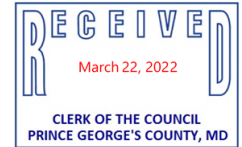


March 22, 2022



Dash in Food Stores, Inc.  
P.O. Box 2810  
La Plata, MD 20646

Re: Notification of Planning Board Action on  
**Detailed Site Plan DSP-21009**  
**Dash In @ Marlboro Pike #1552**

Dear Applicant:

This is to advise you that, on **March 17, 2022**, 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, Clerk of the County Council, at 301-952-3600.

Sincerely,  
James R. Hunt, Chief  
Development Review Division

By:   
Reviewer

Attachment: PGCPB Resolution No. **2022-26**

cc: Donna J. Brown, 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 February 24, 2022, regarding Detailed Site Plan DSP-21009 for Dash In @ Marlboro Pike #1552, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) proposes to construct a 4,508-square-foot food and beverage store, gas station, and a 3,216-square-foot car wash.

The companion Departure from Design Standards, DDS-687, was approved by the Planning Board (PGCPB Resolution No. 2022-27) for a reduction to the requirements of Section 4.6 of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual).

2. **Development Data Summary:**

	<b>Existing</b>	<b>Approved</b>
<b>Zone</b>	I-1	I-1
<b>Use(s)</b>	Food and beverage store, gas station, and car wash	Food and beverage store, gas station, and car wash
<b>Acreage</b>	2.60	2.60
<b>Gross Floor Area (sq. ft.)</b>	3,987	7,724

**Zoning Regulations**

	<b>Required</b>	<b>Approved</b>
Minimum Lot Coverage (percentage)	None	31
Green Area (percentage)	10	20.6

**OTHER DEVELOPMENT DATA**

**Parking Spaces**

	<b>Required</b>	<b>Approved</b>
<b>Food or Beverage Store – 4,508 sq. ft.</b>		
Normal Parking Generation Group: 1 space per 150 sq. ft. for the first 3,000 sq. ft. of gross floor area, plus 1 additional space per 200 sq. ft. above the first 3,000 sq. ft.	28	30
Handicap-Accessible*	2	2
<b>Gas Station (self service)</b>		
1 space per employee (3 employees)	3	3
<b>Car Wash – 3,216 sq. ft.</b>		
1 space per 500 sq. ft.	7	11
<b>Total</b>	<b>38</b>	<b>44</b>

**Note:** \*Accessible spaces are included in the total number of required and provided parking spaces.

**Loading Spaces**

	<b>Required</b>	<b>Approved</b>
1 loading space per 2,000–10,000 sq. ft. of gross floor area	1	1
<b>Total</b>	<b>1</b>	<b>1</b>

**Bicycle Spaces**

	<b>Approved</b>
<b>TOTAL</b>	<b>2</b>

- Location:** The subject 2.60-acre property, known as Lot 1, is located in the southwest quadrant of the intersection of MD 725 (Marlboro Pike) and US 301 (Robert Crain Highway), as shown on Tax Map 093/B4 in Planning Area 75A and Council District 9. The site is located at 15501 Marlboro Pike and is zoned Light Industrial (I-1). The site is also within the geography previously designated as the Developing Tier, reflected on Attachment H(5) of the 2014 *Plan*

*Prince George's 2035 Approved General Plan*, as found in Prince George's County Planning Board Resolution No. 14-10 (see Prince George's County Council Resolution CR-26-2014, Revision No. 31).

4. **Surrounding Uses:** The property is bounded by other I-1-zoned properties to the south and west; Mixed Use-Transportation-zoned properties to the north beyond MD 725, and Miscellaneous Commercial-zoned properties to the east beyond US 301. All of the surrounding properties are developed with commercial or industrial uses.
5. **Previous Approvals:** The subject site consists of existing Lot 1, in the Marlboro Shell development, as recorded on a plat of subdivision on October 31, 1994, among the Prince George's County Land Records in Plat Book VJ 171 on page 1. Lot 1 was subject to Preliminary Plan of Subdivision (PPS) 4-93052, which was approved by the Planning Board on December 2, 1993 (PGCPB Resolution No. 93-32) for two lots, including Lot 1, for industrial and commercial development. Lots 1 and 2 were subsequently platted in accordance with the PPS (Final Plat 5-94206).
6. **Design Features:** This DSP proposes to construct a 4,508-square-foot food and beverage store, a gas station with eight multi-product fuel dispensers, and a 3,216-square-foot car wash. The site will have two access points: one located along MD 725 and one located along US 301. The proposed building and gas canopy are oriented facing US 301. The proposed plan shows dumpsters located behind the building on the northwest part of the site with a two-lane drive aisle leading to the car wash. The proposed 12-foot by 40-foot loading space is located between the rear of the building and the car wash drive aisle. The site is proposing a total of 44 parking spaces to include 2 handicap-accessible spaces and 2 bike racks. There will be 22 spaces that surround the food and beverage store and 4 additional spaces that are provided in the northeast corner of the site. There are 18 spaces that will also serve as vacuum stalls to accompany the car wash. A condition has been included herein, to request the removal of one parking space in front of food and beverage store to increase the width of the parking islands to provide additional trees to meet the landscape requirement.

### **Architecture**

The applicant is proposing a modern architecture style for both buildings. The food and beverage store will have a glass retail front and sloping roof line that fall from front to the back of the structure. The food and beverage store is a one-story building with varied materials to include brick veneer, metal panel, metal coping, aluminum composite panel, exposed steel, heavy timber wood beams, and natural wood doors and siding. The proposed building will be approximately 19 feet tall with two wooden double entry doors on the front elevation. The proposed car wash will be approximately 17 feet tall and consist of brick veneer, metal panel, and metal coping with hollow metal doors. The proposed 127- by 48-foot gas canopy will be 17 feet tall and consist of similar building materials as the gas station and food and beverage store.

### **Signage**

The site features a combination of painted graphics, building-mounted signs, and freestanding, directional signs to include fuel canopy signs and pylon signs. The food and beverage store will

have a 35.89-square-foot building-mounted sign located on the right side of the front elevation that reads “Dash In Kitchen” in illuminated channel letters. The food and beverage store will also include a 39-square-foot, full-color, wall graphic on the east side of the building, and a 39-square-foot, all-black, wall graphic along the west side of the building. The gas canopy will have the orange and green dash in logo located on the north and west elevation. The car wash will contain the slash in logo and halo lit “ENTER” letters located at the entrance of the car wash and halo lit “EXIT” letters located at the exit of the car wash. A 25-foot-tall “Splash In” pylon sign is being proposed at southeastern corner of the site near the car wash. An approximate 27-foot sign is being proposed at the northeast corner of the site for dash in. This sign exceeds the 25-foot height requirement. The applicant has indicated that the proposed sign will include three gas types, which would allow for a maximum of 50 feet, however, the sign details indicate that there are only two gas types being proposed. A condition has been included herein requesting the applicant to revise the proposed height of the freestanding pylon sign to 25 feet, or revise the sign detail to reflect that there are three fuel types being proposed to meet the 50-foot height requirement.

### **Lighting**

This DSP proposes building-mounted and pole-mounted lighting throughout the site to illuminate the driveways, parking areas, and open spaces on the site. A photometric plan was submitted with this application and reflects adequate lighting throughout the site with minimal spillover onto adjacent neighboring properties. The Planning Board approves the lighting, as proposed.

### **Dumpster Enclosure**

The dumpster enclosure is located on the southwest side of the building and will be approximately eight feet in height. The enclosure is proposed to be constructed with brick veneer to match the proposed building, with a metal paneled gate.

## **COMPLIANCE WITH EVALUATION CRITERIA**

7. **Preliminary Plan of Subdivision:** On December 2, 1993, the Planning Board approved PPS 4-93052 for the subject property with two conditions. Condition 2 is relevant to the subject DSP.
  2. **Prior to the issuance of any building permits, the following improvements shall be in place, under construction or permitted with an agreed-upon schedule of construction between the applicant and SHA:**

### **At the intersection of US 301 and MD 725**

- a. **Reconstruction of MD 725 between US 301 and a point just west of the proposed western access point to provide two lanes in accordance with SHA Standards. The agreed upon schedule of construction shall require this improvement to be completed prior to the fast-food restaurant being open to the public.**

**b. Restriping of the east bound and west bound approaches**

**At the proposed second intersection of MD 725 and site access**

**c. Provision of second access point along MD 725 in accordance with SHA standards.**

Condition 2 of the PPS has been satisfied by the previous development project, Special Exception SE-4134, McDonald's Corporation and in accordance with Maryland State Highway Administration standards.

8. **Prince George's County Zoning Ordinance:** The subject DSP has been reviewed for compliance with the requirements of the I-1 Zone and the site design guidelines of the Prince George's County Zoning Ordinance.
- a. This DSP is in conformance with the requirements of Section 27-473(b) of the Zoning Ordinance, which governs uses in the I-1 Zone. The proposed gas station and food and beverage store are permitted uses in the I-1 Zone, subject to Footnote 65, which permits each use if approved with a DSP. The car wash is permitted by-right in the I-1 Zone.
  - b. Section 27-474 of the Zoning Ordinance provides additional regulations for development in industrial zones, including requirements for setbacks, net lot area, lot frontage, building coverage, and green area. The subject DSP meets all these requirements, as shown on the submitted plans.
  - c. This DSP is in conformance with all of the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance.
9. **2010 Prince George's County Landscape Manual:** Development proposed by this DSP is subject to Section 4.2, Landscape Strips along Streets; Section 4.3, Parking Lot 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 Landscape Manual. The required schedules have been provided demonstrating conformance to the requirements.

As part of DSP-21009, the applicant filed a request for Alternative Compliance, AC-21022, relative to Sections 4.2.1, 4.3.1, 4.3-2, and 4.6 of the Landscape Manual. The applicant revised the landscape plan to meet the requirements of the Landscape Manual for Section 4.2, but has not yet satisfied Section 4.3. The site has an excess of parking spaces, and the Planning Board finds that Section 4.3 could be satisfied with the removal of one parking space and the widening of the landscape islands to provide shade trees, as conditioned herein. That eliminates the need for alternative compliance from Section 4.3 of the Landscape Manual.

The applicant has requested alternative compliance from Section 4.6, Buffering Developments from Streets, of the Landscape Manual along MD 725, which abuts the property to the north. The applicant is required to provide a 20-foot-wide landscape buffer, but is only able to provide approximately 11.5 feet. The applicant is proposing to provide an additional 186 plant units; however, almost all of the plants will be located within the PUE, adjacent to the right-of-way. Per Section 4.6(c)(2)(A), all plant material is required to be located outside of the PUE to ensure survivability and long-term maintenance of the buffer, along special roadways. While the Planning Board understands that the existing conditions of the site limit the ability to meet the requirements of Section 4.6, and the applicant has provided additional plant units, the plantings do not count towards compliance, as they are within the PUE. Therefore, the Planning Board concludes that the proposed alternative design solution fails to be equally effective as normal compliance, in terms of durability and ability to fulfill the design criteria.

The Planning Board disapproved Alternative Compliance AC-21022 from the Landscape Manual for Section 4.6, Buffering Developments from Streets, along the site's frontage on MD 725 and for Section 4.3, Parking Lot Interior Planting, with a condition requiring that, prior to certification of the DSP, the landscape plan be revised to conform to Section 4.3 by removing one parking space to the east of the food and beverage store, widening the planting islands, and adding a shade tree to each island. This condition has been included herein. The applicant filed DDS-687, which was approved on February 24, 2022 by the Planning Board, for the reduction in the Section 4.6 requirements.

10. **2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance (S-046-2021) because the site contains less than 10,000 square feet of woodlands and has no previous tree conservation plan approvals. A Natural Resources Inventory equivalency letter has been issued for the site (NRI-040-2021). The NRI was issued based on the standard woodland conservation exemption, and that no regulated environmental features will be impacted. A Stormwater Management (SWM) Concept Plan, 8202-2021, and approval letter were also submitted. Two micro-bioretenion facilities, an underground storage system, and oil/grit separators will be used to treat the stormwater.
11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires 10 percent tree canopy coverage (TCC) on properties in the I-1 Zone. The subject site measures 2.60 acres and the required TCC amounts to approximately 0.26 acre. The subject application provides a schedule showing that 2.60 acres of TCC will be provided, in conformance with this requirement.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
  - a. **Historic Preservation**—The Planning Board adopts the memorandum dated December 24, 2021 (Stabler to Butler), incorporated herein by reference, which stated that the subject property does not contain and is not adjacent to any designated Prince

George's County historic sites or resources. A Phase I archeology survey is not recommended.

- b. **Community Planning**—The Planning Board adopts the memorandum dated January 26, 2022 (White to Butler), incorporated herein by reference, which indicated that pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
- c. **Subdivision Review**—The Planning Board adopts the memorandum dated December 2, 2021 (DiCristina to Butler), incorporated herein by reference, which stated that the DSP has been found to be in substantial conformance with the PPS and the record plat. Two subdivision-related conditions are included in this approval.
- d. **Transportation Planning**—The Planning Board adopts the memorandum dated January 27, 2022 (Saunders Hancock to Butler), incorporated herein by reference, which stated it was determined that this plan is acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance. Two conditions have been included in this approval regarding the loading area.
- e. **Bike and Pedestrian Facilities**—The Planning Board adopts the memorandum dated December 1, 2021 (Smith to Butler), incorporated herein by reference, which stated that the pedestrian and bicycle facilities and amenities proposed with the development are acceptable and support separating pedestrian and vehicular transportation routes within the site.
- f. **Environmental Planning**—The Planning Board adopts the email dated December 3, 2022 (Reiser to Butler), incorporated herein by reference, which stated that the site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance (S-046-2021) and an NRI equivalency letter (NRI-040-2021). A SWM Concept Plan, 8202-2021, and approval letter was submitted. As detailed in Finding 11 above, Marlboro Clay has been mapped on PGAtlas, but the area has no slope issues.
- g. **Permits**—The Planning Board adopts the memorandum dated December 6, 2021 (Jacobs to Butler), incorporated herein by reference, which evaluated the DSP and offered permit-related comments that are conditioned herein.
- h. **Maryland State Highway Administration (SHA)**—The Planning Board adopts the email dated October 10, 2021 (Woodroffe to Butler), incorporated herein by reference, in which SHA noted that the work in the right-of-way on MD 725 will require an access permit and that detailed engineering plans will need to be submitted for comprehensive review.



- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopts the memorandum dated February 4, 2022 (Giles to Butler), incorporated herein by reference, in which DPIE noted the site plan was consistent with the SWM concept plan filed under DPIE Case Number 8202-2021-0, approved on May 19, 2021.
13. 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 Prince George’s County Code without requiring unreasonable costs 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, 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 Section 24-130(b)(5) of the Prince George’s County Subdivision Regulations.

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 DISAPPROVED Alternative Compliance AC-21022, and further APPROVED Detailed Site Plan DSP-21009 for Dash In @ Marlboro Pike #1552, subject to the following conditions:

1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
  - a. Revise the bearing for the western property line shown on the DSP to match the record plat.
  - b. Revise the height of the proposed freestanding pylon sign to 25 feet or revise the sign detail to reflect that there are three fuel types being proposed to meet the 50-foot height requirement.
  - c. Revise the sign legend to correspond to the signs on the site plan. Provide the same labeling convention for both the legend and the plan.
  - d. Label the area of Lot 1 on Sheet 4 of the DSP in square feet and acres.
  - e. Modify the site to expand the designated loading area, in order to facilitate safe and adequate truck turning maneuvers. The exact design and truck turning plans with design vehicle classification shall be evaluated and accepted by the Transportation Planning Section.
  - f. Provide additional signage on-site, which indicates that all loading should be conducted in the loading area, to be evaluated and accepted by the Transportation Planning Section.

- g. Provide the exact dimensions of the buildings on the site plan.
- h. Add the street connection width for MD 725 (Marlboro Pike) to the site plan.
- i. Revise the landscape plan to conform to Section 4.3 by removing one parking space to the east of the food and beverage store, widening the planting islands five feet, and adding a shade tree to each island.

Consideration: The applicant shall consider installing electric vehicle (EV) charging stations in the future, should market demand require their installation at the subject gas station.


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 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, February 24, 2022, in Upper Marlboro, Maryland.

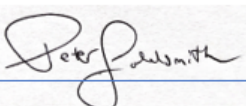
Adopted by the Prince George's County Planning Board this 17th day of March 2022.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:TB:rpg

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department  
Date: March 4, 2022