

June 30, 2020

PMIG 1027 LLC
2359 Research Court
Woodbridge, VA 22192



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-18029
PMG 4775 Allentown Road

Dear Applicant:

This is to advise you that, on June 25, 2020, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-290, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Acting Clerk of the County Council, at 301-952-3600.

Please be advised that, pursuant to Council Resolution 10-2020, adopted on March 17, 2020, the District Council suspended certain time periods that may be applicable to an appeal of the matter approved by the Planning Board in the attached resolution. For questions concerning your right to appeal, please contact the Office of the County Clerk at Clerkofthecouncil@co.pg.md.us.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: 
Reviewer

Attachment: PGCPB Resolution No. 2020-95

cc: Donna J. Brown, Acting Clerk of the County Council
Persons of Record

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on June 4, 2020, regarding Detailed Site Plan DSP-18029 for PMG 4755 Allentown Road, the Planning Board finds:

- Request:** The subject detailed site plan (DSP) proposes to build a 342-square-foot addition to an existing 580-square-foot food and beverage store, for the ultimate construction of a 922-square-foot building, on a 0.59-acre parcel, which includes a gas station with a 60-square-foot kiosk.

In conjunction with this DSP, the Planning Board approved a Departure from Design Standards, DDS-671 (PGCPB Resolution No. 2020-96), for the reduction of the landscape strip along the frontage of MD 337 (Allentown Road) and I-95/I-495 (Capital Beltway).

2. Development Data Summary:

	EXISTING	APPROVED
Zone	C-M/M-I-O	C-M/M-I-O
Use	Gas Station and Food and Beverage Store	Gas Station and Food and Beverage Store
Total Acreage	0.59	0.59
Total Gross Floor Area (square feet)	640	982 (342 proposed)

Parking and Loading		
Use	Number of Spaces Required	Number of Spaces Provided
Gas Station		
60 sq. ft. kiosk (to remain)		
1 space per employee	1	1
Food and Beverage Store		
922 sq. ft. @ 1 space/150 sq. ft.	5*	5
Total Required	6**	6
Handicapped-Accessible	1	1
Total Loading Spaces	0	0
1 space for 2,000 - 10,000 sq. ft.		

Notes: *The parking schedule should be revised to add a note clarifying that the parking requirement is reduced by 20 percent, pursuant to Section 27-572, for joint use of the parking lot by the two uses.

**The Planning Board finds that the parking and loading schedule is unclear and lists the incorrect building square footage and the number of required parking spaces. The schedule should be revised to list the parking requirements for each use. A condition requiring that the parking schedule be revised has been included herein.

3. **Location:** The subject property is located on the west side of MD 337, in Planning Area 76B, and Council District 7. More specifically, it is located at 4775 Allentown Road, 200 feet north of its intersection with Suitland Road. The subject property is known as Parcel B recorded in Plat Book WWW 58, on Page 87, and is further reflected on Tax Map 89, Grid E4.
4. **Surrounding Uses:** The subject property is generally rectangular and bounded to the north by commercial uses, and to the south by an eating and drinking establishment with drive through service, both in the Commercial Miscellaneous (C-M) Zone; to the east by the public right-of-way of MD 337, and west by I-95/I-495.
5. **Previous Approvals:** The site is currently developed with a gas station, associated kiosk, and a food and beverage store, which was constructed on the property in 1973. The 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* retained the property in the C-M Zone, and the site has never been the subject of a preliminary plan of subdivision. It is noted that one is not required at this time because the development proposed in this application is less than 5,000 square feet of gross floor area.

The site has an approved Stormwater Management Concept Plan, 4801-2018-00, that is in conformance with the current Prince George's County Code and valid until April 13, 2021.

6. **Design Features:** The subject property has frontage on MD 337 with two vehicular access points on either side of the existing gas station canopy, which includes a 60-square-foot kiosk. The existing 580-square-foot food and beverage store is adjacent to I-95/I-495 on the west side of the site, behind the gas station canopy. The proposed 342-square-foot addition expands the building to the south and west. A two-way drive aisle circles the gas station canopy. The site is further improved by an existing four-foot-high wooden fence along the property line with the Capital Beltway and by an existing free-standing sign and proposed landscaping along MD 337.

Parking for the facility is featured along either side of the building and includes three standard and one handicap-accessible surface parking spaces to the south of the building and two spaces on the northwestern portion of the site. The northwestern portion of the site includes a proposed loading space, which is conditioned to be removed as it is not required, and an existing trash facility that is screened by a sight-tight wooden fence enclosure. A departure from design standards, DDS-671, was approved with this application for a reduction in the required landscape strip along the property's frontages of MD 337 and I-95/I-495.

Architecture

The application proposes to use durable quality materials including brick, metal, and glass on the proposed building addition, which will match the existing building. The proposed 12.5-foot-high building is generally rectangular, and its roofline is accented by a metal cornice that runs along the entirety. Windows are proposed on the facade facing MD 337 and include a glass door as the main entrance. The Planning Board requires that additional architectural treatments be provided on the building, particularly on the facade facing MD 337. The additional treatments could include a stone veneer base, canopies, brick insets, or vertical banding to break up the façade, providing architectural interest. A condition is included herein requiring this modification.

Signage

Based on photographs, multiple building-mounted signs were constructed previously on the food and beverage building, and the gas canopy displays the tenant's name and logo. In addition, there is an existing pylon sign shown on the DSP near the center of the site along MD 337, that is proposed to remain. However, it is unclear if the existing building-mounted and canopy signs are proposed to remain, or if new signs are proposed. The Planning Board requires that a signage schedule be provided, and the architectural elevations be revised to be consistent with the proposed signage, as conditioned herein.

Lighting

The applicant proposes building-mounted, and existing pole-mounted lighting on the site, which is sufficient for illuminating site access, drive aisles, building entryways, and walking paths, and complements the façade. The Planning Board finds that a detail has not been provided for the building-mounted lighting and should be provided for clarification. Therefore, a condition has been included herein, requiring the applicant to include the details and specifications for the building-mounted lighting proposed with the application.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-M and M-I-O Zones, and the site plan design guidelines of the Zoning Ordinance.
- a. This DSP is in general conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in the C-M Zone. The proposed gas station and food and beverage store are permitted uses in the C-M Zone, subject to the approval of a DSP.
 - b. Section 27-462 of the Zoning Ordinance provides additional regulations for development in commercial zones, including requirements for setbacks. The subject DSP meets all of these requirements, as shown on the submitted plans.
 - c. Section 27-548.50 of the Zoning Ordinance sets forth criteria for the M-I-O Zone. The site is located within Imaginary Limit Surface Area D, which limits the allowed building height. The maximum proposed building height of 12.5 feet meets the requirements of the M-I-O Zone.
 - d. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For example, grading will be minimized to the extent practicable, and all disturbed areas will be restored; and the architecture proposed for the building is constructed of durable, low-maintenance materials and employs a variety of architectural features and designs, such as window and door treatments and colors, as conditioned.
8. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of the Landscape Manual due to the size of the proposed addition being more than 10 percent of the square footage of the existing building. Specifically, the application is subject to the following sections of the Landscape Manual: Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. It is unclear where the location of the required buffers and landscape strips are located on the plan. Therefore, a condition requiring revisions to the DSP to clearly show these locations has been included in this approval.

The required plantings and schedules are provided in conformance with the Landscape Manual, with the exception of the requirements for Section 4.2. The applicant filed a request for alternative compliance, AC-19019, from the requirements of Section 4.2 (c)(3)(A)(i), Requirements for Landscape Strips Along Streets, of the Landscape Manual. Specifically, relief was requested for the site's frontages along MD 337 and I-95/I-495.

The Planning Board did not find the applicant's proposal to be equally effective as normal compliance with Section 4.2, Requirements for Landscape Strips Along Streets, of the Landscape Manual for the reasons discussed in the AC-19019 report. Therefore, the Planning Board

disapproved AC-19019 for PMG 4775 Allentown Road, and the applicant filed and gained approval of DDS-671.

9. **2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The subject DSP is exempt from the Woodland and Wildlife Habitat Conservation Ordinance because the site has less than 10,000 square feet of existing woodlands on the site, and the property has no previous tree conservation plan approvals. In addition, a Standard Letter of Exemption, S-093-2018, was issued for the property on July 3, 2018.
10. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-128 of the County Code requires a minimum percentage of tree canopy coverage (TCC) on projects, that propose more than 5,000 square feet of disturbance or gross floor area. The subject application proposes only 1,815 square feet of disturbance and is therefore, exempt from the TCC requirement. A note should be provided on the plan, as conditioned herein, to clearly indicate the applicable exemption.
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. **Trails**— The Planning Board adopted, herein by reference, a memorandum dated March 20, 2019 (Ryan to Bush), which noted that the site was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* to implement the appropriate pedestrian and bicycle transportation recommendations.

It was noted that sidewalks currently exist along the frontage of the subject property within a landscape island and that the entrances to the gas station are located on both sides of the landscape island. In addition, it was noted that there is no existing bicycle infrastructure along MD 337 in the vicinity of the subject property, and the roadway is planned for a bike lane by the MPOT.

However, it was determined that as a result of the property's frontage on only a portion of MD 337, a striped bike lane along this frontage may not be effective for facilitating bike transportation in the corridor. An on-street bike lane along the entire extent of MD 337 can be installed as part of a future Capital Improvement Project or roadway maintenance project by the Maryland State Highway Administration (SHA).

In conclusion, it was noted that the adjacent properties provide a 10-foot-wide sidewalk along MD 337, adhering to the recommendations of the sector plan. It is recommended that the subject application continue the 10-foot-wide sidewalks along the frontage of this property to maintain consistency, and a condition requiring such has been included herein.

- b. **Permits**— The Planning Board adopted, herein by reference, a memorandum dated January 3, 2020 (Hughes to Bush), which offered numerous comments, which have been addressed through revisions to the plans, or have been included as conditions in this approval.
 - c. **Environmental Planning**— The Planning Board adopted, herein by reference, an email dated December 2019 (Schneider to Bush), which noted that no wetlands, or streams were found on-site and the application does not propose any woodland clearing, or impacts. In addition, it was noted that the site has a Natural Resources Inventory Equivalency Letter (NRI-099-2018) and a Standard Number Woodland Conservation Exemption Letter (S-093-2018), which were issued on July 3, 2018.
 - d. **Prince George's County Fire/EMS Department**—At the time of this approval, comments regarding the subject project have not been received from the Fire/EMS Department.
 - e. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of this approval, comments regarding the subject project have not been received from DPIE.
 - f. **Prince George's County Police Department**— The Planning Board adopted, herein by reference, a memorandum dated January 9, 2019 (Contic to Planner Coordinator), in which the Police Department noted that they had no comments on the subject application.
 - g. **Prince George's County Health Department**—At the time of this approval, comments regarding the subject project have not been received from the Health Department. However, standard conditions have been included in this approval to require noise and dust control during the demolition and construction phases of the development.
 - h. **Maryland State Highway Administration (SHA)**— The Planning Board adopted, herein by reference, a memorandum dated December 18, 2019 (Woodruff to Bush), in which SHA provided their review and analysis of the subject application, and noted that it does not appear that work is being proposed in the State right-of-way and the application is maintaining the two full-accesses on-site. Additional comments will be addressed through SHA's separate permitting process.
12. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

13. As required by Section 27-285(b)(4), for approval of a DSP, the regulated environmental features on-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), as this property does not contain any regulated environmental features.

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 Alternative Compliance AC-19019, and further APPROVED Detailed Site Plan DSP-18029 for the above described land, subject to the following conditions:

1. Prior to certification of the detailed site plan (DSP), the following revisions shall be made to the plans:
 - a. Revise the general notes to indicate the correct zoning for the application, C-M/M-I-O.
 - b. Revise the parking and loading schedule to clearly show the required and proposed spaces for the site for each use demonstrating conformance to Sections 27-568 and 27-582 of the Prince George's County Zoning Ordinance and correct the zoning section reference for the reduction of parking spaces for the joint use of the parking lot.
 - c. Remove the proposed loading space shown on the DSP.
 - d. Clearly show and label the ultimate right-of-way for MD 337 on the plan.
 - e. Add a general note that the application was the subject of Alternative Compliance AC-19019, which was disapproved.
 - f. Add the following general notes to the plan:
 - (1) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Conformance to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, is required.
 - (2) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code, is required.
 - g. Provide a note specifying the exemption from the Tree Canopy Coverage Ordinance.

- h. Provide a 10-foot wide sidewalk along the frontage of the property on MD 337, subject to modification by the Maryland State Highway Administration with written correspondence.
- i. Clearly label the type of building-mounted and pylon signs that are being proposed with the application and provide the details and specifications for the proposed signs.
- j. Include a signage area schedule showing the existing and proposed signs on site conform with Sections 27-613 and 27-614 of the Prince George's County Zoning Ordinance.
- k. Clearly label the location of the required landscape buffers and strips on the landscape plan.
- l. Provide the details and specifications for the building-mounted lighting proposed with this DSP.
- m. Provide additional architectural treatments on the front façade of the building facing MD 337, including one additional architectural treatment such as a stone veneer base, canopy(s), brick insets, or vertical banding.
- n. Show a minimum 22-foot-wide drive aisle behind all parking spaces.
- o. Indicate the height of the fence enclosure around the dumpsters, in conformance with Section 4.4 of the Landscape Manual.

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.

* * * * *

PGCPB No. 2020-95

File No. DSP-18029

Page 9

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 Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, June 4, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of June 2020.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/

M-NCPPC Legal Department

Date: June 17, 2020