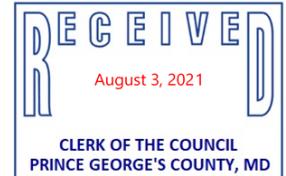


August 3, 2021

BHOOPENDRA PRAKASH  
9506B Lee Highway  
Fairfax, VA 22031



Re: Notification of Planning Board Action on  
**Comprehensive Design Plan CDP-8304-02**  
**15151 Sweitzer Lane Property**

Dear Applicant:

This is to advise you that, on **July 29, 2021** the above-referenced Comprehensive Design Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-523, 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.

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

Very truly yours,  
James R. Hunt, Chief  
Development Review Division

By:  
Reviewer

Capers,  
William

Digitally signed by Capers,  
William

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Attachment: PGCPB Resolution No. **2021-98**

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

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Comprehensive Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 22, 2021, regarding Comprehensive Design Plan CDP-8304-02 for 15151 Sweitzer Lane Property, the Planning Board finds:

1. **Request:** This amendment to a comprehensive design plan (CDP) is to replace the existing primary monument sign with a 25-foot freestanding sign, to improve the visibility of the existing fuel filling station site.
2. **Development Data Summary:**

	<b>PREVIOUSLY APPROVED</b>	<b>APPROVED</b>
Zone	E-I-A	E-I-A
Use	Fuel Filling Station	Fuel Filling Station
Acreage	0.96	0.96

**Parking Information**

	<b>Required</b>	<b>Provided and Constructed</b>
Total parking spaces	1	8
Of which		
Parking for the Physically Handicapped	1	1

3. **Location:** The subject property is located in the southeast quadrant of the intersection of MD 198 (Sandy Spring Road) and Sweitzer Lane, in Planning Area 60 and Council District 1.
4. **Surrounding Uses:** The subject site is bounded to the north and west by the public rights-of-way of Sandy Spring Road and Sweitzer Lane respectively; to the south and east by the remaining property in the Laurel Employment Park in the Employment and Institutional Area (E-I-A) Zone. Across Sweitzer Lane, further to the west, are other portions of the Laurel Employment Park in the Planned Industrial/Employment Park (I-3) Zone.

5. **Previous Approvals:** On November 15, 1977, the Prince George's County Council, sitting as the District Council, adopted Prince George's County Council Resolution CR-102-1977, which rezoned the larger property to the I-3 and E-I-A Zones through the Sectional Map Amendment process. The E-I-A zoned portion (including the subject property) has 11.65 acres, and the I-3 zoned portion has 46.8 acres in size. The subject property is in Parcel 1 of the three parcels included in the basic plan for Laurel Employment Park.

On April 30, 1980, the Prince George's County Planning Board approved the original CDP-8304, which was remanded by the District Council back to the Planning Board that approved it again on June 30 and July 28, 1983. The District Council approved CDP-8304 on January 17, 1984, subject to three conditions.

On September 9, 1993, the Planning Board approved CDP-8304-01 for Laurel Employment Park (Parcel L1), which is the subject site, to add a 1,200-square-foot convenience store to the gas station. On January 24, 1994, the District Council remanded CDP-8304-01 to the Planning Board for consideration of: (1) specific traffic and transportation issues; and (2) previous written agreements with the West Laurel Civic Association. On March 17, 1994, the Planning Board approved CDP-8304-01 (PGCPB Resolution No. 94-77(C)), and on May 18, 1994, the District Council affirmed the Planning Board's decision and approved CDP-8304-01, subject to two conditions.

There are also preliminary plans of subdivision and multiple specific design plans (SDPs) approved for the entire project. The gas station with a convenience store was constructed in accordance with approved SDP-8303. This amendment to the previously approved CDP is limited to replace the existing gas station sign with a much taller sign without impacting the rest of the improved site.

6. **Design Features:** This amendment to the previously approved CDP-8304-01 is limited to replacement of the existing monument sign with a new 25-foot freestanding sign with gas price information in order to increase visibility of the site for the approaching motorists traveling on Sandy Spring Road. The proposed sign will be on the same foundation of the existing sign and will not impact the remaining conditions of the prior approvals, which are still valid and govern the development of the entire property. This amendment does not propose any other physical improvements on the subject site.

The new sign will be on single pole with the primary identification sign on the top and the gasoline price information in modular cabin construction immediately below the identification sign that is made of white fabricated steel sheet and tube for structure support. The primary identification sign consists of Exxon's typical logo of a tiger head with a blue background and text of "Tiger Mart" and a red panel below with white text of "Synergy fuel technology". The primary identification sign has a face area of approximately 44 square feet, and the gasoline price sign has a face area of approximately 31 square feet for a total of 75 square feet. The Planning Board finds the proposed signage acceptable.

## COMPLIANCE WITH EVALUTION CRITERIA

7. **Sectional Map Amendment (CR-102-1977, Basic Plan):** On November 15, 1977, the County Council, sitting as the District Council, adopted CR-102-1977 (including A-7523, A-7648, A-8048, A-8049, A-8633, A-8634, A-8635 in the Sectional Map Amendment) which rezoned the larger property known as Laurel Employment Park to the I-3 and E-I-A Zones.

Comprehensive Design Zone Amendment Two (Laurel Employment Park), which includes the subject site, prescribes development standards for the development that consist of permitted and prohibited use tables, permitted interim uses, gross floor areas and amount of open space. Those requirements had been fully satisfied with the approval of CDP and SDP that allow the full development of the subject site in accordance with the approved plans. This amendment to original CDP-8304 is limited to a new identification sign on the existing sign foundation without any additional physical changes to the site. This application is consistent with the basic plan.

8. **Prince George's County Zoning Ordinance:** The requirements of the Zoning Ordinance governing development in the E-I-A Zone are discussed as follows:
- a. **Density Increments:** This application does not have any impact on the previously approved density for the project.
  - b. **Development Standards:** This amendment does not involve any new standards, but is limited to a 25-foot primary identification sign with gasoline price information.
  - c. Section 27-521, Required Findings for Approval in Comprehensive Design Zones, of the Zoning Ordinance, requires the Planning Board to find conformance with the following:
    - (1) **The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**
    - (2) **The proposed plan would result in a development with a better environment than could be achieved under other regulations;**
    - (3) **Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**
    - (4) **The proposed development will be compatible with existing land uses, zoning, and facilities in the immediate surroundings;**

- (5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

  - (A) Amounts of building coverage and open space;**
  - (B) Building setbacks from streets and abutting land uses; and**
  - (C) Circulation access points;**
- (6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;**
- (7) The staging of development will not be an unreasonable burden on available public facilities;**
- (8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**

  - (A) The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting;**
  - (B) Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;**
  - (C) The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;**
- (9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d); and**
- (10) The Plan is in conformance with an approved Type 1 Tree Conservation Plan;**

The Planning Board made the above findings at the time of CDP-8304, for the subject site. This amendment is limited to the replacement of the existing sign only and does not alter any prior findings. Therefore, the subject application is in conformance with all the above required findings for approval.

- (11) **The Plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130-(b)(5);**

This application does not change the previous findings regarding this requirement.

- (12) **Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

Section 27-226(f)(4) of the Zoning Ordinance is the District Council procedure for approving comprehensive design zone applications as part of a sectional map amendment. The application is limited to the replacement of an existing sign with a new and taller sign on the same foundation. This amendment has no impact on the prior findings for conformance.

- (13) **For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

This provision is not applicable to the subject application because Laurel Employment Park is not a regional urban community.

9. **Comprehensive Design Plan CDP-8304 and its amendments:** The District Council approved the original CDP-8304, for the larger property, with three conditions. Those conditions have been fulfilled by the approval of SDP-8303. However, Condition 1 relates to the existing sign and warrants the discussion as follows:

1. **The applicant's proposed ground-mounted sign advertising the location of the automobile fueling station may be placed on the subject property as shown on the landscape plan approved by the Planning Board; However, if within the 90 days of the order the applicant obtains permission from the State Highway's Administration to place the sign on the State's right-of-way, then the landscape plan should be modified accordingly. If such permission is obtained, then the landscape plan should be modified to eliminate the ground-mounted sign and replace the redtwigged dogwoods with white pine.**

The existing ground-mounted sign was constructed on the subject site in accordance with SDP-8303, which was reviewed for conformance with this condition. This CDP requests to replace the existing sign with a taller free-standing pole sign using the same foundation.

On May 18, 1994, the District Council approved CDP-8304-01, specifically for the subject site of 0.964 acre, with two conditions, of which one is relevant to the review of this application as follows:

**2. No signage advertising sandwich shop shall be allowed along Sandy Spring Road.**

The proposed replacement sign will be on the existing sign foundation and facing Sandy Spring Road, but advertises the fueling station only. The subject application meets the condition.

**10. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Prince George’s County Tree Canopy Coverage Ordinance:** Since this application is limited to replacing the existing sign with a much higher freestanding sign only, there are no impacts on previous findings regarding the site’s conformance with the requirements of the WCO.

The proposed amendment to the existing signage will use the existing foundation and proposes no site disturbance and is therefore exempt from the requirements of the Tree Canopy Coverage Ordinance.

**11. Further Planning Board Findings and Comments from Other Entities:** Given the limited scope of the request, the subject application was referred to only a few offices. The referral comments and major findings are summarized, as follows:

- a. **Permit Review**—The Planning Board adopts a memorandum dated June 17, 2021 (Linkins to Zhang), incorporated herein by reference, which asked for information on the street frontage to be added to the sign calculation table. The applicant has responded to the comment by revising the sign table and added the required information.
- b. **City of Laurel**—As of the preparation of this resolution, the City of Laurel did not respond to the referral request.

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 Comprehensive Design Plan CDP-8304-02 for the above described land.

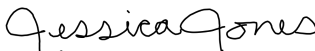
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

\* \* \* \* \*

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, July 22, 2021, in Upper Marlboro, Maryland.

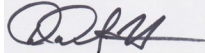
Adopted by the Prince George's County Planning Board this 29th day of July 2021.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:HZ:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: July 27, 2021