

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on July 25, 2013, regarding Detailed Site Plan DSP-13007 for Royal Farms-Allentown Road, the Planning Board finds:

1. **Request:** The subject application requests approval a new gas station with ten pumping stations, a 5,125-square-foot food and beverage store and a 1,255-square-foot car wash.

2. **Location:** The property is located in the southwest quadrant of the intersection of Allentown Road (MD 337) and Branch Avenue (MD 5). The subject property address is 6210 Allentown Road. It comprises 1.647 acres of land upon which sits the vacant, deteriorated, 44,400-square-foot building that was formerly used for the Pyles Lumber Company. The property is zoned Commercial-Miscellaneous (C-M) and has approximately 170 feet of frontage along Allentown Road to the northwest, 295 feet of frontage along MD 5 to the northeast, and 230 feet of frontage along Old Branch Avenue to the southwest.

3. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-M	C-M
Use(s)	Vacant Warehouse and Vacant Block Building	A Gas Station with a Food and Beverage Store and Car Wash
Acreage	1.647	1.647
Total Square Footage/GFA	44,400 (to be razed)	6,380
of which is food and		5,125
of which is a car wash		1,255

OTHER DEVELOPMENT DATA

Parking Requirements:

	REQUIRED	APPROVED
Total Parking Spaces	36	37
gas station employee (1 per employee)	2	
car wash (1 per 500 sq. ft.)	3	
food and beverage sales (1 per 150 sq. ft. first 3,000)	20	
food and beverage sales (1 per 200 sq. ft. over 3,000)	11	
of which Handicap Spaces	2	2
	(2 Van-Accessible)	(2 Van-Accessible)
Total Loading Spaces for retail sales and service	1	1

4. **Surrounding Uses:** The subject site is bounded by Allentown Road to the northwest, MD 5 to the northeast, and Old Branch Avenue to the southwest. Southeast of the subject property are automotive repair and automotive retail facilities in the C-M Zone. The surrounding area is generally defined by a mix of Commercial-Shopping Center (C-S-C) and C-M-zoned uses. Single-family homes in the Trueman Heights Subdivision are located beyond the commercial-zoned properties to the west.
5. **Previous Approvals:** According to tax records, the primary structure was constructed in 1930. On August 26, 2006, the Planning Director approved Case Number 5-06236 in accordance with Section 24-107(c) and Section 24-107(c)(7)(D). Pursuant to this approval, record plat for the subject parcel was recorded in Plat Book REP 215 at Plat No 91.
6. **Design Features:** The subject application proposes to raze existing deteriorated structures on the subject site and construct a gas station with ten pumping stations, a 5,125-square-foot food and beverage store and a 1,255-square-foot, automated car wash.

The site plan proposes two points of vehicular access: one along the site’s frontage on Allentown Road (MD 337), and one along the site’s frontage on Old Branch Avenue. Pump islands are proposed towards the front of the site, along Allentown Road, and the retail store is proposed behind, towards the southeastern property line. An automatic car wash is proposed in the eastern corner of the site adjacent to the Branch Avenue (MD 5) right-of-way.

Architecture

The retail building for the Royal Farms is designed to reflect a rural aesthetic which is a trademark of Royal Farms. The building design incorporates “Kentucky Gray” stone at the base of the building and a partial shed roof detail, which echoes the appearance of farm buildings. The building materials include stone at the base of the building and red brick, which is likely to be

compatible with future development along the corridor. The proposed exterior building materials, stone and brick, are of a notable quality and durability.

A largely uninterrupted band of beige exterior insulation finishing system (EIFS) is located along the top of the building. This flat band of EIFS lacks definition and dimensionality. This area shall be revised to include a scoring, color, and/or design change to add additional visual interest in this area along all sides of the building.

The one-story car-wash building proposes an exterior of polycarbonate panels and tempered glazing. Polycarbonate is a type of durable plastic panel frequently used in the construction of greenhouses. The car wash building has a metal framework. The building is designed so the inner mechanics of the car wash are visible from the exterior. It is unclear from the submitted elevations, which portion of the building will be opaque and which will be most transparent. In a similar car wash proposal the Planning Board required that the base of the car wash building be revised to masonry due its highly visible location. In this case, the car wash is proposed in the eastern corner of the site adjacent to the ramp to the Branch Avenue (MD 5) right-of-way. Due to grade changes between the car wash and the ramp to MD 5, which begins at a difference of three feet and steepens, and the presence of a concrete guardrail along the roadway, the Planning Board does not believe that the base of the car wash building will be highly visible, and recommends no modifications to the materials at the base of the car wash building, which will have limited visibility from the MD 5 right-of-way (ROW). The gas station canopy, pumps, and convenience store building will have greater visibility than the car wash; therefore, the most design attention shall be paid to these structures.

The proposed site design places the gas station canopy with pumps at the front of the site, along Allentown Road, and the food and beverage store for the Royal Farms behind. Due to the high visibility of the pumps and canopy the design of these features shall be treated architecturally. The pumps and canopy shall be reflective of the architecture of the main building. The support columns for the canopy are reflective of the materials used on the main building; however the proposed canopy is a standard gas station canopy, which does not reflect the architectural character of the proposed Royal Farms. The gas station canopy shall be revised to include an articulated standing seam metal roof, and its overall design shall be more consistent with the architecture of the primary building. The final design of the canopy shall be approved by the Urban Design Section as a designee of the Planning Board prior to signature approval of the plans.

All of the proposed building materials, colors, and finishes shall be labeled on the building elevations prior to signature approval of the plans. The red brick used on the primary building, support columns for the canopy, and walls along the streetscape shall all be of a consistent color and appearance.

Signage and Placemaking

A 25-foot-tall freestanding sign with a six-foot-tall brick base is proposed on the subject site at the corner of Allentown Road and Old Branch Avenue. The sign is integrated with a four-foot-tall brick wall at the corner which is provided in an effort to enhance the pedestrian experience at this

intersection and create a placemaking feature on the site. The Planning Board finds that the signage and wall feature proposed are not sufficiently designed with the pedestrian experience in mind. A solid brick wall is proposed, which varies from 4 feet to 6.3 feet in height at the base of the gas station sign. A more decorative design solution shall be considered that accomplishes some screening, while providing attractive views into the site. A wall that incorporates brick piers and wrought iron-style fencing shall be provided. An example of this wall style is provided in the Community Planning referral dated June 20, 2013 (Umeozulu to Fields). The wall shall be extended along the entire corner of the site from the access drive located along Old Branch Avenue to the access drive along Allentown Road. The signage base shall be revised to incorporate brick support columns, instead of a solid wall.

Stormwater Management

The existing development on the site was constructed prior to modern stormwater management standards. The Stormwater Concept Approval Letter (3732-2013-00) for the subject proposal indicates that the proposal reduces the impervious area on the subject site by 0.15 acres. Since the project involves the redevelopment of an existing developed site, the site is required to be designed to treat 50 percent Water Quality Volume (WQV) of the impervious area within the limit-of-disturbance (LOD), and treat 100 percent of any new impervious area. Upon redevelopment, the applicant proposes to incorporate five micro-bioretenion areas into the site plan to improve water quality on the site. Stormwater Concept Approval is under the jurisdiction of the Department of Public Works and Transportation (DPW&T).

7. **Prince George's County Zoning Ordinance:** The Planning Board finds that the subject application complies with the requirements of the C-M Zone; the site plan design guidelines of the Zoning Ordinance; Part 11, Off-Street Parking and Loading; and Part 12, Signs, as follows:

- a. In accordance with Section 27-461(b), Table of Uses, the proposed food and beverage store is permitted in the C-M Zone in combination with a gas station, subject to detailed site plan review. The proposed car wash is permitted in the C-M Zone, subject to detailed site plan review. The proposed gas station use is permitted 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). The subject site meets these requirements, as follows:

- (1) The subject property shall have at least one hundred and fifty (150) feet of frontage on and direct vehicular access to a street with a right-of-way width of at least seventy (70) feet;**

This specific requirement is met; the property has direct vehicular access to two roadways with more than 70 feet of right-of-way. The property has approximately 170 feet of frontage along Allentown Road (MD 337), which has an ultimate right-of-way width of 120 feet; approximately 295 feet of frontage along Branch Avenue (MD 5), which has an ultimate right-of-way of 300 feet; and approximately 230 feet of frontage along Old Branch Avenue, which has an ultimate right-of-way of 80 feet.

- (2) **The subject property shall be located at least three hundred (300) feet from any lot on which a school, outdoor playground, library, or hospital is located;**

A review of available information indicates that there are no schools, outdoor playgrounds, libraries, or hospitals within three hundred feet of the subject property.

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

The applicant's statement of justification indicates no intent to store motor vehicles at the subject property. The Planning Board requires that a note to this effect be placed on the site plan.

- (5) **Access driveways shall be not less than thirty (30) feet wide unless a lesser width is allowed for a one-way driveway by the Maryland State Highway Administration or the County Department of Public Works and Transportation, whichever is applicable, and shall be constructed in compliance with the minimum standards required by the County Road Ordinance or Maryland State Highway Administration regulations, whichever is applicable. In the case of a corner lot, a driveway may begin at a point not less than twenty (20) feet from the point of curvature (PC) of the curb return or the point of curvature of the edge of paving at an intersection without curb and gutter. A driveway may begin or end at a point not less than twelve (12) feet from the side or rear lot line of any adjoining lot;**

This proposal provides for a 35-foot-wide right-in/right-out access driveway from Allentown Road (MD 337) and a two-way 35-foot-wide access driveway from Old Branch Avenue. The width of the access drives exceeds the minimum requirement established in the above provision. The proposed access drives are proximate to the intersection of Allentown Road and Old Branch Avenue. The site plan indicates that the driveway access on Old Branch Avenue begins 35.5 feet from the point of curvature of the curb return at the intersection of Allentown Road and Old Branch Avenue. The driveway access on Allentown Road begins 20 feet from the point of curvature of the curb return at the same intersection. The driveway access is ample distance from the side lot lines of the adjoining lot to the southeast. Based on this evaluation, the Planning Board determines that the above requirement is met.

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

The site plan indicates that all access driveways will be defined by curbing.

- (7) **A sidewalk at least five (5) feet wide shall be provided in the area between the building line and the curb in those areas serving pedestrian traffic;**

The subject proposal exceeds the minimum required width for sidewalks. A six-foot-wide sidewalk is proposed along Old Branch Avenue and Allentown Road. In addition sidewalks are indicated on all four sides of the Royal Farms building.

The sidewalk, as designed, is appropriate for existing pedestrian traffic. The sidewalk proposed on Old Branch Avenue shall be extended to the southern property line for future connectivity to the adjacent property.

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

Ten gasoline pumping stations are proposed on the site, which provide pumping locations for 20 cars. These pumps are located approximately 45 feet behind the proposed right-of-way for Allentown Road (MD 337), which meets this requirement.

(9) Repair service shall be completed within forty-eight (48) hours after the vehicle is left for service. Discarded parts resulting from any work shall be removed promptly from the premises. Automotive replacement parts and accessories shall be stored either inside the main structure or in an accessory building used solely for the storage. The accessory building shall be wholly enclosed. The building shall either be constructed of brick (or another building material similar in appearance to the main structure) and placed on a permanent foundation, or it shall be entirely surrounded with screening material. Screening shall consist of a wall, fence, or sight-tight landscaping material, which shall be at least as high as the accessory building. The type of screening shall be shown on the landscape plan.

The applicant's statement of justification indicates that there is no vehicle repair service proposed on the subject property. A note to this effect shall be placed on the site plan.

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

The subject proposal is an improvement upon some of the existing conditions in the surrounding development. The Planning Board is unaware of any major development proposals within this immediate vicinity. The subject site and surrounding community have recently been the subject of the April 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. The sector plan establishes a recommended vision for the redevelopment of the focus area as a regional destination for unique cultural arts and recreational activities where arts, civic and recreational uses are integrated with retail concentrated along Allentown Road and Allentown Way. Some of the recommendations

in the plan relate to architectural quality and site design, which are relevant to the consideration of the subject detailed site plan. In the Camp Springs Town Center, in which the subject site is located, storefront windows are encouraged; and the use of high quality building materials such as brick, stone, and masonry. The Planning Board finds that the architectural elevations are not inconsistent with the Sector Plan's recommendations.

The applicant submitted the following statement in response to the above Zoning Ordinance requirement, which the Planning Board adopts:

Architectural elevations have been submitted in conjunction with the detailed site plan. The architectural character of the proposed building (with the use of brick, stone, glass and metal siding, will not only be an attractive addition to the surrounding community, but will not be inconsistent with the surrounding development. The use of attractive features and sustainable material is carried through on the gas canopy, as all columns will be covered in stone to improve the site aesthetics. At one story, the proposed building will be in keeping with the surrounding community.

The applicant has revised the proposed stone columns, and now proposes brick columns in an effort to use building materials that are more likely to be consistent with future development in the area. Storefront windows are proposed on the front of the convenience store, as recommended in the planning area. The Planning Board finds that the building materials are in keeping with the quality envisioned in the plan.

As indicated in the conditions of approval, additional attention shall be paid to the design of the streetscape and the placemaking feature, so that the site establishes an identity within the Camp Springs Town Center that is more consistent with the arts and cultural vision for future surrounding development. The Planning Board finds that with the implementation of the conditions of approval, this detailed site plan will be consistent with the recommendations in the plan.

- b. In accordance with Section 27-462, Regulations, the Planning Board finds that the proposal meets the required setbacks of the C-M Zone. The property has three street frontages with required ten-foot-setback from the street, and one side yard setback of 12 feet.
- c. As approved with conditions, the DSP conforms to the applicable site design guidelines as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. The following discussion is offered:
 - (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars. The proposed site design does not limit the visibility of vehicles on the site. Cars

utilizing the gas pumps and parking areas will be visible. A decorative wall shall be provided to improve views of the site from the public rights-of-way.

- (2) In accordance with Section 27-274(a)(6)(i) of the Zoning Ordinance, site and streetscape amenities, the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture shall be coordinated. Details of all proposed benches, fencing, and lamp posts shall be provided prior to signature approval of the plans.

d. The proposal includes building-mounted signs, freestanding gas station price signage, and directional signage (also known as regulatory signage). The signs have been reviewed for conformance with C-M Zone regulations with regard to signs, as follows:

- (1) **Freestanding Gas Station Price Signage:** The applicant proposes one 25-foot-tall freestanding sign with a six-foot four-inch-tall brick base at the corner of Allentown Road and Old Branch Avenue. The sign has been reviewed for conformance with the requirements of Section 27-614, Freestanding Signs, of the Zoning Ordinance.

As the property is not located within an integrated shopping center, one-square-foot of signage is permitted for each four lineal feet of street frontage, to a maximum of two hundred square feet for each sign. After the proposed right-of-way dedication, the subject property will have approximately 215 feet of frontage along Allentown Road to the northwest, 275 feet of frontage along Branch Avenue (MD 5) to the northeast, and 230 feet of frontage along Old Branch Avenue to the southwest; therefore, 180 square feet of freestanding signage is permitted pursuant to Section 27-614(c)(3)(B). The subject application proposes 177 square feet of signage. The freestanding sign area shall be revised to include the entire sign face, exclusive of any base that holds up the sign, and the sign area permitted shall be based upon the property boundaries after the proposed dedication, which is when sign permits will be reviewed.

- (2) **Building-Mounted Signs:** The applicant proposes five building-mounted signs. The proposed building-mounted signs are green and blue channel letters mounted upon the building façade and canopy with the name "Royal Farms." It is unclear whether the signs will be illuminated. Any method of illumination for the signs shall be indicated on the site plans prior to certificate of approval.

Based upon the linear feet of building and canopy width indicated on the site plan, approximately, the applicant is permitted 400 square feet of building-mounted signage, which is the maximum amount for sites in the C-M Zone. The plans indicate conformance to this requirement by providing 89.5 square feet of building-mounted signage. A column shall be added to the sign able indicating

how the percentage of the sign area will be divided between the building and the canopy.

- (3) **Directional/Traffic Control Signage:** The detailed site plan proposes one directional sign. It may be determined at time of permit approval that these signs are exempt from a sign permit in accordance with Section 27-602(a)(1) of the Zoning Ordinance. The proposed directional sign shall be revised to incorporate a brick base, consistent with the proposed freestanding sign, so the design of the signs is coordinated.

8. **2010 Prince George's County Landscape Manual:** The Planning Board finds that the DSP for new construction complies with Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Interior Planting Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

- a. **Section 4.2, Requirements for Landscaped Strips along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. A Section 4.2 landscape strip is required along all three of the site's road frontages. The required schedules indicating conformance to this section are provided on the landscape plan.
- b. **Section 4.3, Parking Lot Requirements**—Section 4.3 specifies that proposed parking lots larger than 7,000 square feet will be subject to Section 4.3. Section 4.3 requires that parking lots provide planting islands throughout the parking lot to reduce the impervious area. When these planting islands are planted with shade trees, the heat island effect created by large expanses of pavement may be minimized. The subject parking lot is 49,167 square feet in size. Eight percent interior green and six shade trees are required. The submitted landscape plan indicates conformance with this requirement.
- c. **Section 4.4, Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The submitted information indicates that a brick dumpster enclosure for two dumpsters is proposed, and a detail of the enclosure has been provided. The loading space shall be more effectively screened through the use of additional evergreen trees near the closest right-of-way.
- d. **Section 4.6, Buffering Development from Streets**—Old Branch Avenue is a historic road. In the Developed Tier, Section 4.6 requires a minimum ten-foot-wide buffer to be planted with one shade tree and ten shrubs per 35 linear feet of site frontage, excluding driveway openings. These plantings are required outside of the public utility easement (PUE). The landscape plan shall be revised to locate the Section 4.6 plantings outside of the PUE. If the plan cannot be revised to show plantings outside of the PUE, then

Alternative Compliance will be necessary prior to certification of the plans. The required schedules indicating conformance to the planting requirement of this section are provided on the landscape plan.

- e. **Section 4.7, Buffering Incompatible Uses**—A goal of Section 4.7 is to provide a comprehensive, consistent, and flexible landscape buffering system that provides transitions between moderately incompatible uses. The landscape plan indicates that the adjacent use to the southeast is a warehouse and is classified as a high-impact use. A review available information indicates that automotive repair uses exist on the adjacent parcel. No Section 4.7 bufferyard is required along this property line, as automotive repair and warehouse uses are high-impact.
 - f. **Section 4.9, Sustainable Landscaping Requirements**—The site is subject to Section 4.9 of the 2010 *Prince George’s County Landscape Manual*, which requires that a percentage of the proposed plant materials be native plants. The required charts have been provided on the plans and indicate conformance with this section.
9. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The Planning Board finds that the project is not subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site contains less than 10,000 square feet of woodland and has no previous Tree Conservation Plans. A standard letter of exemption has been issued and is valid until February 14, 2015.
10. **Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties that are zoned C-M are required to provide a minimum of ten percent of the gross tract area in tree canopy. The subject property is 1.647 acres in size, resulting in a TCC requirement of 0.16 acres.

	REQUIRED	APPROVED
Tree Canopy	7,175 sq. ft.	7,275 sq. ft.

The provided tree canopy worksheet indicates 7,275 square feet of proposed trees, which meets the TCC requirement.

11. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
- a. **Community Planning**—While this application does not conform to the land use recommendations of the April 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*, which envisions Residential Mixed-Use development on the subject site within the Camp Springs focus area, the Planning Board finds that the detailed

site plan is not inconsistent with the connectivity and circulation, and building and site design recommendations in the Sector Plan.

The April 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* was adopted by the Planning Board in February 2013 and approved by the County Council in April 2013. The sector plan did not include a sectional map amendment. This application is for a prominent property in the Camp Springs Town Center Focus Area, an area of critical importance to the Camp Springs community. The sector plan's recommended vision for this focus area is a regional destination for unique cultural arts and recreational activities where arts, civic and recreational uses are integrated with retail concentrated along Allentown Road and Allentown Way. The land use recommendations are intended to promote a new mix of uses and infuse new residential development to support new retail and expanded arts and recreational uses.

Although, this application for the redevelopment of the site with a gas station, convenience store and car wash does not conform to the sector plan's recommended vision for the Residential Mixed-Use land uses, the C-M Zone was retained on this property because the county currently lacks an appropriate mixed-use zone to implement the land use recommendation of the sector plan. The sector plan recommended that new mixed-use zones be created and a Sectional Map Amendment (SMA) be initiated to implement the sector plan's land use recommendations; however, the property is currently in the C-M Zone and, based on the evidence in the record, the Planning Board finds that this detailed site plan meets the requirements of the zone, the Zoning Ordinance, and is not inconsistent with the recommendations of the Sector Plan.

The key design consideration for the area's redevelopment centers on bringing buildings close to the street, creating an identity and brand through both the attraction of new uses and the site and building design of new development. This includes a compact mix of land uses with the creation of a public realm that includes a greatly improved pedestrian network. The Building and Site Design recommendations for this focus area propose an adaptive reuse of the Pyles Lumber and salvaging any significant historic features, and if redevelopment is a viable alternative, the new development should consider incorporating the historic past of the site. It also recommends creating a building line along street frontages to define the public realm.

The Planning Board finds that the proposed site design shall more positively contribute to the pedestrian-oriented streetscape and place-making envisioned at this corner. An innovative landscape treatment, such as a decorative low wall, shall be provided at the intersection of Old Branch Avenue and Allentown Road to define the street edge as well as partially screen the view of automobiles. Consideration shall also be given to altering the proposed flat roof canopy to build a pitched-roof canopy that has been used in other Royal Farms' stores.

In summary, as approved with conditions, the Planning Board finds that the proposal is not inconsistent with the recommendations of the Sector Plan and the requirements of the Zoning Ordinance.

b. **Transportation Planning**—The Planning Board adopts the following:

This site has an approved recorded plat (225-41), and a preliminary plan is not required. The site is subject to the general requirements of site plan review, which include attention to parking, loading, on-site circulation, etc. No traffic-related findings are required.

Two commercial driveways are shown on the plan, on Allentown Road (MD 337) and Old Branch Avenue. The proposed driveway for the car wash is located behind the convenience store, providing some separation between patrons entering the store and vehicles destined for the car wash. The tangent section of the car wash driveway is about 210 feet long which will provide queuing space for vehicles if needed. Vehicles leaving the car wash may exit using a two-way driveway adjacent to the pump islands.

Two-way driveways are located on both sides of the pump islands. Both commercial entrances are also proposed for two-way circulation. Parking spaces are adequately spaced on both ends and at the front of the proposed convenience store. The proposed driveway widths are adequate.

The site is adjacent to three master plan roadways listed in the April 2006 *Approved Master Plan and Sectional Map Amendment for Henson Creek-South Potomac Planning Area*. They include Branch Avenue (MD 5), Allentown Road (MD 337), and Old Branch Avenue. This master plan recommends 300 feet, 120 feet, and 80 feet rights-of-way respectively on MD 5, MD 337, and Old Branch Avenue. The applicant is showing dedication of 20 feet along Allentown Road on the site plan. All other rights-of-way are adequate as they exist.

At the public hearing, the applicant also submitted a truck turning exhibit and provided verbal testimony that demonstrate adequate space for the maneuvering of larger delivery trucks on the site. In summary, the Planning Board finds that the site plan and on-site circulation are acceptable.

c. **Trails**—The site plan sufficiently addresses the requirements of the April 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (area master plan) and the November 2009 *Approved Countywide Master Plan of Transportation* (MPOT).

There are no county or state funded capital improvement projects that would be affected by the subject application. The April 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (area master plan) and the November 2009 *Approved Countywide Master Plan of Transportation* (MPOT) contain the County's recommended rights-of-way for Allentown Road, Old Branch Avenue, and MD 5. It also contains the

recommended bikeways and sidewalks. Allentown Road and Old Branch Avenue are County maintained roads.

The recently approved area master plan recommends a 115-foot-wide right-of-way for Allentown Road, with four travel lanes, wide sidewalks, bicycle lanes, and a building that is situated at the right-of-way and/or property line. Planning Board Resolution PGCPB Resolution No. 13-09, added the bicycle lanes to the road and narrowed the conceptual tree buffer, but the changes did not affect the overall recommended road width of 115 feet. Bicycle lanes and wide sidewalks could be implemented in the future if a major capital improvement project is started. The property is zoned C-M (Commercial-Miscellaneous) and the applicant could not implement the area master plan's recommended road frontage improvements because that would require the removal of vehicular travel lanes from Allentown Road (MD 337).

The proposal indicates that two new vehicular access locations will be constructed on Allentown Road and the other on Old Branch Avenue. New and continuous curb and gutters will be constructed at approximately the same location as the existing edge of pavement on these roads.

The applicant's proposal includes the removal of existing curb island and concrete pavement, and a dedication of 20 feet of right-of-way along Allentown Road (MD 337) where a six-foot-wide sidewalk is proposed along the property frontage. A six-foot-wide sidewalk is also proposed for Old Branch Avenue within the limits of disturbance as shown on the Site, Grading and Utility Plan.

There are existing marked pedestrian crossings with pedestrian crossing signals at the intersection of Allentown Road and Old Branch Avenue. The application proposes new sidewalk ramps that lead to these crosswalks.

The proposal appears to be adequate and does not conflict with the area master plan. The property line is proposed to be 60 feet from the centerline of Allentown Road. The sidewalk proposed on Old Branch Avenue shall be extended to the southern property line for future connectivity to the adjacent property.

d. **Subdivision Review**—The Planning Board adopts the following:

- (1) The property is known as Parcel A, located on Tax Map 98 in Grid B-4, zoned C-M, and is 1.64 acres. Parcel A was recorded in Plat Book PM 225-41 and approved on January 23, 2008. The property is improved with 41,175 square feet of warehouse and office buildings. The applicant has submitted a detailed site plan to demolish the existing structure to construct 6,380 square feet of retail, car wash and gas station.

Parcel A has never been the subject of a preliminary plan of subdivision and is a legal parcel. The detailed site plan shows the boundary, bearings and distances of Parcel A as reflected on the record plat.

- (2) Section 24-107(c) of the Subdivision Regulations provides for exemptions from the requirement of filing a preliminary plan of subdivision (PPS) for deed parcels. Specifically, in this instance Parcel A is exempt from the requirement to file a PPS pursuant to Section 24-107(c)(7)(D) which provides:

(7) Any subdivision of land by deed of a lot prior to January 1, 1982 :

(D) The development of more than five thousand (5,000) square feet of gross floor area, which constitutes at least ten percent (10%) of the total area of the site that is not subject to a Regulating Plan approved in accordance with Subtitle 27A of the County Code, has been constructed pursuant to a building permit issued on or before December 31, 1991.

Parcel A was created by deed prior to January 1, 1982. The total site area is 71,754 square feet and the existing gross floor area (GFA) of development on the property is 41,175 square feet or 57.38 percent of the total land area of the subject site. The note on the record plat indicates that the gross floor area of all existing buildings located on the site is 44,400 square feet. Based on available aerial photographs (PGAtlas) and other evidence accepted into the record, the existing development was built before 1984. The Planning Board finds that the site is exempt from the requirement of filing a preliminary plan of subdivision pursuant to Section 24-107(c)(7)(D) of the Subdivision Regulations for Parcel A based on the existing conditions of the site and prior approval of the Planning Director.

d. **Environmental Planning**—The Planning Board adopts the following:

- (1) The project is not subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site contains less than 10,000 square feet of woodland and has no previous Tree Conservation Plans. A standard letter of exemption has been issued and is valid until February 14, 2015.
- (2) A Natural Resources Inventory (NRI) Equivalency Letter was issued for the site. The NRI Equivalency letter is valid until February 14, 2018. No regulated environmental features exist on the site.

e. **Archeology**—The subject property contains the former Pyles Lumber Company warehouses (76B-022).

The Pyles Lumber Warehouse and Dwelling House were listed in the 1981 *Historic Sites and Districts Plan* as a historic resource and at that time was listed as 76A-008. The Pyles Lumber Warehouse and Dwelling House were evaluated for historic site status by the Historic Preservation Commission (HPC) in April 1984. At that time, the HPC recommended to the Planning Board and District Council to delete 76A-008, the Pyles Lumber Warehouse and Dwelling House, from the Historic Resources Inventory. In addition, the Maryland Historical Trust (MHT) evaluated the Pyles Lumber Warehouse and Dwelling House for inclusion in the National Register of Historic Places in 1997. The property at that time was determined by MHT to be not eligible for the National Register.

At the request of The Maryland-National Capital Park and Planning Commission (M-NCPPC) Historic Preservation Section in 2012, a consultant was retained to thoroughly document the existing buildings on the subject property. That evaluation noted that the property was currently vacant, was extensively damaged by fire in 2,000 and was in a state of disrepair. The two-story warehouse was constructed ca. 1940, with several additions built at a later date. The Pyles family had previously operated a grocery store on the subject property and replaced that building with a hardware store and lumber warehouse about 1940.

Destruction of earlier buildings on the subject property and the construction of newer buildings has likely impacted any intact archeological resources on the subject property. 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. This proposal will not impact any historic sites, historic resources, documented properties, or known archeological sites.

- f. **Historic Preservation**—The subject application will have no effect on identified Historic Sites, Resources, or Districts.
- g. **Prince George’s County Health Department**—In a memorandum dated May 24, 2013, (Wise to Fields), the Health Department stated that the Environmental Engineering Program of the Prince George’s County Health Department had completed a health impact assessment review of the subject DSP and had the following recommendations:
 - (1) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. Indicate that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.

Details of proposed light fixtures shall be provided on the detailed site plan prior to certificate of approval.

- (2) The property is located in the Broad Creek sewer basin. Provide documentation confirming the Washington Suburban Sanitary Commission (WSSC) capacity for conveyance of sewage from the proposed project.

This applicant was referred to WSSC for review and comment. The necessity for sewer improvements shall be addressed between the applicant and WSSC. This is not an item that requires Planning Board action.

- (3) As a water conservation measure, the proposed car wash facility should be equipped with a water reclamation system.

The site plan does not indicate whether water reclamation measures are proposed. It should be considered by the applicant. A condition of approval has been included that if a water reclamation system is proposed, it shall be indicated on the site plan prior to certificate approval.

- (4) There are ten existing carry-out/convenience store food facilities and one market/grocery store within a 0.5 mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes.

This comment is for informational and educational purposes only. The ultimate tenant should provide fresh and healthy food choices for patrons.

- (5) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- (6) During the demolition/construction phases of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

Plan notes shall be provided that indicate the applicant's intent to conform to the above recommendations provided by the Health Department.

- h. **Prince George's County Police Department**—In a memorandum dated May 14, 2013, the Prince George's County Police Department stated that after visiting the site and reviewing the plans there are no crime prevention through environmental design (CPTED) concerns at this time.

i. **The Department of Public Works and Transportation (DPW&T)**—In a referral dated June 19, 2013, DPW&T provided an evaluation of the subject proposal, summarized as follows:

- (1) The property is located on the southeast quadrant of the intersection of Old Branch Avenue and Allentown Road. Old Branch Avenue is a master planned collector roadway (C-716). Frontage improvements are required as determined by DPW&T and should extend along the entire property frontage. Allentown Road (MD 337) is a state maintained roadway; therefore, coordination with The Maryland State Highway Administration (SHA) is required.
- (2) The site development has a DPW&T Stormwater Management Concept Plan No. 3732-2013, dated April 2, 2013. The concept plan is consistent with the detailed site plan.

j. **State Highway Administration (SHA)**—In a memorandum dated May 29, 2013, SHA provided comment on the subject proposal. The commercial entrance shown on the plans is not consistent with the Access Management detail shown on sheet DSP-7 (right in/right out). The applicant shall revise the plans to show a right in/right out commercial access based on the Access Management detail on sheet DSP-7.

In a separate memorandum dated February 14, 2013, (Foster to Wojdak) SHA indicated that they have no objection to the location of the proposed right-in/ right-out access that is proposed onto Allentown Road.

Improvements ultimately provided within the Allentown Road right-of-way are subject to modification by SHA. Additional comments provided by SHA shall be addressed by the applicant at time of SHA Access Permit.

k. **Fire Department**—In comments dated May 20, 2013, the Project Coordinator with the Fire Prevention Division indicated no issues with the proposal.

l. **Washington Suburban Sanitary Commission (WSSC)**—In comments dated May 17, 2013 WSSC provided an evaluation of the subject proposal, summarized as follows:

- (1) Water: Service connections to WSSC water mains 20-inch or 24-inch require special review and approval by WSSC Permit Services Unit.

There is a 24-inch diameter water main located near this property. WSSC records indicate that the pipe material is Cast Iron (CI) or Prestressed Concrete Cylinder Pipe (PCCP). It is the applicant's responsibility to test pit the line and determine

its exact horizontal and vertical location as well as to verify the type of pipe material prior. A WSSC inspector must be present at the time of the test pit.

The required horizontal separation from a building or dwelling unit to the closest outside edge of the closest WSSC pipeline will be determined based on the potential for physical injury and property damage resulting from a catastrophic pipeline failure.

- (2) Site Utility: Proposed water systems (greater than 3-inch diameter) with a developed length of more than 80 feet will require an outside meter setting in a vault. Show and label vault and required WSSC right-of-way.

WSSC easements must be free and clear of other utilities, including storm drain systems, with the exception of allowed crossings designed in accordance with the WSSC Pipeline Design Manual. Under certain conditions (and by special request) storm drains may be permitted within the WSSC easement. However, this will be evaluated on a case by case basis and if allowed, will require execution of a special agreement between WSSC and the developer.

- (3) General: WSSC facilities/structures cannot be located with a public utility easement (PUE); however, WSSC pipelines may cross over a PUE. Revise the plan to relocate any pipeline, valve, fire hydrant, meter vault and any other WSSC facilities/structures outside of the PUE.
- (4) Sewer: Based on the Sewer Modeling analysis for this basin, the Broad Creek Basin, projected flows during a 2-year design storm exceed the capacity of downstream sewers. In accordance with proposed WSSC Standard Procedure SP ENG-11-01, sewer system improvements may be required and your project may be dependent upon sewer system improvements that eliminate the risk of potential overflow and project S 43.02, Broad Creek Wastewater Pumping Station Augmentation in the adopted FY13 Capital Improvements Program. WSSC cannot guarantee the completion date of this project.

Prior to certificate of approval any proposed WSSC easements shall be located on the plan and overlaps with the WSSC facilities and the PUE shall be avoided.

12. In response to the opposition's argument regarding whether a special exception is required for the proposed use on the subject property, the Planning Board finds that CB-99-2012 created an entirely new use in the Table of Uses (Section 27-461) for a "food or beverage store in combination with a gas station." The legislative history of CB-99-2012 clearly provides that the first draft of CB-99-2012 was amended "to create another line in the use column of the table of uses to add 'food or beverage store in combination with a gas station in accordance with Part 3, Division 9 of the Zoning Ordinance' as a separate use rather than add a footnote to the use table. This amendment clarified that the intent of the bill is to permit a food or beverage store in combination with a gas station by right subject to Detailed Site Plan approval." In addition, the

Planning Board finds that the language of the ordinance is clear that the gas station and food or beverage store can be in combination with one another, and does not require either use to be the primary use. In summary, with the adoption of CB-99-2012, the use proposed in this detailed site plan application is not considered to be two separate uses – neither one being ancillary or an accessory to the other – but instead is one use in combination with the other, which is permitted by right in the C-M Zone subject to detailed site plan review.

13. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the Planning Board finds that the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
14. As required by Section 27-285(b)(4) of the Zoning Ordinance, the Planning Board should also find that the regulated environmental features on a site have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(5) of the Subdivision Regulations. The site contains no regulated environmental features; therefore, this finding is not applicable.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-13007, subject to the following conditions:

1. Prior to certificate of approval of the detailed site plan, the following revisions shall be made, or information shall be provided:
 - a. The uninterrupted band of beige exterior insulation finishing system (EIFS) along the top of the building shall be revised to include scoring, color, and/or design change to add additional visual interest in this area along all sides of the building.
 - b. The gas station canopy shall be revised to include an articulated standing seam metal roof, and its overall design shall be more consistent with the architecture of the primary building. The final design of the canopy and canopy signage shall be approved by the Urban Design Section as a designee of the Planning Board.
 - c. A detail of the placemaking wall shall be provided that incorporates brick piers and wrought iron-style fencing. The final design of the wall shall be approved by the Urban Design Section as a designee of the Planning Board.
 - d. The placemaking wall shall be extended along the entire corner of the site from the access drive located along Old Branch Avenue to the access drive along Allentown Road.

- e. The signage base shall be revised to incorporate brick support columns, instead of a solid wall.
- f. All of the proposed building materials, colors, and finishes shall be labeled on the architectural elevations.
- g. Details of all proposed site features such as benches, fencing, and lamp posts shall be provided.
- h. The freestanding sign area and pylon sign table shall be revised to include the entire sign face, exclusive of any base that holds up the sign, and the sign area permitted shall be based upon the property boundaries and frontage widths after the proposed dedication.
- i. Extend the proposed six-foot-wide sidewalk on Old Branch Avenue to the southern property line.
- j. The following notes shall be placed on the plan:
 - (1) The proposed gas station shall not include the storage or junking of wrecked motor vehicles (whether capable of movement or not);
 - (2) Vehicle repair service is not proposed on the subject site;
 - (3) The color and appearance of the red brick on the proposed primary building, canopy support columns, walls, and features across the site shall be consistent;
 - (4) During the demolition/construction phases of the project, the project shall conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control;
 - (5) During the demolition/construction phases of the project, the project shall conform to construction activity noise control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- k. The method of illumination for the building-mounted signs shall be indicated on the sign plans.
- l. A column shall be added to the sign table indicating how the percentage of the sign area will be divided between the building and the canopy.
- m. The proposed directional sign shall be revised to incorporate a two-foot tall brick base.

- n. Details of proposed light fixtures shall be provided. The light fixtures shall be positioned to minimize light trespass caused by spill light.
 - o. Utilization of a water reclamation system should be considered for the proposed car wash. If water reclamation is proposed, it shall be indicated on the site plan.
 - p. WSSC easements shall be located on the plan and overlaps of the WSSC facilities and the PUE shall be avoided to the extent feasible.
 - q. The applicant shall revise the plans to show a right-in/right-out commercial access based on the Access Management detail on sheet DSP-7.
2. Prior to certificate of approval of the detailed site plan, the following revisions shall be made to the landscape plan or information shall be provided:
- a. The loading space shall be more effectively screened by adding three evergreen trees along the frontage of the on-ramp for southbound MD 5.
 - b. The Section 4.6 plantings shall be relocated out of the public utility easement (PUE). If the plan cannot be revised to show plantings outside of the PUE, then Alternative Compliance shall be approved by the Planning Director as designee of the Planning Board.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Bailey, seconded by Commissioner Shoaff, with Commissioners Bailey, Shoaff and Hewlett voting in favor of the motion, with Commissioner Geraldo temporarily absent, and with Commissioner Washington absent at its regular meeting held on Thursday, July 25, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of September 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj