station was certified as a nonconforming use through NCGS 14 approved by the District Council on June 13, 1995. In 1998, Council Resolution re-established the Transit District Overlay Zone and adopted the TDDP. The TDDP rezoned the property to the M-X-T Zone and retained the T-D-O. Permit 1438-99-CU/01 certified the food and beverage store and fast food restaurant on site. Permit 8749-99-CG was issued for the installation of an automated teller machine. In April of 2014, the District Council approved CSP-13003 and DSP-12062 for the subject property. The CSP and DSP proposed the redevelopment of the site with a gas station, food and beverage store and car wash. Since the purpose of those applications was to add a car wash to the site, and the amendment to the Table of Uses to allow the car wash was not approved, the applicant chose not to redevelop the site in accordance with those approvals. In July 2016, the District Council re-established the Transit District Overlay Zone for Prince George's Plaza. The TDDP rezoned the subject property from the M-X-T Zone to the M-U-I Zone. On February 28, 2019, the Planning Board approved Preliminary Plan 4-18013 for the Subject Property, subject to 8 conditions.

## **III. CRITERIA FOR APPROVAL**

The required findings for a Detailed Site Plan in the TDOZ are stated in Section 27-548.08(c) of the Zoning Ordinance. As will be demonstrated below, the Applicant complies with the criteria as follows:

**1. The Transit District Site Plan is in strict conformance with any mandatory development requirements of the TDDP.**

**Comment:** The Detailed Site Plan conforms with the Mandatory Development Requirements is as follows:

### **Street and Frontages – Blocks**

**Comment:** The applicant is not proposing to create any new blocks with this application and therefore this standard is not applicable.

### **Streets and Frontages – Frontage Zones**

**Comment:** The proposed building will be set back 50 feet from the street line. The applicant is proposing an 8 foot sidewalk and 6.3 foot tree and furnishing zone along East-west Highway and a 10 foot sidewalk along Belcrest Road. The Belcrest Road sidewalk configuration is consistent with the properties with frontage on Belcrest Road located to the south and east of the subject property. These frontage improvements are also consistent with the conditions imposed by DPIE in its approval of the Site Development Concept Plan (“SDCP”). The applicant is proposing an 8 foot sidewalk along Belcrest Road and not proposing a 10’ cycle track as there is insufficient room in the dedicated right-of-way to accommodate frontage and track requirements set forth in Figure 10 (Page 215). Furthermore, the installation of the cycle track would conflict with the standards imposed by DPIE in its SDCP approval letter. The 8-foot sidewalk and 6.3 foot tree and furnishing zone along East-West Highway is comparable to the sidewalk and tree and furnishing zone provided to the west of the subject property. In addition, the proposed front entrance to the building will open into the parking area associated with the proposed development. As will be noted below, the building and parking area configuration are guided by the applicant’s ability to access the site with fuel trucks. The applicant is therefore requesting an amendment to the TDDP to allow the frontage zone as proposed herein and to allow the front entrance of the building to open into the parking area.

### **Streets and Frontages – Build-to Lines and Zones**

**Comment:** The maximum build-to line along East-West Highway is 25’ which includes a 6’ wide tree and furnishing zone and 6’ wide clear zone (as set forth in Table 42). The proposed food and beverage store will be set back 133’ from East West Highway and the applicant is therefore requesting an amendment. The build-to line on Belcrest Road is set for in Table 42 as 33’. The proposed food and beverage store and office building will be setback 43 feet from Belcrest and the applicant is therefore requesting an amendment. The applicant explored moving the proposed building to comply with the build-to lines, but that configuration would inhibit the applicant’s ability to service the gas station component of the use with fuel trucks and therefore compliance with that standard, given the nature of this use was not feasible.

### **Street and Frontages – Build-to lines - Building Entrances**

**Comment:** The standards require that the primary entrance be located at the front façade of the building. The primary entrance to the food and beverage store faces East West Highway and therefore complies with this standard.

*Articulation* – As shown on the elevations submitted with the application package, the applicant is proposing a two-story building and the architecture of that building includes canopies over the main entrance as well as the windows facing East West

Highway, a tower element and a variation of building materials that add visual interest to the building.

*Alleys* – The applicant is not constructing any alleys as part of this proposal.

*Tree and Furnishing Zones* – The applicant is not constructing any streets as part of this proposal and not proposing any improvements within the right-of-way.

*Street Lights* – The applicant will install lights along Belcrest Road and East-West Highway as required by SHA and Prince George’s County.

### **Street and Frontages – Build-to lines - Articulation**

**Comment:** In order to provide visual interest and reduce the perceived massing and scale of buildings, building architecture shall incorporate at least three of the elements listed. The applicant’s architecture does incorporate at least three of those elements. Specifically, the applicant is proposing a tower, covered entry and repetitive windows facing East-West Highway.

### **Street and Frontage – Alleys**

**Comment:** The applicant is not proposing any alleys as part of this Detailed Site Plan and therefore this standard is not applicable.

### **Street Frontage – Tree and Furnishing Zones**

**Comment:** As shown in the Detailed Site Plan, the applicant will conform to the standard that is applicable to this site as to the street trees along East-West Highway, but the applicant is requesting an amendment to the requirement that street trees be provided along Belcrest Road as there is insufficient room within the right-of-way to provide street trees.

### **Street and Frontage – Street Lights**

**Comment:** The applicant will install street lights along Belcrest Road and East-West Highway as required by SHA and Prince George’s County.

### **Single-Story Building Height and Frontage**

**Comment:** This standard appears to apply to single-story buildings as the applicant is proposing a two-story building, it does not appear to be applicable.

### **Bulk and Height – Lots and Building Placement**

**Comment:** The applicant is not creating any new lots as part of this proposal. The building faces East West Highway, an A Street.

### **Bulk and Height - Density and Building Height**

**Comment:** The applicant is proposing a two-story building. The TDDP states that the maximum building height for this property shall be 28 stories.

**Bulk and Height - Public Amenity Height/Bonus Program** - This Detailed Site Plan does not propose residential development and this standard is therefore inapplicable.

#### **Site Elements – Placemaking and Open Space**

**Comment:** This Detailed Site Plan does not propose any open space.

#### **Site Elements – Lighting**

**Comment:** This Detailed Site Plan complies with this standard in that the applicant is providing sufficient on-site lighting as to provide for the safe circulation of pedestrians and vehicles on-site, but the lighting fixtures provided will limit the amount of light spillage off-site.

#### **Site Elements - Green Infrastructure**

**Comment:** The proposed development will not impact the Primary Management Area and in addition, the site will be developed in accordance with an approved Site Development Concept Plan.

#### **Site Elements - Tree Canopy Coverage**

**Comment:** As noted on the Landscape Plan, the proposed development complies with the Tree Canopy Coverage Requirements.

#### **Site Elements – Screening**

**Comment:** The external mechanical equipment for the building will be located on the roof and screened. The applicant is not proposing a loading space, but the trash dumpster will be screened from public view via a 6-foot site tight fence. The applicant is also screening the proposed air and vacuum pump.

#### **Site Elements - Walls, Fences and Gates**

**Comment:** As noted above, the applicant is proposing to install a fence around the trash dumpster for screening purposes. The proposed fence complies with the Standards. There are no other fences or walls being proposed by this Detailed Site Plan.

#### **Architectural Elements - Signage**

**Comment:** The applicant is proposing wall signs and a freestanding sign as part of this Detailed Site Plan.

Wall Signs – The proposed building mounted signage meets the dimension requirements.



Freestanding Sign – There is an existing freestanding sign on the property that the applicant is proposing to maintain. The Exemptions found on page 200 of the TDDP state that an existing sign for an existing use, building or structure that was lawful or could have been certified as a nonconforming use on July 19, 2016 are exempt from the Transit District Standards and are not nonconforming.

#### **Architectural Elements – Awning**

**Comment:** The applicant is proposing a metal awning, which is prohibited under the standard. The applicant believes that this awning adds visual interest to the building and is requesting an amendment to this standard.

#### **Architectural Elements – Balconies**

**Comment:** The applicant is not proposing any balconies

#### **Architectural Elements – Sustainable Building Materials**

**Comment:** The applicant will explore the use of green building materials in the construction of the building.

#### **Parking and Loading**

*Standards* – The standards permit 22.5 parking spaces for this use and the applicant is proposing 17 parking spaces. The Detailed Site Plan therefore complies with the parking cap for the Transit District.

*Surface Parking*- The surface parking lot proposed as part of this Detailed Site Plan has existed since 1961 and therefore not subject to the restrictions or standards contained in the TDDP. The applicant is restriping the parking lot to create 5 additional general purpose spaces and is requesting an amendment to these standards to accomplish such.

*Reconstruction* – The applicant is proposing to reconstruct the surface parking lot. This reconstruction will result not result in an increase in impervious area.

*Loading* – This Detailed Site Plan does not proposed a loading facility.

#### **Transportation Adequacy**

**Comment:** A transportation adequacy finding for this project was made during the review and approval of the preliminary plan of subdivision (4-18013)

#### **Downtown Core - General**

**Comment:** The applicant is not proposing any accessory buildings in this Detailed Site Plan.

#### **Downtown Core - Blocks**

**Comment:** As shown on the Detailed Site Plan, the building is facing East West Highway, an A Street.

**Downtown Core - A Street**

**Comment:** The Detailed Site Plan demonstrates that the building entrance faces East West Highway. There is no service or loading areas adjacent to East West Highway or Belcrest Road.

**Downtown Core- B Street** – Not applicable.

**Downtown Core - Pedestrian Streets and Promenade** – Not applicable.

**Downtown Core – Fenestration**

**Comment:** More than 50% of the front facade of the proposed building contains glass and therefore this proposal complies with the TDDP.

**Downtown Core -Mixed Use and Nonresidential Buildings**

**Comment:** The applicant is proposing an amendment to the build-to line requirement as it is proposing to locate the building along the southern property line of the subject property. It is also requesting an amendment to this requirement since the building on the adjacent property meets the BTL requirement. As noted, the applicant is proposing to construct a canopy and fueling dispensers along the East West Highway frontage. As noted above, the applicant did explore moving the building to the build-to line along East West Highway, but such a layout inhibited the applicant’s ability to access the property with fuel trucks. If the applicant is unable to access the property with fuel trucks, the applicant cannot operate the gas station.

**Transit District Table of Uses**

**Comment:** The Table of Uses for the Prince George’s Transit District Development Plan provides that in the MUI Zone a gas station “is permitted and not nonconforming within the Prince George’s Plaza Transit District if legally existing on July 19, 2016. New uses of this type are prohibited within the Transit District. New uses of this type are prohibited within the Transit District.’ As indicated above, the subject gas station has existed on the subject property since the early 1960s and under the plain reading of the TDDP, the use is therefore a permitted use. This is not a “new use.” The applicant’s proposal to raze and rebuild the food and beverage store and increase the number of fuel pumps does not change the use of the property. “Use” is defined in the Zoning Ordinance as follows:

**Use:**

(A) A "Use" is either:

(i) The purpose for which a "Building," "Structure," or land is designed, arranged, intended, maintained, or occupied; or

(ii) Any activity, occupation, business, or operation carried on in, or on, a "Building," "Structure," or parcel of land

Building is defined in the Zoning Ordinance as follows:

**Building:**

- (A) A "Structure" having a roof and used for the shelter, support, or enclosure of persons, animals, or property. Any part of a "Building" is considered a separate "Building" when:
- (i) It is entirely separated from all other parts by a wall extending from the lowest floor to the roof; and
  - (ii) It has no door or other opening directly to the other parts.

The applicant is proposing to raze the existing food and beverage store and gas canopy on the property and construct a larger food and beverage store and gas canopy. The applicant is not proposing to introduce a new gas station use to the property as the gas station use currently exists and has existed since the early 1960s and under the plain reading of the TDDP, it is a permitted use.

This is further supported on page 180 of the TDDP which contains a discussion of the rezoning of the subject property from the M-X-T to the M-U-I Zone. The TDDP states, in part, that “[t]his rezoning permits these properties to retain the uses that they have on an interim basis while they transition as the market allows to the walkable urban products the real estate market increasingly demands.” The applicant is proposing to retain the existing use, a gas station and food and beverage store, on the subject property, as anticipated by the TDDP. The fact that this applicant is proposing to construct a new food and beverage store and increase the size on the canopy and number of fuel pumps does not change the use.

However, out of an abundance of caution, should the District Council determine that the applicant’s proposal introduces a new use to the property, the applicant requests that the Table of Uses be amended in accordance with Section 27-548.09.01(b)(1) of the Zoning Ordinance. Section 27-548.09.01(b)(1) provides that a property owner may request a change to the list of allowed uses to the approved Transit District Overlay Zone. This applicant requests to change the list of allowed uses for the Prince George’s Plaza Approved District Development Plan.

Section 27-548.09.01– Amendment of Approved Transit District Overlay Zone

(b) Property Owner

- (1) A property owner may ask the District Council, but not the Planning Board, to change the boundaries of the T-D-O Zone, a property’s underlying zone, the list of allowed uses, building height restrictions or parking standards in the Transit District Development Plan.
- (2) The owner's application shall include:
  - (A) A statement showing that the proposed development conforms with the purposes and recommendations for the Transit District, as stated in the Transit District Development Plan; and
  - (B) A Detailed Site Plan or Conceptual Site Plan, in accordance with Part 3, Division 9

The applicant is proposing to redevelop and existing gas station and convenience store that has existing on the subject property since the early 1960s. Generally, the redevelopment will bring the site into conformance with current stormwater management regulations, reduce the number of access driveways along East-West Highway and Belcrest Road, improve the sidewalks along the site's road frontage and replace a replace a 2,983 square foot building with a 4,796 square foot building. The applicant is therefore bringing the site into conformance with the TDDP. First, it is retaining two of the existing uses on the property as anticipated when the property was placed in the M-U-I Zone. Finally, the reduction of number of access driveways and modifications of the sidewalks along East-West Highway and Belcrest Road will improve the pedestrian system in the Transit District. Overall, the applicant believes that this proposal conforms to the purposes and recommendations contained in the TDDP.

**2. The Transit District Site Plan is consistent with, and reflects the Site Design Guidelines and criteria contained in, the TDDP.**

**Comment:** The proposed gas station, food and beverage store and office building,, as shown on the Detailed Site Plan, is consistent with the applicable Design Guidelines contained in the TDDP except for the amendments requested herein.

**3. The Transit District Site Plan meets all the requirements of the TDOZ and applicable regulations of the underlying zone.**

**Comment:** The regulations for the TDOZ are contained in Section 27-548.06 of the Zoning Ordinance. The applicant's proposal, as shown on the Detailed Site Plan, complies with these regulations.

**4. The location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency and are adequate to meet the purposes of the TDOZ.**

**Comment:** With the amendments being requested by the applicant, the location, size and design of the building proposed and other site features will not only improve the safety and efficiency of the site, but will meet the purposes of the TDOZ found in Section 27-548.03 of the Zoning Ordinance.

**5. Each structure and use, in the manner proposed, is compatible with other structures and uses in the transit district and with existing and proposed development.**

**Comment:** The applicant is proposing to raze the existing single story gas station and convenience store building and construct a new building that will contain the food and beverage store. Not only will this proposal create greater mass on site, but the proposed architecture of the building and building materials complement the structure located on the adjacent property. In addition, the applicant will be improving the pedestrian system along the East-West Highway and Belcrest Road frontages of the property. The applicant is requesting amendments to the TDDP standards relative to each frontage, but the amendments will allow for a design that is compatible with the properties located to the west, south and east of the subject property.

**6. In addition to the findings above, the following is required for Detailed Site Plans:**

- a. The Planning Board shall find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one is required).**

**Comment:** The property is zoned M-U-I and conceptual site plan approval is not applicable.

**IV. CONFORMANCE WITH PRELIMINARY PLAN SUBDIVISION**

As indicated above, Preliminary Plan 4-18013 was approved by the Prince George's Planning Board on February 28, 2019 subject to 8 conditions. The conditions relevant to this Detailed Site Plan are follows:

- 2. Total development within the subject parcel shall be limited to uses which generate no more than 166 AM and 130 PM peak-hour 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 preliminary plan of subdivision.

**Comment:** The development of this site with the gas station, convenience store and offices complies with this condition of approval. However, given the reduction in the size of the proposed building, the proposed redevelopment of the subject property is now except from the preliminary plan of subdivision requirements in accordance with Section 24-107 (c)(7)(D)

- 4. Development of this site shall be in conformance with an approved Stormwater Management Concept Plan, 2296-2018-00, and any subsequent revisions.

**Comment:** The development conforms to that proposed under SDCP 2296-2018-00.

- 5. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following unless modified by the road operating agency:

- a. An eight-foot-wide sidewalk along the frontage of MD 410 (East West Highway).
- b. A 10-foot-wide cycle track along the frontage of Belcrest Road.

**Comment:** The frontage improvements to MD 410 and Belcrest Road conform to the requirements of SHA and DPIE.

- 7. Prior to approval of a detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide an exhibit that illustrates the location, limits, and details of the off-site bicycle and pedestrian impact statement

improvements along Belcrest Road, consistent with Section 24-124.01(f) of the Subdivision Regulations.

**Comment:** The applicant has included this exhibit in the application package.

**V. CONCLUSION**

The applicant, NSR Properties, LLC, is seeking approval of this Detailed Site Plan to allow it to reconstruct a gas station and food and beverage store on the abovementioned property. The applicant believes that this request, subject to the amendments requested herein, meets the standards of the approved TDDP for Prince George's Plaza and therefore the applicant respectfully requests approval of DSP-19039

Respectfully submitted,

**MCNAMEE HOSEA**

By: 

Daniel F. Lynch

R E S O L U T I O N

WHEREAS, NSR Properties, LLC is the owner of a 0.86-acre parcel of land known as Parcel L, said property being in the 17th Election District of Prince George’s County, Maryland, and being zoned within the Mixed Use-Infill (M-U-I) and Transit District Overlay (T-D-O) Zones; and

WHEREAS, on November 16, 2018, NSR Properties, LLC filed an application for approval of a Preliminary Subdivision Plan for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-18013 for NSR Properties, LLC 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 February 7, 2019, 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 February 7, 2019, 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 Preliminary Plan of Subdivision 4-18013, including a Variation from Section 24-121(a)(3), for 1 parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to:
  - a. Add dimensions to the centerline for the abutting rights-of-way.
  - b. Reflect the current deed as the recording reference for the property.
  - c. Note on the plans that vehicular access is denied along MD 410 (East West Highway), saving one access point to be determined at the time of detailed site plan.
2. Total development within the subject parcel shall be limited to uses which generate no more than 166 AM and 130 PM peak-hour 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 preliminary plan of subdivision.

3. A substantial change to the uses or site layout on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision prior to approval any building permits.
4. Development of this site shall be in conformance with an approved Stormwater Management Concept Plan, 2296-2018-00, and any subsequent revisions.
5. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following unless modified by the road operating agency:
  - a. An eight-foot-wide sidewalk along the frontage of MD 410 (East West Highway) shall be included on the Detailed Site Plan unless modified by the Planning Board and/or District Council in accordance with Section 27-548.08 of the Zoning Ordinance.
  - b. A 10-foot-wide cycle track along the frontage of Belcrest Road shall be included on the Detailed Site Plan unless modified by the Planning Board and/or the District Council in accordance with Section 27-548.08 of the Zoning Ordinance.
6. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the required adequate pedestrian and bicycle facilities, as designated below, in accordance with Section 24-124.01 of the Subdivision Regulations and the cost cap in Part (c), have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
  - a. Restriping of the crosswalk and installation of appropriate signs along Belcrest Road at the intersection with the Metrorail entrance.
7. Prior to approval of a detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide an exhibit that illustrates the location, limits, and details of the off-site bicycle and pedestrian impact statement improvements along Belcrest Road, consistent with Section 24-124.01(f) of the Subdivision Regulations.
8. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:
  - a. Grant a 10-foot-wide public utility easement along MD 410 (East West Highway) and Belcrest Road.
  - b. Note the Prince George's County Planning Board's approval of a Variation from Section 24-121(a)(3) of the Subdivision Regulations for one direct access point to MD 410 (East West Highway).



- c. Delineate that vehicular access is denied along MD 410 (East West Highway), saving one access point, as determined with the detailed site plan.

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 subject property is a legal acreage parcel being 37,516 square feet (0.86 acre) recorded in Liber 31944 at folio 21, which resulted from the resubdivision of Parcel L recorded in Plat Book REP 206-66 on May 19, 2005 and is located on Tax Map 42 in Grid A-2. The site is subject to the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (Prince George's Plaza TDDP/TDOZMA) and is within the Mixed Use-Infill (M-U-I) and Transit District Overlay (T-D-O) Zones. The site is currently improved with a 2,985-square-foot gas station with a food and beverage store.

This application includes the demolition of the existing structures and construction of a new gas station with a food and beverage store and office space totaling 9,580 square feet of gross floor area. The increase in square footage necessitates the approval of this preliminary plan of subdivision (PPS).

Access to the site is via MD 410 (East West Highway), a 120-foot-wide master-planned arterial right-of-way, which abuts the subject site to the north. Section 24-121(a)(3) of the Subdivision Regulations requires that, when lots or parcels are located on land adjacent to an existing or planned arterial or higher classification, they shall be designed to front on either an interior street or a service road. Direct vehicular access onto MD 410 requires approval of a variation by the Prince George's County Planning Board, as discussed further in the Variation finding.

3. **Setting**—The property is located at the southwest quadrant of the intersection of MD 410 (East West Highway) and Belcrest Road. The site is bounded to the north by MD 410 and the Mall at Prince George's beyond; to the west and south, the site is bounded by the Belcrest Center mixed-use development, which includes retail and residential uses along with the Prince George's Plaza Metro Station and associated parking structure; and to the east, the site is bounded by Belcrest Road, a master-planned collector right-of-way and commercial/retail uses beyond. All adjacent development is located within the M-U-I and T-D-O Zones.

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

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	M-U-I/T-D-O	M-U-I/T-D-O
Use(s)	Commercial	Commercial
Acreage	0.86	0.86
Lots	0	0
Parcels	1	1
Variation	No	Yes
		Section 24-121(a)(3)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on November 30, 2018. The variation request was accepted on December 17, 2018 and heard at the January 11, 2019 SDRC meeting, as required by Section 24-113(b) of the Subdivision Regulations.

5. **Previous Approvals**—Special Exception SE-691 was originally approved for a gas station on the subject property in 1961. The existing buildings on-site were built in conformance with that approval. This special exception was revised in 1979 for a kiosk on-site. Subsequently, Special Exception SE-3885 was approved for the subject property in 1989 for the purpose of adding a freestanding automatic car wash on-site and revising the gas station layout; however, the site was never developed as approved.

The 1992 Prince George’s Plaza TDDP implemented a T-D-O Zone on the subject property, but retained the existing underlying Commercial Shopping Center (C-S-C) Zone. At that time, per Section 27-548.09 of the Prince George’s County Zoning Ordinance, SE-3885 became null and void with respect to future development. The existing gas station was certified as a nonconforming use through NCGS-14, approved by the Prince George’s County District Council on June 13, 1995.

The 1998 Prince George’s Plaza TDDP rezoned the subject property from the C-S-C Zone to the Mixed Use-Transportation Oriented (M-X-T) Zone, but retained the T-D-O Zone. A separate permit, 8749-99-CG, approved the addition of a drive-up automated teller machine (ATM) on the south side of the building in 2000.

Conceptual Site Plan CSP-13003, Detailed Site Plan DSP-12062, and Alternative Compliance AC-13018 were heard collectively by the Planning Board on December 5, 2013. The applications proposed to revise the existing gas station and food and beverage store to permit a 1,192-square-foot, drive-through, automatic car wash on the site, which included a request to amend the Table of Uses of the 1998 Prince George’s Plaza TDDP. The Planning Board voted to approve CSP 13003, DSP-12062, and AC-13018, excluding the car wash. None of the conditions of approval for the previous applications are relevant to the review of this case because the site

was rezoned from the M-X-T Zone to the M-U-I Zone with the adoption of the 2016 Prince George's Plaza TDDP/TDOZ.

6. **Community Planning**—The *Plan Prince George's 2035 Approved General Plan (Plan 2035)* designates eight centers with extensive transit and transportation infrastructure and the long-term capacity to become mixed-use, economic generators for the County as Regional Transit Districts. The centers were selected based on a quantitative analysis of 31 indicators that assessed the capacity and potential of each center to support future growth and development. This application is in the Prince George's Plaza Regional Transit District. Plan 2035 recommends directing the majority of future employment and residential growth in the County to the Regional Transit Districts. These medium- to high-density areas are envisioned to feature high-quality urban design, incorporate a mix of complementary uses and public spaces, provide a range of transportation options (such as Metro, bus, light rail, bike, and car share) and promote walkability. They will provide a range of housing options to appeal to different income levels, household types, and existing and future residents (page 19). The property is also within a designated Employment Area. Plan 2035 describes Employment Areas as areas commanding the highest concentrations of economic activity in four targeted industry clusters: healthcare and life sciences; business services; information, communication and electronics; and the Federal Government (page 106).

#### **Master Plan and Transit District Overlay Zone Map Amendment/Zoning**

The 2016 Prince George's Plaza TDDP/TDOZMA recommends mixed-use land uses on the subject property. The vision for the T-D-O Zone is "A vibrant new integrated and compact mixed-use Regional Transit District for Prince George's County with a variety of housing, employment, retail, and entertainment choices" (page 70). The TDDP/TDOZMA contains the following strategies applicable to the subject property:

**Strategy LU4.1: Frame streets in the Downtown Core with mixed-use buildings containing active-ground uses, such as retail, community spaces, and institutions to enliven these key routes.**

**Strategy LU4.3: Concentrate the largest buildings at key intersections and near the Metro station.**

The TDDP/TDOZMA reclassified the subject property into the M-U-I Zone, while retaining it within the superimposed T-D-O Zone. In reclassifying this property, the TDOZMA includes the following justification (page 180) for a change in zoning for the subject property from C-S-C and M-X-T to M-U-I:

"The outer properties in this zoning change are located in the Downtown Core of the Transit District, are considerably underdeveloped considering their proximity to a transit station, have auto-oriented uses that are incompatible with a walkable downtown environment, and are envisioned for a significantly increased intensity of development and mix of uses. These two commercial parcels surround the Metro station, which is significantly underdeveloped with available air rights above the parking structure and

platforms, and an underdeveloped retail frontage that does not embrace MD 410 (East West Highway) as envisioned by this TDDP. This rezoning permits these properties to *retain the uses that they have on an interim basis while they transition, as the market allows, to the walkable urban products the real estate market increasingly demands* [emphasis added]. The M-U-I Zone, coupled with the Transit District Standards, permits a range of uses in a variety of buildings, creating the flexibility most conducive to development and redevelopment.”

This subdivision conforms to the TDDP and is platted in conformance with the requirements of the T-D-O Zone. While the TDOZMA Use Table does permit office and food and beverage uses, in general, the TDDP does not permit the gas station or a food and beverage store in combination with a gas station. The applicant will need to apply for, and the District Council must approve, an amendment to the T-D-O Zone Use Table to add a new gas station at the time of DSP.

7. **Stormwater Management**—In accordance with Section 24-130 of the Subdivision Regulations, a Stormwater Management (SWM) Concept Plan and Letter (2296-2018-00), approved by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE), were submitted with the subject application and expires on August 7, 2021. The plan shows an underground SWM area and one micro-bioretenion facility located on the northeastern portion of the property. Development must conform to the approved SWM concept plan, or subsequent revisions, to ensure that on-site or downstream flooding do not occur.
8. **Parks and Recreation**—Pursuant to Section 24-134 of the Subdivision Regulations, mandatory dedication of parkland is not required because this application is not a residential subdivision.
9. **Trails**—This PPS has been reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Prince George’s Plaza TDDP/TDOZMA for implementation of planned trails, bikeways, and pedestrian improvements that may affect the property.

#### **Master Plan Compliance and Prior Approvals**

The MPOT calls for continuous standard or wide sidewalks, with on-road bicycle facilities, along MD 410 (page 28). An eight-foot-wide sidewalk along the site’s frontage of MD 410, consistent with the MPOT is required. This improvement should be constructed through the Maryland State Highway Administration’s (SHA) access permit process. The eight-foot-wide sidewalk shall be depicted on future DSP submissions. While the MPOT also calls for on-road-bicycle facilities, the MPOT acknowledges that providing a full bicycle lane may not be possible due to right-of-way constraints. Generally, bicycle lanes are provided by SHA through striping.

The TDDP has some specific guidelines for the frontage of MD 410. The frontage along MD 410 contains three elements: a minimum six-foot-wide tree and furnishing zone, a minimum six-foot-wide sidewalk clear zone, and a variable-width retail, residential, and/or buffer zone. Collectively, the TDDP requires a 20-foot-wide minimum, 25-foot-wide maximum frontage requirement along MD 410. Improvements along this right-of-way consistent with the TDDP

shall be provided and constructed in coordination with SHA's access permit process. The three required frontage components shall be delineated with the DSP submission.

The TDDP also has specific guidelines for the frontage of Belcrest Road. The TDDP recommends a 10-foot-wide cycle track on the west side of Belcrest, adjacent to the sidewalk abutting the subject property. The cycle track along Belcrest Road, consistent with the TDDP is required. This improvement shall be delineated with the DSP submission.

The frontage requirements along the west side of Belcrest Road contain three elements which integrate the above mentioned 10-foot-wide off-street cycle track: a minimum six-foot-wide tree and furnishing zone, a minimum five-foot-wide sidewalk clear zone, and a variable-width retail, residential, and/or buffer zone. Collectively, the TDDP requires a 28-foot-wide minimum, 33-foot-wide maximum frontage requirement along Belcrest Road. Improvements along this right-of-way, consistent with the TDDP, shall be provided and constructed in coordination with the Prince George's County access permit process. The three required frontage components shall be delineated with the DSP submission.

During the Planning Board hearing on February 8, 2019, the applicant submitted revised conditions clarifying the Planning Board and/or District Council's ability to modify the 8-foot-wide sidewalk and 10-foot-wide cycle track at the time of Detailed Site Plan in accordance with Section 27-548.08 of the Zoning Ordinance. Though Section 27-548.08 does allow the Planning Board and/or District Council to amend the development standards of the Transit District Development Plan, the distinction between the recommendations, as they relate to adequacy at the time of PPS, and standards of the TDDP, as they relate to modification at the time of DSP, must be made. While the adequacy and TDDP requirements are related with this project, they must be separately considered. As recommendations of the MPOT and the TDDP, the implementation of the 8-foot-wide sidewalk and 10-foot-wide cycle track is an adequacy requirement pursuant to Section 24-124.01 of the Subdivision Regulations and may only be amended by the road operating agency. Conversely, the minimum and maximum frontage zone depth requirements (pg. 211) stated previously are standards of the TDDP and are subject to modification pursuant to Section 27.548.08 of the Zoning Ordinance. The condition for implementation of the improvements is inclusive of both requirements.

The TDDP (page 79) recommends a circulation system "...oriented toward pedestrians—the people who shop, work, live, eat, and visit the Transit District—with a fully formed transportation network that permits bicyclists, drivers, and transit riders easy access to the full range of opportunities Prince George's Plaza has to offer." Currently, four vehicular access points serve the subject property, two from MD 410 and two from Belcrest Road. At least one vehicular access point from each right-of-way should be considered with the recommendation that the driveways nearest to the intersection be removed. Doing so would improve pedestrian and cyclist safety along US 1 (Baltimore Avenue) by eliminating conflict points between pedestrians and vehicles. This is further discussed in the Variation finding.

### **Review of the Bicycle and Pedestrian Impact Statement (BPIS) and Proposed Off-Site Improvements**

Due to the location of the subject site within the Prince George's Plaza Metro Center, the application is subject to Prince George's County Council Bill CB-2-2012, which includes a requirement for the provision of off-site bicycle and pedestrian improvements. Section 24-124.01(c) of the Subdivision Regulations includes the following guidance regarding off-site improvements:

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

Council Bill CB-2-2012 also included specific guidance regarding the cost cap for the off-site improvements.

The amount of the cost cap is determined pursuant to Section 24-124.01(c):

**The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and Three Hundred Dollars (\$300.00) per unit of residential development proposed in the application, indexed for inflation.**

Based on this requirement and the 9,580-square-foot development, the cost cap for the application is \$3,353.

A Bicycle and Pedestrian Impact Statement (BPIS) agreement was scoped on August 29, 2018 and, working in partnership with the Prince George's County Department of Public Works and Transportation (DPW&T) and the City of Hyattsville, three options for BPIS improvements were explored: (1) constructing the gap in the sidewalk located along the northside of MD 410 at the western edge of the Church of Jesus Christ of Latter Day Saints, (2) adding a crosswalk and new pedestrian ramps at the entrance of the Shoppes at Metro center, and (3) refreshing the existing crosswalk solid lines at the intersection of Belcrest Road and the Metrorail station entrance and providing adequate pedestrian signage approaching the intersection, per DPW&T standards.

The gap in the sidewalk along the north side of MD 410 was recently constructed by SHA, so it is not a BPIS option. The construction of a crosswalk and pedestrian ramps at the entrance of the Shoppes at Metro center would exceed the BPIS cost cap, so it is not a BPIS option. Based on the recommendation of DPW&T, restriping the crosswalk and installation of appropriate signs is the best option for bicycle and pedestrian improvements.

**Finding of Adequate Bicycle and Pedestrian Facilities and Demonstrated Nexus Finding:**  
Bicycle and pedestrian improvements to the subject property and off-site BPIS improvements at

the crosswalk at the Metrorail station entrance will improve the facilities for pedestrians, consistent with the requirements of Section 24-124.01. With upgrades that do not exceed the BPIS cost of \$3,353, the Planning Board finds that pedestrian and bicycle facilities will be adequate for the subject application.

10. **Transportation**—This PPS is required due to the expansion of uses on the site. Findings related to transportation adequacy are required. The application is supported by a traffic study dated August 2018, based on traffic counts taken in August 2018. In accordance with the “Transportation Review Guidelines, Part 1,” adjusted summer counts were approved for use. The traffic study was referred to DPW&T and DPIE, as well as SHA and the City of Hyattsville.

The subject property is located within Transportation Service Area 1, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

**Links and Signalized Intersections:** Level of Service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.

**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. A three-part process is employed for two-way stop-controlled intersections: (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 CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

Once the CLV exceeds 1,150 for either type of intersection, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

**Analysis of Traffic Impacts**

The table below summarizes the trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site, taking into account the existing gas station on the site:

Trip Generation Summary: 4-18013: NSR Properties				
Land Use	Use	Metric	AM Peak Hour	PM Peak Hour

	Quantity		In	Out	Tot	In	Out	Tot
Existing Convenience Store with Gas Pumps	8	fueling positions	83	83	166	92	92	184
Less Pass-By (63 percent AM/66 percent PM)			-52	-52	-104	-61	-61	-122
<b>Total Existing Trips</b>			<b>31</b>	<b>31</b>	<b>62</b>	<b>31</b>	<b>31</b>	<b>62</b>
Proposed Super Convenience Store with Gas Pumps	4,790 16	square feet fueling positions	210	211	421	177	178	355
Less Pass-By (63 percent AM/66 percent PM)			-132	-133	-265	-117	-117	-234
Net Trips for Proposed Convenience/Gas			78	78	156	60	61	121
Proposed General Office	4,790	square feet	9	1	10	2	7	9
<b>Total Proposed Trips (New Trip Cap)</b>			<b>87</b>	<b>79</b>	<b>166</b>	<b>62</b>	<b>68</b>	<b>130</b>
<b>Total Trips Utilized in Analysis (Proposed Trips Minus Existing Trips)</b>			<b>56</b>	<b>48</b>	<b>104</b>	<b>31</b>	<b>37</b>	<b>68</b>

It needs to be noted that the traffic study for the convenience store with gas pumps use utilizes different use codes for the existing and proposed scenarios. Per the 9th Edition of the Trip Generation Manual (Institute of Transportation Engineers (ITE)), the more conventional use code 853 has long been used for small- to medium-size convenience stores having gas pumps, and the trip generation is based on the number of fueling positions. But the most recent edition of the Trip Generation Manual, the 10th Edition, added use code 960 for gas stations having larger convenience stores, with the trip generation based on the square footage of the convenience store. This approach is endorsed because it better estimates the heavy morning patronage of these types of establishments.

The traffic generated by the PPS would impact the following intersections, interchanges, and links in the transportation system:

- MD 410 and Belcrest Road
- MD 500 (Queen’s Chapel Road) and Belcrest Road
- MD 410 and site access (unsignalized)
- Belcrest Road and site access (unsignalized)

**Existing Traffic**

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



<b>EXISTING TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 410 and Belcrest Road	1,008	1,212	B
MD 500 and Belcrest Road	817	1,166	A	C
MD 410 and site access	9.8*	11.4*	--	--
Belcrest Road and site access	10.6*	11.6*	--	--
*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.				

**Background Traffic**

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George’s County Capital Improvement Program. Background traffic has been developed for the study area using two approved, but unbuilt, developments within the study area. A 1.0 percent annual growth rate for a period of six years has been assumed. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 410 and Belcrest Road	1,143	1,392	B
MD 500 and Belcrest Road	1,034	1,324	B	D
MD 410 and site access	10.2*	11.8*	--	--
Belcrest Road and site access	11.7*	12.4*	--	--
*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.				

**Total Traffic**

The following critical intersections, interchanges and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the “Transportation Review Guidelines,” including the site trip generation as described above, operate as follows:

<b>TOTAL TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 410 and Belcrest Road	1,185	1,418	C
MD 500 and Belcrest Road	1,052	1,336	B	D
MD 410 and site access	11.3*	13.0*	--	--
Belcrest Road and site access	12.7*	13.2*	--	--
*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.				

It is found that all critical intersections operate acceptably under total traffic in both peak hours. A trip cap consistent with the analysis and the adequacy finding, 166 AM and 130 PM peak-hour trips, is recommended.

The traffic study was referred to the County, SHA, and the City of Hyattsville. At the time of the Planning Board hearing, comments had not been received from any of these agencies concerning the traffic study.

**Plan Comments**

The site is adjacent to MD 410, which is a master plan arterial roadway. The site is also adjacent to Belcrest Road, which is a master plan collector roadway. Both existing rights-of-way are equal to or exceed the recommendations in the MPOT. Therefore, no additional right-of-way dedication is required at this time.

The subject plan includes driveway access onto MD 410. Section 24-121(a)(3) requires that lots proposed on land adjacent to an existing or proposed planned roadway of arterial or higher classification be designed to front on either an interior street or service roadway. Therefore, a variation from this section is requested and reviewed in the Variation section.

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. **Variation Request**—Access is via MD 410, an arterial right-of-way, by means of two existing driveways into the site. Section 24-121(a)(3) requires that lots proposed on land adjacent to an existing or proposed planned roadway of arterial or higher classification be designed to front on either an interior street or service roadway. The existing and proposed conditions on the site do not meet this requirement and a variation is requested pursuant to Section 24-113, which sets forth the required findings for approval of a variation.

**Section 24-113. - Variations.**

- (a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:**

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

These access points are proposed to remain at their current locations and be augmented by two existing driveways onto Belcrest Road. The site is a corner property with access to roadways that both have medians, which allow right-in and right-out access only. Access onto MD 410 is desirable for the use that is proposed, and the elimination of access and egress onto MD 410 would limit all site access to one location. This would be detrimental to circulation within the site and would introduce heavy U-turn volumes at the median breaks along Belcrest Road, south of the site.

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

The site is a corner lot of less than one acre in size and is bordered on the west and south by developed properties. The only other opportunity for access is from Belcrest Road. However, given the existing median within Belcrest Road, only right-in and right-out turning movements can be accommodated. The Planning Board finds that these characteristics do not exist for other properties along this roadway which are either provided access from MD 410 or have full turning movement capability from Belcrest Road. Therefore, the conditions on which the variation are based are unique to the property.

- (3) **The variation does not constitute a violation of any other applicable law, ordinance, or regulation.**

The variation to Section 24-121(a)(3) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. The approval of this variation request will not constitute a violation of other applicable laws. Access to MD 410 is regulated by SHA and has existed, per aerial photography, for over 50 years. The variation request was referred to SHA and no issues as to the request were raised as part of their review.

- (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.**

It is again noted that the site is a corner lot of less than one acre in size. The physical surroundings are properties which are developed with retail uses and a transit station. The applicant asserts that, without retaining access to MD 410, the site would have limited development potential because of its small size and corner location. The Planning Board finds that eliminating access from MD 410 would be detrimental to circulation within the site and would introduce heavy U-turn volumes at the median breaks along Belcrest Road, south of the site. Given this information, it is agreed that the applicant has demonstrated hardship, as opposed to a mere inconvenience.

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a) , above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

This subpart is not applicable because the property is located in the M-U-I Zone.

By virtue of the findings for each of the criteria for variation approval, a variation from Section 24-124(a)(3) for access onto MD 410 is approved. However, this site and the surrounding area are envisioned, by means of the Prince George's Plaza TDDP/TDOZMA, to prioritize pedestrians and create a fully formed transportation network that supports multi-modal transit. As a rule, more curb cuts are detrimental to cyclists and pedestrians. The Planning Board finds that there is a benefit to the site having driveway access to MD 410, but that there is little added benefit or necessity to having a second driveway. It is important to note that a 3.3-acre commercial parcel, also known as The Shoppes at Metro Station, sits directly across the subject property, on the east side of Belcrest Road, and is served by one access driveway along MD 410. Further, Parcel H, which sits catty-corner to the site, is served by one access driveway from MD 410. Therefore, only a single driveway onto MD 410 is approved. The final plat shall note the denial of access, saving one access point which will be determined with the DSP.

While it is not within the purview of Subtitle 24 of the Prince George's County Code to consolidate access along a collector road, it is recommended one driveway be closed along Belcrest Road. In addition to the increased pedestrian safety and sidewalk connectivity, this closure would prioritize the safety of cyclists travelling along the TDDP-recommended cycle track planned for the west side of Belcrest Road. The feasibility of consolidating access along Belcrest Road should be explored at the time of DSP review.

12. **Public Facilities**—Public facilities for water and sewerage, police, and fire and rescue are adequate to serve the subdivision, in accordance with Section 24-122.01 of the Subdivision Regulations, which are further outlined in memoranda dated November 19, 2018 (Branch to Onyebuchi) and November 26, 2018 (Mangalvedhe to Onyebuchi), incorporated by reference herein. In accordance with Section 24-122.02 of the Subdivision Regulations, this application will have no effect on public schools, as it is a nonresidential use.
13. **Use Conversion**—The total development included in this PPS is one parcel for commercial development totaling 9,580 square feet of gross floor area. If a revision to the mix of uses or the site layout on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval, that revision 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 should 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 PPS delineates a 10-foot-wide PUE along all public rights-of-way. All PUEs will also be required to be reflected on the final plat prior to approval.

15. **Historic**—The subject property was platted as Parcel L of the Addition to Prince George’s Plaza in December 1960 (Plat Book WWW 39-76). According to tax assessment records, the building on the subject property was constructed in 1965. Construction of the convenience store and gas station was associated with the development of Prince George’s Plaza, on the north side of East West Highway, in the 1960s. Prince George’s Plaza was built on land that was once part of the Christian Heurich dairy farm. This parcel is in an area just to the north of the former site of the Heurich Mansion. Gas pumps are located in the northwestern portion of the property, which was known as the “Plaza Shell.” Historic Preservation staff may photograph the current building on the property prior to redevelopment, as part of the section’s mid-century modern architectural documentation initiative.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. This application will not impact any historic sites, historic resources, or known archeological sites.

16. **Environmental**—The project is subject to the current regulations of Subtitles 24, 25, and 27 of the County Code that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new PPS. The following applications have been reviewed for the subject property:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
CSP-13003	S-084-2013	Planning Board	Approved	12/23/2013	PGCPB No. 13-143
DSP-12062	S-084-2013	Planning Board	Approved	4/21/2014	PGCPB No 13-144
ROSP-3885-01	N/A	ZHE	Withdrawn	3/25/2013	
SE-3885	N/A	ZHE	Dormant	8/30/1989	
NRI-064-13	N/A	Staff	Approved	4/12/2013	N/A
NRI-004-2018	N/A	Staff	Approved	1/5/2018	N/A
4-18013	S-006-2018	Planning Board	Pending	Pending	Pending

**Site Description/Existing Conditions**

The site is approximately 0.86 acre and is located in the southwest quadrant of MD 410 and Belcrest Road. A review of available information indicates that no wetlands, streams, associated buffers, or floodplain are found to occur on the subject project area. The soil found to occur, according to the U. S. Department of Agriculture, Natural Resources Conservation Services, Web Soil Survey, is Russet-Christiana-Urban land complex; however, the site is fully developed with one building, four fuel pumps, and associated parking. According to available information, Marlboro clay is not present, but Christiana clay does occur on or in the vicinity of this site. According to the Sensitive Species Project Review Area (SSPRA) map received from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or near this property. The site ultimately drains to the Northwest Branch, located west of the site, and is part of Anacostia watershed. East West Highway and Belcrest Road are not designated as scenic or historic roads. The site is located within Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map, as designated by Plan 2035.

**Conformance with the Transit District Development Plan**

The approved and applicable Prince George’s Plaza TDDP/TDOZMA contains mandatory development requirements and guidelines that must be evaluated with this application. The text in **BOLD** is text from the TDDP that are environmental in nature and the plain text provides comments on the plan conformance.

**Stormwater – Mandatory Development Requirements**

**P25 – Any Development shall provide for water quality and quantity control in accordance with all Federal, State and County regulations. Bio-retention or other innovative water quantity or quality methods shall be used where deemed appropriate.**

The site has a SWM Concept Letter (2296-2018-00), approved on August 7, 2018, from DPIE. The concept plan shows the entire development and the construction of one on-site micro-bioretenion pond and an underground infiltration system. No SWM fee for on-site attenuation/quality control measures is required.

**P26 – Where stormwater management cannot be provided for existing developed properties, a mandatory 15 percent green space requirement shall be provided. The green space can be incorporated into the mandatory 10 percent afforestation required if it occurs on the actual property.**

The site includes on-site SWM. The concept has been approved by DPIE.

**S31 - At the time of Detail Site Plan, the number of trash cans and locations shall be shown on the plan. Trash receptacles should be placed in strategic locations to prevent litter from accumulating in and around the proposed development.**

This requirement shall be addressed at the time of DSP review.

**S32 – Prior to the final inspection and sign off of permits by the Sediment/Stormwater or Building Inspector, any storm drain inlets associated with the development and all inlets on the subject subarea shall be stenciled with “Do Not Dump, Chesapeake Bay Drainage.” The Detailed Site Plan and the Sediment Control Plan (in the sequence of construction) shall contain this information.**

This requirement shall be addressed at the time of DSP review.

#### **Woodland Conservation - Mandatory Development Requirements**

**S33 – Afforestation of at least 10 percent of the gross tract shall be required on all properties within the Prince George’s Plaza Transit District currently exempt from the Woodland Conservation and Tree Preservation Ordinance. Afforestation shall occur on-site or within the Anacostia watershed in Prince George’s County, with priority given to riparian zones and nontidal wetlands, particular within the Northwest Branch Sub-watershed.**

This property is not subject to the provisions of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it is less than 40,000 square feet in area, contains less than 10,000 square feet of existing woodland, and has no previously approved tree conservation plans (TCPs). A Type 1 TCP is not required.

As such, the site is required to provide 10 percent afforestation either on-site or within the Anacostia watershed. The gross tract area of the site is 0.86 acre or 37,461 square feet. The requirement for afforestation for the subject site is 0.086 acre (3,746.16 square feet). No statement has been submitted addressing the 10 percent afforestation requirement and, at this time, no off-site afforestation area has been included with this application.

The intent of this requirement was to increase the tree canopy coverage within the Anacostia watershed by planting additional trees. In the majority of past cases in the

TDDP, S33 has been addressed through the provision of woodland conservation at an off-site location. In the majority of those cases, the requirement was not able to be met within the Anacostia watershed because of the absence of viable planting sites. Before being allowed to meet the requirement elsewhere in the county, the applicant must demonstrate due diligence in seeking sites within the Anacostia watershed. In other cases, particularly within the vicinity of the subject site, the Planning Board and County Council have accepted the on-site tree canopy through the landscaping of trees as an accepted method of meeting this requirement. This requirement has been recently codified in the tree canopy coverage regulations contained in Subtitle 25, Division 3, which requires a 10 percent tree canopy coverage for sites zoned M-X-T.

This requirement shall be met at the time of DSP review.

#### **100-Year Floodplain - Mandatory Development Requirements**

**P28 – Any new development or reconstruction of existing development shall be in conformance with the Prince George’s County Floodplain Ordinance.**

**P29 – No development within the 100-year floodplain shall be permitted without the express written consent of the Prince George’s County Department of Environmental Resources.**

**P30 – If the development is undergoing subdivision, approval of a variation request shall be obtained for proposed impacts to the floodplain.**

The site does not contain areas of 100-year floodplain.

#### **Nontidal Wetlands - Mandatory Development Requirements**

**P31 – If impacts to nontidal wetlands are proposed, a Maryland Corps of Engineers Joint Permit Application shall be required and, where required, issuance of the permit.**

**P32 – If impacts to nontidal wetlands are proposed, a State Water Quality Certification pursuant to Section 401 of the Clean Water Act shall be required from the Maryland Department of the Environment.**

The site does not contain areas of wetlands.

#### **Noise Impacts - Mandatory Development Requirements**

**P33 – Each Preliminary Plat, Conceptual and/or Detailed Site Plan shall show a 65dBA (Ldn) noise contour based upon average daily traffic volumes at LOS E. Upon plan submittal, the Natural Resource Division shall determine if a noise study is required based on the delineation of the noise contour.**



**P34 – If it is determined by the Natural Resource Division that a noise study is required, it shall be reviewed and approved by the Natural Resource Division prior to approval of any Preliminary Plat of Subdivision, Conceptual and/or Detailed Site Plan. The study shall use Traffic volumes at LOS E and include examination of appropriate mitigation techniques and the use of acoustical design techniques. Furthermore, a typical cross-section profile of noise emission from the road to the nearest habitable structure is required.**

The site has frontage on MD 410 and Belcrest Road. East West Highway is a master-planned arterial road that is generally evaluated for traffic-generated noise when residential uses are proposed. Belcrest Road is designated as a collector, which is not evaluated for noise impacts because it does not generate enough traffic that results in noise levels above the state standards. No residential uses are proposed; therefore, this application does not include an analysis for noise intrusion.

#### **Conformance with the Countywide Green Infrastructure Plan**

The *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* indicates that none of the property is within or near the designated network.

#### **Environmental Review**

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

#### **Natural Resources Inventory/Existing Conditions**

A Natural Resource Inventory Equivalency letter (NRI-004-2018), in conformance with the environmental regulations, was issued on January 5, 2018 and submitted with the current application. The site does not contain any regulated environmental features.

#### **Woodland Conservation Plan**

The site is not subject to the provisions of the WCO because it is less than 40,000 square feet in area, contains less than 10,000 square feet of existing woodland, and has no previously approved TCPs. A standard letter of exemption was issued on January 5, 2018.

17. **Urban Design**—The site is within the Downtown Core character area of the Prince George's Plaza TDDP/TDOZMA and is subject to DSP review. The specific site location is one of the prominent gateway areas in the Prince George's Plaza Transit District. There are specific urban design requirements in the T-D-O Zone standards governing this property that will be reviewed at the time of DSP.

The previous special exception approval (SE-3835) on the subject site has been superseded by the TDDP, which rezoned the subject site from the M-X-T Zone to the M-U-I Zone.

#### **Conformance with the Requirements of the Zoning Ordinance**

The subject site is located in the M-U-I and T-D-O Zones and is subject to the TDDP standards and allowed uses. This will be reviewed at the time of DSP, as this PPS does not include the approval of uses. Since the subject site is also within the T-D-O Zone, the applicant can utilize the DSP process to amend both the T-D-O Zone standards and the list of allowed uses in the TDDP, in accordance with Sections 27-548.08(a)(4) and 27-548.09.01(b) of the Zoning Ordinance, respectively.

**Conformance with the T-D-O Zone Landscaping Standards**

The Prince George’s Plaza TDDP/TDOZMA has established specific landscaping standards that are applicable to the subject site, which also replace the tree canopy coverage requirements, and will be reviewed at the time of DSP.

18. **City of Hyattsville**—In a letter dated December 18, 2018 (Hollingsworth to Hewlett), included by reference herein, the City of Hyattsville expressed their support for the PPS.

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 Doerner, with Commissioners Washington, Doerner, Bailey, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, February 7, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 28th day of February 2019.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:JO:gh



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.mncppc.org/pgco

August 20, 2019

**MEMORANDUM**

TO: Jeremy Hurlbutt, Urban Design Section, Development Review Division

VIA: Howard Berger, Supervisor, Historic Preservation Section, Countywide Planning Division *HB*

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division *JAS*  
Tyler Smith, Historic Preservation Section, Countywide Planning Division *TAS*

**SUBJECT: DSP-19039: NSR Properties**

The subject property comprises 0.84 acres at 3599 East West Highway located in the southwest quadrant of the intersection of East West Highway and Belcrest Road. The subject application proposes a gas station, food and beverage store and offices. The subject property is Zoned M-U-I.

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. A Phase I archeological survey is not recommended on the subject property. There are no historic sites or resources on/or adjacent to the subject property. This proposal will not impact any historic sites or resources or significant archeological sites. Historic Preservation staff recommends approval of DSP-19039: NSR Properties without conditions.




Prince George's County Planning Department  
Community Planning Division

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.pgplanning.org  
301-952-3972

November 26, 2019

## MEMORANDUM

TO: Jeremy Hurlbutt, AICP, Master Planner, Urban Design Section, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division 

FROM: Karen Mierow, AICP, Planner Coordinator, Neighborhood Revitalization Section, Community Planning Division AD

SUBJECT: **DSP-19039 NSR Properties (Sunoco)**

## FINDINGS

Community Planning Division staff finds that, pursuant to Section 27-548.08(c) of the Zoning Ordinance, as submitted, this Detailed Site Plan application will substantially impair implementation of the 2016 *Approved Prince George's Plaza Transit District Development Plan* (TDDP) because, the application includes requests for amendments that do not support the plans vision to concentrate medium- to high-density development in the Downtown Core and promote a pedestrian-friendly, transit-supportive development.

This Detailed Site Plan application:

- Is not in strict conformance with the mandatory requirements of the 2016 *Approved Prince George's Plaza Transit District Development Plan*; and
- Is not consistent with, and does not reflect the guidelines and criteria for development contained, in, the Transit District Development Plan; and
- Does not meet the requirements of the Transit District Overlay Zone; and
- Does not demonstrate that the location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and curb cuts maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone; and
- Proposes structures and uses in a manner that is incompatible with existing and proposed adjacent development, to the extent that the permission of such uses will substantially impair the Transit District Development Plan.

## DSP-19039 NSR Properties (Sunoco)

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- Includes requests for amendments to the mandatory Build-to and Frontage Zone requirements of the Transit District Overlay Zone that are contrary to the goals of a pedestrian-oriented, transit-supportive Downtown Core and substantially impair the Transit District Development Plan.

### BACKGROUND

**Application Type:** Detailed Site Plan in a Transit District Overlay Zone

**Location:** 3599 East West Highway, Hyattsville, MD 20782

**Size:** 0.0870 acre

**Existing Uses:** Gas station

**Proposal:** To raze the existing building and structures on site and replace with a new 2 story building to include a gas station, food and beverage store, offices, and a freestanding drive-thru ATM.

### GENERAL PLAN, MASTER/TRANSIT DISTRICT DEVELOPMENT PLAN, AND ZONING

**General Plan:** This application is located in the Prince George's Plaza Regional Transit District (p.18). "Plan 2035 designates eight centers with extensive transit and transportation infrastructure and the long-term capacity to become mixed-use, economic generators for the County as Regional Transit Districts. The centers were selected based on a quantitative analysis of 31 indicators that assessed the capacity and potential of each center to support future growth and development (see Appendix A). Plan 2035 recommends directing the majority of future employment and residential growth in the County to the Regional Transit Districts. These medium to high-density areas are envisioned to feature high-quality urban design, incorporate a mix of complementary uses and public spaces, provide a range of transportation options—such as Metro, bus, light rail, bike and car share, and promote walkability. They will provide a range of housing options to appeal to different income levels, household types, and existing and future residents," (p. 19).

The subject property is also within a designated Employment Area. Plan 2035 describes Employment Areas as areas commanding the highest concentrations of economic activity in four targeted industry clusters: healthcare and life sciences; business services; information, communication and electronics; and the Federal Government (p. 106).

The vision for the Transit District Overlay Zone (TDOZ) is "A vibrant new integrated and compact mixed-use Regional Transit District for Prince George's County with a variety of housing, employment, retail, and entertainment choices," (p. 70).

**Transit District Development Plan:** The 2016 *Approved Prince George's Plaza Transit District Development Plan* (TDDP) recommends Mixed-Use land uses on the subject property. The vision for the Transit District Overlay Zone (TDOZ) is "A vibrant new integrated and compact mixed-use Regional Transit District for Prince George's County with a variety of housing, employment, retail, and entertainment choices," (p. 70). The subject property is located within the Downtown Core Character Area (p. 71).

The TDDP contains the following policies applicable to the subject property:

## DSP-19039 NSR Properties (Sunoco)

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Policy LU4: Concentrate medium- to high-density development in the Downtown Core (p. 76).

Policy LU1: Promote a pedestrian-friendly, transit-supportive development pattern in the transit District.

The TDDP contains the following strategies applicable to the subject property:

Strategy LU1.2: Incorporate an integrated and safe pedestrian, bicycle, and transit circulation network into the overall design of the Transit District...

Strategy LU2.3: Rezone commercially zoned properties to mixed-use zones, increasing available space for dense residential construction.

Strategy LU4.1: Frame streets in the Downtown Core with mixed-use buildings containing active ground-floor uses, such as retail, community spaces, and institutions to enliven these key routes.

Strategy LU4.3: Concentrate the largest buildings at key intersections and near the Metro station.

Strategy LU5.1: Use mixed-use zoning to allow for market responsiveness in the Downtown Core.

Strategy TM1.4: Provide ample sidewalks and protected bicycle facilities that give travelers multiple options through the corridor and can reduce vehicle trips. Sidewalks should, where appropriate, provide room for outdoor dining and shopping in addition to street furniture, queuing, and gathering.

Strategy TM 7.6: Construct off-street bicycle and pedestrian facilities presented in Map 18 and Table 16. (Construct a “raised cycle track, barrier separated from adjacent sidewalk, 10 feet wide, two-way, and constructed with distinctive pavement materials.”)

Strategy HD1.6: Prohibit pad site development.

Strategy HD1.7: To present a consistent street wall, all buildings within blocks in the Downtown Core should be attached to neighboring buildings.

Strategy HD3.3: Establish new height regulations in the Downtown Core to permit property owners the flexibility necessary to meet market demands at appropriate densities to support transit, walking, and bicycling.

Strategy HD5.4: Special corner buildings are recommended around key intersections within the Transit District. Such buildings should visually address the corner, which can be achieved by orienting the building entrance at a diagonal facing the corner; articulating the building as a tower or a corner bay that fronts the intersection; or by setting back the building to create a small urban plaza at the ground floor. A range of strategies are encouraged around each of these key intersections to create visual interest.

Condition 5b of PGCPB No. 19-21 requires the subject application to include the cycle track as recommended in Strategy TM 7.6.

**Planning Area: 68**

## DSP-19039 NSR Properties (Sunoco)

Page 4

**Community:** Hyattsville-Riverdale-Mount Rainier-Brentwood

**Aviation/MIOZ:** This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

**TDOZMA/Zoning:** The 2016 *Approved Prince George's Plaza Transit District Overlay Zoning Map Amendment* reclassified the subject property from Mixed-Use Transportation Oriented (M-X-T) to the Mixed-Use Infill (M-U-I) Zone within the superimposed TDOZ.

In reclassifying this property, the TDOZMA includes the following justification for a change in zoning for the subject property from C-S-C and M-X-T to M-U-I: "The outer properties in this zoning change are located in the Downtown Core of the Transit District, ***are considerably underdeveloped considering their proximity to a transit station, have auto-oriented uses that are incompatible with a walkable downtown environment, and are envisioned for a significantly increased intensity of development and mix of uses. These two commercial parcels surround the Metro station, which is significantly underdeveloped with available air rights above the parking structure and platforms, and an underdeveloped retail frontage that does not embrace MD 410 (East West Highway) as envisioned by this TDDP*** [emphasis added]. This rezoning ***permits these properties to retain the uses that they have on an interim basis while they transition, as the market allows, to the walkable urban products the real estate market increasingly demands.*** The M-U-I Zone, coupled with the Transit District Standards, permits a range of uses in a variety of buildings, creating the flexibility most conducive to development and redevelopment." (See page 180.)

The existing gas station (page 277) is a permitted, non-conforming uses because it was legally existing on July 19, 2016. The existing structures on site are nonconforming pursuant to the submittal of this site plan.

The subject application proposes razing all structures on site and reconstructing new structures, to include a proposed gas station, a food and beverage store in combination with a gas station, and an automated teller machine with drive-through access.

The only gas station permitted in the Prince George's Plaza Transit District is the one currently existing on the subject property. Once this gas station is razed, no gas stations are permitted in the Transit District. No amendment to the Transit District Standards to permit this use is allowable, as such an auto-dependent, low-intensity pedestrian unfriendly use would constitute the exact opposite of the high-rise, vertical mixed use walkable urban development planned for the subject property, and would substantially and egregiously impair implementation of the TDDP.

The only food and beverage store in combination with a gas station permitted in the Prince George's Plaza Transit District is the one currently existing on the subject property. Once this food and beverage store in combination with a gas station is razed, no food and beverage stores in combination with gas stations are permitted in the Transit District. No amendment to the Transit District Standards to permit this use is allowable, for the same reasons as the Transit District Overlay Zone prohibits gas stations, and would substantially and egregiously impair implementation of the TDDP.

Any use not specifically permitted by the Tables of Permitted Uses is prohibited: an automatic teller machine with drive-through service is not specifically permitted and is therefore prohibited.

**TRANSIT DISTRICT MANDATORY STANDARDS**

Community Planning Division staff finds that, pursuant to Section 27-548.08(c)(2)(A), this application is not in strict conformance with the mandatory requirements of the 2016 *Approved Prince George’s Plaza Transit District Development Plan*. This application does not provide pedestrian and bicycle amenities, including a 10-foot-wide cycle track along the frontage of Belcrest Road pursuant to the Planning Board’s approval of 4-18013.

A revised SOJ submitted by the applicant is seeking an Exemption to maintain an existing freestanding sign on the property.

This application does not conform to the following Transit District Standards:

CPD Response		Standard	Page
Streets and Frontage   Frontage Zones			
	1	All existing and proposed A, B, and Pedestrian Streets shall have sidewalks on both sides constructed to the frontage standards prescribed in this plan. At a minimum, all sidewalks shall have a Sidewalk Clear Zone and a Tree and Furnishing Zone. Provision of Buffer Zones, Residential Frontage Zones, or Retail Zones is optional, as needed.	208
<p>The application as submitted does not meet this standard because it shows a building 150 feet outside of the required build-to-zone on East West Highway (MD 410) and 65 feet outside of the required build-to zone on Belcrest Road.</p> <p>The proposed location of this building substantially impairs implementation of the TDDP because it is contrary to the goals, policies, strategies and vision of the TDDP for a walkable urban environment with a consistent street wall.</p>	2	<p>Tables 42 and 43 contain dimensional standards for frontage zones and new private streets. The Total Frontage Depth Requirements referenced in the text and identified in Table 44 and Figures 9-24 (see pages 213-230) reflect the minimum amount of frontage required for each street. The maximum amount of frontage permitted is equivalent to this minimum, plus 5 feet in the Downtown Core and the minimum plus 10 feet in the Neighborhood Edge.</p>	<p>208 (See Tables 42 and 43 on pages 211-212.) Graphic on page 214 – 410 is required to have a 20-25 foot frontage Zone) The table also states that the off street parking type Permitted is structured on a street A</p>



**DSP-19039 NSR Properties (Sunoco)**

<p>To conform to this standard, the building should be relocated and reoriented so that its frontage lies within the Build-to-Zone.</p>			
<p>The application does not meet this standard as it proposes an 8-foot sidewalk and 6.3-foot tree and furnishing zone along East West Highway which is not consistent with that of the adjacent property.</p> <p>Not providing consistent horizontal dimensions in this zone does not support the goal of a continuous urban street edge that is comfortable, safe, and inviting to pedestrians.</p> <p>Condition 5a of PGCPB No.19-21 requires the provision of “.an 8-foot wide sidewalk along the frontage of MD410...”; which would allow this application to meet the Sidewalk Clear Zone requirements of the TDOZ but not the total frontage requirements.</p> <p>To conform to this standard, the building should be relocated and reoriented so that its frontage lies within the Build-to-Zone.</p>	<p>3</p>	<p>The Sidewalk Clear Zones and Tree and Furnishing Zones shall be consistent along a block.</p>	<p>208</p>

**DSP-19039 NSR Properties (Sunoco)**

Street Frontage   Build-To Lines and Zones			
	4	The total frontage depth requirement in Tables 42-43 and Figures 9-23 shall represent the distance between the street curb and BTL.	209
Streets and Frontage   Build-to Lines and Zones   Building Entrances			
<p>The application as submitted does not meet this standard because it shows the primary entrance opening onto a surface parking area.</p> <p>By setting the front entrance beyond the frontage zone requirement and into a parking area, the proposed location of the primary building entrance is an impairment to the implementation of the TDDP as it does not activate the street or provide a direct pedestrian connection to the building.</p> <p>To conform to this standard, the building should be relocated and reoriented so that its frontage lies within the Build-to-Zone, opening onto the A street (East West Highway) sidewalk.</p>	5	<p>Primary building entrances or exits shall not open directly into a parking lot, onto a driveway (where permitted), side street, alley, loading dock, or other vehicle cartway.</p>	208
Streets and Frontage   Tree and Furnishing Zones			
<p>The application as submitted does not meet this standard along Belcrest Rd.</p> <p>A reduction in the number and spacing of trees impairs the implementation of the</p>	6	<p>Street trees shall be located within the Tree and Furnishing Zone; additional trees may be provided within the Retail or Residential Zones, as appropriate.</p>	232

**DSP-19039 NSR Properties (Sunoco)**

<p>TDDP as it does not provide enough elements that contribute to a continuous street edge, provide a sense of enclosure, improve the micro-climate, or reduce impervious surface area.</p> <p>To conform to this standard, the application should be designed to conform to this standard, or additional right-of-way should be dedicated.</p>			
<p>The application as submitted does not meet this standard along Belcrest Rd.</p> <p>A reduction in the number and spacing of trees impairs the implementation of the TDDP as it does not provide enough elements that contribute to a continuous street edge, provide a sense of enclosure, improve the micro-climate, or reduce impervious surface area.</p> <p>To conform to this standard, the application should be designed to meet to this standard, or additional right-of-way should be dedicated.</p>	<p>7</p>	<p>Shade trees two and one-half to three-inch caliper in size, shall be planted along each street with spacing of not greater than 40 feet on center, excluding driveway openings. Spacing allowances may be made, where necessary, to accommodate curb cuts, fire hydrants, and other infrastructure elements.</p>	<p>232</p>

**DSP-19039 NSR Properties (Sunoco)**

Streets and Frontage   Street Lights			
<p>The application as submitted does not conform to this standard because it does not show the location of pedestrian-lighting from the building entrance to the sidewalk.</p> <p>A reduction of lighting that precludes continuously lit walkways diminishes a sense of pedestrian safety and comfort in the Transit District, impacts the quality of the pedestrian realm, and substantially impairs the implementation of the TDDP.</p> <p>To conform to this standard, the application should be designed to meet this standard, unless it conflicts with Maryland State Highway Administration and Prince George’s County Department of Public Works &amp; Transportation.</p>	8	<p>All pedestrian rights-of-way—including sidewalks, trails, paths, and pathways from building entrances and exits to the sidewalk—shall be continuously lit.</p>	234
<p>The application as submitted does not conform to this standard because it does not show the proposed location of street or pedestrian-lighting.</p> <p>The purpose of continuously lit walkways reinforces a sense of pedestrian safety and comfort in the Transit District.</p>	9	<p>Streetlights shall either be pedestrian-scale fixtures or a combination of a streetlight and a pedestrian fixture. Pedestrian lights shall be no higher than 14 feet. Existing streetlights shall not be counted toward this requirement unless they include pedestrian-scale fixtures that meet this standard.</p>	234

**DSP-19039 NSR Properties (Sunoco)**

<p>To conform to this standard, the application should be designed to meet this standard, unless it conflicts with Maryland State Highway Administration and Prince George’s County Department of Public Works &amp; Transportation.</p>			
<p>The application as submitted does not conform to this standard because it shows Acorn-style lighting on Belcrest Rd.</p> <p>The purpose of a consistent type and style of lighting provides uninterrupted lighting to the street and reinforces the visual legibility of the streetscape.</p> <p>To conform to this standard, the application should be designed to meet this standard, unless it conflicts with Maryland State Highway Administration and Prince George’s County Department of Public Works &amp; Transportation.</p>	<p>10</p>	<p>Streetlights installed along MD 410 (East West Highway) and Belcrest Road shall use PEPCO’s Teardrop or equivalent style from PEPCO’s most recent Street Light Catalog.</p>	<p>234</p>
<p>The application as submitted does not conform to this standard because it proposes removing street lighting on Belcrest Rd. and does not show the location of replacement lighting.</p> <p>The purpose of light fixtures placed at specific intervals is to provide uninterrupted lighting to the street and reinforces</p>	<p>11</p>	<p>Streetlight fixtures shall be spaced a maximum of 40 feet apart in the Downtown Core.</p>	<p>234</p>

**DSP-19039 NSR Properties (Sunoco)**

<p>the visual legibility of the streetscape. Any elimination or reduction in lighting impairs the implementation of the TDDP.</p> <p>To conform to this standard, the application should be designed to meet this standard, unless it conflicts with Maryland State Highway Administration and Prince George’s County Department of Public Works &amp; Transportation.</p>			
<p>Site Elements   Screening</p>			
<p>The application as submitted does not meet this standard because it does not screen vacuum and air equipment from Belcrest Rd.</p> <p>Visual and noise impacts to the public right-of-way have a detrimental effect on the quality of the pedestrian realm.</p> <p>To conform to this standard, the application should be revised to include appropriate screening of this equipment/area.</p>	<p>12</p>	<p>All mechanical equipment and meters shall be screened to prevent excessive noise and visual impacts on surrounding properties.</p>	<p>248</p>
<p>Architectural Elements   Awnings</p>			
<p>This application does not meet the standard because it proposes metal awnings over the entrances and first floor window openings.</p> <p>The proposed awnings provide shelter and</p>	<p>17</p>	<p>Metal, plastic, and backlit awnings shall not be permitted.</p>	<p>256</p>

**DSP-19039 NSR Properties (Sunoco)**

<p>visual interest to the front and side façade.</p> <p>This amendment would be supported.</p>			
<p><b>Parking and Loading</b></p>			
<p>The application does not meet this standard as it is moving the existing surface parking to the front of the building, restriping the parking area to increase the number of spaces from 9 to 16.</p> <p>There is no minimum parking requirement in the Transit District, which supports the goal of a transit-supportive environment that encourages non-motorized means of travel into and throughout the Transit District. New surface parking and the addition of parking spaces in this application substantially impairs the implementation of the TDDP.</p> <p>To meet this standard the application should be revised to reduce or eliminate surface parking.</p>	<p>18</p>	<p>Restriping of surface parking facilities that result in an addition of general purpose parking spaces is prohibited.</p>	<p>259</p>

**DSP-19039 NSR Properties (Sunoco)**

Parking and Loading   Surface Parking			
	19	Off-street surface parking is prohibited except where at least one of the following conditions apply:	260
	20	The off-street surface parking will be provided through alteration or reconstruction of a surface parking lot legally existing on July 19, 2016.	260
<p>The application does not meet this standard as it is moving the existing surface parking to the front of the building, re-striping the parking area to increase the number of spaces from 9 to 16, and has not demonstrated an increase in impervious surface area that is equivalent to the increased parking area.</p> <p>Increasing the number of off-street parking spaces, substantially impairs the implementation of the TDDP.</p> <p>To meet this standard the application should be revised to reduce or eliminate surface parking.</p>	21	<p>The Planning Board may permit reconstruction of a surface parking lot where the applicant will remove an equivalent square footage of existing impervious surface and create an equivalent or greater square footage of unpaved or pervious space. Notwithstanding the above, construction of a surface parking lot shall not expand the area of impervious surface on any property in the Transit District as it existed on July 19, 2016.</p>	260
Surface Parking Facilities			
<p>This application does not meet this standard as entrances to the parking area are on A streets.</p> <p>The location and configuration of the site does not permit the provision of an alley; an amendment would be supported.</p>	22	Parking facilities and entrances shall be located on B Streets or Alleys.	260
The application does not meet this standard as the parking area is in front of	23	All new surface parking lots shall be screened from streets by buildings, landscaping, or any other cover that mitigates the view of the parking lot from the street.	260



**DSP-19039 NSR Properties (Sunoco)**

the building, and not screened.			
The application does not conform to this standard; and should be revised to meet or exceed the standard.	24	Surface parking lots shall be landscaped with a minimum of one tree per 24 spaces and a minimum of one landscape island for every 12 spaces.	260
<b>Downtown Core Standards</b>			
The application as submitted does not meet this standard, however could be supported due to the constraints of the site.	25	No service area or loading dock shall be permitted adjacent to any street unless enclosed such that all sides appear as a primary façade similar to the primary façade of the main building, including design, detail, finished material, and landscaping.	265
<b>Downtown Core Fenestration Standards</b>			
<p>The application as submitted does not meet this standard as it shows that dark grey spandrel glass is used on portions of the front façade.</p> <p>Not meeting this standard impairs implementation of the TDDP as a visually engaging building activates the public realm and provides security and natural surveillance.</p> <p>The application should be revised to replace all spandrel glass with clear vision glass at the ground floor level of the building façade.</p>	26	<p>Façades at the ground level facing A Streets, Pedestrian, Promenade, or fronting an open space shall be visually permeable (clear glass windows, doors, etc.); at a minimum, 50 percent of the ground floor façade shall consist of transparent materials (glass).</p>	266
<p>The application as submitted does not meet this standard as it shows that dark grey spandrel glass is used on portions of the front façade.</p> <p>Not meeting this standard impairs implementation of the TDDP as a visually</p>	27	Tinted or mirrored glass, or glass blocks are not permitted.	266

**DSP-19039 NSR Properties (Sunoco)**

<p>engaging building activates the public realm and provides security and natural surveillance.</p> <p>The application should be revised to replace all spandrel glass with clear vision glass at the ground floor level of the building façade.</p>			
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Downtown Core Mixed-Use and Non-Residential Buildings			
<p>The application does not meet this standard, which is a substantial impairment to the TDDP. The intent of the TDDP is to create a Main Street along East West Highway, which is framed by buildings, active and pedestrian-friendly uses, and high-quality architecture.</p> <p>The applicant will need to request a variance to deviate from this standard, as the previously approved curb cut on the western property line prohibits adjoining the adjacent building.</p>	28	<p>All buildings on abutting lots within the Downtown Core shall be attached at the sides, except where separated by a street (as defined by this TDDP), plaza, or public open space.</p>	267
<p>The application does not meet this standard as the ceiling height in this 2-story building is less than 14 feet in height.</p> <p>The purpose of this standard is to allow greater densities within a building which frames the street in a continuous street wall and supports an active streetscape.</p>	29	<p>The minimum clear height of retail space and of storefront fenestration is 14 feet.</p>	267

**DSP-19039 NSR Properties (Sunoco)**

<p>The ceiling heights for each story should be increased to a minimum of 14 feet to achieve this standard.</p>			
<p>Downtown Core One-Story Commercial-Institutional Standards</p>			
<p>The application does not meet this standard, which is a substantial impairment to the TDDP. The intent of the TDDP is to create a Main Street along East West Highway, which is framed by buildings, active and pedestrian-friendly uses, and high-quality architecture.</p> <p>The applicant should consider moving the building to the corner of the site, closest to the intersection of East West Highway and Belcrest Rd. in order to meet this standard.</p>	<p>30</p>	<p>BTL Defined by a Building: Front (Primary Street); 100% minimum A Street, Pedestrian Street, or Promenade; 80% minimum B Street; Side 80% minimum</p>	<p>268</p>
<p>This standard has not been met in this application.</p> <p>The TDDP envisions a high-quality, active public realm and this standard could be met by the provision of a public amenity at the build-to line.</p>	<p>31</p>	<p>In front and side yards where buildings do not meet the build-to-line, only public open spaces, plazas, or seating for eating and drinking establishments are permitted.</p>	<p>268</p>

Condition 5a of PGCPB No. 19-21 requires provision of “an eight-foot-wide sidewalk along the frontage of MD 410...”; provision of this sidewalk allows the application to meet the Sidewalk Clear Zone requirements of the TDOZ but not the total frontage zone requirements.

While buildings in the Downtown Core may be constructed to a minimum 20-foot height, staff notes that buildings on the subject property may be constructed up to 28 stories tall. This provision underscores the subject property’s location as the “100-percent” corner of one of the County’s three First-Round Downtowns. The property is designated as a “special corner” by the TDDP; the

## **DSP-19039 NSR Properties (Sunoco)**

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intersection of Belcrest Road and MD 410 (East West Highway) is envisioned to be a desired focal point of one of the County's primary Regional Transit Districts.

Staff notes that amendments to the Transit District Standards that would permit prohibited uses or reduce the total frontage minimum depth from what is required in Table 42. Downtown Core (DC) and Neighborhood Edge (NE) Frontage/Build-To Zone Standards: Existing Public Streets will almost certainly substantially impair implementation of the TDDP.

The cumulative effect of the proposed uses is expressly prohibited by the TDOZ and are completely contrary to the vision and goals of the TDDP/TDOZ coupled with the significant number of amendments requested substantially impairs implementation of the Transit District Development Plan.

c: Long-range Agenda Notebook

Scott Rowe, AICP, CNU-A, Supervisor, Long-Range Planning Section, Community Planning Division  
Frederick Stachura, Neighborhood Revitalization Section, Community Planning Division

November 12, 2019

**MEMORANDUM**

**TO:** Jeremy Hurlbutt, Urban Design Review Section, Development Review Division  
**FROM:**  Tom Masog, Transportation Planning Section, Countywide Planning Division  
**SUBJECT:** **DSP-19039: NSR Properties**

**Proposal**

The applicant is proposing to redevelop a site containing a gas station and food and beverage store next to the Prince George's Plaza Metrorail Station.

**Background**

There are no transportation-related findings related to traffic or adequacy associated with a detailed site plan (DSP). The site is on an existing parcel approved pursuant to Preliminary Plan of Subdivision (PPS) 4-18013. The transportation conditions of approval that are applicable to this DSP are discussed in a later section of this memo.

The subject property is within the 2016 *Approved Prince George's Plaza Transit District Development Plan (TDDP)* and *Transit District Overlay Zoning Map Amendment*. As such, the site plan is required for development and redevelopment within the TDDP to ensure conformance to standards established within that document.

**Review Comments**

The applicant proposes a gas station with 16 fueling positions, a 4,796 square foot food and beverage store and 4,796 square foot of office space. The most recent submitted plans have been reviewed. This review has included consideration of the truck movements needed to service the fuel tanks on the site. Access and circulation are acceptable. The number and locations of points of access are consistent with those reviewed and approved during the PPS.

The site is adjacent to MD 410 (East West Highway), which is a master plan arterial roadway. The site is also adjacent to Belcrest Road, which is a master plan collector roadway. Both existing rights-of-way are consistent with the recommendations in the 2009 *Approved Countywide Master Plan of Transportation*. The rights-of-way are also consistent with the rights-of-way shown on the PPS as approved.

The parking provided on the plan is acceptable. The TDDP specifies a maximum parking requirement only; parking provided is within that maximum.

The table below summarizes the trip generation in each peak hour that will be used to demonstrate conformance to the PPS trip cap for the site:

Trip Generation Summary: DSP-19039: NSR Properties								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Proposed Super Convenience Store with Gas Pumps	4,796	square feet	210	211	423	177	178	355
	16	fueling positions						
Less Pass-By (63 percent AM/66 percent PM)			-132	-133	-265	-117	-117	-234
Net Trips for Proposed Food and Beverage/Gas			<b>78</b>	<b>78</b>	<b>156</b>	<b>60</b>	<b>61</b>	<b>121</b>
Proposed General Office	4,796	square feet	9	1	10	2	7	9
<b>Total Trips for DSP-19039</b>			<b>87</b>	<b>79</b>	<b>166</b>	<b>62</b>	<b>68</b>	<b>130</b>
<b>Trip Cap: PPS 4-18013</b>					<b>166</b>			<b>130</b>

**Prior Approvals**

The site has several development applications approved prior to the current TDDP; these applications have no outstanding transportation conditions. PPS 4-18013 was approved by the Planning Board on February 7, 2019 (PGCPB Resolution No. 19-21). The Planning Board approved the PPS with two traffic-related conditions which are applicable to the review of this DSP and warrant discussion, as follows:

- 2. **Total development within the subject parcel shall be limited to uses which generate no more than 166 AM and 130 PM peak-hour 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 preliminary plan of subdivision.**

This condition establishes an overall trip cap for the subject property of 166 AM and 130 PM peak-hour trips. The proposed gas station with 16 fueling positions, a 4,796 square foot food and beverage store and 4,796 square foot of office space would generate 166 AM and 130 PM peak-hour trips as noted in the table above. This is the same as the established trip cap.

- 5. **In conformance with the 2009 Approved Countywide Master Plan of Transportation and the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following unless modified by the road operating agency:**

- a. **An eight-foot-wide sidewalk along the frontage of MD 410 (East West Highway) shall be included on the Detailed Site Plan unless modified by the Planning Board and/or District Council in accordance with Section 27-548.08 of the Zoning Ordinance.**

The submitted plan shows an eight-foot-wide sidewalk along the frontage of MD 410.

- b. **A 10-foot-wide cycle track along the frontage of Belcrest Road shall be included on the Detailed Site Plan unless modified by the Planning Board and/or the District Council in accordance with Section 27-548.08 of the Zoning Ordinance.**

The submitted plan shows a 10-foot-wide sidewalk along the frontage of Belcrest Road but not a cycle track. The applicant proposes an amendment to the TDDP to allow the sidewalk in lieu of the cycle track on the grounds that there is insufficient space to accommodate the cycle track within the dedicated right-of-way and because the installation of a cycle track would conflict with standards set by the Department of Permitting, Inspections and Enforcement (DPIE). This review for traffic strongly supports the standards in the TDDP.

### **Conclusion**

From the standpoint of transportation and in consideration of the findings contained herein, it is determined that this plan is acceptable if the application is approved.




THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.pgplanning.org

November 8, 2019

**MEMORANDUM**

**TO:** Jeremy Hurlbutt, Master Planner, Urban Design Section

**VIA:** Sherri Conner, Supervisor, Subdivision and Zoning Section 

**FROM:** David Simon, Planner Coordinator, Subdivision and Zoning Section 

**SUBJECT:** DSP-19039, NSR Properties

The subject property is a legal acreage parcel being 37,516 square feet (0.86 acre) recorded in Liber 31944 at folio 21, which resulted from the resubdivision of Parcel L recorded in Plat Book REP 206-66 on May 19, 2005 and is located on Tax Map 42 in Grid A-2. The site is subject to the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment (Prince George's Plaza TDDP/TDOZMA) and is within the Mixed Use-Infill (M-U-I) and Transit District Overlay (T-D-O) Zones. The site is currently improved with a 2,985 square foot gas station with a food and beverage store.

The applicant, NSR Properties, has submitted this detailed site plan (DSP) for the redevelopment of an existing gas station including the demolition of the existing structures and construction of a new gas station with a food and beverage store and office space totaling 9,580 square feet of gross floor area.

On February 7, 2019, Preliminary Plan of Subdivision (PPS) 4-18013 and an associated variation were approved by Prince George's County Planning Board (PGCPB Resolution No. 19-21) for 1 parcel for commercial development. A final plat of subdivision will be required for the subject site. The approval of this PPS generated 8 conditions, of which three are applicable to the review of this DSP:

- 5. In conformance with the 2009 Approved Countywide Master Plan of Transportation and the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following unless modified by the road operating agency:**



- a. **An eight-foot-wide sidewalk along the frontage of MD 410 (East West Highway) shall be included on the Detailed Site Plan unless modified by the Planning Board and/or District Council in accordance with Section 27-548.08 of the Zoning Ordinance.**
- b. **A 10-foot-wide cycle track along the frontage of Belcrest Road shall be included on the Detailed Site Plan unless modified by the Planning Board and/or the District Council in accordance with Section 27-548.08 of the Zoning Ordinance.**

Conformance with Condition 5(a) and 5(b) should be review and determined by the Transportation Planning Section.

- 7. **Prior to approval of a detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide an exhibit that illustrates the location, limits, and details of the off-site bicycle and pedestrian impact statement improvements along Belcrest Road, consistent with Section 24-124.01(f) of the Subdivision Regulations.**

Conformance with Condition 7 should be reviewed and determined by the Transportation Planning Section.

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. The DSP has been found to be in substantial conformance with the preliminary plan of subdivision. All bearings and distances must be clearly shown on the DSP and be consistent with the record plat or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division  
Transportation Planning Section


14741 Governor Oden Bowie Drive  
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301-952-3680

November 20, 2019

**MEMORANDUM**

TO: Jeremy Hurlbutt, Development Review Division

FROM:  Fred Shaffer, Planner Coordinator, Transportation Planning Section

SUBJECT: **Detailed Site Plan Review for Master Plan Trail Compliance (Revised)**

The following Detailed Site Plan was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone (TDDP) to provide the appropriate recommendations.

Detailed Site Plan Number: DSP-19039  
Name: NSR Properties, LLC (updated referral)

**Background:**

The application proposes the reconstruction of an existing gas station and the construction of a two-story office/commercial building with 9,580 square feet. The subject site is located within a designated center (Prince George's Plaza Metro) and is subject to Section 24-124.01 of the Subdivision Regulations and the *Transportation Review Guidelines, Part 2* (2013). Staff for the Transportation Planning Section had a Bicycle and Pedestrian Impact Statement (BPIS) scoping meeting with the applicant on August 29, 2018. Per Section 24-124.01 (c) the cost cap for the site is \$3,353.00.

**Review Comments (Master Plan Compliance and Prior Approvals)**

The MPOT calls for a "Continuous Standard or Wide Sidewalks with On-Road Bicycle Facilities" along East West Highway (MD 410), (MPOT p. 28).

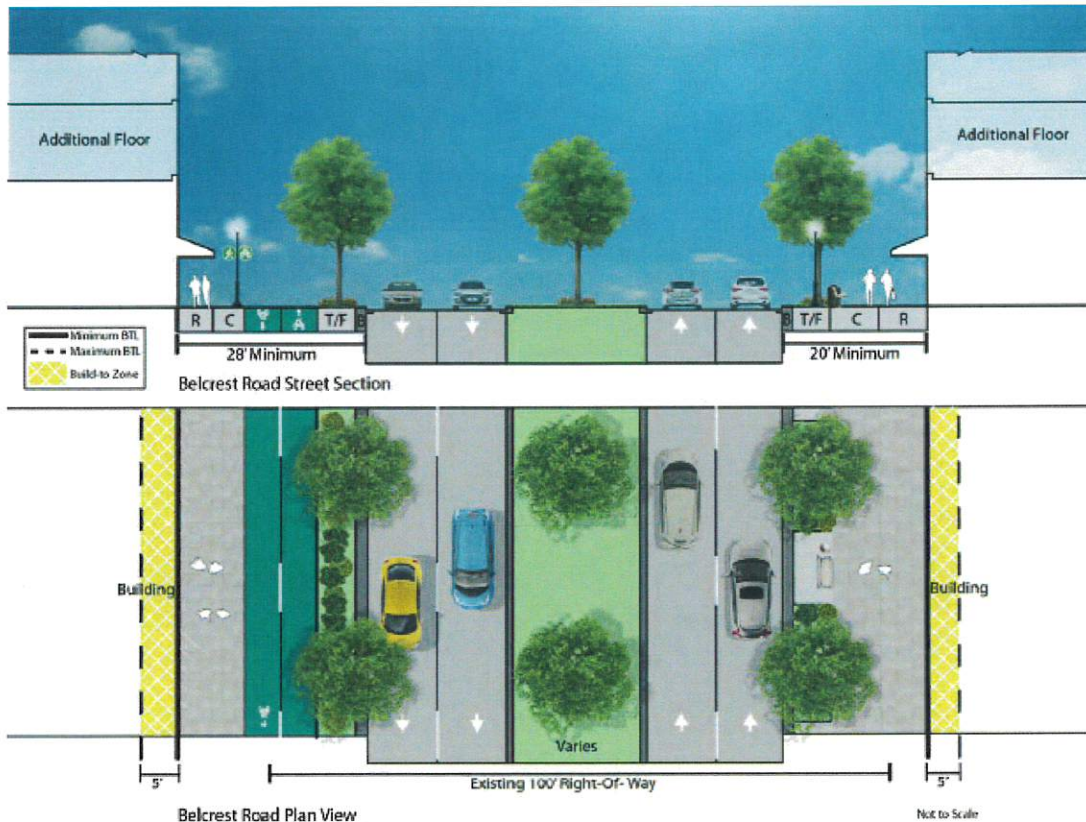
**Comment:** The applicant shall provide an eight-foot wide sidewalk along their frontage of MD 410 consistent with the MPOT. This improvement shall be constructed with the access permit process with the State Highway Administration (SHA). The eight-foot sidewalk shall be depicted on future Detailed Site Plan submission (DSP). The MPOT also calls for On-Road Bicycle facilities; however, the MPOT acknowledges that providing a full bike lane may not be possible due to right-of-way constraints. Generally, bicycle lanes are provided by SHA through striping.

The TDDP has some specific guidelines for the frontage of MD 410. The frontage along MD 410, is required to have six feet of Tree and Furnishing Zone and six feet of Sidewalk Clear Zone; totaling a combined total frontage minimum depth requirement of 20 feet. (TDDP p. 211).

**Comment:** The applicant shall provide frontage improvements along MD 410 consistent with the TDDP. This improvement shall be constructed with the access permit process with SHA. The six feet of Tree and Furnishing Zone and six feet of Sidewalk Clear Zone shall be depicted on future DSP submission.

The TDDP also has specific guidelines for the frontage of Belcrest Road. The TDDP calls for a Cycle Track on the west side of Belcrest (the subject property). The cycle track shall be 10 feet wide and adjacent to the sidewalk. (TDDP p. 89).

**Figure 10. Belcrest Road (Toledo Terrace To Metro Entrance) Illustrative Street Section**



**Comment:** The applicant shall provide a 10-foot wide Cycle Track along their frontage of Belcrest Road consistent with the TDDP. This improvement should be depicted on the future DSP submissions.

The frontage along Belcrest Road is required to have five feet of Tree and Furnishing Zone and five feet of Sidewalk Zone; totaling a combined total frontage minimum depth requirement of 28 feet (including the above-mentioned cycle track). (TDDP p. 211).

**Comment:** The applicant shall provide frontage improvements along Belcrest Road consistent with the TDDP. This improvement shall be constructed through the access permit process of Prince George’s County. This improvement should be included on the future DSP submissions. This improvement shall be provided at the time of Detailed Site Plan submission.

Preliminary Plan 4-18013 included conditions of approval related to bike and pedestrian access on-site and the required off-site improvement required per Section 24-124.01 (bike/pedestrian adequacy requirements). Condition 5 includes the required on-site frontage improvements, while Condition 6 and 7 pertain to the required off-site improvement.

5. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following unless modified by the road operating agency:
  - a. An eight-foot-wide sidewalk along the frontage of MD 410 (East West Highway) shall be included on the Detailed Site Plan unless modified by the Planning Board and/or District Council in accordance with Section 27-548.08 of the Zoning Ordinance.
  - b. A 10-foot-wide cycle track along the frontage of Belcrest Road shall be included on the Detailed Site Plan unless modified by the Planning Board and/or the District Council in accordance with Section 27-548.08 of the Zoning Ordinance.

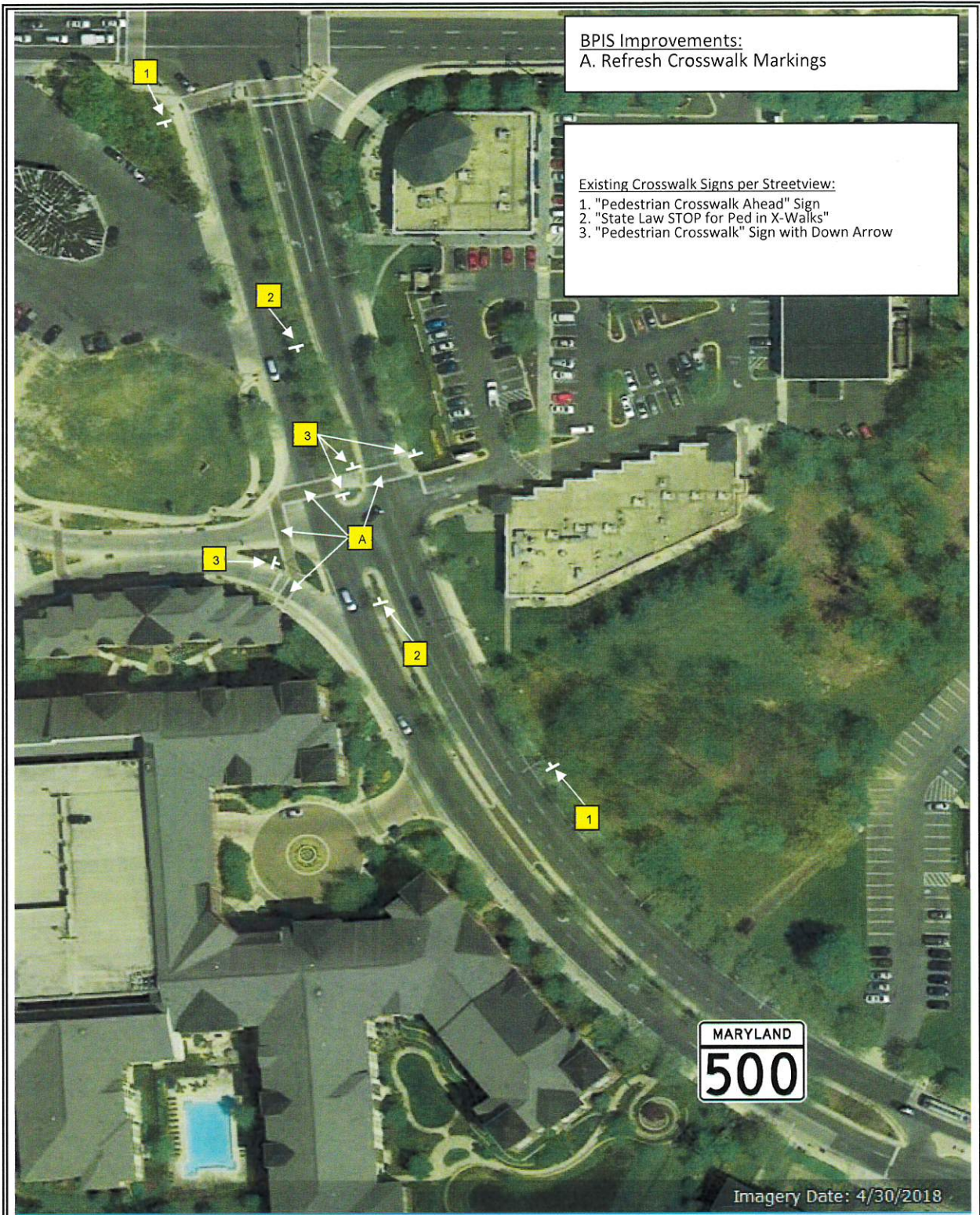
**Comment:** The eight-foot wide sidewalk is shown on the site plan along MD 410 consistent with sub-condition a. However, prior to signature approval the plans need to be revised to show the cycle track. Transportation staff has included sub-condition b for the detailed site plan because sub-condition b has not been met.

6. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the required adequate pedestrian and bicycle facilities, as designated below, in accordance with Section 24-124.01 of the Subdivision Regulations and the cost cap in Part (c), have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
  - a. Restriping of the crosswalk and installation of appropriate signs along Belcrest Road at the intersection with the Metrorail entrance.
7. Prior to approval of a detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide an exhibit that illustrates the location, limits, and details of the off-site bicycle and pedestrian impact statement improvements along Belcrest Road, consistent with Section 24-124.01(f) of the Subdivision Regulations.

**Comment:** A conceptual level BPIS exhibit was submitted at the time of acceptance. It reflects the pedestrian improvements in place at the intersection, as well as the location for the crosswalk improvements. Given the low level of the cost cap (\$3,353 per Section 24-124.01 (c)) and the nature of the improvements (crosswalk restriping only), a more detailed exhibit is not warranted. Therefore, the condition for the exhibit has been fulfilled and does not have to be reiterated for the site plan.

**Recommendations:**

1. In conformance with the Master Plan of Transportation and the 2016 *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment* the applicant and the applicant's heirs, successors and assigns shall provide the following:
  - a. Prior to signature approval, the plans shall be revised to include a 10-foot wide Cycle Track along their frontage of Belcrest Road consistent with the TDDP.



**BPIS Improvements:**  
 A. Refresh Crosswalk Markings

**Existing Crosswalk Signs per Streetview:**

1. "Pedestrian Crosswalk Ahead" Sign
2. "State Law STOP for Ped in X-Walks"
3. "Pedestrian Crosswalk" Sign with Down Arrow

Traffic Impact Analysis

BPIS Exhibit

Exhibit


**LENHART TRAFFIC CONSULTING, INC.**  
 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214  
 SEVERNA PARK, MD 21146  
[www.lenharttraffic.com](http://www.lenharttraffic.com)

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**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

14741 Governor Oden Bowie Drive  
 Upper Marlboro, Maryland 20772  
 www.mncppc.org/pgco

Countywide Planning Division  
 Environmental Planning Section

301-952-3650

November 20, 2019

**MEMORANDUM**

TO: Jeremy Hurlbutt, Master Planner, Subdivision and Zoning Review Section

VIA: Megan Reiser, Acting Supervisor, Environmental Planning Section *U Form KR*

FROM: Chuck Schneider, Planner Coordinator, Environmental Planning Section *U Form MS*

**SUBJECT: NSR Properties LLC (3599 East-West Highway); DSP-19039**

The Environmental Planning Section (EPS) has reviewed the above referenced Detailed Site Plan (DSP) stamped as received on August 9, 2019. Verbal comments were provided in a Subdivision Development Review Committee (SDRC) meeting on August 23, 2019. Revised information was received on November 7, 2019. The Environmental Planning Section recommends approval of DSP-19039.

**Background**

The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Woodland Conservation Compliance	Authority	Status	Action Date	Resolution Number
CSP-13003	S-084-2013	Planning Board	Approved	12/23/2013	13-143
DSP-12062	S-084-2013	Planning Board	Approved	4/21/2014	13-144
ROSP-3885-01	N/A	ZHE	Withdrawn	3/25/2013	
SE-3885	N/A	ZHE	Dormant	8/30/1989	
NRI-064-13	N/A	Staff	Approved	4/12/2013	N/A
NRI-004-2018	N/A	Staff	Approved	1/5/2018	N/A
4-18013	S-006-2018	Planning Board	Approved	2/7/2019	19-21
DSP-19039	S-006-2018	Planning Board	Pending	Pending	Pending

## **Proposed Activity**

This application proposes a gas station, food, and beverage store and offices on the subject property.

## **Grandfathering**

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

## **Site Description/Existing Conditions**

The site is approximately 0.86 acres and is located in the southwest quadrant of East-West Highway (MD 410) and Belcrest Road. A review of the available information indicates that no wetlands, streams, associated buffers or floodplain are found to occur on the subject project area. The soil found to occur according to the United States Department of Agriculture Natural Resources Conservation Services (USDA NRCS) Web Soil Survey (WSS) is Russet-Christiana-Urban land complex; however, the site is fully developed with two building structures and associated parking. According to available information, Marlboro clay is not present, but Christiana clay does occur on or in the vicinity of this site. According to the Sensitive Species Project Review Area (SSPRA) map received from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP), there are no Rare, Threatened, or Endangered (RTE) species found to occur on or near this property. The site ultimately drains to the Northwest Branch located west of the site and is part of Anacostia watershed. According to PGAtlas.com, this site is not within the designated network of the *Countywide Green Infrastructure Plan* of the *Approved Prince George's Resource Conservation Plan* (May 2017). The site has frontage on East-West Highway and Belcrest Road. East-West Highway is a master planned arterial road that is generally evaluated for traffic-generated noise when residential uses are proposed. Belcrest Road is designated as a collector which is not evaluated for noise impacts because it does not generate enough traffic that results in noise levels above the state standards. East-West Highway and Belcrest Road are not designated as scenic or historic roads. The site is located within the Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan* (2014).

## **Review of Approved Conditions**

The site has an approved Conceptual Site Plan (CSP) (CSP-13003) and DSP (DSP-12062); however, these approvals are no longer applicable to this DSP because the site has since been rezoned from M-X-T to M-U-I. The site has an approved Preliminary Plan (4-18013) which contains no specific environmental related conditions.

## **Master Plan Conformance**

The applicable Master Plan for this site is the *Approved Prince George's Plaza Transit District Development Plan and Proposed Transit District Overlay Zoning Map Amendment* (July 2016) which includes mandatory development requirements. The following text in **BOLD** is the environmental related text from the Plan. The plain text provides comments on the current application's conformance with the required policy findings.

**Policy NE1**

**Manage Stormwater volumes through a combination of measures to reduce impacts on receiving streams and downstream properties.**

**Policy NE 2**

**Restore and improve water quality in the Northwest and Lower Northeast Branch watershed.**

The site has a Stormwater Management (SWM) Concept approval letter (Concept approval #2296-2018-00) approved on August 7, 2018 from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). All on-site SWM will be controlled on-site with one micro-bioretenion pond and an underground infiltration system.

**Environmental Review**

**Natural Resources Inventory/Existing Conditions**

A Natural Resource Inventory Equivalency letter, NRI-004-2018, in conformance with the environmental regulations was issued on January 5, 2018 and submitted with the current application. The site does not contain any Regulated Environmental Features (REF).

No further information concerning the NRI is needed at this time.

**Woodland Conservation Plan**

This site is not subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it is less than 40,000 square feet in area and contains less than 10,000 square feet of existing woodland and has no previously approved tree conservation plans. A Standard Letter of Exemption, S-006-2018, was issued on January 5, 2018.

**Soils/Unsafe land**

The soil found to occur according to the USDA NRCS WSS is Russet-Christiana-Urban land complex; however, the site is fully developed with two building structures and associated parking. According to available information, Marlboro clay is not present, but Christiana clay does occur on or in the vicinity of this site. A geotechnical study may be required by DPIE prior to the issuance of a permit.

**Stormwater Management**

The site has a SWM Concept approval letter (Concept approval #2296-2018-00) approved on August 7, 2018 from the DPIE. The concept plan shows the entire development and proposes to construct 1 on-site micro-bioretenion pond and an underground infiltration system. No SWM fee for on-site attenuation/quality control measures is required.

No further information concerning conformance with the SWM is needed at this time.

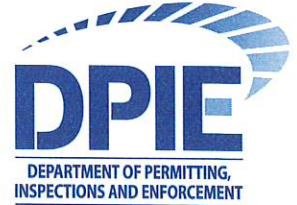
If you have any questions concerning these comments, please contact me at 301-883-3240 or by e-mail at [alwin.schneider@ppd.mncppc.org](mailto:alwin.schneider@ppd.mncppc.org).





Angela D. Alsobrooks  
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT  
Department of Permitting, Inspections and Enforcement  
Site/Road Plan Review Division



**MEMORANDUM**

August 26, 2018

**TO:** Jeremy Hurlbutt, Urban Design Section  
Development Review Division, M-NCPPC

**FROM:** Mary C. Giles, P.E., Associate Director  
Site/Road Plan Review Division, DPIE

**RE:** NSR Properties (3599 East-West Highway)  
Detailed Site Plan, No. DSP-19039

**CR:** East-West Highway (MD 410)

**CR:** Belcrest Road

*neg 8/27/19*

In response to the Detailed Site Plan referral number DSP-19039, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The project is located on 3599 East-West Highway in the southwest quadrant of the intersection of East-West Highway and Belcrest Road, which is a County road.
- The applicant is proposing to demolish the existing gas station and construct a gas station, food and beverage store and offices.
- The proposed Detailed Site Plan is consistent with approved Stormwater Management Concept Plan No. 2296-2018-00, dated August 7, 2018.
- All storm drainage systems and facilities are to be in accordance with the Department of Public Works and Transportation's (DPW&T) and the Department of Permitting, Inspections and Enforcement (DPIE) requirements.
- This memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:
  - a) Exact acreage of impervious areas has been provided on the concept plan.
  - b) The proposed grading is shown on plans.

9400 Peppercorn Place, Suite 230, Largo, Maryland 20774  
Phone: 301.636.2060 ♦ <http://dpie.mypgc.us> ♦ FAX: 301.925.8510

Jeremy Hurlbutt  
August 26, 2018  
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- c) Delineated drainage areas at all points of discharge from the site have been provided on the concept plan.
- d) Stormwater volume computations are not included in concept plan.
- e) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion and sediment control practices are not included in this submittal.

Please submit any additional information described above for further review at time of fine grading permit.

If you have any questions or need additional information, please contact Mr. Steve Snyder, District Engineer for the area, at 301.883.5710.

MCG:SS:csw

cc: Steve Snyder, P.E., District Engineer, S/RPRD, DPIE  
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE  
Salman Babar, CFM, Engineer, S/RPRD, DPIE  
NSR Properties, LLC, 7303 Hanover Parkway, Suite A,  
Greenbelt, Maryland 20770  
McNamee & Hosea, 6411 Ivy Lane, Suite 200, Greenbelt,  
Maryland 20770

September 10, 2019

Mr. Nicholas Speach  
Bohler Engineering  
16701 Melford BLVD, Suite 310  
Bowie, MD 20715

Dear Mr. Speach,

Thank you for the opportunity to review the Plan Review submittal for the proposed (**East West Gas Station Development – 18APPG035XX**) located on MD 410 (mile point: 2.3) in Prince George’s County, Maryland. The State Highway Administration (SHA) has reviewed the plans and is pleased to respond.

Based on the information provided, please address the following comments in a point-by-point response:

**District 3 Traffic (Haixia Hu):**

1. We have completed our review of the subject project and have no comment at this time.

**Highway Hydraulics Division (James Kramperth):**

1. Once obtained, please provide documentation of the *final* approvals for both the stormwater management and sediment and erosion control through Prince George’s County Department of Permitting, Inspections & Enforcement for the proposed project and the improvements within the MDOT SHA right-of-way. [*The design engineer is attempting to meet ‘Environmental Site Design’ (ESD) to the ‘Maximum Extent Practicable’ (MEP). A Micro-Bioretenion facility and an underground SWM Storage facility are proposed on-site.*]
2. Although we defer to Prince George’s County Department of Permitting, Inspections & Enforcement for *final* stormwater management approval, we have the following comments:
  - a. Please provide a copy of the stormwater management report for the project.
  - b. Please indicate the amount of existing and proposed MDOT SHA impervious area within the right-of-way.
  - c. Stormwater management will be required if there is an increase in MDOT SHA impervious area within the right-of-way.
3. The approved stormwater management concept plans show two (2) proposed entrances on both East West Highway and Belcrest Road. The Access Management Plans only shows one (1) proposed entrance on each roadway. Please address.

Mr. Speach  
SHA Tracking No:18APPG035XX  
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4. On plan sheet DSP-6, please show and label all existing storm drainpipes including the pipe for the inlet on East West Highway to the inlet on Belcrest Road.
5. Plan sheet DSP-3 shows some on site inlets with no downstream connections. Are these connected to the storm drains in the roadway? Will the pipes in the roadway be removed and/or backfilled?
6. Please provide computations for the proposed storm drain systems. Please label all the proposed storm drains on plan sheet DSP-6.
7. Please provide the 25-year storm hydraulic gradient analysis from the on-site system up through the existing inlet on East West Highway showing that it will not surcharge due to the proposed development.
8. Please provide a typical improvement section for East West Highway, MD 410, showing the slopes of the roadway and sidewalk. The proposed grading is showing the sidewalk sloped into the site. Is this correct?

### **RECOMMENDATIONS**

Please address the above comments and make a formal submission with a response letter. On the submitted CD, please include an electronic copy of all the hydraulic reports, plans, and computations in PDF format. For clarifications of any of the hydraulic comments, please contact the Consultant Hydraulic Reviewer, Mr. James Krampert at 410-512-4533 or [jkrampert@wbcm.com](mailto:jkrampert@wbcm.com).

JK/WBCM/18APPG035XX - Review #1

### **Cultural Resources (Lisa Kraus):**

Based on this assessment, the proposed roadway improvements to MD 410 associated with the East West Gas Station - NSR Properties, LLC project do not have the potential to impact historic properties. Formal consultation with the Maryland Historical Trust is not recommended.

### **Office of Materials and Technology (Salar Zabihi):**

1. Based on the plans it does not appear to be any pavement work on MD 410 roadway section within the project limits. Please confirm.
2. Please confirm that the driveway on MD 410 EB will remain as existing and there will be no new construction.

3. Refer to Standard No. MD 580.03 for curb and gutter placement along roadway.

**Office of Environmental Design (Dennis Haskins):**

The Office of Environmental Design (OED) has reviewed the materials sent by your office on August 12, 2019 and offer the following comments.

**1. Plans for Landscape Construction.** The Applicant's Existing Conditions and Demolition Plan, Sheet DSP-3, identifies two existing trees within the MDOT SHA Right-of-Way that remain adjacent to the proposed improvements. These trees are likely to require root pruning that may severely or fatally injure them and/or affect their anchorage stability creating a risk to surrounding targets. In addition, they physically and visually conflict with the Applicant's proposed landscape design.

OED suggests that these existing MDOT SHA trees be removed with the trees already proposed for removal on the Applicant's Property. The Applicant has proposed six new trees to be installed to replace the existing tree removals, which we feel will provide adequate mitigation for the MDOT SHA tree removals. At the appropriate time, the Applicant shall submit a Roadside Tree Permit to the Maryland Department of Natural Resources Forest Service that reflects these comments.

**2. Assistance.** Please direct future correspondence or questions regarding these comments by email to [OEDProjectReview@sha.state.md.us](mailto:OEDProjectReview@sha.state.md.us).

**Innovative Contracting Division (John Vranish) (Attachments):**

**COMMENTS**

**DSP-4**

- a. At the proposed entrance to the gas station from East West Highway between the proposed curb ramp, provide the following note: **"Provide a 60" minimum pedestrian pathway with a 2% cross-slope across the entire entrance regardless of type of material used"**.
- b. Proposed sidewalk has a location that has a change of direction where the two sidewalks meet. A landing area will need to be provided at that location. The landing area will need to be the width of the two proposed sidewalks and must be 2% in both directions. Provide this note on the plan sheet: **"Landing Area 5'x 8' and 2% in Both Directions"**. See attachment.

If you have any questions, please contact Mr. John Vranish, Maryland Department of Transportation State Highway Administration (MDOT SHA) Office of Highway Development Transportation Engineer, at 410-545-8778 or by email at [jvranish@mdot.maryland.gov](mailto:jvranish@mdot.maryland.gov).

Mr. Speach  
SHA Tracking No:18APPG035XX  
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**District 3 Access Management Comments:**

Please provide a Plan review checklist and ensure all check list items are incorporated in the plans. The link to download the checklist is : <https://www.roads.maryland.gov/ohd2/Plan-check-list.pdf>

**Engineering Systems Team (Urooj Zafar):**

The Engineering Systems Team has reviewed the “Detailed Site Plan” for NSR Properties on MD 410 (East West Highway) at Belcrest Road for conflict with any active design/construction projects managed by our office. Currently, our office does not have any comments or any active projects within the study limits. If you have any questions, please feel free to contact Urooj Zafar at 301-513-7338 or Claudine Myers at 301-513-7467

Further plan submittals should reflect the above comments. Please submit a CD containing the plans and all supporting documentation in PDF format, including a point-by-point response to reflect the comments noted above directly to the Access Management Division at 9300 Kenilworth Avenue, Greenbelt, MD 20770, to the attention of Mr. Kwesi Woodroffe. For electronic submissions create an account with our new online system <https://mdotsha.force.com/accesspermit> . Please reference the SHA tracking number on future submissions. Please keep in mind that you can view the reviewer and project status via the SHA Access Management web page at <http://www.roads.maryland.gov/pages/amd.aspx>. If you have any questions or require additional information please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll free number (in Maryland only) at 1-800-749-0737 (x7347), or via email at [kwoodroffe@sha.state.md.us](mailto:kwoodroffe@sha.state.md.us) or [shaamdpermits@sha.state.md.us](mailto:shaamdpermits@sha.state.md.us).

Sincerely,



Andre Futrell,  
District Engineer

AF/ar

cc:

Mr. Jeremy Hurlbutt (URBAN DESIGN [jeremy.hurlbutt@ppd.mncppc.org](mailto:jeremy.hurlbutt@ppd.mncppc.org)).

Mr. Speach  
SHA Tracking No:18APPG035XX  
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Dr. Julie Schablitsky, Assistant Division Chief, Historical/Cultural Resources  
Mr. Eric Frempong, Chief, Office of Materials Technology  
Mr. Peter Campanides, ADE PG Co., District #3 - Traffic  
Ms. Claudine Myers, Chief, District #3 - Projects Development  
James Krampert (SHA - HHD)  
Oedprojectreview@sha.state.md.us  
Jared Paper-Evers (SHA - ICD)  
Evan Howard (SHA - OMT)  
John Vranish (OHD - ICD)  
Simon Chacha (D3 - Traffic - PG Co.)  
Lisa Kraus (OPPE - EPD)  
Marvin Coble (SHA - OMT)  
Danielle Black (SHA - EST)

Candace B. Hollingsworth  
Mayor



Tracey E. Douglas  
City Administrator

November 4, 2019

Honorable Elizabeth Hewlett  
Chairman  
Prince George's County Planning Board  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

RE: NSR Properties, LLC Detailed Site Plan (DSP-19039)

Dear Chairman Hewlett:

On Monday, November 4, 2019, the Hyattsville City Council reviewed the application for NSR Properties, LLC Detailed Site Plan (DSP-19039).

The Hyattsville City Council opinion is that the applicant's request for variation or modification to the Prince George's Plaza TDDP Standards shall be limited and that a reduction in the building footprint consistent with the 'exemption' provisions should limit modification to the development standards to the 'Maximum Build-to line' and 'Total Frontage Maximum Depth Requirement,' as it is essential to the use and circulation of the site.

In reaffirmation, the City, through the PPS application for this subject site, requested denial of support for an amendment to the Table of Uses to permit the use of the site as a gas station, in accordance with Section 27-548.09.01(b)(1) of the Zoning Ordinance. The Prince George's Plaza Transit District Development Plan was developed through a comprehensive process which included the participation of all public and private stakeholders, the result of which was a plan that created a framework to guide investment and a vision for pedestrian connectivity, mixed-use density and a reduced reliance on single occupancy vehicles. We firmly believe that investment in, and development of, real property within the Prince George's Plaza Transit District shall advance the vision of the Plan and shall not undermine the goals and objectives of the Plan.

With respect to the specific proposed site improvements, it is the City's opinion that the TDDP provides sufficient exemptions that permit the applicant to proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business. It is our recommendation that the proposed site improvements proposed for the subject property shall remain consistent with the relevant exemption outlined within the 2016 Prince George's Plaza Transit District Development Plan (TDDP) and that the TDDP provides sufficient exemptions, through the detailed site plan review, that



permit the applicant to proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business.

It is therefore the City's request that the Planning Board shall require all improvements of the subject property abide by the relevant exemption outlined within the 2016 Prince George's Plaza Transit District Development Plan and shall require the following modifications and/or conditions to the site plan, subject to Planning Board approval:

1. The retail building structure on site shall not exceed 3,432.75 square feet, a 15% addition to the square footage of the existing structure as allowed under the exemptions within the TDDP.
2. A sidewalk shall extend from the convenience store structure to the sidewalk along Belcrest Road, mirroring the sidewalk from East-West Highway to the convenience store structure. This is necessary to fully accommodate pedestrian traffic through the site.
3. The proposed monument signs shall not be approved but shall be affixed to the structure. The City was not provided with sufficient elevations by the applicant.
4. The proposed stand-alone ATM and associated drive-aisle shall be removed from the exhibit. Any proposed ATM shall either be affixed to the building exterior or be located within the building interior.
5. A mural or other equivalent artistic element shall be integrated into the proposed convenience store building.
6. All pedestrian and service entrances shall have overhead awnings.
7. All sidewalks and frontage depths shall be designed and constructed to the development standards of the 2016 Prince George's Plaza Transit District Development Plan, unless otherwise modified by Maryland State Highway Administration (SHA).
8. The proposed modifications to the development standards shall be limited to the proposed 'Total Frontage Maximum Depth Requirement' and, as necessary, a departure from the 'Maximum Build-to Line' to provide for a building setback along the southern perimeter of the property.
9. In addition to those listed above, the City is requesting the applicant consider the following enhancements to the site:
  - a. The applicant's inclusion of a conduit along the western side of the site to provide for a future utility connection to support an electric charging parking space location, should the applicant choose to include an EV charger as part of the project now or in the future.
  - b. Landscaping on the site shall be limited to native species and consistent with the Prince George's County Landscape Manual.
  - c. The City is supportive of a minor increase in the number of fueling stations on the site, however, we are recommending that the applicant reduce the number of pumps to six (6) service bays and twelve (12) service pumps.

- d. The applicant's inclusion of a bike repair station in order to better align the site with the multimodal vision of the TDDP.

It is our opinion that these conditions improve the overall quality of the project and are consistent with the vision and land-use goals contained within the 2016 Prince George's Plaza Transit District Development Plan.

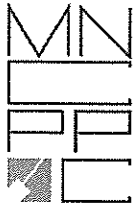
We thank the Planning Board in advance for consideration of these requested conditions and look forward to your decision.

Sincerely,



Candace B. Hollingsworth  
Mayor

cc: City Council  
Jeremy Hurlbutt, Planner Coordinator  
Dan Lynch, McNamee Hosea



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


*Department of Parks and Recreation*

6600 Kenilworth Avenue Riverdale, Maryland 20737

**MEMORANDUM**

DATE: August 12, 2019

TO: Jeremy Hurlbutt, Senior Planner  
Urban Design Section  
Development Review Division  
Planning Department

FROM: Helen Asan, Acting Supervisor   
Land Acquisition/Management & Development Review Section  
Park Planning and Development Division  
Department of Parks and Recreation

SUBJECT: **DSP-19039, NSR Properties**

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Due to the fact that this Detailed Site Plan (DSP) does not contain a residential component, is not adjacent to and/or does not impact any existing or proposed parkland, the Department of Parks & Recreation (DPR) offers no comment.

# **Additional Back-up**

**For**

**DSP-19039  
NSR Properties**



**INTER-OFFICE MEMORANDUM  
PRINCE GEORGE'S COUNTY  
POLICE DEPARTMENT**



**M E M O R A N D U M**

DATE: December 6, 2019  
TO: Planning Coordinator, Urban Design Application Section  
Development Review Division  
FROM: Major Steve Yuen, Planning/Research Division  
Prince George's County Police  
SUBJECT: DSP-19039 PG Plaza Sunoco

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Upon review of these site plans, I have no comments.

EXHIBIT'S LIST  
12/12/19 PGCPB REGULAR MEETING  
ITEM 5  
DETAILED SITE PLAN DSP-19039  
NSR PROPERTIES

<u>Staff's Exhibit No. 1:</u>	Additional backup (2 pages)
<u>Applicant's Exhibit No. 1:</u>	Table of Permitted Uses (2 pages)
<u>Applicant's Exhibit No. 2:</u>	Exemptions document - Prince George's Plaza TDDP/TDOZMA 3 pages)
<u>Applicant's Exhibit No. 3:</u>	Pages 214 & 215 - Prince George's Plaza TDDP/TDOZMA (2 pages)
<u>Applicant's Exhibit No. 4:</u>	Site Plan – City of Hyattsville (1 page)
<u>Applicant's Exhibit No. 5:</u>	NSR Petro Concept (1 page)
<u>Applicant's Exhibit No. 6:</u>	Applicant's Proposed Revisions to Conditions of Approval (2 pages)

TO: DRD 12/23/19

REC'D BY PGCPB ON 12.12.19  
ITEM # 5 CASE # DSP-19039  
EXHIBIT # E. Staff's E. No. 1

# **Additional Back-up**

**For**

**DSP-19039  
NSR Properties**



**INTER-OFFICE MEMORANDUM  
PRINCE GEORGE'S COUNTY  
POLICE DEPARTMENT**



**M E M O R A N D U M**

DATE: December 6, 2019  
TO: Planning Coordinator, Urban Design Application Section  
Development Review Division  
FROM: Major Steve Yuen, Planning/Research Division  
Prince George's County Police  
SUBJECT: DSP-19039 PG Plaza Sunoco

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Upon review of these site plans, I have no comments.



REC'D BY PGCPB ON 12-12-19  
 ITEM # 5 CASE # 98839  
 EXHIBIT # appl Ex No. 1

Transit District Overlay/Mixed-Use Infill (T-D-O/M-U-I) Zone

*App Exhibited # 1*

**Table 47. Table of Permitted Uses: Transit District Overlay/Mixed-Use Infill (T-D-O/M-U-I) Zone**

USE	ZONE	
	M-U-I	T-D-O/M-U-I
<b>(1) Commercial</b>		
(A) Eating or Drinking Establishments:		
Eating or drinking establishment, with drive-through service (CB-49-2005; CB-19-2010)	P <sup>24</sup>	X
Eating or drinking establishment, excluding drive-through service (CB-49-2005; CB-19-2010)	P	P
Eating or drinking establishment of any type, including music and patron dancing past the hours of 12:00 midnight, excluding adult entertainment (CB-49-2005; CB-19-2010; CB-56-2011)	SE	P
(B) Vehicle, Mobile Home, Camping Trailer, and Boat Sales and Service:		
Bus maintenance accessory to:		
(i) A private school or educational institution	SE	X
(ii) A church or other place of worship	SE	X
Boat fuel sales at the waterfront	P	X
Boat sales, service, and repair, including outdoor storage of boats and boat trailers:		
(i) Accessory to a marina	P	X
(ii) All others	SE	X
Boat storage yard	X	X
Car wash:		
(i) On a parcel of at least 10 acres with any structures located at least 200 feet from any land in any residential zone or land proposed to be used for residential purposes on an approved basic plan for a comprehensive design zone, approved official plan for an R-P-C Zone, or any approved conceptual or detailed site plan	P	X
(ii) Self-service, coin-operated, automatic car wash as an accessory use to the permitted use of a commercial parking lot, with shuttle service to Metro and located within two miles of a Metro station (CB-76-1998)	P	X
(iii) All others (CB-76-1998; CB-114-2004)	SE	X
Gas station (in the C-M Zone, subject to detailed site plan review in accordance with Section 27-358(a)(1),(2),(4),(5),(6),(7),(8),(9), and (10) (CB-1-1989; CB-72-1999)	SE	P <sup>c</sup>
Incidental automobile service in a parking garage <sup>3</sup>	SE	P
Private Automobile and Other Motor Vehicle Auctions		
(i) Operating prior to January 1, 2011, as a use that conforms to the definition under Section 27-107.01, subject to the provisions of Section 27-464.06(c), (d), and (f)	X	X
(ii) All others, subject to the requirements of Section 27-464.06 (CB-59-2010)	X	X
Vehicle lubrication or tune-up facility, provided all sales and installation operations are conducted in a wholly enclosed building with no outdoor storage (CB-43-1987)	SE	X
Vehicle, mobile home, or camping trailer repair and service station (CB-50-1993)	SE <sup>19</sup>	X
Vehicle, mobile home, or camping trailer sales lot, which may include dealer servicing and outdoor storage of vehicles awaiting sale, but shall exclude the storage or sale of wrecked or inoperable vehicles, except as accessory to the dealership for vehicles that the dealership will repair <sup>37</sup> (CB-95-1987; CB-87-2000; CB-29-2002)	SE <sup>60</sup>	X
Vehicle or camping trailer rental (in the C-M Zone, subject to Section 27-417(a),(b)(2), and (c))	SE	X
Vehicle or camping trailer storage yard (CB-80-1996)	X	X
Vehicle parts or tire store including installation facilities, provided all sales and installation operations are conducted in a wholly enclosed building with no outdoor storage:		

**Table 47. Table of Permitted Uses: Transit District Overlay/Mixed-Use Infill (T-D-O/M-U-I) Zone**

USE	ZONE	
	M-U-I	T-D-O/M-U-I
(C) All others (CB-19-1985)	P	P
Storage of any motor vehicle which is wrecked, dismantled or not currently licensed, except where specifically allowed <sup>6</sup> (CB-4-1987)	X	X
Taxicab dispatching station:		
(A) Without cab storage, repair, or servicing	P	P
(B) With cab storage	SE	X
(C) With cab repair or servicing within a wholly enclosed building (CB-50-1987)	X	X
Taxicab stand	P	P
Telegraph or messenger service	P	P
Towers or poles (electronic, public utility when not otherwise permitted, radio, or television, transmitting or receiving):		
(A) Nonprofit, noncommercial purposes, with no height restrictions	P	P
(B) Freestanding for commercial purposes, not exceeding 100 feet above ground level	P	P
(C) Attached to a roof for commercial purposes, not exceeding 40 feet above the height of the building	p <sup>23</sup>	p <sup>23</sup>
(D) All others (CB-8-1990; CB-41-1994; CB-123-1994; CB-65-2000)	SE	P

- a Signs within the Prince George’s Plaza Transit District are subject to the Transit District Standards as well as certain provisions of Part 12 of the Zoning Ordinance. See Applicability clause SG2 to determine which standards apply.
- b Use is not permitted above the second story above grade in a multifamily building, except where footnote “h” applies.
- c Use is permitted and not nonconforming within the Prince George’s Plaza Transit District if legally existing on July 19, 2016. New uses of this type are prohibited within the Transit District.
- d Permitted pursuant to a currently valid Preliminary Plan of Subdivision or Detailed Site Plan approved on or before July 19, 2016. Otherwise, only multifamily dwelling units are permitted in the T-D-O/M-X-T Zone. All other dwelling unit types are prohibited.
- e [Reserved]
- f Driving instruction limited to classroom instruction; no on-site driving course permitted.
- g Airport, airpark, airfield, airstrip, and heliport prohibited within the Transit District. Helistop permitted.
- h Use is permitted on the top floor or roof of a multifamily building, but on no other floor except where footnote “b” also applies.
- i Use must meet the requirements of Section 27.464.05(a)(1), (a)(2), and (b) of the Zoning Ordinance, as well as the Transit District Standards, at the time of Detailed Site Plan. A Special Permit shall not be required.
- j Use must meet the requirements of Section 27.445.09(a)(1), (a)(2), and (b) of the Zoning Ordinance, as well as the Transit District Standards, at the time of Detailed Site Plan. A Special Permit shall not be required.

The following footnotes apply to sections (1), (2), (4), (5), (7), and (8) above:

- 1 Provided the site is either:
  - (A) In the proximity of an area designated as a fire or rescue station on an approved Functional Master Plan of Fire and Rescue Stations;
  - (B) In a location which the Fire Chief has indicated (in writing) is appropriate; or
  - (C) Occupied by a station that was in use immediately prior to July 1, 1982.

REC'D BY PGCPB ON 12.12.19  
ITEM # 5 CASE # DSP-19039  
EXHIBIT # appl Ex No. 2

*Applicant E No. 2*

## Exemptions

The following section describes specific exemptions from part or all of the Transit District Standards and DSP review. Unless specifically described otherwise, additions, expansions, or extensions of buildings, structures, and uses not subject to an exemption identified in this section are subject to DSP review, and are only required to conform to the Transit

District Standards for the area of the addition, expansion, or extension of the building, structure, or use. Adding on, expanding, or extending a building or use to an extent that requires conformance to the Transit District Standards or DSP review only requires such conformance for the addition, expansion, or extension.

## Exemptions | Legally Existing Development

**E1** Until a Detailed Site Plan (DSP) is submitted, all buildings, structures, and uses, which were lawful or could have been certified as legal nonconforming uses pursuant to Section 27-244 of

the Zoning Ordinance on July 19, 2016, are exempt from the Transit District Standards and are not nonconforming.

*Legal until DSP filed  
of Aug file*

## Exemptions | Legally Existing Parking And Loading

**E2** Until a DSP is submitted, all legally existing parking and loading spaces in the Transit District that were lawful on July 19, 2016 need not be reduced, are

exempt from the Transit District Standards and DSP review, and are not nonconforming.

## Exemptions | Parking Facilities

**E3** Resurfacing, adding landscaping to parking facilities, and the retrofit of parking facilities with Environmental Site Design stormwater management features pursuant to Section 32-175 of the Water Resources Protection and Grading Code, are exempt from the Transit District Standards and DSP review if the parking facilities were lawful, legally nonconforming, or were made not nonconforming on July 19, 2016, and remain in conformance with all previously applicable regulations. New parking areas that result in the addition of five or fewer parking spaces are exempt from the Transit District Standards and DSP review but shall comply with any applicable

parking and landscaping regulations of the Zoning Ordinance and the Landscape Manual.

**E4** Restriping of parking facilities to accommodate parking for the disabled, expectant mothers, car-sharing services, or emergency vehicle access and parking is exempt from the Transit District Standards and DSP review only if such restriping results in no net addition in the number of general purpose surface parking spaces. Restriping of surface parking facilities that results in an addition of general purpose parking spaces is prohibited.

## Exemptions | Single-Family Residential Dwellings

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**E5** On July 19, 2016, no single-family residential dwellings existed within the Transit District. Construction of single-family residential dwellings within the Transit District is subject to the Transit District Standards and DSP review. Subsequent additions or modifications to any single-family residential dwelling are exempt from the Transit

District Standards and DSP review if the residential use continues. A new single-family dwelling unit built to replace one destroyed by fire, flood, or other natural disaster shall also be exempt from the Transit District Standards for up to five years from the date of loss.

## Exemptions | Multifamily Development

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**E6** An addition to a multifamily residential structure that was lawful or could have been certified as nonconforming pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016 is exempt from the Transit District Standards and DSP review if the

addition (and the accumulated sum of all additions since July 19, 2016) does not increase the gross floor area (GFA) by more than 15 percent or 5,000 square feet, whichever is less.

## Exemptions | Nonresidential Development

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**E7** An addition to a nonresidential structure, other than an integrated shopping center, that was lawful or could have been certified as nonconforming pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016, is exempt from the Transit District

Standards and DSP review if the addition (and the cumulative sum of all additions since July 19, 2016) does not increase the GFA by more than 15 percent or 5,000 square feet, whichever is less.

## Exemptions | Existing Shopping Centers

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**E8** An attached nonresidential addition to any existing building that is part of an integrated shopping center that was lawful or could have been certified as nonconforming pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016 is exempt from the Transit District Standards and DSP review if the addition (and the accumulated sum of all additions since July 19, 2016) does not increase the GFA by more than 15 percent of the total GFA of the integrated shopping center (excluding single-use pad sites) as it existed on July 19, 2016.

Any addition which causes an integrated shopping center to exceed this threshold, and all subsequent nonresidential additions, require the approval of a DSP pursuant to Exemption E1 and such additions are subject to the Transit District Standards.

**E9** All other development on the site of an integrated shopping center not attached to an existing integrated shopping center, including, but not limited to, pad sites, shall require the approval of a DSP and conformance to the Transit District Standards.

## Exemptions | Nonresidential Development

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**E10** Additions proposing any residential or residential mixed-use development at an existing integrated shopping center, whether it is a physical

addition to an existing integrated shopping center or not, shall be subject to the Transit District Standards and DSP review regardless of size.

## Exemptions | Alteration and Rehabilitation

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**E11** Permits for alteration and rehabilitation, are exempt from the Transit District Standards and DSP review only if the existing or proposed use is permitted by this TDDP, and the alteration or

rehabilitation does not increase the GFA by more than 15 percent or 5,000 square feet, whichever is less.

## Exemptions | Other

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**E12** The following are exempt from the Transit District Standards and DSP review if the existing or proposed use is permitted.

**E12.1:** Decks.

**E12.2:** Ordinary maintenance that does not require a permit.

**E12.3:** Changes in permitted use or occupancy.

**E12.4:** Changes in ownership.

**E13** Fences are exempt from DSP review but subject to the Transit District Standards at the time of Building Permit, where required.

## Exemptions | Signs

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**E14** Existing signs for an existing use, building, or structure that was lawful or could have been certified as a legal nonconforming use on July 19, 2016, are exempt from the Transit District Standards and are not nonconforming.

**E15** New signs for an existing use, building, or structure that was lawful or could be certified as a legal nonconforming use on July 19, 2016, are subject to the Transit District Standards at the time of Sign Permit and are exempt from DSP review.

**E16** Adding lighting to an existing sign is exempt from the Transit District Standards.

**E17** Converting a lighted sign to an electronic sign represents a change in sign type and requires conformance to the Transit District Standards at the time of Sign Permit and is exempt from DSP review.

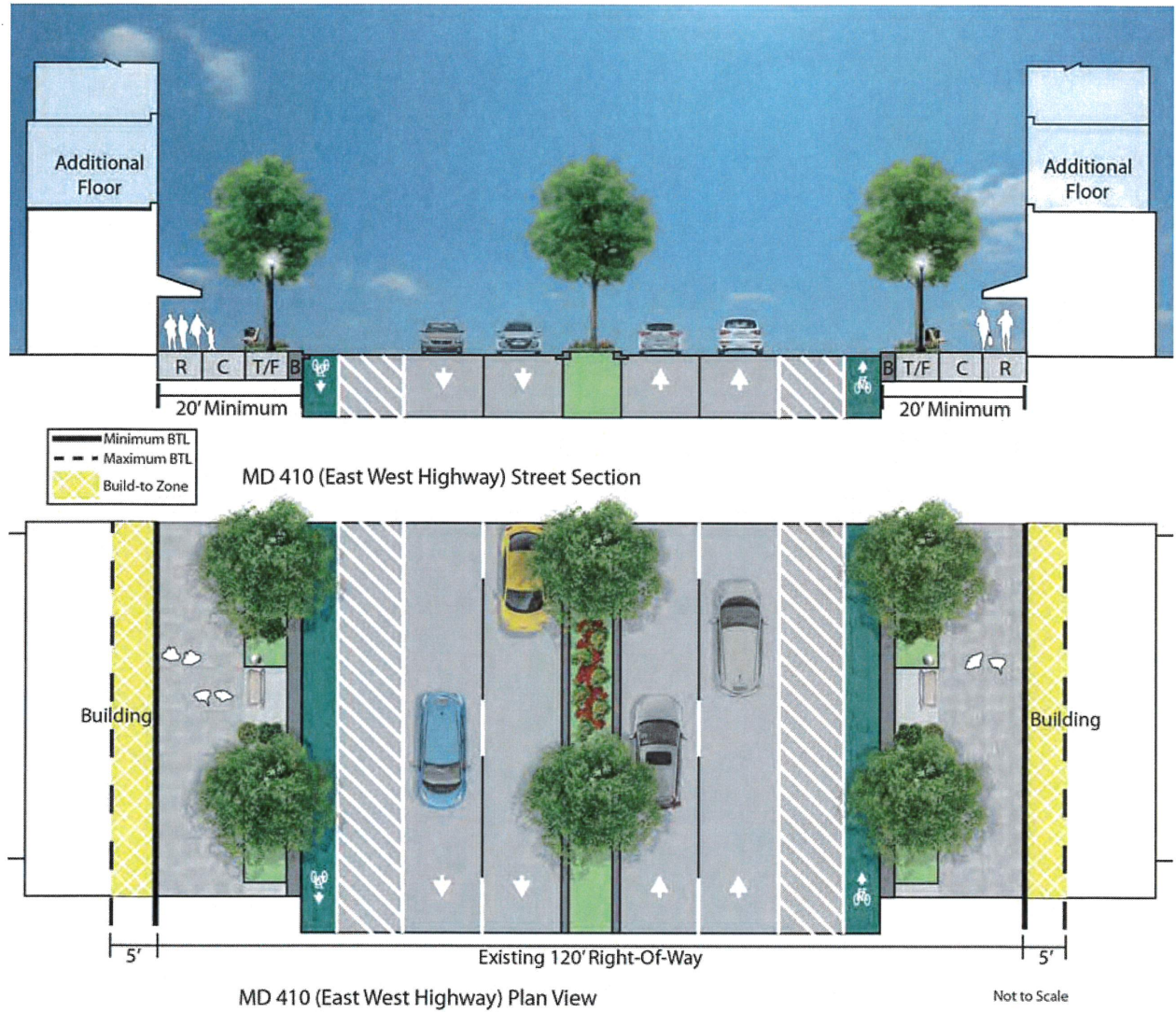
**E18** Refacing of an existing sign, including repair or replacement of a pole or sign support, with no increase in sign area, or increase in the height of a freestanding sign, is exempt from the Transit District Standards and DSP review.

**E19** Wayfinding, destination, and community signs, or signs directing drivers, bicyclists, or pedestrians to a public/shared parking facility, installed by a public agency, business improvement district, or other quasi public entity are exempt from the Transit District Standards.

**E20** Temporary advertisements or public art displays in vacant or under construction ground-floor windows.

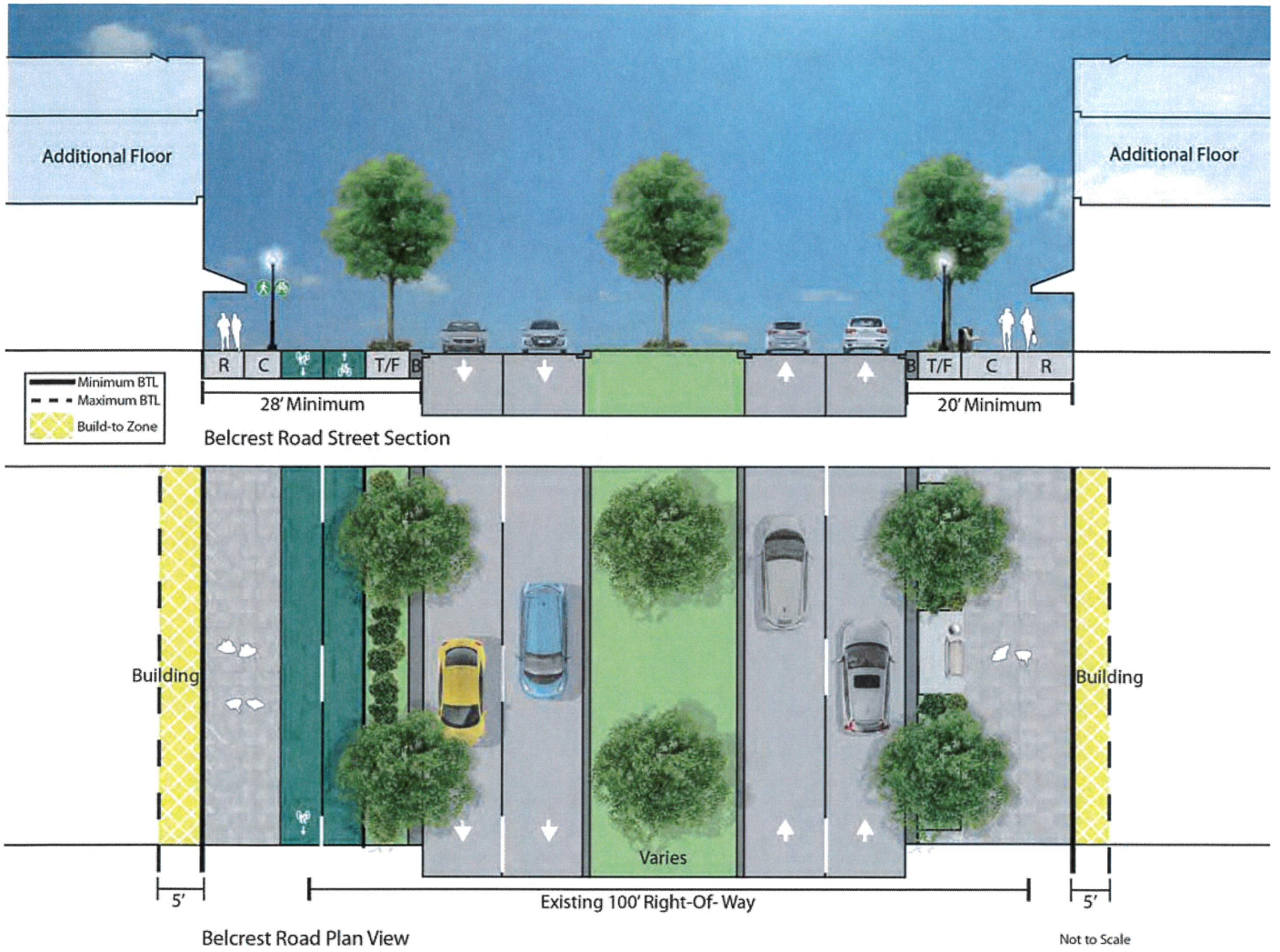
A.E. #3

Figure 9. MD 410 (East West Highway) Illustrative Street Section



REC'D BY PGCPB ON 12.12.19  
 ITEM # 5 CASE # D9839  
 EXHIBIT # appl Ex No. 3

**Figure 10. Belcrest Road (Toledo Terrace To Metro Entrance) Illustrative Street Section**



**BOHLER ENGINEERING**

11133 BELCREST ROAD, PRINCE GEORGES, MD 21113  
 (301) 691-1133  
 WWW.BOHLERENGINEERING.COM

REV.	DATE	COMMENT	BY

**NOT APPROVED FOR CONSTRUCTION**

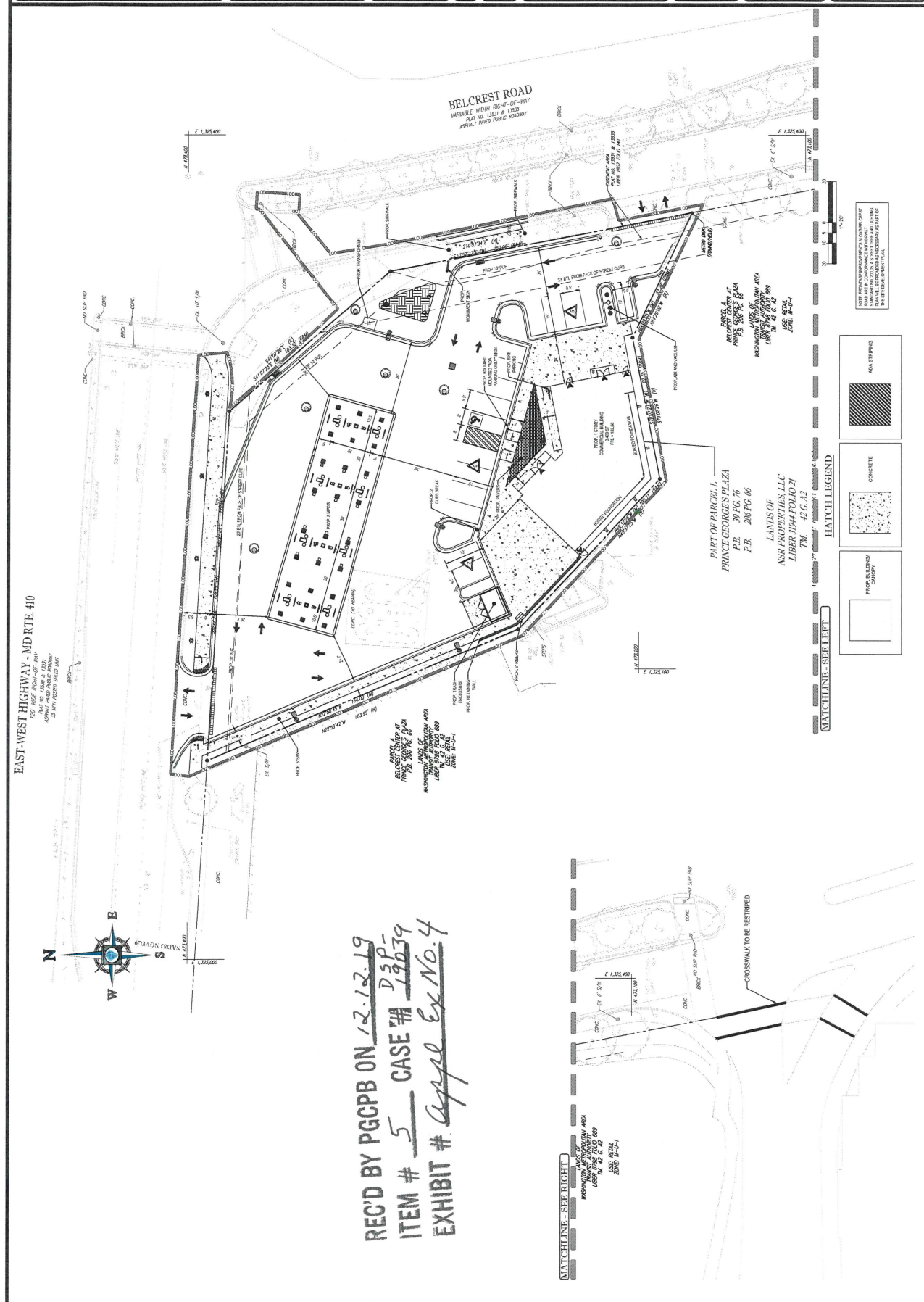
APPROVED FOR PERMITS ONLY. THIS PLAN IS NOT VALID FOR CONSTRUCTION UNLESS IT IS APPROVED BY THE APPLICABLE AGENCIES AND HAS BEEN REVISIONED TO REFLECT ANY CHANGES MADE BY SUCH AGENCIES.

**NSR PROPERTIES, LLC**  
 LOCATION OF SITE  
 399 EAST-WEST HIGHWAY  
 PRINCE GEORGES COUNTY  
 TM 42, GRID 42

**BOHLER ENGINEERING**  
 11133 BELCREST ROAD  
 PRINCE GEORGES, MD 21113  
 (301) 691-1133  
 WWW.BOHLERENGINEERING.COM

**N. B. SPEACH**  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 27742  
 ENGINEERING CONTRACTING & CONSULTING, INC.  
 10100 WASHINGTON AVENUE  
 SUITE 200  
 GREENBELT, MD 20818  
 (301) 691-1133

**SITE PLAN**  
**PLAN**  
**1**



**HATCH LEGEND**

- PROPOSED WALKWAY
- MONUMENTED CONTIGUOUS AREA
- PROPOSED BLDG CANOPY
- ASPH STRIPING
- CONCRETE

NOTE: THIS PLAN IS NOT VALID FOR CONSTRUCTION UNLESS IT IS APPROVED BY THE APPLICABLE AGENCIES AND HAS BEEN REVISIONED TO REFLECT ANY CHANGES MADE BY SUCH AGENCIES.

REC'D BY PGCPB ON 12.12.19  
 ITEM # 5 CASE # 19039  
 EXHIBIT # Apple Ex No. 4

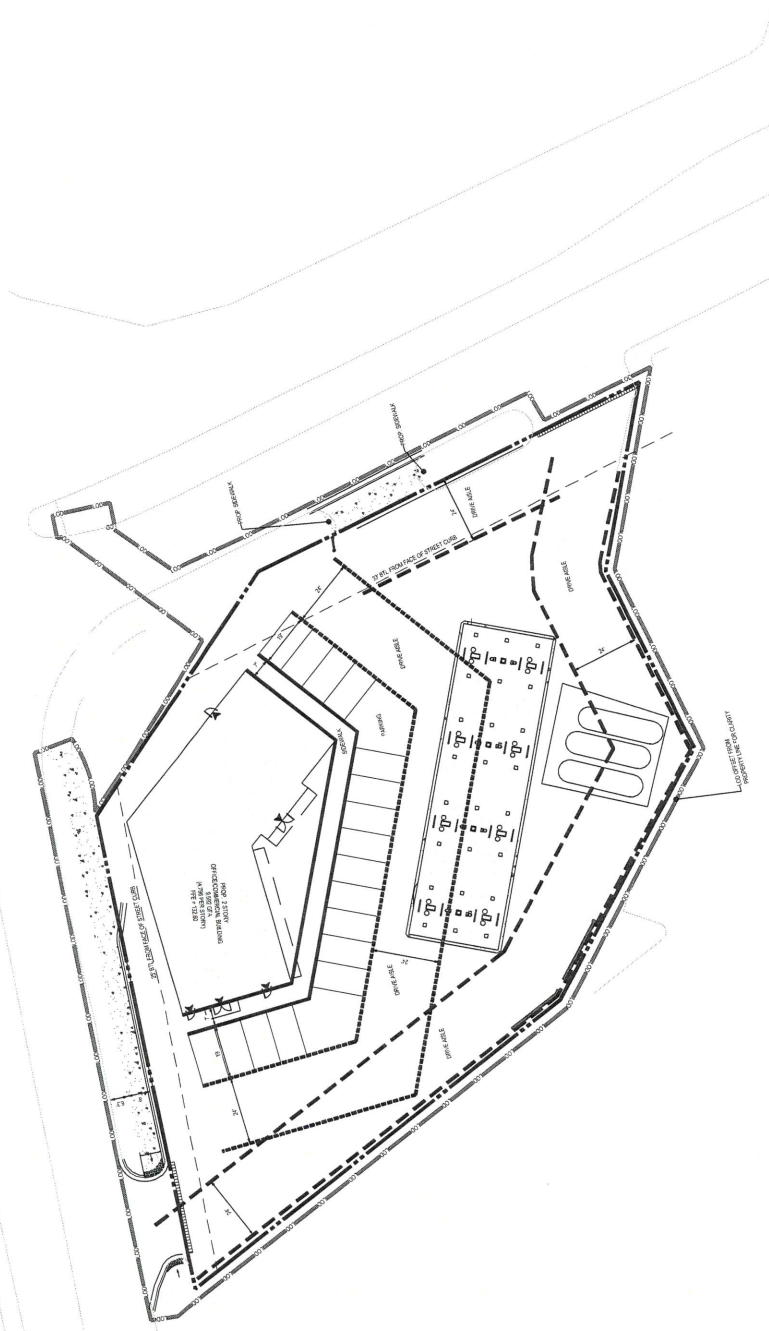
**MATCHLINE—SEBERGT**

MONUMENTED CONTIGUOUS AREA  
 LIBER 894 FOLIO 21  
 TM 42 G. 42  
 USE ZONE R-1-1

CROSSWALK TO BE RESTRIPT



REC'D BY PGCPB ON 12.12.19  
 ITEM # 5 CASE # D38-19059  
 EXHIBIT # Exhibit No. 5



**NSR PETRO CONCEPT**

PRINCE GEORGE'S COUNTY, MD



**BOHLER  
 ENGINEERING**  
 15711 GREENBROOK LANE, SUITE 310 BOWNE, MD 20715  
 PHONE: (301) 584-0000 FAX: (301) 584-0201



*Proposed*  
*based on*  
*redubing*  
*Applicant no.*  
*6*

**APPLICANT'S PROPOSED REVISIONS TO CONDITIONS OF APPROVAL**

DSP-19039

REC'D BY PGCPB ON 12-12-19  
ITEM # 5 CASE # DSP-19039  
EXHIBIT # app Ex No. 6

1. Prior to certification, the DSP shall be revised, or additional information shall be provided, as follows:
  - a. ~~Remove the gas station use and all associated site improvements.~~
  - b. ~~Revise and move the proposed building to meet the maximum build-to-line and be compatible in size, height, and massing with the buildings on adjacent properties.~~
  - c. ~~Provide a 10-foot wide cycle track along the frontage of Belcrest Road, consistent with the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment.~~
  - d. ~~Revise plans to show conformance with all streets and frontage standards of the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment, by moving the building to the maximum build-to-line, having the primary entrance to the building not open to a parking lot, and moving all service entrances to the rear of the building.~~
  - e. ~~Provide all elements of the Street Frontage Zone standards of the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment along Belcrest Road and MD 410 (East West Highway), including pedestrian access to building entrances, street trees in the appropriate location, full-width Tree and Furnishing Zone, and other improvements.~~
  - af. Revise plans to meet the Downtown Core Mixed Use and Non-Residential standards of the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment by attaching the building to the building on the abutting lot to the west and increasing the ceiling height of the building to 14 feet on the ground level.
  - g. ~~Provide screening of any off-street surface parking from the public rights-of-way, in accordance with the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment standards.~~
  - bh. Revise the lighting plan to label lighting detail, add a note that all lights will include full cut-off optics, and show street lights along MD 410 (East West Highway) and Belcrest Road that meet the 2016 Approved Prince George's

*Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* standards relative to style and spacing.

- ci.** Remove ~~the both~~ freestanding signs along Belcrest Road; ~~all signage shall be affixed to the structures.~~
- dj.** Remove the proposed stand-alone automated teller machine (ATM) and associated drive-aisle; any proposed ATMs shall either be affixed to the building exterior or be located within the interior.
- ek.** Integrate a mural or other equivalent artistic element into the proposed building, in accordance with the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* guidelines.
- fl.** Provide overhead awnings for all pedestrian and service building entrances.
- gm.** Provide details of the building-mounted signage and demonstrate conformance to all applicable 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* standards.
- hn.** Locate all mechanical equipment away from the public streets and adjacent properties and screen to minimize visibility.