



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

March 31, 2025

**RE: DSP-19031-02 Remand Popeyes
Three Roads Corner, LLC, Applicant**

NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in this case on March 24, 2025.

CERTIFICATE OF SERVICE

This is to certify that on March 31, 2025, this notice and attached Council Order was mailed, postage prepaid, to all persons of record.

A handwritten signature in black ink, reading "Donna J. Brown".

Donna J. Brown
Clerk of the Council

Case No.: DSP-19031-02 (On Remand)
Popeyes at MD 381
(Brandywine Road) and MD 373
(Accokeek Road)

Applicant: Three Roads Corner, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

FINAL DECISION — APPROVAL OF DETAILED SITE PLAN

The District Council elected to review the Planning Board's approval of Detailed Site Plan (DSP)-19031-02 on June 10, 2024, heard oral arguments on the case on July 15, 2024, and voted to remand the case to the Planning Board on September 16, 2024, to reopen the record for the applicant to address four specific issues.

On remand, the applicant submitted revisions to DSP-19031-02 to address certain issues within the District Council's Order of Remand, within 60 days of the transmittal date of the notice of remand as required by the provisions of Sections 27-285(c) and 27-290 of the prior Zoning Ordinance.

On November 14, 2024, after an evidentiary hearing to consider the issues of the District Council's Order of Remand, the Planning Board, found that DSP-19031-02, to develop Parcels 1 and 4 with a 3,484-square-foot food and beverage store, a gas station, and a 982-square-foot car wash, sufficiently satisfied the requirements of the District Council's Order of Remand, and recommended approval of DSP-19031-02, for the addition of Parcels 2 and 3 to DSP-19031, to amend DSP-19031, for development of a 2,923-square-foot building to serve as an eating and drinking establishment with drive-through service on Parcel 3.

On March 10, 2025, after remand from the Planning Board, this matter was considered by the District Council, on its motion to elect to review, without any opposition, using oral argument

procedures. Having carefully reviewed the record and the Planning Board’s decision to approve DSP-19031-02 after remand, the District Council now finds that the Planning Board’s decision, to approve DSP-19031-02, for development of a 2,923-square-foot building to serve as an eating and drinking establishment with drive-through service located on the west side of MD 631 (Old Brandywine Road), in the southeast quadrant of its intersection with the confluence of MD 381 (Brandywine Road) and MD 373 (Accokeek Road) (4.427 Acres; CS/CGO Zones) (Prior; C-M/C-S-C Zones), Council District 9, is supported by substantial evidence in the record, is not arbitrary, capricious, or otherwise illegal.

IT IS HEREBY ORDERED that the Planning Board’s decision to approve DSP-19031-02, Type 2 Tree Conservation Plan TCP2-026-2018-02 and Alternative Compliance AC-24001, based on the findings of facts and conclusions set forth in Amended Resolution No. 2024-029(A), for the land described above, is hereby AFFIRMED, subject to the following conditions:¹

- †[1. ~~Prior to certificate approval of the detailed site plan (DSP), the following revisions shall be made, or information shall be provided:~~
- a. ~~Revise the DSP case number on the cover sheet to DSP-19031-02.~~
- b. ~~Revise Standard Note 3 on Sheet C-302 to indicate the total number of parcels as four parcels (Parcels 1 to 4) and correct the acreage of the property.~~
- c. ~~Revise Standard Note 4 on Sheet C-302 to add the recording plat reference for Parcels 3 and 4 as Plat Book ME 258 Plat 54 instead of the deed reference.~~
- d. ~~Revise parcel information noted on the site plans across various sheets to be consistent with the parcel information contained in Standard Note 4 on Sheet C-302.~~

¹ †Denotes Amendment
Underlining indicates new language
 [Brackets] and ~~strikethrough~~ indicate deleted language from Planning Board’s Resolution prior to remand.

- e. ~~Revise the existing and prior zones for each parcel in Standard Note 4 on Sheet C-302, and similar information on the cover sheet.~~
- f. ~~Regarding Standard Note 5 on Sheet C-302:~~
 - (1) ~~Revise the proposed use to the approved use for Parcels 1 and 4.~~
 - (2) ~~Revise the existing use of Parcels 1 and 4 to be vacant, if any on-site structures have been razed.~~
- g. ~~Revise the existing condition/demolition plan on Sheet C-201 if any on-site structures have been razed.~~
- h. ~~Revise Standard Note 6 on Sheet C-302 to indicate if the existing building gross floor area on Parcels 1 and 4 will remain or be razed.~~
- i. ~~Revise all the existing parcels labeling on all the plans to remove the suffix "Proposed."~~
- j. ~~Revise Sheet C-301 to show clearly all the property's boundary bearings and distances, in conformance with the record plat, and not overlapping with other features.~~
- k. ~~On Sheet C-301, label the area of the proposed building on Parcel 1 that was approved under DSP-19031.~~
- l. ~~Clarify which Zoning Ordinance contains the parking setback requirements and, if not required, remove this information from the plans.~~
- m. ~~Revise the dimension of the provided southern setback to be consistent with what is shown on the plan.~~
- n. ~~Accurately label the dimensions of 60-degree nonparallel parking spaces.~~
- o. ~~Revise the parking schedule to include two parallel parking spaces provided.~~
- p. ~~Organize information and details related to the drive-through service in one package.~~
- q. ~~Regarding architectural elevations:~~
 - (1) ~~Label the elevations based on cardinal directions.~~

~~(2) — Separate and organize details associated with the elevations from the signage package.~~

~~(3) — Provide large-scale, colored architectural elevations.~~

~~r. — Regarding signage:~~

~~(1) — Organize the signage package with the provision of details for each sign (including dimensions, materials, and illumination).~~

~~(2) — Revise the signage schedule to demonstrate conformance with the requirements.~~

~~(3) — Clarify if the subject DSP includes a free-standing sign and, if not, remove it from the signage package and, if provided, indicate its location on the plan.~~

~~(4) — Revise signage information contained in Standard Note 7 to be consistent with the submitted plans.~~

~~s. — Regarding lighting:~~

~~(1) — Add a note indicating that all light fixtures included in this DSP are full cut-off and directed downward to reduce glare and light spill-over.~~

~~(2) — Revise the photometric plan, submitted for this DSP, to cover the entire access route from MD 631 (Old Brandywine Road).~~

~~(3) — Add additional pole-mounted light fixture along the route on Parcel 2 to ensure sufficient illumination.~~

~~t. — Regarding the dumpster:~~

~~(1) — Provide legible dumpster details.~~

~~(2) — Revise the large-scale plan for the dumpster to be consistent with the design shown on other plans~~

~~u. — Add a note to the plans, indicating that the Historic Marlow Huntt Store and Casket Shop (85A-033-14) is located across MD 631 (Old Brandywine Road).~~

~~v. — Correct “open space” to “green space” on Sheet C-907.~~

- w. ~~Provide at least two trash receptacles along the MD 631 (Old Brandywine Road) frontage.~~
- x. ~~Provide a revised trip generation memo that details the trips generated by the proposed and approved uses in comparison to the trip cap established by Preliminary Plan of Subdivision 4-18009.~~
- y. ~~Correct “front setback” to “street setback.”]~~
- †[2. ~~Prior to certification, the applicant shall revise the landscape plans, as follows:~~
 - a. ~~Revise Schedule 4.2-1 with Option 2 for MD 631 (Old Brandywine Road) and demonstrate conformance to the requirements.~~
 - b. ~~Revise Schedule 4.2-1 for MD 5 (Branch Avenue) and demonstrate conformance to the requirements.~~
 - c. ~~Regarding Schedule 4.3-2:~~
 - (1) ~~Label the width of the landscape islands parallel to the parking spaces.~~
 - (2) ~~Revise the information for Items 6 and 9 to conform with the requirements.~~
 - d. ~~Correct the requirements for the building setback and the width of landscape yard in Schedule 4.7-1 for Bufferyard 2.~~
 - e. ~~Revise Schedule 4.9-1 and the landscape schedule to be consistent with the information contained in other required schedules.~~
 - f. ~~Revised Schedule 4.9-1 to demonstrate conformance to the requirements.~~
 - g. ~~Regarding the tree canopy coverage (TCC) requirement:~~
 - (1) ~~Correct the total required TCC in square footage.~~
 - (2) ~~Revise the number of trees included in this detailed site plan to be consistent with the landscape schedule.~~
 - h. ~~Revise the landscape plan in accordance with the provision of the one loading space.~~
 - i. ~~Provide details of the 6-foot-high, board-on-board fence and show its location at~~

~~the top of the retaining wall.~~

- ~~j. Revise the site plan to show the locations of major improvements that are within 50 feet of the property line on all sides.~~
- ~~k. Provide spot elevations across the entire grading area.~~
- ~~l. Label the linear feet of Bufferyard 1 on the plan.~~
- ~~m. Revise Schedule 4.7-1 for Bufferyard 1 to be consistent with information shown on the plan.]~~
- †[3. Prior to certification, the applicant shall revise the Type 2 Tree Conservation Plan (TCP2), as follows:
 - ~~a. Revise the TCP2 approval block to show the previous approvals.~~
 - ~~b. Add the recordation Liber and folio of the amended and restated woodland and wildlife conservation easement to Note 11 of the Standard Type 2 Tree Conservation Notes.]~~
- †[4] 1. Prior to †[the] certification of this detailed site plan, the woodland and wildlife habitat conservation easement shall be amended and restated and recorded in the Prince George's County Land Records office and include the metes and bounds, the woodland preservation exhibit, and the woodland conservation easement document.
- †[5] 2. Prior to †[the] approval of the first building permit, the applicant, applicant's heirs, successors and/or assignees shall provide a financial contribution of \$420.00 to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) for the placement of a bikeway sign along MD 373 (Accokeek Road), unless modified by DPIE, with written correspondence.

ORDERED this 24th day of March 2025, by the following vote:

In Favor: Council Members Burroughs, Dernoga, Fisher, Harrison, Hawkins, Ivey, Olson and Oriadha.


Opposed:

Abstained:

Absent: Council Members Blegay and Watson.

Vote: 8-0.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: 

Jolene Ivey, Chair

ATTEST:



Donna J. Brown
Clerk of the Council