

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on January 10, 2019, regarding Detailed Site Plan DSP-18027 for 7-Eleven, Laurel-Baltimore Avenue, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) proposes to raze a property with an existing used car sales business and to construct a 4,950-square-foot food and beverage store and a gas station. The project will entail the complete removal of all existing structures on the property.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-M	C-M
Use(s)	Auto Sales	Food and beverage store/ Gas Station
Acreage	1.72	1.72
Building Gross Floor Area (sq. ft.)	2,488 (to be razed)	4,950

OTHER DEVELOPMENT DATA

Total Parking Spaces Required	32 spaces (2 ADA)
Food and Beverage Store	
3,000 GFA @ 1 space per 150 GFA	20 spaces
1,950 GFA @ 1 space per 200 GFA	10 spaces
Gas Station	
2 Employees @ 1 space per Employee	2 spaces
Total Parking Spaces Provided	32 Spaces (2 ADA)
Regular Spaces (9.5 ft. x 19 ft.)	24 spaces
Compact Spaces (8 ft. x 19 ft.)	6 spaces
ADA Spaces (8 ft. x 19 ft.)	2 spaces
Loading Spaces Required	1 space
Loading Spaces Provided	1 space

3. **Location:** The subject property is located on the west side of US 1 (Baltimore Avenue), in the southwest quadrant of its intersection with Academy Lane, in Planning Area 60 and Council District 1.
4. **Surrounding Uses:** The property is bounded to the north by Academy Lane and beyond by a C-M-zoned property developed with a car rental and used car sales lot. West of the subject site is an R-R-zoned property developed with an office building. South of the site is R-R-zoned property developed with the Maryland National Memorial Cemetery. East is Baltimore Avenue and beyond a C-M-zoned property developed with primarily commercial uses.
5. **Previous Approvals:** The subject property is known as Parcel 160 and Lot 2. Parcel 160 (0.311 acres), located on Tax Map 9 in Grid F2, is undeveloped. Lot 2 (1.405 acres), located on Tax Map 10 in Grid A3, was developed with a single-story building constructed in 1948 and currently in use as a used car sales lot.

The site has an approved Stormwater Management Concept Letter (27161-2018-00) issued on September 28, 2018, and valid until September 28, 2021.

6. **Design Features:**

Site Design—This site proposes three points of vehicular access: two ingress and egress points from Baltimore Avenue and a single ingress and egress point from Academy Lane. Eight multi-product dispensers located on pump islands covered by a canopy serve the gas station use and are located parallel to Baltimore Avenue. The building containing the food and beverage store is located at the western area of the site and faces Baltimore Avenue. Parking for the development is proposed at the front and the right side of the building. The loading space is located perpendicular to Baltimore Avenue, to the south of the building. Pedestrian accessibility to the site is provided via a sidewalk along Academy Lane. Bicycle racks are proposed near the front entrance of the building. The dumpster and loading space are located at the southwestern portion of the site. The dumpster enclosure is proposed to be constructed with brick veneer to match the proposed building.

Architecture—The building is generally rectangular and includes a flat roof with variation across the length of the building. The building has been designed to incorporate a variety of building materials including brick, stone, and cementitious panels on all sides of the structure, and complements the surrounding uses. Prefabricated stone has been used on the columns and tower feature on the front elevation, with brick and cementitious panel as the predominant building materials. The rest of the elevations show a balanced composition of stone, brick, and cementitious panel. The building is very contemporary in style and is acceptable. The pumps and canopy are designed to coordinate well with the architecture and materials of the main building.

Lighting—This application proposes lighting to illuminate the building and the fueling areas. The site plan provides a balanced lighting pattern on the property, while not causing a glare onto adjoining properties.

Signage—The applicant proposes signage throughout the proposed development. Section 27-614(b)(1) of the Zoning Ordinance specifies that the maximum height of signs in the C-M Zone shall be 25 feet, measured from the finished grade at the base of the sign to the top of the sign. The site plan shows the location for a 25-foot-tall pylon freestanding sign (100 square feet) on the east side of Baltimore Avenue. The freestanding sign will be lit internally and includes a plastic sign face and painted aluminum housing. The upper 14 feet of the sign is dedicated to the traditional 7-Eleven logo, with gas pricing on it. An attractive grouping of ground cover, small and large shrubs for year-round interest should be provided at the base of the freestanding sign as visual transition from the commercially-zoned property to the residentially-zoned adjacent property to the south. A condition has been included in this approval requiring this addition.

The project also includes the following additional signs: fuel canopy sign (9 square feet), two building-mounted signs on the front (52.5 square feet) and right side (16 square feet) of the building (fronting Academy Lane) that include the franchise name, one ATM sign on the front interior window of the building below the franchise name (3.2 square feet), window vinyl at the front entrance and three directional arrow signs at each of the three entrances.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George’s County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-M Zone and the site design guidelines of the Zoning Ordinance. The following discussion is offered regarding these requirements:
 - a. The subject application is in conformance with the requirements of Sections 27-459 and 27-461(b) of the Zoning Ordinance, which governs uses in the commercial zones. The proposed food or beverage store in combination with a gas station is a permitted use in the C-M Zone, subject to a detailed site plan. The proposed gas station is a permitted use, which in the C-M Zone is subject to DSP review in accordance with Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9), and (10) as follows:
 - (a) **A gas station may be permitted, subject to the following:**
 - (1) **The subject property shall have at least one hundred and fifty (150) feet of frontage on and direct vehicular access to a street with a right-of-way width of at least seventy (70) feet;**

The property has more than 150 feet of frontage on, and direct vehicular access to, Baltimore Avenue, a master plan arterial facility with a variable width right-of-way in excess of 120 feet.

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

No such facilities are located within 300 feet of the subject property.

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

The applicant does not propose storage or junking of motor vehicles (whether capable of movement or not) and does not propose any vehicle servicing on the subject property.

- (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;**

The submitted site plan shows that the two access drives on Baltimore Avenue are more than 30 feet wide. These entrance driveways are more than 12 feet from the adjoining lot. The access drive from Academy Lane shows a 35-foot-wide driveway, which is more than 12 feet from the adjoining lot.

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

The site plan shows that all access driveways are defined by curbing.

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

This area is dominated by vehicular traffic; however, the site plan shows a proposed six-foot-wide sidewalk along Baltimore Avenue and Academy Lane, between the building and the curb.

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

The existing gas pumps are set back 25 feet from Baltimore Avenue and Academy Lane, as required by this section.

- (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.**

Repair services are not proposed.

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

Architectural elevations are provided for the food and beverage store façade showing a masonry building. This section of Baltimore Avenue is characterized by commercial uses. Masonry is compatible with the surrounding development in the area.

- b. **Site Design Guidelines**—Section 27-283 of the Zoning Ordinance provides that a DSP should be designed in accordance with the same design guidelines for a conceptual site plan (Section 27-274), regarding parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, and architecture.

Section 27-274(a) of the Zoning Ordinance further requires that the applicant demonstrate the following:

- (2) **Parking, loading, and circulation**

- (A) **Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be**

located to provide convenient access to major destination points on the site.

- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.**
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.**

The detailed site plan (DSP) is in general conformance with the site design guidelines contained in Section 27-274 of the Zoning Ordinance, regarding provisions for safe and efficient on-site pedestrian and vehicular circulation, as well as provisions for adequate illumination. Specifically, the plan shows interior two-way travel lanes at 22 feet or more in width. The size of these travel lanes is large enough to provide safe parking, as well as through traffic that can travel in both directions.

There are 32 total parking spaces for the proposed uses. The vehicular access to the site from Academy Lane is via a 35-foot-wide drive aisle, which provides two-way traffic to the site and the eight fueling pumps. A single loading space is provided on the southern portion of the site in front of the trash enclosure. Parking spaces are located at the front and right side of the building and along the southern perimeter of the site.

(3) Lighting.

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character.**

The proposed light fixtures include pole-mounted lighting in the parking area near the building and throughout the parking lot that provides a balanced lighting pattern throughout the property. The lighting placement has been designed to enhance the building entrances, pedestrian pathways, site design character, and to improve safety, while not causing glare onto adjoining properties.

(4) Views.

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

The DSP is designed to preserve, create, or emphasize views from the public roads and public spaces to the adjoining properties and green areas. The proposed building has been designed to provide a modern and clean presence and is located away from the roadway to not block views.

(5) Green Area.

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use.**

This DSP provides the required landscaping interior to the parking lot.

(6) Site and streetscape amenities.

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site.**

The applicant is not proposing any site or streetscape amenities, except for landscaping and sidewalks. The redevelopment of the site will contribute to an attractive and coordinated development pattern of the streetscape bordering the site.

(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.**

The development is being proposed on a site that has been previously fully developed and is relatively flat. Minor fine grading will be required but is designed to minimize disruption to the existing topography and other natural resources on the site and on adjacent properties.

(8) Service Areas.

- (A) Service areas should be accessible, but unobtrusive.**

The DSP proposes a loading area on the southern side of the site.

(9) Public Spaces.

- (A) A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.**

The DSP does not propose any public space in this development as it is not a large-scale commercial development.

(10) Architecture.

- (A) When architectural considerations are references for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.**
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**
- (C) These guidelines may be modified in accordance with Section 27-277.**

The proposed building incorporates a band of composite siding at the top portion of the building, brick veneer in the middle, and stone veneer at the base of the building. The main entrance, with a high-profile roof, projects from the rest of the building. The front elevation is accented with a pitched roof and a cupola over the main entrance, supported by stone veneer and painted steel columns. The proposed building materials are of high quality and are acceptable.

- 8. **2010 Prince George's County Landscape Manual:** The new construction on the site is subject to the following sections of the 2010 *Prince George's County Landscape Manual* (Landscape Manual): Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The submitted landscape plan provides the appropriate notes and schedules demonstrating conformance to all the applicable requirements.
- 9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The project has an approved Natural Resources Inventory, NRI-109-2018, which was issued on July 26, 2018, and a Standard Letter of Exemption (S-105-2018) from Subtitle 25 (Woodland and Wildlife Habitat Conservation Ordinance) that was issued on July 19, 2018. There are no regulated environmental features known to occur on-site.
- 10. **Prince George's County 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 for more than 5,000 square feet of disturbance. Properties that are zoned C-M are required to provide a minimum of 10 percent of the gross tract area in TCC. The overall site measures 1.72 acres and, therefore, requires 0.17 acres, or 7,449 square feet, of the site in tree canopy coverage (TCC). The site plan demonstrates conformance with this requirement through the provision of 12,150 square feet of proposed landscape trees.
- 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. **Historic Preservation and Archeological Review**—The Planning Board found that 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 proposal will not impact any historic sites, historic resources, or known archeological sites.
- b. **Community Planning**—The Planning Board found that master plan conformance is not required for this application.
- c. **Transportation**—The Planning Board found that site access driveways and frontage conforms to the requirements of Section 27-358 of the Zoning Ordinance. Academy Lane is not designated as a master plan facility; it is a 70-foot commercial street. Baltimore Avenue is a master plan arterial facility with a proposed right-of-way of 100 to 120 feet and six lanes. There are no structures proposed within the ultimate planned right-of-way. This plan is generally acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance.
- d. **Subdivision Review**—The Planning Board found that Lot 2 is exempt from the requirement of filing a preliminary plan of subdivision (PPS) pursuant to Section 24-111(c)(2) of the Subdivision Regulations. The development of less than 5,000 square feet of gross floor area on Parcel 160 is also exempt from the requirement of filing a PPS pursuant to Section 24-107(c)(7)(B) of the Subdivision Regulations.
- e. **Trails**—The Planning Board reviewed the subject project for conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* and/or the appropriate area master/sector plan in order to implement planned trails, bikeways, and pedestrian improvements, and stated that the application conforms to the MPOT recommendation of a sidewalk along the west side of US Route 1 (Baltimore Avenue) and the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment (Subregion 1 Master Plan and SMA)*. The site plan also shows a pedestrian route to the front of the building and bicycle parking.
- f. **Permit Review**—Permit Review comments were either addressed by revisions to the plans or as conditions in this approval.
- g. **Environmental Planning**—The Planning Board found this application to be in conformance with the requirements of Subtitle 25, Woodland and Wildlife Habitat Conservation Ordinance and Subtitle 27, Zoning Ordinance.
- h. **Prince George's County Fire/EMS Department**—In an e-mail dated October 21, 2018 (O'Neil to Thompson), the Office of the Fire Marshall offered the following comments:

- (1) With regard to water supply, the site is served by WSSC mains, so the Fire Department anticipates the water supply for firefighting will be adequate. The applicant's System Extension Plan and/or Site Utility Plan submittals to WSSC shall demonstrate that any proposed private hydrants on the site will provide 1,000 gpm at a residual pressure of 20psi. WSSC requires a minimum of 1500 gpm at the point of connection for any system extension.
 - (2) No fire hydrants are shown on the DSP. Hydrants shall be provided so that no exterior portion of the building is more than 500 feet as hose is laid by the fire department. A hydrant must be provided within 200 feet of any Fire Department Connection which must be located on the front, address side of the building and be visible from the fire hydrant. Hydrants should be 40 feet from structures served.
 - (3) With regard to fire access, the right turn entrance drive aisles from Baltimore Avenue are 17 feet due to the median island. But because ample width is provided from Academy Lane, we have no reservations about access as shown.
- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—Comments regarding the subject project were not provided by DPIE.
 - j. **Prince George's County Police Department**—Comments regarding the subject project were not provided by the Police Department.
 - k. **Prince George's County Health Department**—Comments regarding the subject project were not provided by the Health Department.
 - l. **State Highway Administration**—The Subregion 1 Master Plan and SMA requires an eight-foot pedestrian path along the subject site's entire frontage of Baltimore Avenue.
12. Based on the foregoing, and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised in accordance with the proposed conditions below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
 13. As there are no environmental features located on the subject property, the normally required finding pursuant to Section 27-285(b)(4) of the Zoning Ordinance, 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, does not need to be made for the subject project at this time.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Detailed Site Plan DSP-18027 for the above described land, subject to the following condition:

1. Prior to certification of the detailed site plan (DSP), the applicant shall:
 - a. Revise the landscape plans to show a grouping of groundcover and small and large shrubs that will provide year-round interest at the base of the freestanding pylon sign.
 - b. Remove the three freestanding directional signs or revise them to be only directional, with no commercial copy.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Bailey, seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, January 10, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of January 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

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