



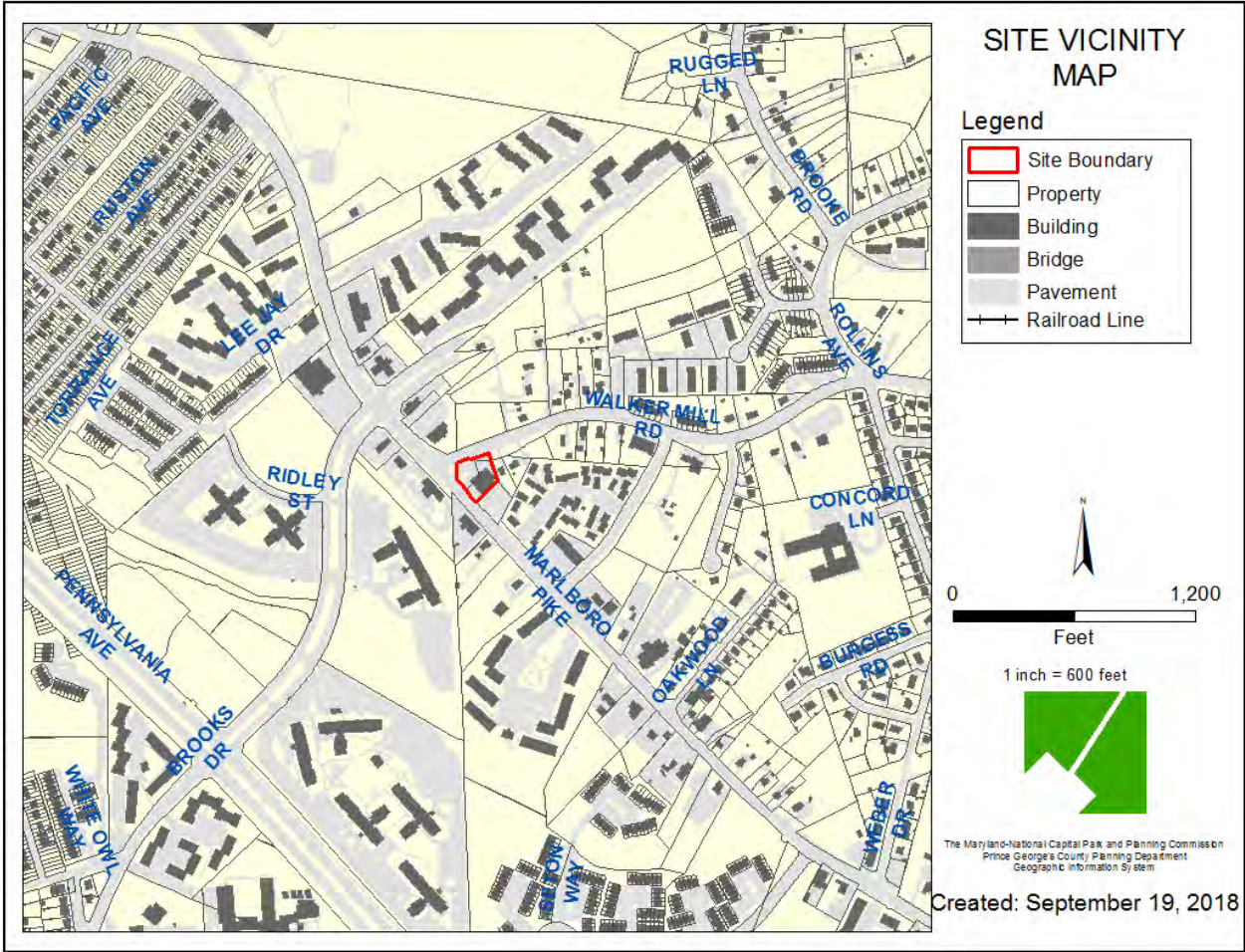
Note: Staff reports can be accessed at <http://mncppc.igm2.com/Citizens/Default.aspx>.

Departure from Parking and Loading DPLS-462

Application	General Data	
<p>Project Name: 7-Eleven Marlboro Pike</p> <p>Location: At the southeast quadrant of the intersection of Marlboro Pike and Walker Mill Road.</p> <p>Applicant/Address: 7-Eleven, Inc. 3200 Hackberry Road Irving, TX 75063</p> <p>Property Owner: Michael Puckett & Mary Cranford, et al 14616 Brock Hall Drive Upper Marlboro, MD 20772</p>	Planning Board Hearing Date:	07/18/19
	Staff Report Date:	06/28/19
	Date Accepted:	05/13/19
	Planning Board Action Limit:	N/A
	Plan Acreage:	35,133 sq. ft.
	Zone:	C-S-C
	Gross Floor Area:	2,993 sq. ft.
	Lots:	0
	Parcels:	3
	Planning Area:	75A
	Council District:	07
	Election District:	06
	Municipality:	N/A
200-Scale Base Map:	203SE05	

Purpose of Application	Notice Dates	
Departure from parking and loading standards for 3 of the 18 required parking spaces.	Informational Mailing:	11/20/18
	Acceptance Mailing:	05/06/19
	Sign Posting Deadline:	06/18/19

Staff Recommendation		<p>Staff Reviewer: Ras Tafari Cannady II, AICP Phone Number: 301-952-3411 Email: Ras.Cannady@ppd.mncppc.org</p>	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT:

TO: The Prince George's County Planning Board

VIA: Sherri Conner, Supervisor, Subdivision and Zoning Section
Development Review Division

FROM: Ras Tafari Cannady II, AICP, Senior Planner, Subdivision and Zoning Section
Development Review Division

SUBJECT: **Departure from Parking and Loading Standards DPLS-462
7-Eleven Marlboro Pike**

REQUEST: **Departure of three parking spaces from the 18 parking spaces required.**

RECOMMENDATION: **APPROVAL with conditions**

NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date of July 18, 2019. The Planning Board also encourages all interested persons to request to become a person of record for this application.

Requests to become a person of record should be made in writing and addressed to The Maryland-National Capital Park and Planning Commission, Development Review Division, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Please call 301-952-3530 for additional information.

FINDINGS

1. **Location and Field Inspection:** The subject property is located at the southeast quadrant of the intersection of Marlboro Pike and Walker Mill Road. The site is comprised of 35,133 square feet of land in the Commercial Shopping Center (C-S-C) Zone. The property is currently improved with a 9,211-square-foot service garage with an associated asphalt parking lot, constructed in 1988. The site has approximately 190 linear feet of frontage along Marlboro Pike, and 207 linear feet of frontage along Walker Mill Road. Vehicular access to the site is provided via an entrance from Walker Mill Road located on the north side of the site, and an entrance on Marlboro Pike located on the west side of the site.
2. **History and Previous Approvals:** According to the Maryland Department of Assessment and Taxation database, the subject property was developed in 1988 with a 9,211-square-foot service garage. The site and landscaping plans were approved via Permit 753-86-CGU. This departure from parking and loading standards (DPLS) includes the following legal lots recorded in the Prince George's County Land Records: Parcels 35, 36, and 383 recorded in Liber 40568 folio 338. The applicant proposes to remove the existing service garage to construct a 2,993-square-foot food and beverage store in combination with a gas station.
3. **Neighborhood and Surrounding Uses:** The general neighborhood is bounded to the north by Rollins Avenue; to the south by MD 4 (Pennsylvania Avenue); to the east by Silver Hill Road; and to the west by Shamrock Avenue and an unnamed tributary of Watts Branch Road. The immediate area surrounding the subject property is developed with commercial uses, as follows:
 - North—** Walker Mill Road, and beyond vacant land in the Rural Residential Zone.
 - South—** Vacant land in the C-S-C Zone.
 - East—** Single-family detached dwellings in the One-Family Detached Residential Zone.
 - West—** Marlboro Pike, and beyond a car wash in the C-S-C Zone.
4. **Request:** The applicant is requesting a Departure from Parking and Loading Standards (DPLS-462) from Section 27-568(a) of the Prince George's County Zoning Ordinance, for a reduction in the number of required parking spaces. This subject application entails a 2,993-square-foot food and beverage store in combination with a gas station in the C-S-C Zone. The subject application proposes four concrete fueling islands, with four multiproduct dispensers housing a total of eight pumps, as well as a 36-foot-wide by 53-foot-long canopy. This gas station can serve up to eight vehicles at a time. Both the food and beverage store, as well as the gas station, require approval of a special exception in the C-S-C Zone, in accordance with Section 27-461 of the Zoning Ordinance, which is requested via a separate development application (SE-4822) and review process submitted concurrently with this application. Approval of the special exception is dependent on the approval of this departure.

5. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Service Garage	Gas station, Food and Beverage Store
Acreage (sq. ft.)	35,133	35,133
Parcels	3	3
Gross Floor Area (sq. ft.)	9,211	2,993
Lots	0	0

6. **Master Plan Recommendation:** This application is in the Established Communities area of the *Plan Prince George’s 2035 Approved General Plan* (Plan 2035), which is most appropriate for context-sensitive infill and low- to medium-density development, and recommends maintaining and enhancing existing public services, facilities, and infrastructures to ensure that the needs of residents are met. This application is consistent with that vision.

The 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* (Marlboro Pike Master Plan and SMA) recommends commercial land uses on the subject property. The construction of a food and beverage store in combination with a gas station is consistent with this vision.

Thus, it can be concluded that the proposed use will not substantially impair the integrity of any validly approved master plan or functional master plan, or in the absence of a master plan or functional master plan, Plan 2035.

7. **Parking and Loading Regulations:** Section 27-568(a)(5) sets forth the required number of parking spaces for commercial trade/services. In this instance, the 2,993-square-foot food and beverage store requires one off-street parking space for every 150 square feet of gross floor area (GFA) for the first 3,000 square feet of GFA; and the gas station requires one parking space per employee. Two employees are noted on the site plan. Therefore, 22 parking spaces are required for the two uses on the subject property. Because each of the uses individually do not require more than 20 parking spaces, the applicant may utilize a 20 percent joint parking use parking lot reduction. When the 20 percent joint-use parking reduction calculation is applied for the multiple uses (Section 27-572), the parking spaces required is reduced by four. Therefore, 18 parking spaces are required. Fifteen parking spaces are provided. The applicant requested a Departure from Parking and Loading Standards (DPLS-462) for three of the 18 required off-street parking spaces. The departure is processed as a separate application, which has been filed concurrently with the special exception application.

Section 27-582 of the Zoning Ordinance requires one loading space for 2,000 to 10,000 square feet of GFA. The GFA for the food and beverage store is 2,993 square feet. The applicant has provided the required loading space on the site plan. The parking spaces and loading space meet the location and size requirements, in accordance with the Zoning Ordinance.

Required Findings for Departures from Parking and Loading Standards (DPLS-462)—The applicant requests a departure from Section 27-568, which requires the provision of 18 off-street parking spaces for the subject development. Due to site constraints, the applicant is limited to providing 15 off-street parking spaces; therefore, a departure of three parking spaces is sought.

Section 27-588. Departures from the number of parking and loading spaces required.

Section 27-588(b)(7) Required Findings:

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

(i) The purposes of this Part (Section 27-550) will be served by the applicant's request;

Section 27-550. Purposes

(a) The purposes of this Part are:

- (1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;**
- (2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**
- (3) To protect the residential character of residential areas; and**
- (4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The purposes of the parking and loading regulations will be served by the applicant's request to develop a food or beverage store in combination with a gas station with 15 of the 18 required parking spaces. This departure seeks to ensure sufficient parking to serve the needs of the food and beverage store in combination with a gas station and is not otherwise located adjacent to public residential streets; therefore, there will be no impact to residential areas or the residential character of the surrounding community.

The provided parking facilities are immediately adjacent to the building(s) and convenient to the uses they serve. The applicant has revised the site plan to adequately promote accessibility and circulation for patrons, all of which benefit the redevelopment of the property. Moreover, the subject property is located in an area that is served by public transportation. The site is adjacent to several bus routes/stops. Metrobus Routes J12 and V12 bus stops are located on the southwest portion of the site's frontage along Marlboro Pike. The Bus Route 24 bus stop is located on Walker Mill Road, on the northeast portion of the site's frontage along Walker Mill Road.

Based on staff's analysis, it is reasonable to deduce that the departure of three parking spaces will not adversely affect nearby properties, as parking will be sufficient to serve patrons. The requested departure will not impair the visual, functional, or environmental quality or integrity of the site or surrounding neighborhood. The reduction in the number of parking spaces by three will allow

83.3 percent of the required parking to be standard sized spaces, not compact. Staff notes that the applicant stated that compact spaces are not viable, given the site constraints, and would result in a more restrictive parking scenario along the front of the store by providing smaller spaces that would be less conducive than standard spaces. Staff notes that, even if the applicant made use of compact spaces, the site would still not conform to the parking requirement, necessitating a departure.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

The requested departure is the minimum necessary, given the utilization of the 20 percent reduction. As previously stated, circumstances exist that are special to this site, mainly its size and unique shape at an acute corner, which this departure will alleviate. Furthermore, because there will be sufficient parking spaces to accommodate the proposed retail use based on the Institute of Transportation Engineers (ITE) Parking General Manual, and there will not be any spill over parking onto surrounding areas, the parking and loading needs of the adjacent property will not be infringed upon. This contention is further supported by the fact that public transportation exists in the immediate area and patrons for the food and beverage component can also easily walk to this location.

The ITE Parking Generation Manual provides that the parking demand for a convenience market in a dense multiuse urban setting averages 2.92 spaces per 1,000 square feet, and 5.44 spaces per 1,000 square feet in a general urban/suburban setting. In the applicant's statement of justification, the applicant contends that the subject property can be classified as somewhere in between a dense multiuse urban setting and a general urban/suburban setting. Consequently, at a parking ratio of approximately 5 spaces per 1,000 square feet, the applicant also contends that the average parking demand will be met, despite the requested departure.

Staff agrees with the applicant's assertion that the departure is the minimum necessary, given the specific circumstances of the request.

(iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;

The applicant contends that the departure will alleviate circumstances that are special to the proposed use on this property, given the unique shape of the subject property as a result of an acute angle of the two intersecting streets on which this property fronts. This unique property situation has existed since 1930 based on aerial photographs (PGAtlas). In addition to the limitations that exist around the property, there are multiple rights-of-way and older existing developments in the area.

The property, which is located on an acute corner of the intersection of Walker Mill Road and Marlboro Pike, has prompted the applicant to orient the canopy and building to front towards the existing intersection and traffic signal. This

layout allows for the most efficient ingress/egress to the site for fuel dispensing vehicles, as well as vehicular patron traffic to the convenience store and fuel pumps, by orienting the drive lanes to provide a direct path between both site entrances. This also allows for a natural green space at the front corner of the site that will be used to accommodate stormwater management. Due to the canopy and building facing the intersection, visibility for passing vehicles is enhanced in order to provide additional time for vehicles trying to gain access to the site to maneuver to accessible positions.

The development proposal, with the reduction allowed for the joint use of parking lot, results in an 18-parking space requirement. The proposed layout provides for 15 parking spaces.

Lastly, because the purposes of this part seek to ensure sufficient parking and loading to serve the needs of the patrons of the store, the applicant believes that 15 parking spaces for this location will be sufficient to serve the needs of the patrons.

Staff notes that the site is adjoined to the west and south by developed property in the C-S-C Zone. Staff agrees with the applicant's assertion that the departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, and that are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949, as stated herein.

(iv) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and

The calculating methods provided for in the Zoning Ordinance, including utilization of the shared 20 percent reduction which the applicant has taken advantage of, require 18 parking spaces. The applicant is proposing 15 parking spaces; thus, necessitating a departure of three parking spaces. The reduction in the number of parking spaces by three spaces will allow 83.3 percent of the required parking to be standard sized spaces, not compact.

The applicant notes that compact spaces are not viable, given the site constraints, and would result in a more restrictive parking scenario along the front of the store by providing smaller spaces that would be less conducive than standard spaces.

Moreover, the departure ensures that the applicant is able to accommodate the Section 4.3 internal planting requirements in the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

Staff agrees that all methods for calculating the number of spaces required (Division 2, Subdivision 3; and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical.

(v) Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.

Because there will be sufficient parking spaces to accommodate the proposed retail use, and there will not be any spillover onto surrounding areas, the parking and loading needs of adjacent residential areas will not be infringed upon by the requested departure. Furthermore, since public transportation exists in the immediate area, patrons for the food and beverage component can also easily walk to this location.

(B) In making its findings, the Planning Board shall give consideration to the following:

- (i) The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within five hundred (500) feet of the subject property;**

There is no indication of a shortage of parking within the general vicinity of the subject property. The area within 500 feet of the subject property is characterized by commercial and residential development.

- (ii) The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;**

The proposed use is consistent with the with the Marlboro Pike Master Plan and SMA recommendations and will not impair the integrity of the master plan. In addition, Plan 2035 designates the property in the Established Communities Growth Policy Area and makes no specific recommendations concerning parking spaces in this area. Staff notes that the vision for Established Communities area is context-sensitive infill and medium-high density development. Staff also notes that the application is consistent with the Established Communities Growth Policy in Plan 2035.

- (iii) The recommendations of a municipality (within which the property lies) regarding the departure; and**

The subject property is not located within a municipality.

- (iv) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.**

According to the Prince George's County Capital Improvement Program, there are no public parking facilities proposed for this area.

(C) In making its findings, the Planning Board may give consideration to the following:

- (i) Public transportation available in the area;**

The subject property is located in an area that is served by public transportation. The site is adjacent to several bus routes/stops. Metrobus Routes J12 and V12 bus stops are located on the southwest portion of the site's frontage along Marlboro Pike. TheBus Route 24 bus stop is located on Walker Mill Road, on the northeast portion of the site's frontage along Walker Mill Road. As this is an automobile-related use, it is not anticipated that many patrons will use public transportation, however, public transportation is available for patron use.

(ii) Any alternative design solutions to off-street facilities which might yield additional spaces;

The proposed development is occurring in an established neighborhood. No other design alternative solutions are noted by the applicant, as the applicant is proposing standard parking spaces within the parking lot for patrons. The site does not avail itself to the utilization of compact spaces, therefore, no alternative design solutions (saving the 20 percent reduction already utilized) to off-street facilities will yield additional spaces. Staff has determined that there are no alternative design solutions, which would result in the required parking for the use.

(iii) The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;

The proposed use will remain in operation 24 hours a day. The requested departure will not impact other retail uses within 500 feet of the subject property because adequate parking for the site will be provided based on the ITE Parking Generation Manual standard. No overflow parking is expected because the site will provide adequate parking. Therefore, staff finds that this use is compatible with the surrounding uses within 500 feet of the subject property.

(iv) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.

The subject property is zoned C-S-C and, therefore, is not subject to this provision.

8. **Zone Standards:** The subject site was reviewed for compliance with the requirements of the C-S-C Zone and the regulations of the Zoning Ordinance with SE-4822. It is determined that, with approval of the proposed DPLS, the proposed development will be in compliance with Section 27-454 of the Zoning Ordinance. Approval of this departure, based on the site plan filed, is required for the approval of SE-4822.
9. **2010 Prince George's County Landscape Manual Requirements:** The proposal to permit a 2,993-square-foot food and beverage store in combination with a gas station involves new construction and is subject to the requirements of the Landscape Manual. Conformance with the Landscape Manual requirements is evaluated with SE-4822, including Alternative Compliance AC-19007, which was requested for Section 4.3, Parking Lot Requirements; and Section 4.7, Buffering Incompatible Uses, of the Landscape Manual.

Tree Canopy Coverage Ordinance: Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development that proposes more than 5,000 square feet of GFA or disturbance and requires grading permit. The subject site is zoned C-S-C and is required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The revised landscape plan

provides the required schedule showing the requirement being met through the provision of proposed landscape trees.

10. **Signage:** The development proposal includes one 85.3-square-foot building-mounted sign; one exterior building-mounted ATM sign; six window vinyl signs; one 3-square-foot directional sign along Walker Mill Road; one 6-square-foot directional sign along Marlboro Pike; one 25-foot-high, 99.6-square-foot freestanding pylon sign; and three 9-square-foot canopy signs.

The proposed signage meets the area, height, and setback requirements of the applicable sign regulations contained in Part 12 of the Zoning Ordinance and is evaluated with the companion special exception.

11. **Referrals Comments:** The following referrals were received and are incorporated herein by reference; all of the comments are addressed on the site plan, or as part of this technical staff report:
 - a. Permit Review Section, dated May 28, 2018 (Bartlett to Cannady II)
 - b. Special Projects Section, dated June 17, 2019 (Kowaluk to Cannady II)
 - c. Historic Preservation Section, dated May 20, 2018 (Stabler to Cannady II)
 - d. Maryland State Highway Administration, dated June 18, 2019 (Woodroffe to Cannady II)
 - e. Environmental Planning Section, dated June 6, 2019 (Schneider to Cannady II)
 - f. Community Planning Division, dated June 14, 2019 (Umeozulu to Cannady II)
 - g. Transportation Planning Section (Trails), dated June 13, 2019 (Shaffer to Cannady II)
 - h. Transportation Planning Section, dated June 16, 2019 (Burton to Cannady II)
 - i. Urban Design Section, dated June 24, 2019 (Burke to Cannady II)

RECOMMENDATION

Based on the preceding analysis and findings, it is recommended that Departure from Parking and Loading Standards DPLS-462, 7-Eleven Marlboro Pike, for a waiver of three parking spaces, be APPROVED, subject to the following condition:

1. The departure from parking and loading standards site plan and the Special Exception SE-4822 site plan shall match prior to certification.

ITEM: 8

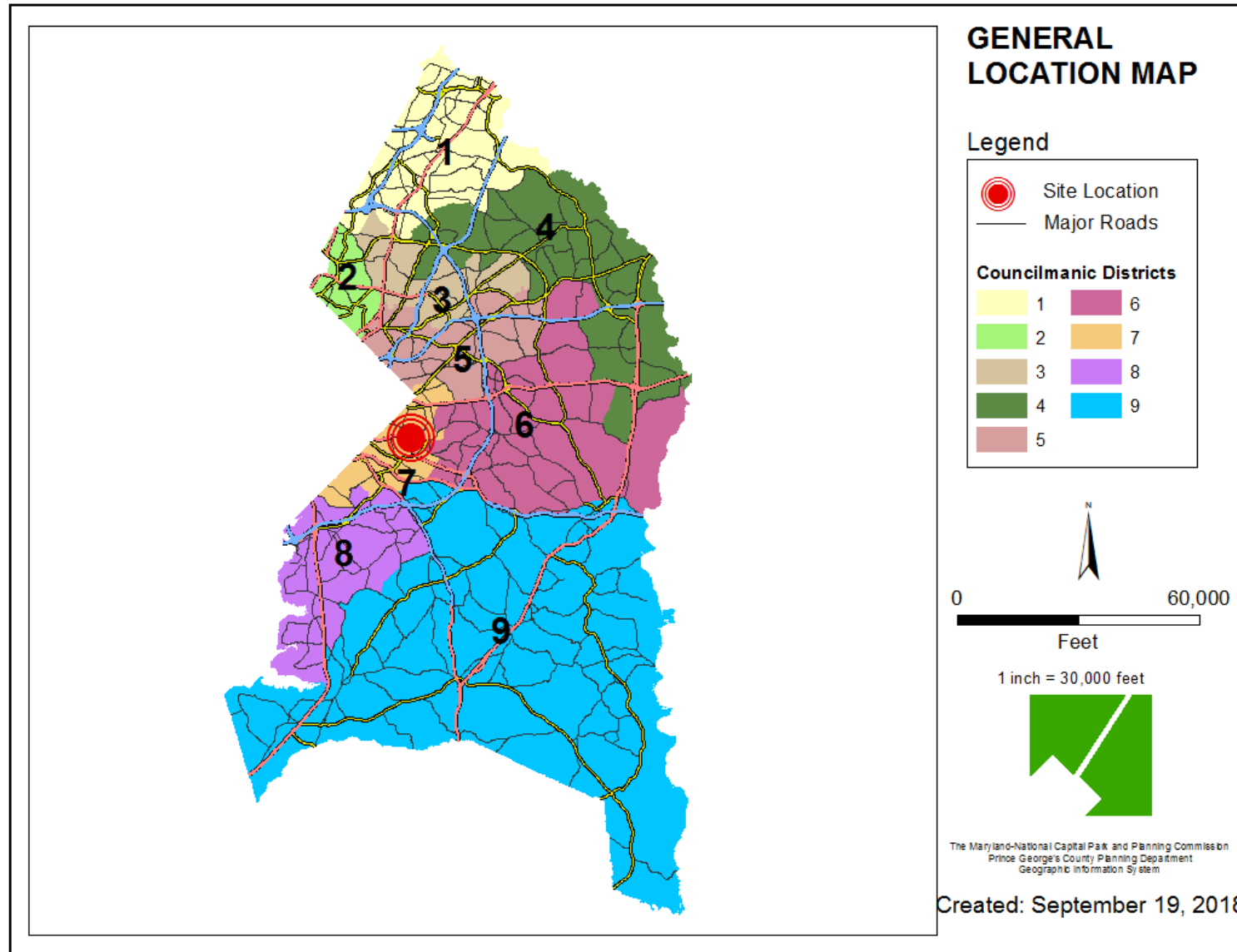
CASE: DPLS-462

7-ELEVEN MARLBORO PIKE

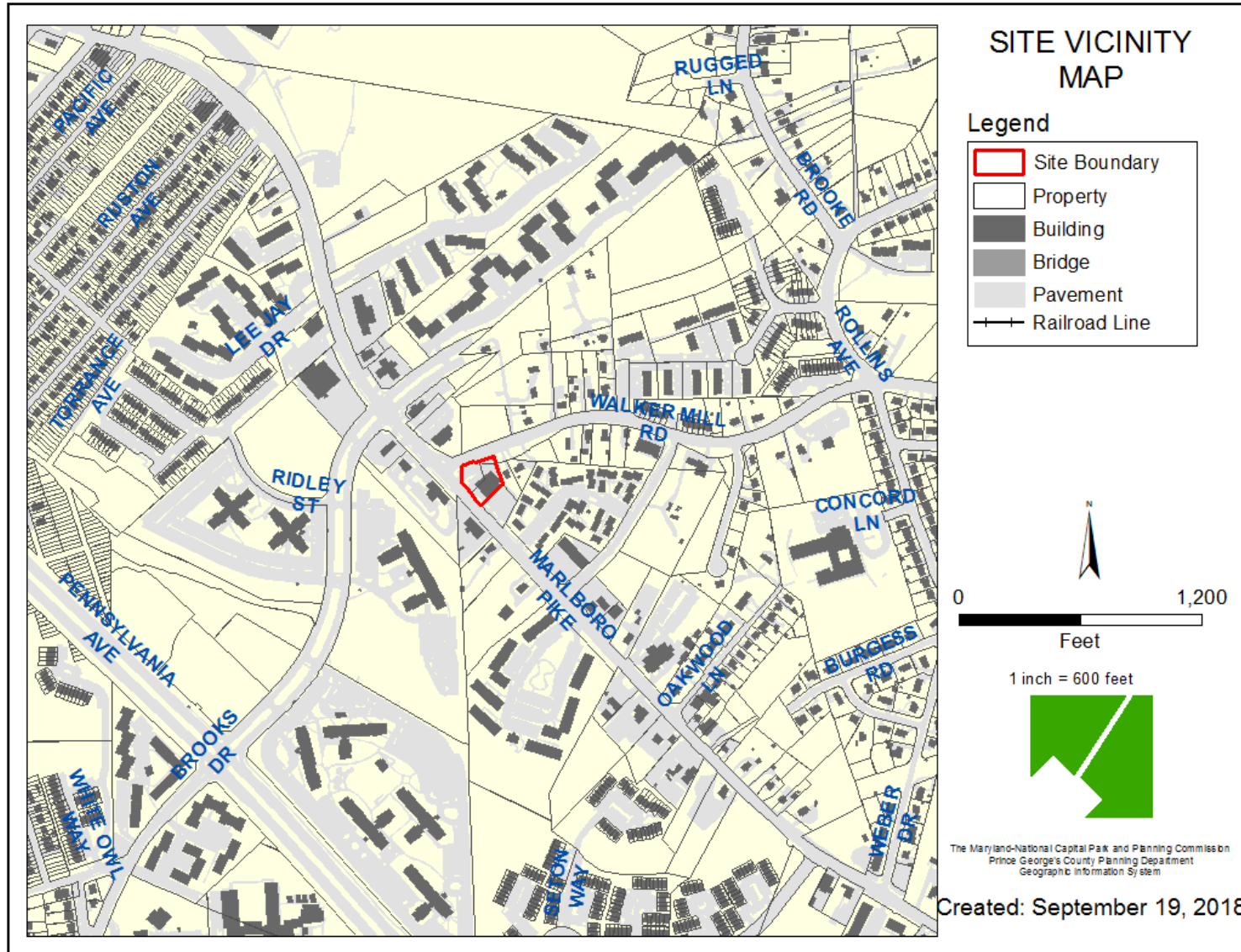
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



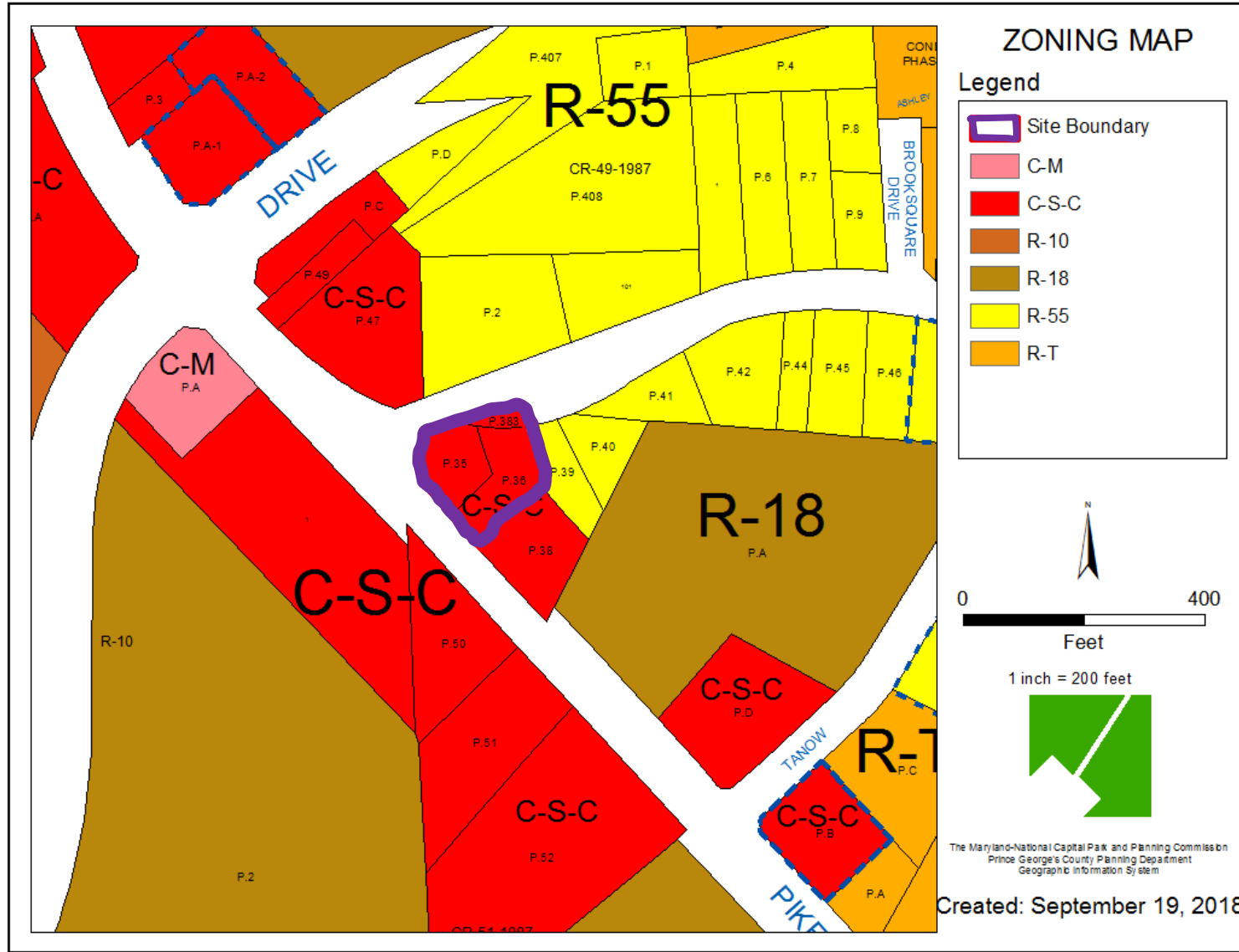
GENERAL LOCATION MAP



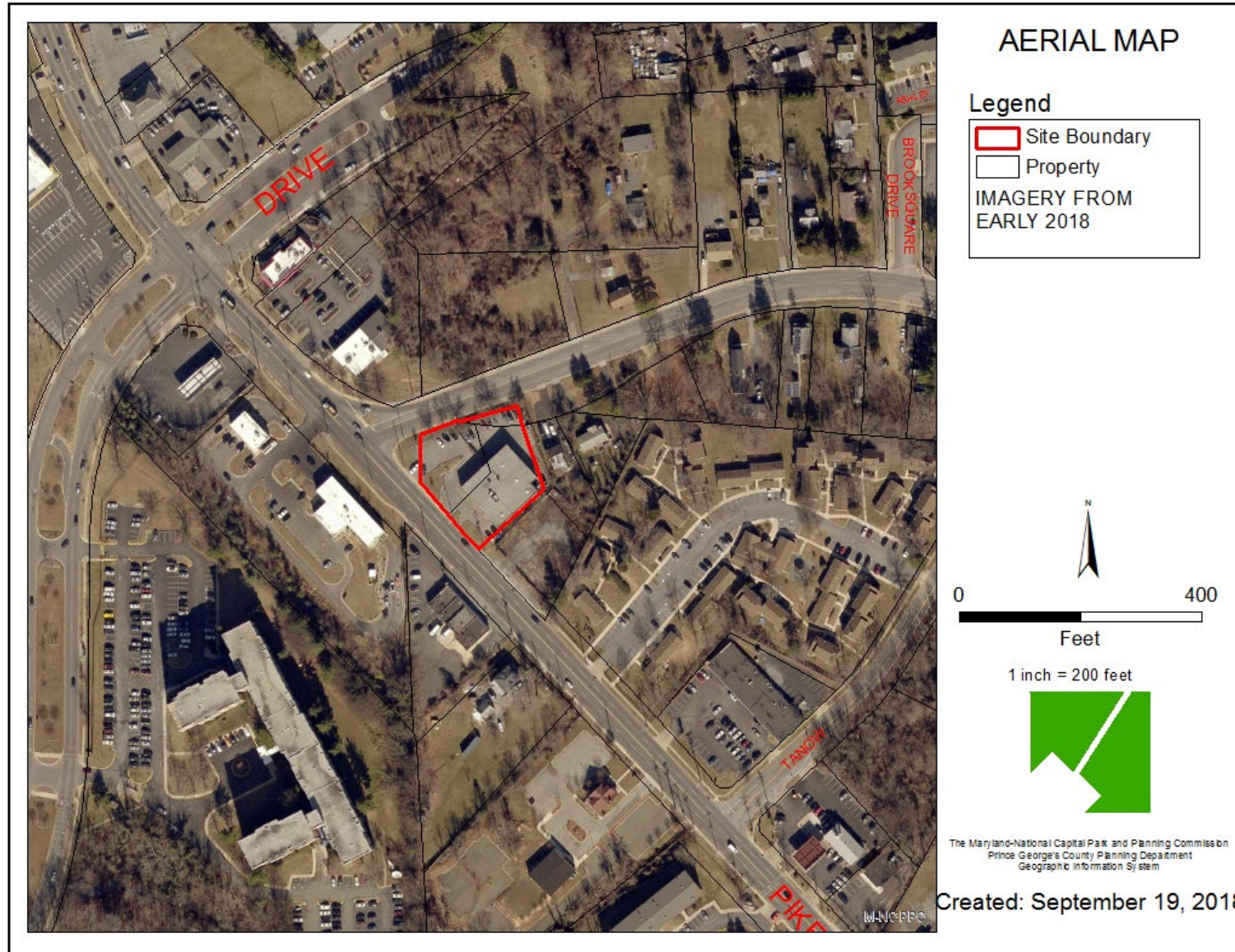
SITE VICINITY



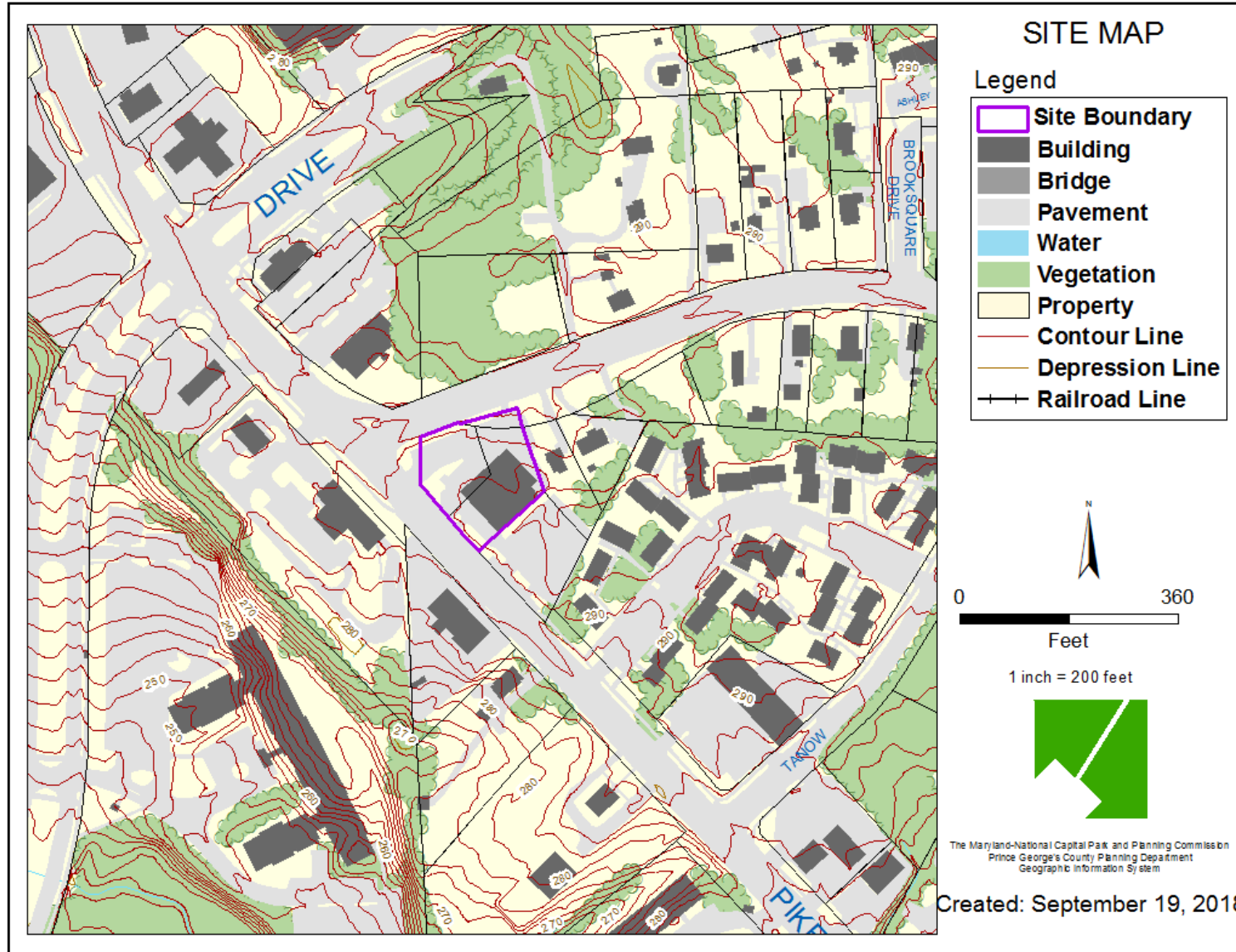
ZONING MAP



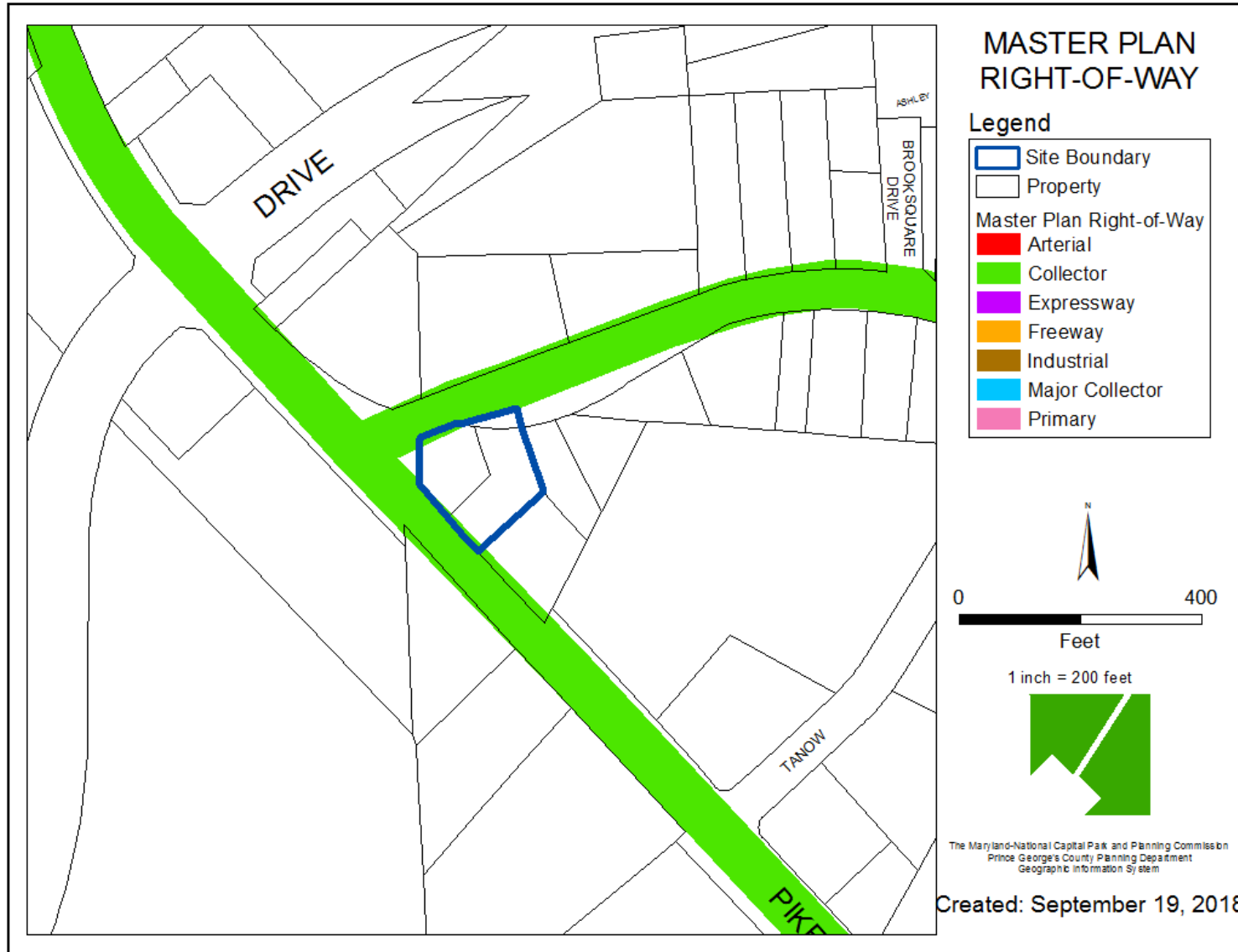
AERIAL MAP



SITE MAP



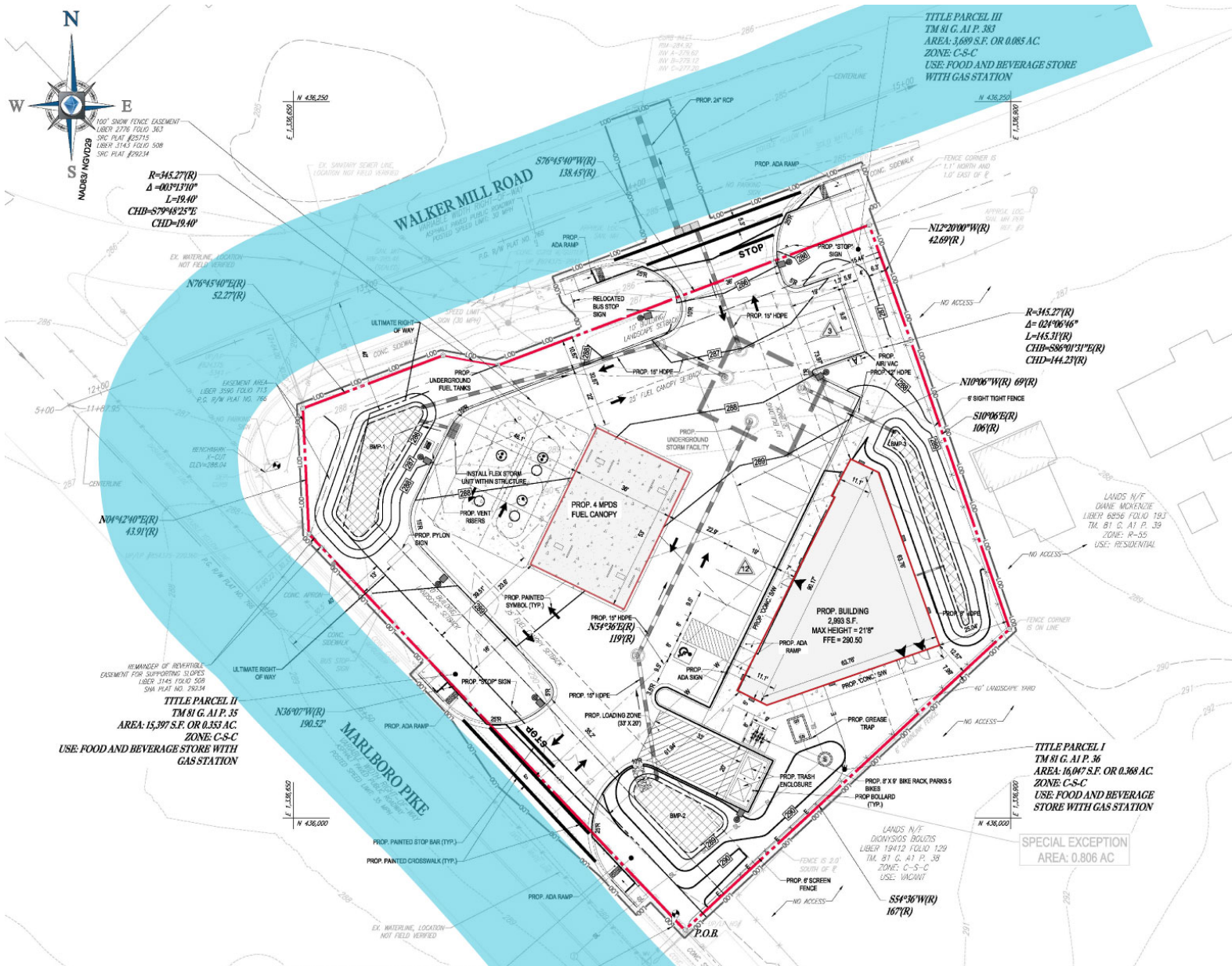
MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW



SITE PLAN



FOOD AND BEVERAGE STORE ELEVATIONS

05 FRONT (WEST) ELEVATION
NTS

04 REAR (SOUTHEAST) ELEVATION
NTS

03 REAR (NORTH EAST) ELEVATION
NTS

02 SIDE (SOUTH) ELEVATION
NTS

01 SIDE (NORTH) ELEVATION
NTS

EXTERIOR FINISH SCHEDULE		
NOTE: SEALANT COLORS MATCH COLOR OF ADJACENT MATERIAL BEING SEALED - WHEN 2 OR MORE COLORS ARE ADJACENT, MATCH LIGHTER-COLORED MATERIAL.		
FINISH	MATERIAL	PATTERN
M-1	24 GAUGE GALV. SHEET METAL COPING CAP, SLOPE 1" PER FOOT, PRE-FINISHED TO MATCH CANDORIS AND OTHER METAL WORKS (SW 7040 "URBANE BRONZE" - OR SIMILAR	
F-1	PREFINISHED SHEET METAL DOWNPOUT SYSTEM AND PREFABRICATED ANNINGS TO MATCH CANDORIS AND OTHER METAL WORKS (SW 7040 "URBANE BRONZE" - OR SIMILAR	
N-1	STONE VENEER - EL DORADO STONE - MOUNTAIN LEDGE - "SERVA" - OR SIMILAR	
N-2	PRE-CAST CONCRETE SILL	
N-3	NICHHA PANEL SYSTEM WALL FINISH- ALEXANDRIA RED BUFF	
S-1/S-2	KANNEKS "DARK BRONZE" ALUMINUM STOREFRONT FRAME - 1" INSULATED CLEAR GLAZING BY OLDCASTLE OR EQUAL - OR SIMILAR	

THIS BLOCK IS FOR OFFICIAL USE ONLY
NO ARCHITECTURAL MATERIALS OR FINISHES SHALL BE USED WITHOUT THE APPROVAL OF THE DISTRICT ENGINEER.
MATERIALS SHALL BE APPROVED BY THE DISTRICT ENGINEER.
APPROVAL:
PROJECT NAME: 7-ELEVEN MARLBORO PKE
PROJECT NUMBER: SE-452
FOR CONDITIONS OF APPROVAL, SEE SITE PLAN COVER SHEET OR APPROVAL SHEET. MATERIAL NUMBER MUST BE INCLUDED IN THE PROJECT NUMBER.

7-ELEVEN, INC.
3200 HACHESBERRY ROAD, IRVING, TEXAS 75063
7-ELEVEN #1039500
05410 MARLBORO PKE, DISTRICT HTS.
05410 MARLBORO PKE, DISTRICT HTS.

PC DIMENSION GROUP

Job#: SE-1039500
Scale: AS NOTED
Date: 09/25/2018
Drawn By:
Checked By:

Division: Commercial Development
Drawing Title: 7-ELEVEN MARLBORO PKE
Drawing Number: SE-452
Drawing Date: 09/25/2018
Drawing Scale: AS NOTED
Drawing Status: FOR APPROVAL
Drawing Author: [Redacted]
Drawing Checker: [Redacted]
Drawing Approver: [Redacted]

SHEET: 13 OF 16



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org
301-952-3530

June 24, 2019

MEMORANDUM

TO: Ras Cannady, Senior Planner, Subdivision and Zoning Section

VIA: Jill Kosack, Planning Supervisor, Urban Design Section *JK*

FROM: Thomas Burke, Planner Coordinator, Urban Design Section *tb*

**SUBJECT: Special Exception SE-4822
7-Eleven Marlboro Pike**

The Urban Design Section has reviewed the revised package received on May 29, 2019, with revised plans received on June 14, 2019 in support of Special Exception SE-4822 for 7-Eleven Marlboro Pike. The application proposes demolition of the existing commercial building and the installation of a 7-Eleven food and beverage store, with an associated gas station. The 0.806-acre property is zoned Commercial Shopping Center (C-S-C) and is located at 5410 Marlboro Pike, on the southeast corner of its intersection with Walker Mill Road. To the north and west sides of the subject site are public rights-of-way, to the east is property in the One-family Detached Residential (R-55) Zone developed with a single-family detached home, and to the south is vacant property in the C-S-C Zone. Based on the Urban Design Section's review of this special exception application, staff offers the following comments:

Conformance with the Requirements of the Zoning Ordinance

1. Per Section 27-461(b), Uses Permitted in Commercial Zones, a gas station and a food and beverage store in combination with a gas station, are permitted in the C-S-C Zone pursuant to a Special Exception. Section 27-355(a) of the Zoning Ordinance lists additional requirements for a special exception food and beverage store, none of which are urban design related. Section 27-358(a) of the Zoning Ordinance lists three urban design-related requirements for a special exception gas station, as follows:

- (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;**

The submitted site plan indicates that a 6-foot wide sidewalk is provided along the front façade of the proposed building, between the building line and the curb, and connects to an existing sidewalk along Walker Mill Road. Public sidewalks are located along the frontage within the rights-of-way for Marlboro Pike and Walker Mill Road. The Transportation Section should provide confirmation of the adequacy of the sidewalks.

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

The gasoline pumps are proposed outside of the 25-foot street setbacks on both Marlboro Pike and Walker Mill Road.

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

Architectural elevations were submitted for the proposed gas station canopy and food and beverage store in conjunction with the special exception site plan. The applicant proposes the use of a stone veneer base and burgundy sheet metal-capped posts for the typical franchise flat-roofed gas station canopy. This complements the treatments proposed on the food and beverage store, which is stone veneer and red brick on all sides. Corner features provide variety to the roofline and storefront doors and windows are provided along the front elevation. The architectural treatments are of high-quality and will be an attractive addition to the surrounding development.

Conformance with the 2010 Prince George's County Landscape Manual

2. In accordance with Section 27-450, of the Zoning Ordinance, the proposed development is subject to the 2010 *Prince George's County Landscape Manual* (Landscape Manual), specifically Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6 -2 Buffering Development from Special Roadways, Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements. The applicant has provided the necessary schedules on the submitted plan and demonstrates conformance with most of these sections.

An Alternative Compliance (AC-19007) application has been filed from the requirements of Section 4.3 for interior parking lot landscaping and Section 4.7 for the bufferyard along the eastern property line. That decision should be incorporated into the SE. The plans indicate that an AC is required for the Section 4.7 bufferyard along the southern property line. However, since the adjacent commercially zoned property is vacant, no buffer is required per Section 4.7(c)(5)(F). Other technical issues include, the required Section 4.6 buffer along Marlboro Pike, a designated historic road, is not accurately reflected on the submitted revised plans in the schedules or number of plants; and some of the shade trees provided per Section 4.2 along Walker Mill Road are shown outside the boundary of the subject property and need to be moved out of the right-of-way. Conditions requiring these revisions are recommended herein.

Conformance with the Tree Canopy Coverage Ordinance

3. Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of the site to be covered by tree canopy for any development that proposes more than 5,000 square feet of gross floor area or disturbance and require a grading permit. The subject site is zoned C-S-C and is required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The revised landscape plan provides the required schedule showing the requirement being met through the provision of proposed landscape trees.

Urban Design Section Recommendation

In accordance with the above analysis, the Urban Design Section has the following recommendations on the subject application:

1. Move all shade trees provided per Section 4.2 requirements out of the right-of-way and onto the subject property.
2. Provide a Section 4.6 buffer along the subject property's entire frontage on Marlboro Pike, a designated historic road.
2. Revise the Section 4.7 schedule along the southern property line to reflect no bufferyard is required.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772

DATE: June 24, 2019
TO: Andree Green Checkley, Planning Director
VIA: Jill Kosack, Co-Chair, Alternative Compliance Committee
FROM: Thomas Burke, Alternative Compliance Committee Member
PROJECT NAME: 7-Eleven Marlboro Pike
PROJECT NUMBER: Alternative Compliance AC-19007
COMPANION CASE: Special Exception SE-4822

ALTERNATIVE COMPLIANCE

Recommendation: **Approval** **Denial**

Justification: SEE ATTACHED

Thomas Burke

Thomas Burke by JK
 Reviewer's Signature

PLANNING DIRECTOR'S REVIEW

Final Decision **Approval** **Denial**

Recommendation **Approval** **Denial**

To Planning Board

To Zoning Hearing Examiner

Planning Director's Signature *Andree Green Checkley* *6/24/19*
 Date

APPEAL OF PLANNING DIRECTOR'S DECISION

Appeal Filed:

Planning Board Hearing Date:

Planning Board Decision: **Approval** **Denial**

Resolution Number:

Alternative Compliance: AC-19007
Name of Project: 7-Eleven Marlboro Pike
Underlying Case: Special Exception SE-4822
Date: June 24, 2019

Alternative compliance is requested from the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) for Section 4.3, Parking Lot Interior Planting Requirements, for the interior planting area, and for Section 4.7, Buffering Incompatible Uses, for the bufferyard along the eastern property line, adjacent to a one-family detached dwelling.

Location

The subject 0.806-acre property is located at 5410 Marlboro Pike, on the southeast corner of its intersection with Walker Mill Road, in District Heights. The site is in Planning Area 75A, Council District 7, in the Commercial Shopping Center Zone. In addition, this property is located within the geography previously designated as the Developed Tier and reflected on Attachment H (5) of the *Plan Prince George's 2035 Approved General Plan* in Prince George's County Planning Board Resolution No. 14-10 (see County Council Resolution CR-26-2014, Revision No. 31).

Background

The underlying Special Exception, SE-4822, proposes to demolish an existing commercial building and develop the site with a 7-Eleven food and beverage store, in combination with a gas station, with associated improvements. The SE is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6-2, Buffering Development from Special Roadways; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements of the Landscape Manual. An Alternative Compliance (AC-19007) application has been filed from the requirements of Section 4.3, for a reduction in the interior parking lot landscaping, and from Section 4.7, for a reduction in the width of the bufferyard along the eastern property line.

Section 4.3, Parking Lot Requirements

REQUIRED: Section 4.3-2, Interior Planting for Parking Lots 7,000 Square Feet or Larger

Parking Lot Area	8,731 sq. ft.
Interior Landscape Area Required	8 percent or 699 sq. ft.
Plant units (1 shade tree per 300 sq. ft.)	3

PROVIDED: Section 4.3-2, Interior Planting for Parking Lots 7,000 Square Feet or Larger

Parking Lot Area	8,731 sq. ft.
Interior Landscape Area Provided	6.9 percent or 607 sq. ft.
Plant units (1 shade tree per 300 sq. ft.)	2

Justification of Recommendation

Section 4.3(c)(2)(A), Table 4.3-1 sets forth the requirements for the minimum percentage of interior planting area based on the proposed parking lot size, which in this case is 8 percent of 8,731 square feet, or 699 square feet. The applicant is requesting approval of an alternative design to allow for a reduction in the required interior planting area from the required 8 percent to 6.9 percent, or 607 square feet. The applicant proposes to provide two of the required three shade trees, which is appropriate for the reduced planting area. However, the Committee recommends that larger caliper shade trees be provided, to allow for more immediate shading of the pavement area.

The Alternative Compliance Committee finds the applicant’s proposal equally effective as normal compliance with Section 4.3, if approved with conditions, given the increase in the size of the shade trees and the minor nature of the reduction.

Section 4.7, Buffering Incompatible Uses

REQUIRED: Section 4.7, Buffering Incompatible Uses, along the eastern property line, adjacent to existing one-family detached dwelling (Bufferyard 1)

Length of bufferyard	140 feet
Minimum building setback	50 feet
Landscape yard width	40 feet
Fence or wall	Yes
Percent with existing trees	0
Plant units (160 per 100 l. f.)	112*

*A 50 percent reduction in the plant unit requirement is requested with the provision of the 6-foot-high, sight-tight fence.

PROVIDED: Section 4.7, Buffering Incompatible Uses, along the eastern property line, adjacent to existing one-family detached dwelling (Bufferyard 1)

Length of bufferyard	140 feet
Minimum building setback	25 feet
Minimum landscape yard	15 feet
Fence or wall	Yes, 6-foot-high, sight-tight
Percent with existing trees	0
Plant units	114*

*This will increase to 130, if revised as conditioned herein.

Justification of Recommendation

The applicant requests alternative compliance from the requirements of Section 4.7 by proposing an alternative solution to providing the required bufferyard along the eastern property line, adjacent to an existing one-family detached dwelling. In this case, the proposed use is high-impact, which requires a Type D bufferyard, including a 50-foot building setback and a 40-foot-wide landscape yard, to be planted with 160 plant units per 100 linear feet of property line. The alternative design solution consists of a planted landscape yard with a varied width from 15 to 25 feet, with an additional two plant units, and a

6-foot-high, sight-tight fence along the property line, for which a detail needs to be provided. In order to contribute to an effective bufferyard from the adjacent residential property, the applicant should substitute 24 of the proposed shrubs along the eastern property line with 8 evergreen trees and provide larger caliper shade trees. This will add an additional 16 plant units, for a total of 130, an increase of 16 percent over normal requirements.

The Alternative Compliance Committee finds the applicant's proposal equally effective as normal compliance with Section 4.7, if approved with conditions set forth in the Recommendation section of this report. These conditions will require larger shade trees and 16 percent more plant units than what is normally required in accordance with the requirements of Section 4.7, creating an equally effective bufferyard.

Recommendation


The Alternative Compliance Committee recommends APPROVAL of Alternative Compliance AC-19007, 7-Eleven Marlboro Pike, from the requirements of the 2010 *Prince George's County Landscape Manual* for Section 4.3, Parking Lot Interior Planting Requirements, for interior planting area, and for Section 4.7, Buffering Incompatible Uses, along the eastern property line, subject to the following conditions:

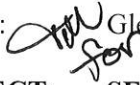
1. Increase the caliper of the proposed shade trees in the Section 4.3 interior planting area and the Section 4.7 eastern bufferyard to 3.5 to 4-inch caliper.
2. Replace 24 of the proposed shrubs with 8 evergreen trees along the eastern boundary.
3. Clearly show the proposed trees and labels that are blocked by the building graphics.
4. Provide a detail of the proposed sight-tight fence.

June 16, 2019

MEMORANDUM

TO: Ras Cannady, Zoning Section, Development Review Division

FROM:  Tom Masog, Transportation Planning Section, Countywide Planning Division

FROM:  Glen Burton, Transportation Planning Section, Countywide Planning Division

SUBJECT: **SE-4822, DPLS-462: 7-Eleven (Marlboro Pike)**

The Transportation Planning Section has reviewed the special exception application referenced above. The subject property consists of 0.8 acre of land in the C-S-C Zone. The property is located at the southeast quadrant of the intersection of Marlboro Pike and Walker Mill Road. The site is currently improved with a 9,211 square-foot auto body shop. The applicant plans to raze the existing building and replace it with a 2,993 square-foot 7-Eleven convenience store with eight fueling positions.

Review Comments

The proposed food or beverage store in combination with a gas station is a permitted use in the C-S-C Zone subject to the approval of a special exception. The special exception (SE) is reviewed for compliance with general special exception requirements, including the determination that the use will not be detrimental to the health, safety, and welfare of residents and workers in the area. Section 27-359 refers to the use specifically but contains no special requirements for approval. There are no transportation-related findings required beyond the general special exception finding.

The subject property is located within an area whose development policies are governed by the 2009 *Approved Marlboro Pike Master Plan and Sectional Map Amendment*, as well as the *Approved Countywide Master Plan of Transportation*. These plans recommend Walker Mill Road be upgraded to a 4-lane collector road (C-427) within an 80-foot right-of-way. Similarly, Marlboro Pike has been recommended to be widened to a collector road (C-410) within a right-of-way of 80-100 feet. The application indicates the location of the ultimate master plan footprint, and no permanent structures are being proposed within that footprint.

To evaluate the potential impact the proposed 7-Eleven could have on the adjacent transportation network, staff compared its traffic generating potential with that of the existing use. Table 1 below shows the results of that comparative analysis:

Zoning/Use	Square Feet	AM Peak Hour Trips			PM Peak Hour Trips		
		In	Out	Total	In	Out	Total
By-Right Use Auto body Shop	9,211	13	13	26	16	16	32
Proposed Use 7-Eleven with gas pumps	2,993	63	63	126	74	74	148
<i>Less pass-by</i>	<i>70% average</i>	<i>-44</i>	<i>-44</i>	<i>-88</i>	<i>-52</i>	<i>-52</i>	<i>-104</i>
Total new trips		19	19	38	22	22	44
Difference		+6	+6	+12	+6	+6	+12

The results from Table 1 show that an additional 12 new trips will be generated during both peak hours if this special exception application is approved. The unsignalized intersection of Marlboro Pike and Walker Mill Road is the closest intersection to the subject property. Based on a turning movement count taken on June 4, 2019, the intersection currently operates with a delay of 20.8 seconds during the AM peak hour and 34.9 seconds during the PM peak hour. Both results are well within the Planning Board's 50-second threshold of acceptability for unsignalized intersections. It is the opinion of staff that the additional 12 trips during either peak hour will not have a significant negative impact on the health, safety and general welfare of the community.

Circulation within the site will be acceptable for cars and minivans; the most dominant vehicle types to visit the site. Where larger vehicles such as tractor-trailers are concerned, there seem to be very little room to maneuver. It is strongly recommended that where feasible, these larger vehicles that are generally used for stock replenishment, should be used during after hours, to minimize interactions with other vehicles using the site.

DPLS-462

Pursuant to Section 27-582(a) of the Zoning Ordinance, the applicant has determined that 22 parking spaces are required. Section 27-572 provides for the option for a reduction of the number of parking spaces when the spaces are used by two or more users. Consequently, a minimum of 18 (22 times 80 percent) spaces are required for this development. The applicant is proposing only 15 spaces in total, thereby proposing the DPLS-462 application. The applicant has submitted a statement of justification (SOJ) to address the required findings for a DPLS, indicated in Section 27-588:

(A) In order for the planning board to grant the departure, it shall make the following findings:

- i. The purposes of this Part (Section 27-550) will be served by the applicant's request;

APPLICANT COMMENT: The purposes of the parking and loading regulations will be served by the applicant's request to develop a food or beverage store in combination with a gas station. The departure seeks to ensure sufficient parking to serve the needs of the food or beverage store in combination with a gas station and is not otherwise located adjacent to public residential streets; therefore, there will be no impact to residential areas or the residential character of the surrounding community. The parking facilities provided are immediately adjacent to the building(s) and convenient to the uses they serve.

The applicant has revised the site plan to better promote accessibility and circulation for the patrons, all of which benefits the redevelopment of the property.

Moreover, the subject property is located in an area that is served by public transportation. The site is adjacent to a number of bus routes/stops. Thus, nearby properties will not be affected by the departure, as parking will be sufficient to serve patrons. The requested departure will not impair the visual, functional, or environmental quality or integrity of the site or surrounding neighborhood. The reduction to the number of parking spaces by three spaces will allow 83.3 percent of the required parking to be standard sized spaces, not compact. Unfortunately, compact spaces are not viable given the site constraints and would result in a more restrictive parking scenario along the front of the store by providing smaller spaces that would be less conducive than standard spaces.

ii. The departure is the minimum necessary, given the specific circumstances of the request;

APPLICANT COMMENT: The requested departure is the minimum necessary given the utilization of the 20% reduction. Again, circumstances exist that are special to this site, mainly its size and unique shape at an acute corner, which this departure will alleviate. Finally, because there will be sufficient parking spaces to accommodate the proposed retail use, and there will not be any spill over parking onto surrounding areas, the parking and loading needs of adjacent property will not be infringed. This contention is further supported by the fact that public transportation exists in the immediate area and patrons for the food and beverage component can also easily walk to this location. Finally, the Institute of Transportation Engineers *Parking Generation Manual, 5th Edition*, provides that the parking demand for a convenience market in a dense multi-use urban setting averages 2.92 spaces per 1,000 square feet; and in a general urban/suburban setting averages 5.44 spaces per 1,000 square feet. The applicant contends that the subject property can be classified as somewhere in between a dense multi-use urban setting and a general urban/suburban setting. Consequently, at a parking ratio of approximately 5 spaces per 1,000 square feet, the applicant contends that the average parking demand will be met despite the requested departure.

iii. The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;

APPLICANT COMMENT: The departure will alleviate circumstances that are special to the proposed use, on this property given the unique shape of the subject property and the limitations that exist around the property and older existing development in the area. Specifically, the property is located on an acute corner of the intersection of Walker Mill Road and Marlboro Pike, which requires the site to be oriented such that the canopy and building are angled to front towards the existing intersection and traffic signal. This layout allows for the most efficient ingress/egress to the site for fuel dispensing vehicles as well as vehicular patron traffic to the convenience store and fuel pumps by orienting the drive lanes to provide a direct path between both site entrances. This also allows for a natural green space at the front corner of the site that will be used to accommodate stormwater management runoff. Finally, with the canopy and building facing the intersection, visibility for passing vehicles is enhanced in order to provide additional time for vehicles trying to gain access to the site to maneuver to accessible positions. The development proposal, with the reduction allowed for the joint use of parking lot, results in an 18-parking space requirement. The proposed layout provides for 15 parking spaces. Further the purposes of this part seek to ensure sufficient parking and loading to serve the needs of the patrons of the store, and the applicant believes that 15 parking spaces for this location will be sufficient to serve the needs of the patrons.

- iv. All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical;

APPLICANT COMMENT: The calculating methods provided for in the Zoning Ordinance, including utilization of the shared 20 percent reduction, require 18 parking spaces. The applicant is proposing 15 parking spaces, so a departure for three spaces is requested. The reduction to the number of parking spaces by three spaces will allow 83.3 percent of the required parking to be standard sized spaces, not compact. Unfortunately, compact spaces are not viable given the site constraints and would result in a more restrictive parking scenario along the front of the store by providing smaller spaces that would be less conducive than standard spaces. Moreover, the departure ensures that the applicant is able to accommodate the required 4.3 Internal Planting requirements in the Landscape Manual.

- v. Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted

APPLICANT COMMENT: As indicated above, because there will be sufficient parking spaces to accommodate the proposed retail use, and there will not be any spillover parking onto surrounding areas, the parking and loading needs of adjacent property will not be infringed. This is supported by the fact that public transportation exists in the immediate area and patrons for the food and beverage component can also easily walk to this location.

The Transportation Planning Section staff concur with the findings addressed by the applicant and recommend approval of the Departure from Parking and Loading Standards to permit a total of 15 parking spaces (a reduction of three spaces).

Conclusion

The Transportation Planning Section finds that the special exception use application poses no issue regarding the required special exception finding.

May 20, 2019

MEMORANDUM

TO: Ras Cannady, Subdivision and Zoning, Development Review Division

VIA: Howard Berger, Supervisor, Historic Preservation Section, Countywide Planning Division *HB*

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division *JAS*
Tyler Smith, Historic Preservation Section, Countywide Planning Division *TAS*

SUBJECT: SE-4822 & DPLS-462; 7-Eleven Marlboro Pike

The subject property comprises 0.807 acres located at 5410 and 5416 Marlboro Pike in District Heights within the southeast quadrant of the intersection of Marlboro Pike and Walker Mill Road. The subject application proposes the development of a food or beverage store in combination with a gas station and a departure from parking and loading standards for the reduction of three parking spaces. The subject property is Zoned C-S-C.

There are no historic sites or resources on or adjacent to the subject property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites or resources or known archeological sites. Historic Preservation staff recommends approval of SE-4812, DPLS-462, 7-Eleven Marlboro Pike with no conditions.




THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

June 13, 2019

MEMORANDUM

TO: Ras Cannady II, Development Review Division
FROM:  Fred Shaffer, Transportation Planning Section, Countywide Planning Division
SUBJECT: **Special Exception Review for Master Plan Trail Compliance**

The following special exception (SE) was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and/or the appropriate area master plan in order to provide the master plan trails.

Special Exception Number: SE-4822
Name: 7-Eleven Marlboro Pike

Type of Master Plan Bikeway or Trail

Municipal R.O.W.*	<u> </u>	Public Use Trail Easement	<u> </u>
PG Co. R.O.W.*	<u> X </u>	Nature Trails	<u> </u>
SHA R.O.W.*	<u> </u>	M-NCPPC – Parks	<u> </u>
HOA	<u> </u>	Bicycle Parking	<u> X </u>
Sidewalks	<u> X </u>	ADA Access	<u> </u>

*If a master plan trail is within a city, county, or state right-of-way, an additional two - four feet of dedication may be required to accommodate construction of the trail.

The subject application is a special exception application for a food and beverage store and gas station. The application is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* (area master plan). The Transportation Planning Section has reviewed the special exception application for appropriate bicycle and pedestrian facilities, the required findings of a special exception and consistency with the plans noted above.

Review Comments (Master Plan Compliance and Prior Approvals)

The 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* recommends a main street character with enhanced bicycle and pedestrian facilities along segments of Marlboro Pike. The site does not appear to be in one of the designated “main street” character areas identified in the sector plan per Page 56. Standard sidewalks and designated bike lanes are appropriate along the subject site’s frontage along Marlboro Pike.

However, the site is within the area covered by the Department of Public Works & Transportation (DPW&T) Marlboro Pike Safe Routes to Schools Capital Improvement Program (CIP) project. Frontage improvements for the subject site needs to be coordinated with DPW&T and the planned CIP improvements. Information on this CIP project and contact information is included at the end of this memorandum. Reallocation of curb to curb space, designated bike lanes and standard sidewalks are included along the site's frontage in the draft plans by DPW&T.

Standard sidewalks are reflected along the site's frontages of Walker Mill Road and Marlboro Pike and a sidewalk is shown linking the building entrance with Walker Mill Road. Staff recommends an additional sidewalk/pedestrian route linking the building with the sidewalk along Walker Mill Road.

Both the sector plan and the MPOT recommends a wide sidewalk or shared use path along Walker Mill Road. The text for this recommendation is copied below:

Walker Mill Road Side Path/Wide Sidewalk: This project should be implemented as a shared-use side path or wide sidewalk. This facility will connect to the existing wide sidewalk along Ritchie Marlboro Road at the Capital Beltway interchange. This facility will provide access to Walker Mill Regional Park, John H. Bayne Elementary School, and Walker Mill Business Park (MPOT, page 29).

There does not appear to be adequate existing right-of-way along Walker Mill Road to accommodate the master plan trail (see attached aerial). The sidewalk along Walker Mill Road will accommodate pedestrians until funding becomes available, additional right-of-way is acquired and the master plan facility can be constructed. Roadway dedication is not appropriate at the time of special exception.

Conclusion

Prior to signature approval, the plans shall be revised to include:

- a. A bicycle rack accommodating a minimum of three bicycle parking spaces.
- b. A sidewalk or designated pedestrian route from Marlboro Pike to the building entrance.



Safe Routes to School CIP Project

The Safe Routes to School CIP project - Phase 1 is a project being implemented by the Prince George's County Department of Public Works and Transportation (DPW&T) that will provide sidewalk upgrades along the east side of Marlboro Pike from Brooks Drive to Weber Drive. It will also provide for upgrades to the traffic signal at Marlboro Pike and Brooks Drive. Construction for this project is slated for 2018.

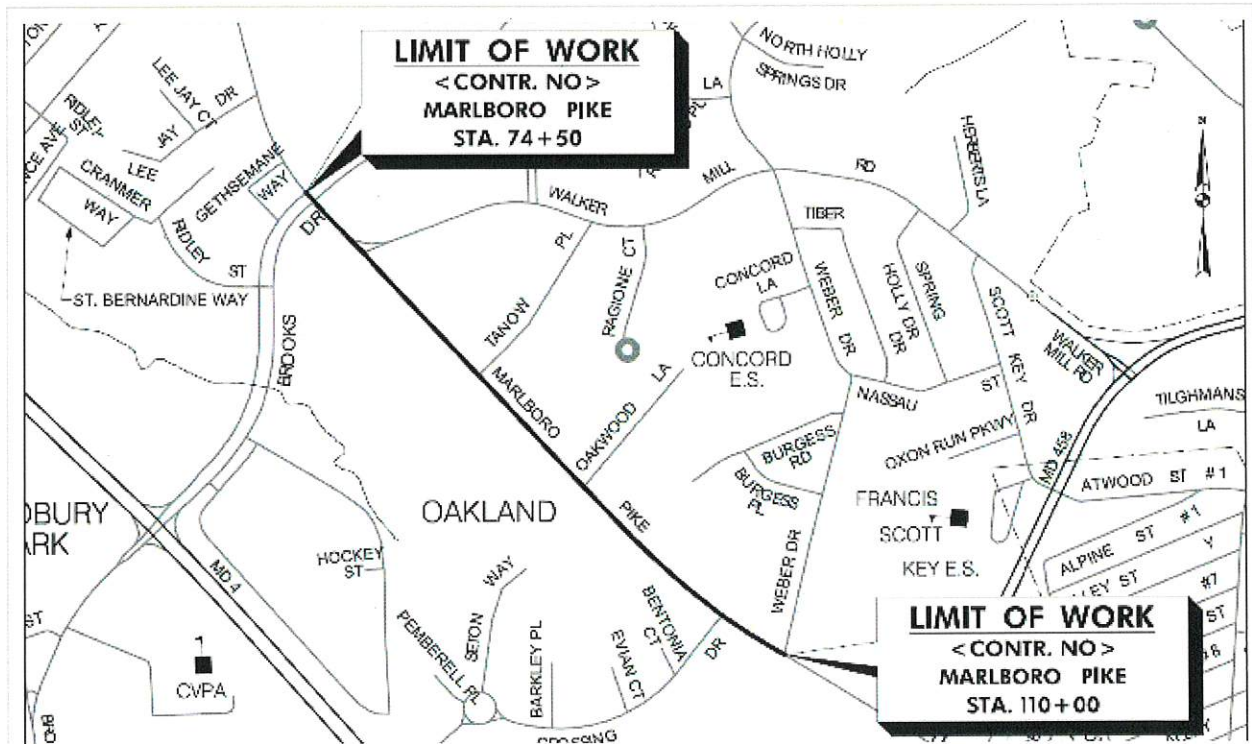
If there are any questions regarding the project, please contact one of the following individuals.

Erv Beckert

Phone: 301-883-5714

John Zanetti

Phone: 301-883-5636




301-952-3972

June 14, 2019

MEMORANDUM

TO: Ras Cannady, Senior Planner, Subdivision Section, Development Review Division

VIA: Scott Rowe, AICP, CNU-A, Supervisor, Community Planning Division **AD**
David A. Green, MBA, Master Planner, Community Planning Division 

FROM: Chidy Umeozulu, Planner Coordinator, Neighborhood Revitalization
Section Community Planning Division

SUBJECT: **SE-4822 & DPLS-462; 7-Eleven Marlboro Pike**

FINDINGS

The Community Planning Division finds that, pursuant to Section 27-317(a)(3), this application will not substantially impair the integrity of the 2009 *Approved Marlboro Pike Sector Plan*.

BACKGROUND

Application Type: Special Exception for a Food or Beverage Store in combination with a gas station in the C-S-C Zone and Departure from Parking and Loading Standards to have 15 parking spaces in lieu of the required 22 parking spaces.

Location: Southeast quadrant of the intersection of Marlboro Pike and Walker Mill Road – 5410 and 5416 Marlboro Pike

Size: 0.81 acres

Existing Uses: Auto Body Shop

Proposal: Food or Beverage Store in combination with a gas station

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is in the Established Communities. The vision for the Established Communities is context sensitive infill and low- to medium-density development.

Master Plan: The 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment Plan* recommends Commercial land uses on the subject property.

Planning Area 75A

Community: District Heights

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

SMA/Zoning: The 2009 Approved Marlboro Pike Sectional Map Amendment retained the subject property into the Commercial Shopping Center (C-S-C) Zone.

MASTER PLAN SUBSTANTIAL IMPAIRMENT ISSUES

The Community Planning Division finds that, pursuant to Section 27-317(a)(3), this application will not substantially impair the integrity of the *2009 Approved Marlboro Pike Sector Plan and Sectional Map Amendment Plan*.

c: Long-range Agenda Notebook

Frederick Stachura, Planning Supervisor, Neighborhood Revitalization Section, Community Planning Division

June 6, 2019

MEMORANDUM

TO: Ras Cannady, Senior Planner, Subdivision & Zoning Review Section

VIA: Megan Reiser, Acting Supervisor, Environmental Planning Section *MR*

FROM: Chuck Schneider, Planner Coordinator, Environmental Planning Section *CS*

SUBJECT: **7-Eleven Store #38445 Marlboro Pike; (5410 and 5416 Marlboro Pike)
Special Exception Plan SE-4822 and
Departure from Parking and Loading Standards DPLS-462**

The Environmental Planning Section (EPS) has reviewed Special Exception Plan SE-4822 and Departure from Parking and Loading Standards DPLS-462, received by the Countywide Planning Division on May 13, 2019. The Environmental Planning Section recommends approval of the application with no conditions.

The site has a Natural Resource Inventory Equivalency Letter (NRI-138-2018) and Woodland Conservation Exemption Letter (S-121-2018) which were issued on August 24, 2018. The site is primarily developed with one structure, and paved parking areas. There are small maintained grass areas and scattered trees and shrubs throughout the project area. No woodland or regulated environmental features are located on this site. According to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), the site contains only Beltsville – Urban land complex soils. No unsafe soils containing Christiana complexes or Marlboro clays are associated with this site. This site is not located within a Sensitive Species Protection Review Area (SSPRA) based on a review of the SSPRA GIS layer prepared by the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP). The site is located within the Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan* (2014). No Countywide Green Infrastructure Areas are located on-site per the *Approved Prince George's Resource Conservation Plan* (May 2017). Marlboro Pike is adjacent to the site and is designated as a historic roadway. This historic roadway will be required to have a landscaped buffer which will be addressed by the Urban Design Section.

The Environmental Planning Section finds this application to be in conformance with the environmental requirements of Subtitle 25 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and Subtitle 27 Zoning Ordinance (ZO).

The site recently received approval of Stormwater Management (SWM) Concept Plan #41955-2018-00, which is in conformance with the current code. This concept will be valid until November 14, 2021. The approved concept plan is consistent with the special exception plan.

No additional Information is required. The Environmental Planning Section Recommends approval of SE-4822 and DPLS-462.

May 28, 2019

MEMORANDUM

TO: Ras Cannady II, Urban Design

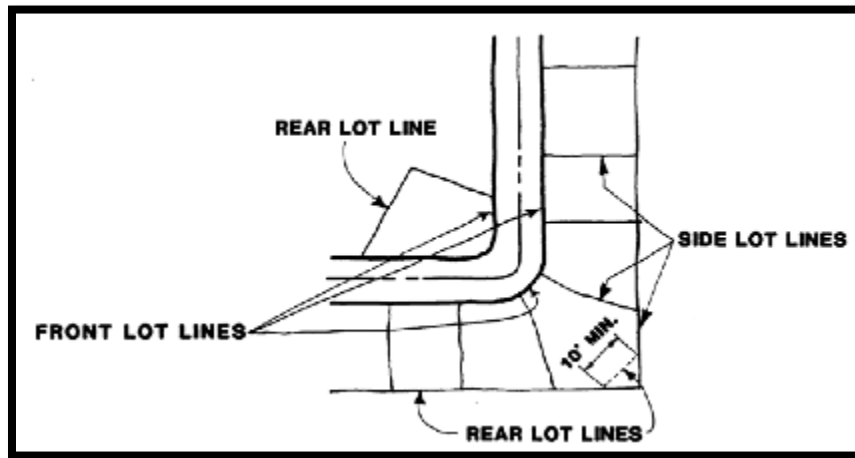
FROM: Jason Bartlett, Permit Review Section, Development Review Division

SUBJECT: Referral Comments for SE-4822 & DPLS-462; 7 Eleven Marlboro Pike

1. There appears to be two trash enclosures.
 - a. Add second identifying arrow to site plan pointing to the 2nd trash enclosure.
 - b. Change the label from “Enclosure” to “Enclosures”.
 - c. Include the type of enclosure to callout label per Sec. 27-358.(b)(2).
2. As a general practice, 7 Eleven’s (and most convenience stores) have external vending areas for such typical and common vendors as Red Box, Ice Machines, Rhino Propane, etc. This site plan shows no vending area and the SOJ states there will be no vending machines. I would just confirm with the applicant regarding this matter and in the event that they may wish to add them later, then they may want to show a vending area on the site plan now, as would be required per Sec. 27-358.(b)(2).
3. Clearly label and identify on plan, the Ultimate R/W Line of Walker Mill Road in the same manor as the Ultimate R/W Line is identifies for Marlboro Pike on both the Site and Landscape Plans.
4. The DPLS is accurate at requiring a 3-space departure, unless parking changes with any redesigns of the plan.
5. Though the landscaping was addressed with the AC in regard to the Southern Side lot line, the 12’ setback, per Zoning Ordinance was not. With a current setback shown at 9.16’, I would think that a DDS would be required, however, I discussed the matter with Mr. DiMarco of Bohler Engineering and he feels confident he could resolve the matter with slight redesign to obtain 12’.

6. Applicant does not indicate that there is a rear lot line and shows no rear setbacks under the General Notes section. I would contend, however, that there is a rear lot line, as there is a defined front lot line (in the case of two front streets, it is the shortest property line of the two – See figure 21, below), thus the rear lot line would be the lot line opposite or parallel to the front street line of Marlboro Pike, as defined in Sec. 27-107.01.(a)(140) of the Zoning Ordinance (see definition below):

(140) **Lot Line, Rear:** *The "Lot Line" generally opposite or parallel to the "Front Street Line," except in a "Through Lot" which has no "Rear Lot Line." If a "Rear Lot Line" is less than ten (10) feet long or the "Lot" comes to a point at the rear, the "Rear Lot Line" is a line at least ten (10) feet long (lying wholly within the "Lot"), parallel to the "Front Street Line" or, if the "Front Street Line" is curved, parallel to the chord of the arc of the "Front Street Line." (See Figure 21)*




7. Defining a rear lot line, which is presently considered a side lot line on the current plan, will further affect the the landscape plan and AC.

Weekday Morning Peak Hour (6:30 am - 9:30 am)																					
Time:	Marlboro Pike Northbound					Marlboro Pike Southbound					N/A Eastbound					Walker Mill Road Westbound					Total
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
6:30-6:45	0		117	1	0	0	28	35		0					0	0	0	91	2	272	
6:45-7:00	0		151	1	0	0	40	52		0					0	0	0	121	0	365	
7:00-7:15	0		156	6	0	0	57	45		0					0	0	0	118	0	382	
7:15-7:30	0		142	2	0	0	52	35		0					0	0	2	93	0	326	
7:30-7:45	0		124	1	1	0	65	61		0					0	0	0	89	1	340	
7:45-8:00	0		121	3	0	2	58	55		0					0	0	5	112	0	356	
8:00-8:15	0		102	3	0	0	66	59		0					0	0	3	92	0	325	
8:15-8:30	0		79	4	0	0	51	71		0					0	0	1	61	0	267	
8:30-8:45	0		94	7	0	0	62	72		0					0	0	0	95	1	330	
8:45-9:00	0		93	4	0	0	67	82		0					0	0	2	86	0	334	
9:00-9:15	0		82	2	0	0	52	121		0					0	0	1	83	0	341	
9:15-9:30	0		109	1	0	0	60	100		0					0	0	2	68	4	340	

Hourly Totals																					
Time	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
6:30-7:30	0		566	10	0	0	177	167		0					0	0	2	423	2	1347	
6:45-7:45	0		573	10	1	0	214	193		0					0	0	2	421	1	1415	
7:00-8:00	0		543	12	1	2	232	196		0					0	0	7	412	1	1406	
7:15-8:15	0		489	9	1	2	241	210		0					0	0	10	386	1	1349	
7:30-8:30	0		426	11	1	2	240	246		0					0	0	9	354	1	1290	
7:45-8:45	0		396	17	0	2	237	257		0					0	0	9	360	1	1279	
8:00-9:00	0		368	18	0	0	246	284		0					0	0	6	334	1	1257	
8:15-9:15	0		348	17	0	0	232	346		0					0	0	4	325	1	1273	
8:30-9:30	0		378	14	0	0	241	375		0					0	0	5	332	5	1350	
AM Peak Hour	Northbound					Southbound					Eastbound					Westbound					Total
6:45-7:45	0		573	10	1	0	214	193		0	0				0	0		2	421	1	1415

Weekday Evening Peak Hour (4 pm - 7 pm)																					
Time:	Marlboro Pike Northbound					Marlboro Pike Southbound					N/A Eastbound					Walker Mill Road Westbound					Total
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
4:00-4:15	0		123	1	0	0	90	134		0					0	0	2	60	3	410	
4:15-4:30	0		83	3	0	0	96	176		0					0	0	3	88	0	449	
4:30-4:45	0		121	5	0	0	110	175		0					0	0	4	67	1	482	
4:45-5:00	0		131	10	0	0	113	160		0					0	0	4	65	2	483	
5:00-5:15	0		141	4	0	0	131	155		0					0	0	5	106	3	542	
5:15-5:30	0		137	5	0	0	117	209		0					0	0	1	75	0	544	
5:30-5:45	0		125	5	0	0	104	158		0					0	0	4	73	2	469	
5:45-6:00	0		135	2	0	0	112	171		0					0	0	10	73	3	503	
6:00-6:15	0		129	1	0	0	107	198		0					0	0	0	77	0	512	
6:15-6:30	0		119	3	0	0	109	204		0					0	0	5	98	0	538	
6:30-6:45	0		137	7	0	0	79	187		0					0	0	2	95	1	507	
6:45-7:00	0		123	4	0	0	78	167		0					0	0	6	81	0	459	

Hourly Totals																					
Time	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
4:00-5:00	0		458	19	0	0	409	645		0					0	0	13	280	6	1830	
4:15-5:15	0		476	22	0	0	450	666		0					0	0	16	326	6	1962	
4:30-5:30	0		530	24	0	0	471	699		0					0	0	14	313	6	2057	
4:45-5:45	0		534	24	0	0	465	682		0					0	0	14	319	7	2045	
5:00-6:00	0		538	16	0	0	464	693		0					0	0	20	327	8	2066	
5:15-6:15	0		526	13	0	0	440	736		0					0	0	15	298	5	2033	
5:30-6:30	0		508	11	0	0	432	731		0					0	0	19	321	5	2027	
5:45-6:45	0		520	13	0	0	407	760		0					0	0	17	343	4	2064	
6:00-7:00	0		508	15	0	0	373	756		0					0	0	13	351	1	2017	
PM Peak Hour	Northbound					Southbound					Eastbound					Westbound					Total
5:00-6:00	0		538	16	0	0	464	693		0	0				0	0		20	327	8	2066

Peak Hour Turning Movement Count	Intersection: Marlboro Pike at Walker Mill Road Weather: Clear Count by: Count CAM ZW Count Day/Date: June 4th 2019 County: Prince George's
 LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com	





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

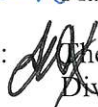
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

June 17, 2019

MEMORANDUM

TO: Ras Cannady, Senior Planner, Development Review Division

VIA: Katina Shoulars, Acting Chief, Countywide Planning Division 
 Crystal Hancock, Acting Planning Supervisor, Special Projects Section, Countywide Planning Division

FROM:  Theodore Kowaluk, Planner Coordinator, Special Projects Section, Countywide Planning Division

RE: SE-4822 7-Eleven Marlboro Pike

Under Section 27-355: food or beverage store of the zoning ordinance, a food and beverage store may be permitted if the applicant can show a reasonable need for the use in the neighborhood. The proposed food and beverage store is located in close proximity to several residential communities and will serve commuters on Marlboro Pike and Walker Mill Road. Staff agrees with the applicant's finding that the proposed food and beverage store is reasonably convenient and will serve the needs of the community.

Under Section 27-358: Gas Station of the zoning ordinance a gas station may be permitted if the applicant can show it is necessary to the public in the surrounding area. In this context under Maryland law "necessary" has been determined to be convenient and useful to the public. Staff agrees with the applicant that the gas station will be convenient and useful to the public.

SUMMARY OF GASOLINE TRADE AREA
For Property Located at
5410 and 5416 Marlboro Pike, District Heights, Maryland

This is a proposed redevelopment project located in the C-S-C (Commercial Shopping Center) zone which, when completed, will include approximately 2,993 square feet of gross floor area (GFA) for a proposed food or beverage store with four (4) proposed multi-product gasoline dispensers. The subject property is located in southeast quadrant of the intersection of Marlboro Pike and Walker Mill Road.

Site Description

The subject property is currently improved with a building originally constructed circa 1988, as Oakcrest Auto Body. The total area of the property is 0.807 acres, and is known as Parcels 35, 36, and 383. This Special Exception Site Plan is being submitted so that the property can be developed with a food or beverage store in combination with a gas station.

The site plan utilizes two points of vehicular access; one full access along the frontage of Walker Mill Road, and one full access along the frontage of Marlboro Pike. The proposed site design places the primary gas station canopy, with four pump islands facing the intersection of Walker Mill Road and Marlboro Pike. Both the gas canopy and building are located at a forty-five degree angle off of the right-of-way line of Walker Mill Road. Given the unique shape of the subject property, specifically that the site is located on an acute corner of the intersection of Walker Mill Road and Marlboro Pike, the site has been oriented such that the canopy and building are angled in order to front towards the existing signal. This layout allows for the most efficient ingress/egress to the site for fuel dispensing vehicles as well as vehicular patron traffic to the convenience store and fuel pumps by orienting the drive lanes to provide a direct path between both site entrances. This also allows for a natural green space at the front corner of the site that will be used to accommodate stormwater management runoff. Finally with the canopy and building facing the intersection, visibility for passing vehicles is enhanced in order to provide additional time for vehicles trying to gain access to the site to maneuver to accessible positions. The proposed layout creates a safe environment for patrons utilizing all of the services offered by 7-Eleven. Further, as an expert in the field and having designed numerous sites that are aesthetically pleasing and safe and efficient, the applicant very strongly contends that its layout will result in a very successful and high quality development.

Surface parking is proposed along the frontage of the proposed store to ensure safe and efficient on-site circulation. In addition, and more importantly, the proposed layout creates a safe environment for patrons utilizing all of the services offered by 7-Eleven. Further, as an expert in the field and having designed numerous sites that are aesthetically pleasing and safe and efficient, 7-Eleven very strongly contends that its layout will result in a very successful and high quality development.

Primary Market Area

The Primary Market Area is identified as a 1-mile radius around the site. Within this Primary Market Area (PMA) is a population estimate of 17,848 persons, reflecting a growth of 1.26% between 2000 and the current year. There are 7,071 households, reflecting a growth of .05% during the same period.

The average household income is \$65,357 with 2.52 persons per household. There are 9,192 vehicles, based on 1.3 vehicles per household.

It is estimated that there are 7,156 workers over age 16+ that need transportation to work. Of these, 4,135 (57.78%) drove alone, 1,475 (20.61%) car pooled, 1,399 (19.55%) took public transportation, 51 walked, 19 by other means and 72 (1%) worked at home. The average travel time to work for these residents is 35.4 minutes. Obviously these residents are working outside of the PMA that only includes a 6-mile diameter that should take a maximum of twenty minutes to travel.

Existing Convenience/Gas Located within PMA

At the time of application there are five (5) existing convenience gas store operations located with the PMA. Listed below are highlights comparing the existing Convenience Gas Stations vs the proposed 7-Eleven redevelopment project:

1. Sunoco – 2000 Brooks Dr.

- i. This is a small kiosk style gas station that primarily sells cigarettes and sodas. The customers need to wait outside and pay for their merchandise and fuel through a plexiglass pass through window.
- ii. 4 MPDs
- iii. 160 Gross SF
- iv. 8 parking stalls
- v. There is no upfront parking for this kiosk. Customers must pass in front of cars getting fuel in order to be served at the window. Customers traveling southwest on Brooks Dr. must turn at the median break and cross traffic, including a turning lane for the same median break to be used by vehicles traveling northeast on Brooks Dr. and entering the church parking lot.

The Existing Conditions in Regards to Pedestrian Accessibility, & Pedestrian Movement within the Site are Unsafe & Do Not Meet Today's Land Development Standards.

2. Lowest Price – 5258 Marlboro Pike

- i. This is a service station that primarily repairs vehicles.
- ii. 4 MPDs

- iii. 2156 Gross SF
 - iv. 6 parking stalls on the front side of building.
 - v. This facility is a service station with a very small store. There are no fresh food offerings. This store is used primarily by people waiting for their car to be serviced. There is no upfront parking and pedestrians wanting to make a purchase from the store must park on the side and walk through the parking lot shared with the fuel and service customers. There are 2 garage bays in the front which makes the parking lot difficult to maneuver for the fuel customers as the vehicles entering the service bays block the drive aisle.
The Existing Conditions in Regards to Pedestrian Accessibility, & Pedestrian Movement within the Site are Unsafe & Do Not Meet Today's Land Development Standards
3. Shell – 5017 Marlboro Pike
- i. This is a small kiosk style gas station that primarily sells cigarettes and sodas. The customers need to wait outside and pay for their merchandise and fuel through a plexiglass pass through window.
 - ii. 4 MPDs
 - iii. 204 Gross SF
 - iv. 6 parking stalls
 - v. This gas station is not located at an intersection making it difficult and unsafe for vehicles to cross against traffic in order to visit the station. There is no upfront parking to the kiosk. The parking stalls are facing Marlboro Pike. Merchandise customers must park and walk across the parking lot in order to make purchases at the kiosk.
The Existing Conditions in Regards to Vehicular access, Pedestrian Accessibility, & Pedestrian Movement within the Site are Unsafe & Do Not Meet Today's Land Development Standards.
4. BP - 4909 Marlboro Pike
- i. This is a small kiosk style gas station that primarily sells cigarettes and soda. The customers need to wait outside and pay for their merchandise and fuel through a plexiglass pass through window.
 - ii. 6 MPDs
 - iii. 160 Gross SF
 - iv. There are no marked parking stalls
 - v. This is a mid-block location with 2 access drives on Marlboro Pike. The fact that there is no traffic light causes customers traveling eastbound on Marlboro Pike to cross against the traffic on a double yellow line. There are no marked parking spaces and non-fuel customers park along the perimeter of the lot and walk across the lot to the kiosk.
The Existing Conditions in Regard to Vehicular Access, Pedestrian Accessibility, & Pedestrian Movement within the Site are Unsafe & Do Not Meet Today's Land Development Standards.

5. Shell – 5921 Silver Hill Rd.
 - i. This is primarily a service station.
 - ii. 5 MPDs
 - iii. 1869 Gross SF
 - iv. 8 parking stalls
 - v. This is a service stations with 3 bays in the front. There is no upfront parking and the marked parking is near the street. There are 2 access points on each road. ON Silver Hill Rd., the access drives are right in / right out due to the median. The position of the service bays and the fuel islands make the maneuverability in this lot difficult and unsafe.
The Existing Conditions in Regard to Vehicular Access, Pedestrian Accessibility, & Pedestrian Movement within the Site are Unsafe & Do Not Meet Today’s Land Development Standards.

7-Eleven – Proposed Development Site Characteristics

- 148 Fresh Food Offerings Available and over 50 offerings in Fast Food and over 200 offerings in packaged bakery.
- .807 Acre
- Full Movement Access on Marlboro Pike and Walker Mill Rd.
- 2993 Gross SF
- 4 MPDs
- Life Safety Requirements for Vehicular & Pedestrian Movement To Be Satisfied During Design Phase
- Ample Parking Available to Meet Customer Demand

Traffic

According to the Prince George’s County Department of Public Works and Transportation ***AVERAGE DAILY TRAFFIC COUNT LIST (dated 2015)***, the average daily traffic count (ADT) is 31,523. This amount of traffic is passing the site currently without the addition of the new centers being built.

Considerations

Method 1

Within the 1-mile radius of the PMA, there are 7,071 Households. The number of vehicles per household in this area is 1.3 vehicles X 715 gallons demand per year (NPNMarketfacts 2017) = gallons demand based strictly on these demographics, irrespective of other influences. **PMA Demand for residents and workers is assumed to be 6,572,495 gallons per year.**

Method 2

Workforce Only Vehicles:
Workers over 16

Transportation to work.....	7,156
Drove Alone:.....	4,135 (57.78%)
Car Pooled.....	1,475(20.61%)
Public Transportation.....	1,399(19.55%)
Other Means.....	19 (.27%)
Worked at Home.....	72 (1%)

Average Travel Time to Work..... 35.4 minutes

If those workers who drove alone, or carpooled, used 715 gallons of gas per year, their demand would be 5,610 X 715 Gallons = 4,011,150 per year.

Reports do not declare if a car-Pooler drives all the time, rides all the time or alternates with other drivers. Regardless of who is doing the driving, the vehicle must travel in the Primary Market Area to participate. Also, without trying to apply some arbitrary figure, those who work at home probably use their vehicles for business, shopping or pleasure at least a few days per week. This method makes it difficult, if not unreasonable, to quantify the amount of gallons required for those working at home or out of their home.

Method 3

Other research estimates that household gasoline purchases average 1 fill-up per vehicle per week, with a fill-up considered to be 15 gallons. Based on this example, there would be 9,192 vehicles X 15 gallons per week = 137,880 gallons X 52 weeks = **7,169,760 gallons per year demand in the PMA alone, regardless of any other factors.**

Method 4

Raw Traffic passing site: Prince George’s County Department of Public Works and Transportation Average Daily Traffic Count shows that an average of 31,523 cars per day (cpd). Consider 31,523 cpd X 365 days= 11,505,895 vehicles per year. If a conservative estimate of a 6% capture rate of all traffic is assumed, this would equate to 690,354 vehicles X 15 gallon fill-up = **10,355,310 gallons per year based strictly on traffic count alone, irrespective of origin of traffic.** .

Method 5

An industry standard most commonly used estimated figure of 120,000 gallons per month (1,440,000 gallons per year) for an average gallons pumped per retail gasoline outlet. Based on this case, there are 5 gasoline retailers in the PMA; that would equate to 7,200,000 gallons being pumped per year, even though 2 of the retailers are primarily service centers and the other 3 have small kiosks with either no parking or very limited parking. These locations do not have upfront parking, making these locations inconvenient.

A typical convenience/gas station pumps an estimated 120,000 gallons per month or 1,440,000 gallons per year (gpy).

1,440,000 gpy X 5 stations = 7,200,000 gpy
 ADT: 31,523 cpd X 30.4 days = 958,299 cars per month or 11,499,588 cars per year.

It should be considered that Transient Demand assumes 32% of trips are from vehicles that do not travel Marlboro Pike and Walker Mill Rd. regularly.
 Assuming 5,610 workers (accounts for workers traveling in a vehicle via “drive alone” or “car pool”) X 2 trips = 11,220 trips per day.
 ADT 31,523 less 11,220 = 20,303 remaining ADT

5610 _ Workers	X	715 gpy =	4,011,150
31,523 X 68% = 21,436 Transient but considered commuters	X	715 gpy =	15,326,740
31,523 X 32% = 10,087 Transient	X	715 gpy =	7,212,205
		Total	26,550,095
Capture rate of regular traffic @10%.....			2,655,010
Additional draw for New 7-Eleven Location @ 6%.....			1,593,006
<u>Total Demand Gallons per year</u>			4,248,016

We have used a higher number of gallons per year for the Transient/Commuter than for the local area commuter and less than the “pass-through” Transient. The reason for this is because that traffic is coming from outside the immediate area with a longer commute that will likely exceed an hour each way and involve using more gasoline daily, requiring more frequent fill ups.

Other Factors for Consideration

Retailers can experience a sale of gasoline gallons that equals or exceeds 30% of their entire daily gasoline sales during the morning and evening rush periods, two hours a.m. and two hours p.m., depending predominantly on the convenience and number of fueling positions easily accessible and the ingress/egress on the site.

This is the primary reason that the newer retailers have a minimum of six dispensers with 12 fueling positions. Many retailers have the same amount of gasoline in the ground in multiple storage tanks that hold 15,000 to 20,000 gallons (or more) each, but the retailer that can dispense more gasoline during the rush periods by having additional fueling positions is going to be the overwhelming choice for the customer in a hurry.

Automakers have responded to the public’s “need” or perceived “need” by producing over 30 models of vehicles classified as SUVs. The largest, the Hummer H1 has a 53- gallon tank and doesn’t even mention how many miles per gallon it gets. The smallest of the SUVs is the Mazda CX 9, (and the only one) with a 19.5 gallon tank, and it gets 22 mpg (city) and 28 mpg Hwy.

The lawmakers have responded to the public’s “need” or perceived “need” for higher speed limits, and 65 mph is common again on major highways. The higher speeds reduce the miles per gallon ratio and increase the gasoline consumption, requiring more frequent fillups to satisfy the greater demand of a mobile society.

Conclusion

The industry has changed based on what is necessary to the public and, accordingly, so has the definition of “necessary” as strictly interpreted by the current codes controlling gasoline retail.

If we are to be reasonable in our effort to determine what is necessary for any given retailer, we must look at each location on a case-by-case basis. Obviously, there may be instances where certain rules of thumb apply, but not all locations fit into a “one size fits all” mold.

It is our professional opinion that the demand of gasoline is more dependent on reasonable convenience to the public and speedy transactions than it is on how much storage capacity is available under the ground. The facility that can dispense the greatest number of gallons to the largest number of vehicles in the least amount of time will be the obvious choice for the average driver, and in particular, those during rush periods.

It is reasonable to assume that 7-Eleven, the largest (in terms of number of locations 8,303 in U.S.) and considered one of the industry leaders in progressive growth and marketing ideas for the Convenience Gas industry, will continue to select new locations that have the ability to include both gas and convenience store offerings. As part of the rationale for this specific location in District Heights, the connectivity and free flow of site provide an excellent opportunity to offer gasoline and fresh food offerings to their customers and other shoppers in a safe, convenient location that meets current land development requirements.

We therefore conclude that the conservative demand for gasoline in this market area exceeds the current supply per year. We have a very high level of confidence in this conclusion that the demand will more than justify the addition of this proposed gasoline convenience outlet.

Respectfully,



Laverna Olkowski
Sr. Real Estate Representative
Liberty Zone
7-Eleven, Inc.



Valbridge
PROPERTY ADVISORS

Need Analysis

Proposed Automobile Filling Station
5410 Marlboro Pike
District Heights, Maryland

FOR
7-Eleven, Inc.
3200 Hackberry Road
Irving, TX 75063

**Valbridge Property Advisors |
Baltimore Washington Metro**

11100 Dovedale Court
Marriottsville, Maryland 21104
443-333-5522
443-333-5445 fax

valbridge.com

BW01-19-0112

June 10, 2019

Ms. Brianne M Wilson, Construction Manager
7-Eleven, Inc.
3200 Hackberry Road
Irving, Texas 75063

**Subject: Proposed Automobile Filling Station and Convenience Store
District Heights, Prince George's County, MD - Need Analysis**

Dear Ms. Wilson:

Enclosed please find Valbridge Property Advisor's (Valbridge) analysis of the need for the redevelopment of a site for a 7-Eleven convenience store and gas station at 5410 Marlboro Pike at the intersection with Walker Mill Road in the incorporated City of District heights, Prince George's County, Maryland. The site is proposed to be redeveloped as a 4 MPD gas station and 2,993 sq. ft. convenience store with appropriate parking. The analysis has been conducted in connection with your petition for a special exception to permit a new automobile filling station on that property.

We find that that the proposed automobile filling station and convenience store will serve unmet public need for gasoline. The enclosed report summarizes our reasoning process.

It has been a pleasure working with you on this project. Please call me at (443) 333-5521 should you have any questions or comments.

Respectfully submitted,
Valbridge Property Advisors |
Baltimore Washington Metro



Edward M. Steere, AICP
Managing Director

PROPOSED AUTOMOBILE FILLING STATION NEED ANALYSIS

Executive Summary

Valbridge Property Advisors has been engaged by 7-Eleven, Inc. in connection with its petition to the Prince George's County District Council for a special exception permitting the development of an automobile filling station at the property located at the intersection of Marlboro Pike with Walker Mill Road in the incorporated City of District Heights in Prince George's County, Maryland.

Scope of Work

Valbridge Property Advisors has been engaged to examine evidence of the public need for an automobile filling station at this location. Presentation of sufficient evidence of public need for the gasoline sales use is required before a special exception for that use can be granted.

District Heights 7-Eleven Automobile Filling Station and Convenience Store

The proposed 7-Eleven gas station is located on the northern side of Marlboro Pike at an intersection with Walker Mill Road. The property is presently improved as an approximate 7,600 sq. ft. auto repair shop and parking spaces. The parcel's total land area is approximately 0.81 acres. The parcel is bounded by Walker Mill Road to the North, Marlboro Pike to the South and a 0.4 acre vacant lot to the east. Directly across Marlboro Pike is a car wash establishment. The subject site is currently zoned C-S-C (Commercial Shopping Center).

The proposed improvements include a gasoline station with four multi-product dispensers (MPD's) under a single canopy, in addition to an approximately 3,993 sq. ft. convenience store. The subject property has excellent frontage on the westbound side of Marlboro Pike at an intersection with Walker Mill Road. The site is approximately a third of a mile northeast of Maryland Route 4 (Pennsylvania Avenue) and 1.25 miles east of the Washington, D.C. city line. Overall, Marlboro Pike runs roughly four miles east to west. Both Marlboro Pike and Walker Mill Road serve a significant volume of daily traffic coming on and off of the Capital Beltway and Pennsylvania Avenue, including commuters, regional travelers as well as some commercial trips. This is further demonstrated by the Maryland Department of Transportation State Highway Administration's estimated annual average daily traffic (AADT) count in 2017 on Marlboro Pike just north of this location as 22,465 AADT on its section between Pacific Avenue and MD-458, 28,650 AADT on Pennsylvania Avenue and 25,052 AADT on Walker Mill Road.

The subject is in a commercial zone and surrounding land uses are for the majority a mix of other commercial uses and medium density residential development. There are three gas stations within .15 miles of the proposed subject along Marlboro Pike. The services that will be offered by the proposed 7-Eleven automobile filling station and convenience store are, therefore, supportive of

existing development nearby and transient traffic, given the role the nearby highway network plays as a major commuter route.

Supply/Demand Issues

- Trade Area – We have defined the subject fueling station’s trade area as the area centered primarily on the Marlboro Pike Corridor between the District of Columbia and Forestville. The trade area extends northward to Central Avenue (MD-214), effectively capturing commuters and consumer traveling out of the residential communities within Walker Mill and District Heights. We judge that this area is a reasonable representation of consumers seeking convenience store and fueling services along the course of their travel to and from work or routine shopping trips.

For purposes of this analysis, we consider the District Heights to be shaped by the regional highway network in particular focusing on Pennsylvania Avenue and MD-458, with the subject situated at a key crossroads location at the intersection of Walker Mill Road and Marlboro Pike. The accessibility of Marlboro Pike allows larger traffic volumes to diverge off of main highways such as Pennsylvania Avenue and the Capital Beltway and through this area to reach residential and popular retail destinations. In addition, the trade area is also restricted at its extremes by significant features such as the Washington, D.C. line to the west, Suitland Parkway to the south and Central Avenue to the North.

- Trade Area Residents – The trade area is populous and is projected to remain stable going forward to 2023. A moderate average income of \$69,939 enables a very solid 46.2% homeownership rate with homes being valued at an average of \$239,208 in 2018. The Census Bureau’s American Community Survey for 2012-2016 estimates that there are roughly 1.6 vehicles per household on average and that the vast majority (70.6%) of workers drive to work. More than one-half of workers commute more than 30 minutes to work.
- Trade Area Demand – We find that the total demand available to gas stations within the District Heights trade area to be in the range of 29.9 million gallons per year. Although households residing in the District Heights trade area will account for a demand of 25.3 million gallons, we believe the demand is greater due to a daytime worker population which comprises roughly one-quarter of the total population.

District Heights Trade Area Annual Demand	
Residential	25.3 mgal/yr
Workforce	4.6 mgal/yr
Total	29.9 mgal/yr

The above projection is conservative when also considering the pipeline of up to 1,043 residential units proposed along Addison Road as part of the Metro City development. This development will likely have a significant impact on the total residential demand for gasoline within the trade area especially given its proximity to the subject. The developments will be a significant input of suburban population and households into the District Heights area, especially in an area underserved with modern convenience stores and gasoline options. Thus, we believe our residential demand calculation of approximately 25.3 million gallons per year will likely expand year-by-year with the completion of new housing units and is further demonstrated by approximately 1.0% growth rate expected for the area's households through 2023.

- Competitive Supply – We find that there is notable competition within the defined District Heights trade area for the available consumer demand for gasoline and diesel.
 - District Heights Trade Area Supply - The nineteen other gas stations identified along the Marlboro Pike corridor between the Washington, D.C. city line and the Capital Beltway represent the most direct competition for the subject due to their central location within the trade area's highway network proximate to residential communities and retail destinations. The majority of the stations are of considerable vintage with an average construction date of 1974. The most recent station was completed in 1999. There is no presence of hyper convenience stores and most stations are classified as Mini Convenience Stores or Kiosks being located on land parcels which are typically smaller than one acre, resulting in generally "tight" sites with automobile movements around the pumps and properties being somewhat constricted.
 - Pipeline Supply - We are aware of two other gas stations in the planning phases or under construction within the trade area. We find that each of these stations will have more contemporary formats and are located in strong locations oriented toward capturing a high proportion of their sales from regional shoppers and residential neighborhoods. These two automobile filling stations listed are indirectly competitive with the subject. In particular, the Royal Farms on Donnell Drive is located toward the periphery of the subject's trade area and, therefore, also draw a significant share of their consumers from outside the District Heights trade area especially those coming off the Beltway. Other nearby gas stations are primarily located northeast of the subject trade area at the commercial developments which borders 495-S.
 - Current Performance – Estimating that the total existing competitive supply is now pumping approximately 25.88 million gallons of gasoline per year, we judge that local consumer demand for gasoline within the trade area is shaped by other factors including price, accessibility and perceived safety. Fueling options within the trade area of the subject vary in regard to these other factors and some are so antiquated that they do not draw the same volumes of customers as indicated by the range in total sales volume for sites in the same general area. On the other hand, most of the stations have little competitive advantage over one another in terms of the services they offer and benefit

solely from the fact that they are well-positioned along commuter routes. Performance data and traffic generation models prove that the modern convenience store will generate more customer traffic than that of the traditional and smaller gas stations.

- Unmet Demand - We quantify unmet trade area demand (need) in the range of approximately 4 million gallons per year, based on a comparison of trade area consumption with the estimated gallonage pumped for the area by the existing service stations. We believe this is a conservative estimation, based on the estimated 1.36 million gallons of annual supply per station.

Conclusions

Valbridge concludes, therefore, that the public need/necessity for the proposed 7-Eleven automobile filling station in District Heights is evident based on our analysis:

We find that there is an estimated total demand for at least 29.9 million gallons of gasoline within the defined District Heights trade area, as determined by standard market research methodologies of residential and pass-through demand. The existing supply is approximately 25.88 million gallons per year, leaving a net unmet demand of approximately 4 million gallons. This number is not explicit, as we are unable to capture actual production volumes of competitive gas stations.

Considering the growth projected at residential neighborhoods such as Metro City coupled with existing employment and transient traffic, we believe the demand significantly exceeds the current supply in the trade area, especially when considering the relatively heavy traffic volumes seen coming through this area of Prince George's County. It is important to note that the availability of gas stations in the community offers mostly older, obsolete service stations with small kiosks or snack shops, which are not in demand by the current consumer. We find that many existing stations do not capture consistent levels of demand, and we judge that that a substantial volume of trade will be handled by the few modern facilities proposed for the area such as the subject, that offer larger convenience spaces and services that are attractive to a broader market of consumers.

We find that there is public need for this new gasoline station, due to the facts presented above. There are few opportunities in the market area for customers to find fuel and associated convenience items in a clean, well-lit environment that is in demand at this time. With little exception, the gas stations in the trade area are all old and outdated, and many do not offer a full range of fuels or convenience items. Additionally, this station is to be located proximal to an interstate highway interchange, offering the opportunity to serve both commuter, interstate and neighborhood traffic.

I. INTRODUCTION

Valbridge Property Advisors has been engaged by 7-Eleven, Inc. in connection with its petition to the Prince George's County District Council for a special exception permitting the development of an automobile filling station at the property located at the intersection of Marlboro Pike with Walker Mill Road in the incorporated City of District Heights in Prince George's County, Maryland.

Purpose of Assignment

This site is presently an improved parcel consisting of an approximate 7,600 sq. ft. auto repair shop and parking spaces. The proposal is to redevelop the site for a 7-Eleven with a 3,933 sq. ft. convenience store and four multi product dispensers (MPD's) with eight fueling positions under a canopy. It is assumed that 7-Eleven, Inc. may prefer a modified site plan, but generally in context with the current concepts.

Valbridge Property Advisors has been engaged to examine evidence of the public need for an automobile filling station at this location. Presentation of sufficient evidence of public need for the use is required before a special exception for that use can be granted. The Prince George's County Zoning Regulations, Section 27-358 (d) requires that the proposed use:

- (1) Is necessary to the public in the surrounding area; and
- (2) Will not unduly restrict the availability of land, or upset the balance of land use, in the area for other trades and commercial uses.

A convenience store is a permitted use on this site, but motor fuels requires the demonstration of public need. For purposes of this analysis, we have considered public need/necessity to mean "expedient or reasonably convenient and useful to the public" (as defined in Lucky Stores, Inc. v. Board of Appeals) and "convenient, useful, appropriate, suitable, proper or conducive to the public in the surrounding area" (as defined in Baltimore County Licensed Beverage Association, Inc. v. Kwon). In this case, we consider an automobile filling station and convenience store complex to be accommodating to the public need when it meets the demand of the public living and working within a reasonably defined trade area for fuel service, as analyzed according to standard market research methodologies.

Scope of Work

In conducting this analysis Valbridge has accomplished the following tasks:

- Inspected the subject site and neighborhood;
- Reviewed the subject's site plan;

- Defined the subject's surrounding trade area;
- Consulted demographic and economic data for the trade area produced by ESRI (Environmental Systems Research Institute, Inc.) based on U.S. Census information, Baltimore Metropolitan Council and others;
- Inspected gas station properties in the trade area;
- Estimated the scale of gasoline demand within the defined trade area and arrived at certain conclusions.

Organization of Report

Following this Section I, Valbridge's report is organized in three sections as follows: Section II, site and location analysis; Section III, need analysis; Section IV, survey of nearby competitive supply; Section V, conclusions.

Qualifications of Consultant

Valbridge is the largest independent real estate valuation firm in the continental United States, with 70 offices and more than 675 employees, of which more than 200 are MAI appraisers. We have experience and data on all types of real estate, including special purpose and portfolio assignments.

The principal-in-charge of this assignment has been Edward Steere, AICP, Managing Director. He has 30 years of real estate development, finance and consulting experience. Most relevant to this assignment, Steere has successfully completed feasibility assessments for commercial opportunities throughout Maryland. Additional information on the firm and Steere are found in Appendix A at the end of this study.

II. SITE LOCATION ANALYSIS

In this section, Valbridge describes the proposed automobile filling station and convenience store location, its access and surroundings in order to establish its positioning within its trade area and competitive environment generally.

A. SITE DESCRIPTION

The proposed 7-Eleven gas station is located on the northern side of Marlboro Pike at an intersection with Walker Mill Road. The property is presently improved as an approximate 7,600 sq. ft. auto repair shop and parking spaces. The parcel's total land area is approximately 0.81 acres. The parcel is bounded by Walker Mill Road to the North, Marlboro Pike to the South and a 0.4 acre vacant lot to the East. Directly across Marlboro Pike is a car wash establishment. The subject site is currently zoned C-S-C (Commercial Shopping Center).

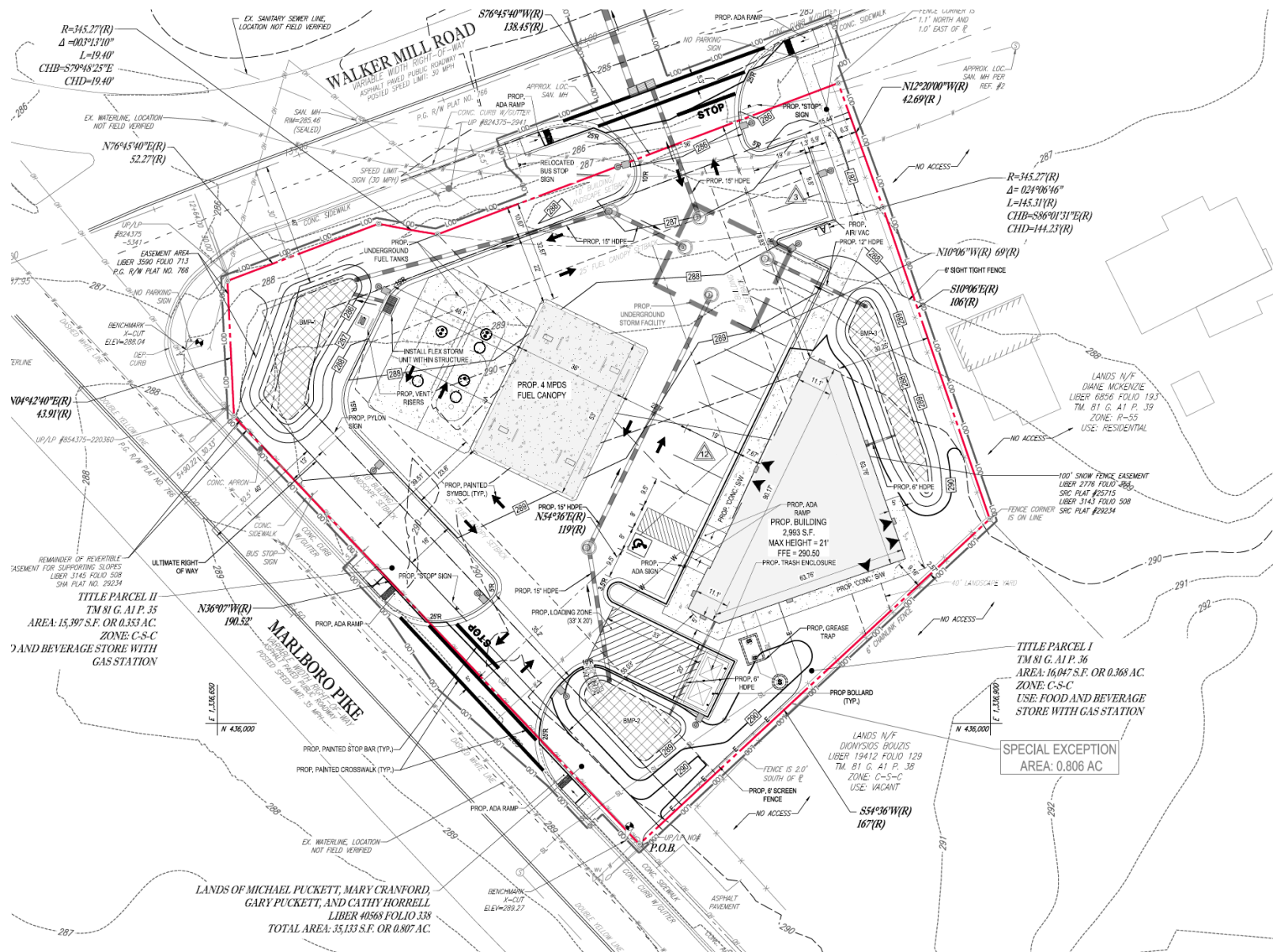
The proposed improvements include a gasoline station with four multi-product dispensers (MPD's) under a single canopy, in addition to an approximately 3,993 sq. ft. convenience store. It is assumed that 7-Eleven may prefer a modified site plan, but generally in context with the current concepts. The topography of the site is generally flat, with no evident environmental sensitivities. The land will be regraded with development to acquire reasonable access and final elevation grades.

B. SITE ACCESS

The subject property has excellent frontage on the westbound side of Marlboro Pike at an intersection with Walker Mill Road. The site is approximately a third of a mile northeast of Maryland Route 4 (Pennsylvania Avenue) and 1.25 miles east of the Washington, D.C. city line. Overall, Marlboro Pike runs roughly four miles east to west. Both Marlboro Pike and Walker Mill Road serve a significant volume of daily traffic coming on and off of the Capital Beltway and Pennsylvania Avenue, including commuters, regional travelers as well as some commercial trips. Marlboro Pike is primarily a four-lane roadway and the section of Walker Mill Road which runs northeast from the subject is also four lanes.

There will be an access point on Marlboro Pike as well on Walker Mill Road. Each access point will have a separate lane for ingress/egress point. Vehicles traveling eastbound on Marlboro Pike will have to make a left turn into the station crossing two lanes. Vehicles traveling southbound on Walker Mill Road will enter the station in a similar fashion.

The Maryland Department of Transportation State Highway Administration published an estimated annual average daily traffic (AADT) count in 2017 on Marlboro Pike just north of this location as 22,465 AADT on its section between Pacific Avenue and MD-458. On Pennsylvania Avenue between MD-458 and Shadyside Lane, the AADT is 28,650. Likewise, the AADT is 25,052 on the section of Walker Mill Road northeast of the subject. Additionally, traffic count estimates provided by ESRI for the defined trade area are illustrated below.



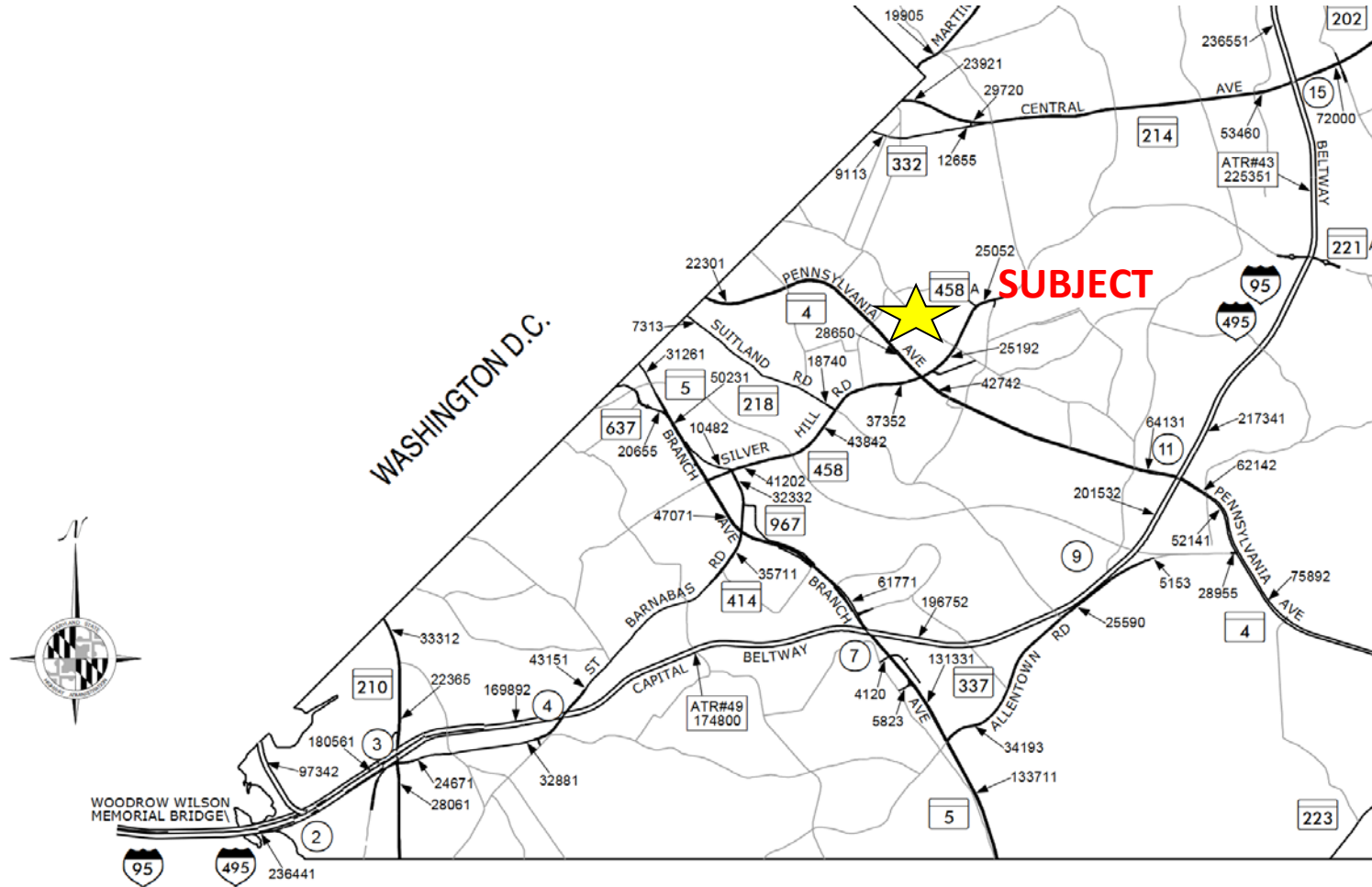


Existing site access traveling westbound on Marlboro Pike



Existing site access point on Walker Mill Road

PRINCE GEORGE'S COUNTY TRAFFIC VOLUME MAP 2017

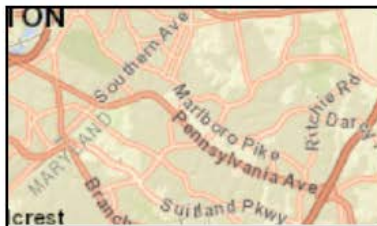
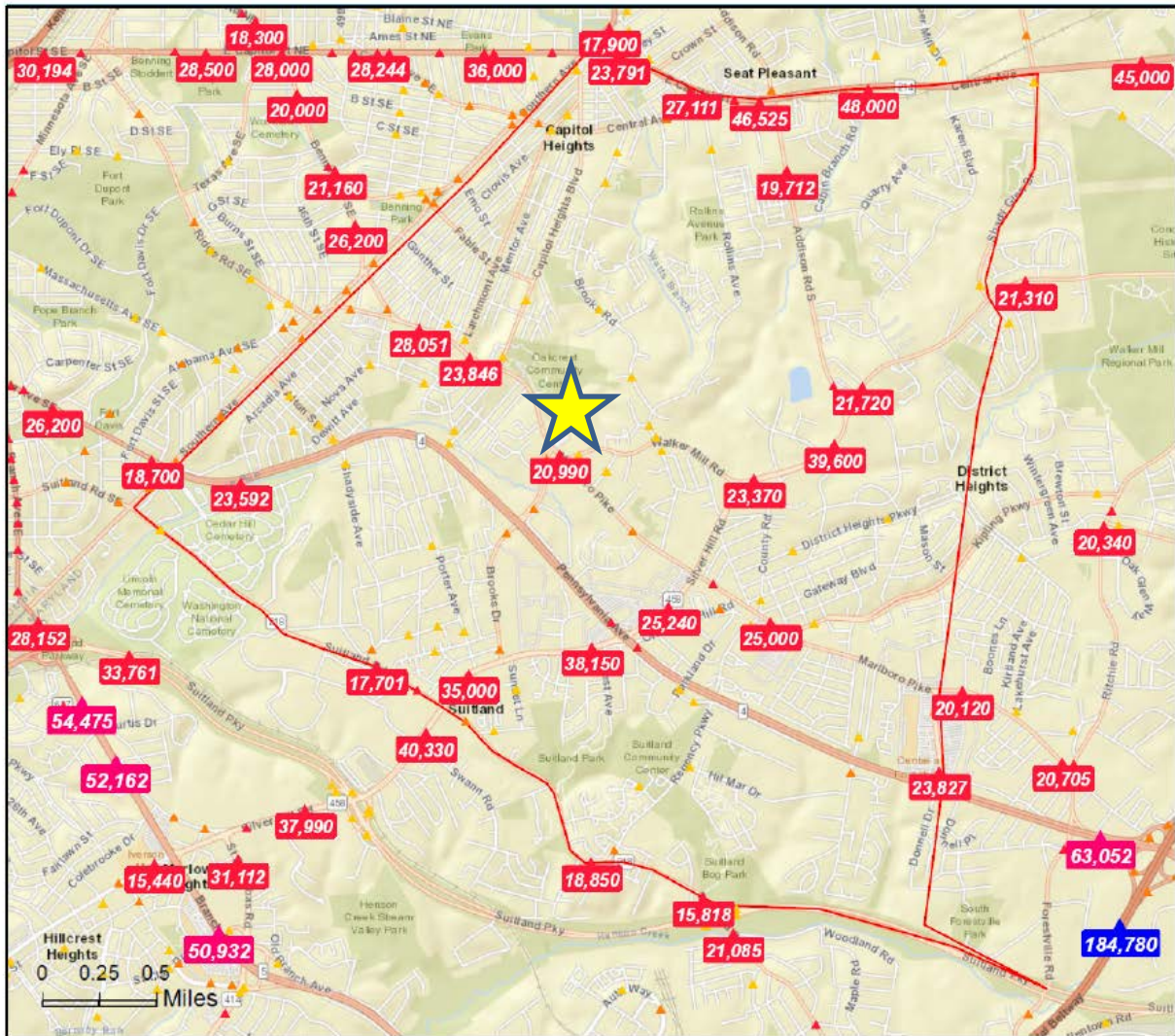




Traffic Count Map

Polygon
Area: 9.17 square miles

Prepared by Esri



- Average Daily Traffic Volume**
- ▲ Up to 6,000 vehicles per day
 - ▲ 6,001 - 15,000
 - ▲ 15,001 - 30,000
 - ▲ 30,001 - 50,000
 - ▲ 50,001 - 100,000
 - ▲ More than 100,000 per day



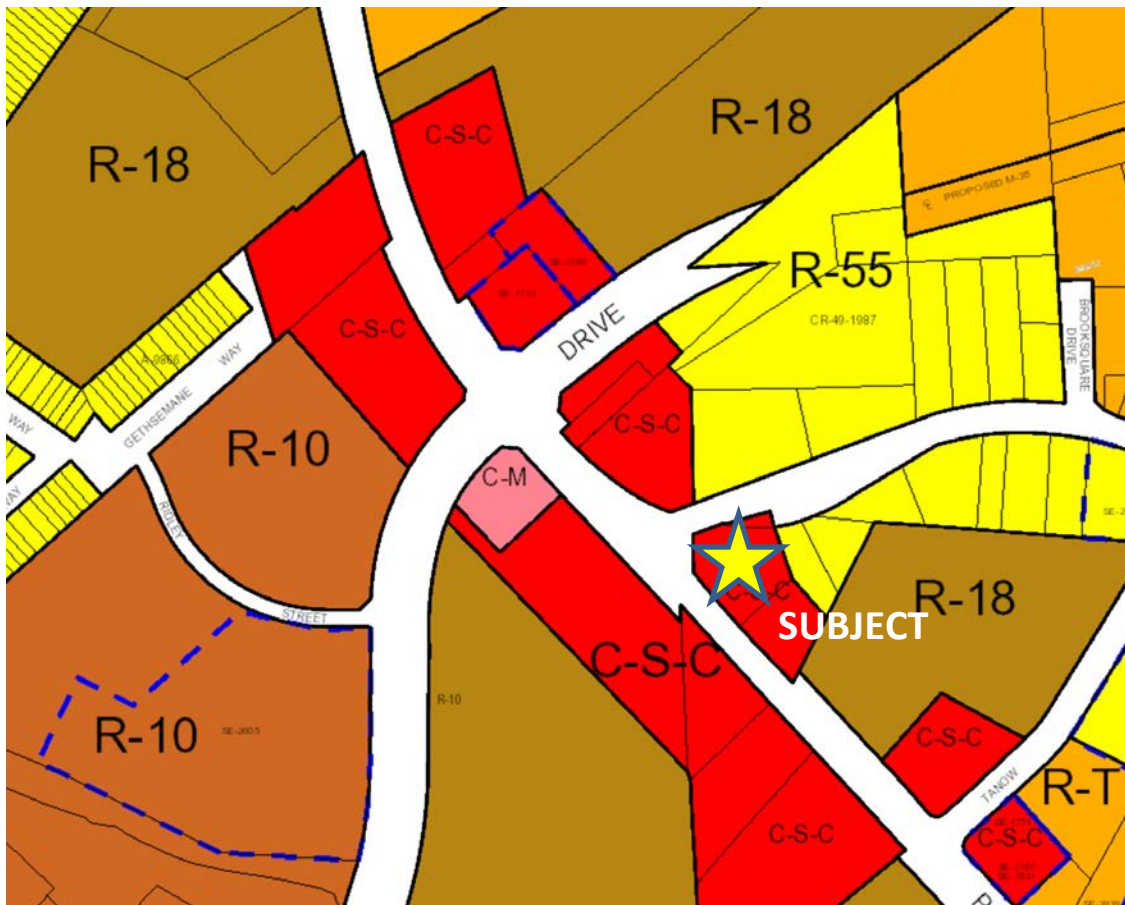
Source: ©2019 Kalibrate Technologies (Q4 2018).

C. SURROUNDING LAND USES

The subject property and the adjacent parcel to the east are zoned C-S-C (Commercial Shopping Center). The vacant parcel which borders the subject is currently for sale and was formerly a BBQ carry-out restaurant. Continuing east past this vacant parcel is the Marlborough Towne low-income housing community zoned R-18 (Medium Density Residential) as well as a 8,700 sq. ft. strip center also zoned C-S-C before reaching Tanow Place. Further east of Tanow Place is an Exxon gas station, a funeral home and additional single-family homes.

Traveling in the opposite direction past Walker Mill Road before Brooks Driver is a seafood and Popeye’s restaurant on C-S-C zoned land. At this intersection there is also the BP gas station and a liquor store. East of the restaurants on the northern side of Walker Mill Road are a few single-family homes zoned R-55 and the Brook Square Townhome community zoned R-T.

Across from the Popeyes restaurant on the other side of Marlboro Pike is an oil change shop and Sunoco gas station. The gas station is on C-M (Commercial Miscellaneous) zoned land. Behind this land along Brooks Drive is the Conifer Village at Oakcrest senior apartment community and the Oakcrest Tower apartment community zoned R-10 and R-18, respectively.



Source: PGAtlas.

D. SUMMARY

In summary, the subject property is well situated along Marlboro Pike at an intersection with Walker Mill Road. The site is approximately a third of a mile northeast of MD-4 (Pennsylvania Avenue) and 1.25 miles east of the Washington, D.C. city line. Overall, Marlboro Pike runs roughly four miles east to west. Both Marlboro Pike and Walker Mill Road serve a significant volume of daily traffic coming on and off of the Capital Beltway and Pennsylvania Avenue, including commuters, regional travelers as well as some commercial trips. This is further demonstrated by the Maryland Department of Transportation State Highway Administration's estimated annual average daily traffic (AADT) count in 2017 on Marlboro Pike just north of the subject's location as 22,465 AADT on its section between Pacific Avenue and MD-458. Additionally, the AADT on Pennsylvania Avenue between MD-458 and Shadyside Lane was 28,650. Likewise, the AADT is 25,052 on the section of Walker Mill Road northeast of the subject.

The proposed development will redevelop an existing auto repair shop into an approximately 2,993 sq. ft. convenience store with four multi-product dispensers (MPD's) under a single canopy with appropriate parking. The site will have two primary access points: one off of Marlboro Pike and the other off of Walker Mill Road.

The subject is in a commercial zone and surrounding land uses are for the majority a mix of other commercial uses and medium density residential development. There are three gas stations within 0.15 miles of the proposed subject along Marlboro Pike. The services that will be offered by the proposed 7-Eleven automobile filling station and convenience store are, therefore, supportive of existing development nearby and transient traffic, given the role the nearby highway network plays as a major commuter route.

Existing Site Photographs



III. NEED ANALYSIS

In this section, Valbridge reviews certain factors which are determinative of the subject fueling station's ability to accommodate the public need. We estimate total demand for gasoline within the subject's trade area, estimate the subject fueling station's usage, then draw conclusions regarding accommodation of public need.

A. DISTRICT HEIGHTS TRADE AREA

We have defined the subject fueling station's trade area as the area centered primarily on the Marlboro Pike Corridor between the District of Columbia and Forestville. The trade area extends northward to Central Avenue (MD-214), effectively capturing commuters and consumer traveling out of the residential communities within Walker Mill, Capitol Heights and District Heights. We judge that this area is a reasonable representation of consumers seeking convenience store and fueling services along the course of their travel to and from work or routine shopping trips.

For purposes of this analysis, we consider the District Heights trade area to be shaped by the regional highway network in particular focusing on Pennsylvania Avenue and MD-458, with the subject situated at a key crossroads location at the intersection of Walker Mill Road and Marlboro Pike. The accessibility of Marlboro Pike allows larger traffic volumes to diverge off of main highways such as Pennsylvania Avenue and the Capital Beltway and through this area to reach residential and popular retail destinations.

The trade area is also restricted at its extremes by significant features such as the Washington, D.C. line to the West, Suitland Parkway to the South and Central Avenue to the North. A western boundary for the trade area is placed less than one mile west of Ritchie Road in an effort to avoid counting traffic volumes that will primarily stem from the Capital Beltway and are better served by retail services along Hampton Park Boulevard.

The trade area is depicted on the map on the following page. We have defined the trade area based on three principal factors:

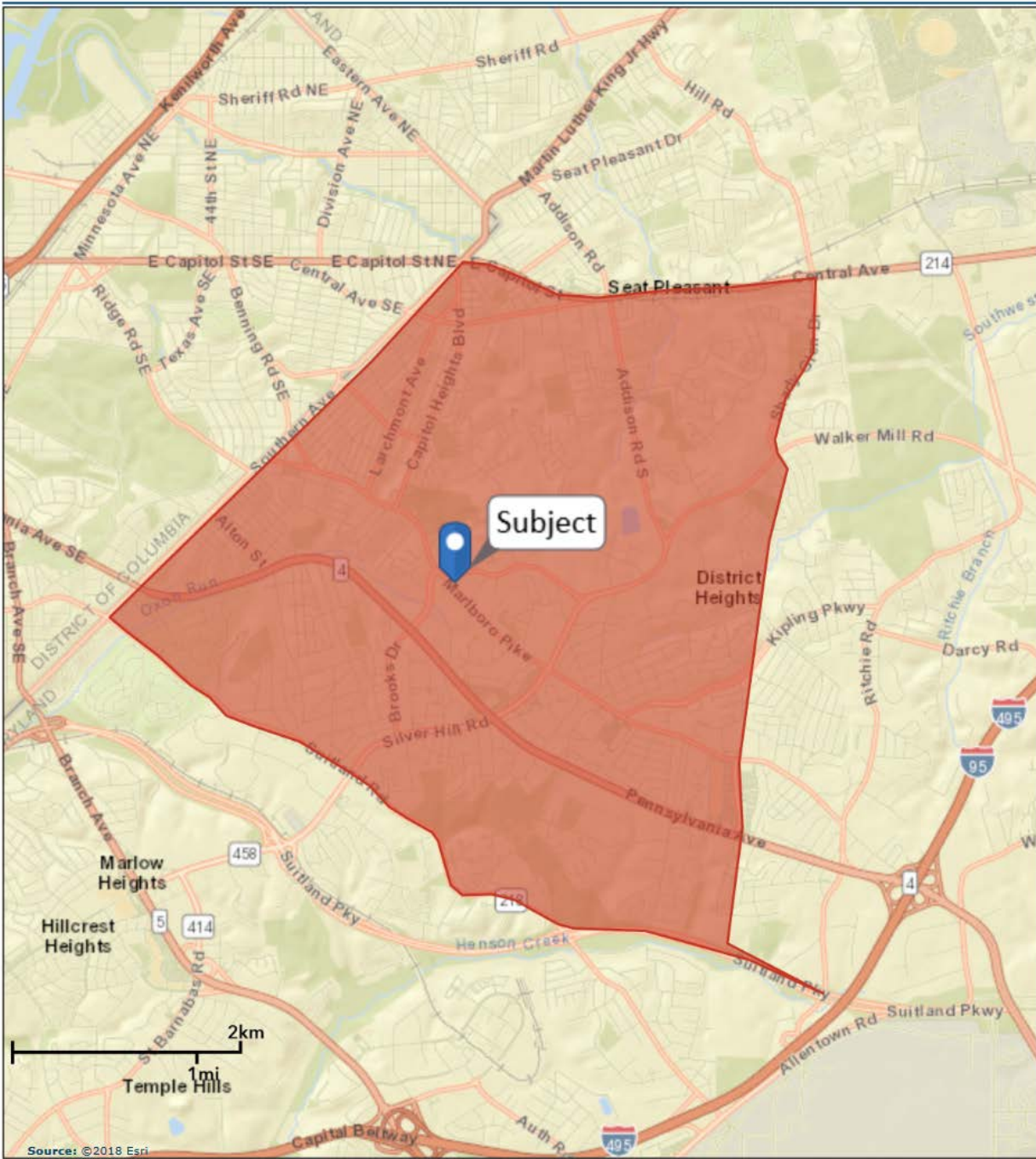
- Commercial Services – The Marlboro Pike corridor between Forestville and the Washington, D.C. line is characterized as having a large concentration of commercial opportunities serving the residents of District Heights and Walker Mill. Shopping centers such as the Centre at Forestville, Penn Station and others at the intersection of MD-458 and Pennsylvania are convenient destinations for residents of the surrounding

communities, making the subject's location a likely stop along the way. In addition, the subject will also serve a significant employment population in the trade area.

- Highway Network - The subject is located at a key crossroads location at the intersection of Walker Mill Road and Marlboro Pike for commuters and consumers. The subject's location can easily attract sales from the large traffic volumes traveling on Pennsylvania Avenue into the City as well as vehicles traveling by way of Walker Mill Road to reach residential neighborhoods further north. In addition, the Capital Beltway, Central Avenue and Suitland Parkway are a short distance away.
- Drive Time – An analysis of a 5-minute drive time radius nearly coincides with the defined trade area. National studies have determined that consumers will drive on average 10 minutes out of their way to purchase the cheapest gasoline. The 10-minute drive time from the subject is estimated by Environmental Systems Research Institute (ESRI), a nationally recognized geographic data provider. It is important to note that the trade area defined by drive times places a bias on the highway corridors and that in this particular analysis there are areas of open space dispersed throughout making certain communities harder to reach. Although a 10-minute drive time analysis would include some areas beyond the defined trade area, we believe these households have more convenient options and thus make the conservative assumption that the subject will not capture these consumers. The data which follows is therefore conservative.

The defined trade area reasonably contains the majority of commuters and consumers who are likely to travel through or do their shopping in the Marlboro Pike corridor. Realistically, residents of other areas may also avail themselves of the broad variety of offerings in this area.

Trade Area Map



B. RESIDENTIAL DEMAND

We have compiled data obtained from the U.S. Census and Environmental Systems Research Institute, Inc. (ESRI) a respected national demographic and economic research firm, describing demographic trends and socio-economic characteristics of the trade area.ⁱ Population trends have been as follows:

Trade Area Demographic Trends				
	2000	2010	2018	2023
Population	56,600	54,793	57,271	58,181
Households	21,552	20,972	21,629	21,832

Source: 2000 and 2010 Census; ESRI estimate, 2018 and 2023.

Using the demographic statistics, we estimate the number of households in the defined trade area at 21,629 in 2018 — with growth of 657 households since 2010. Those households have the following socio-economic characteristics:

Average Household Income (2018)	\$69,939
Average Household Size--Persons (2018)	2.65
Average Owner-Occupied Home Value (2018)	\$239,208
Estimated Homeownership Rate (2018)	46.2%
Average Vehicles per Household (2012-2016)	1.6
Workers Driving to Work (2012-2016)	70.6%
Travel Time to Work 30+ minutes (2012-2016)	62.1%

The trade area is populous and is projected to remain stable going forward to 2023. A moderate average income of \$69,939 enables a very solid 46.2% homeownership rate with homes being valued at an average of \$239,208 in 2018. The Census Bureau’s American Community Survey for 2012-2016 estimates that there are roughly 1.6 vehicles per household on average and that the vast majority (70.6%) of workers drive to work. More than one-half of workers commute more than 30 minutes to work.

The trade area’s aggregate income is calculated as \$1,512,710,631 in 2018:

21,629 households x \$69,939 average income = \$1.51 Billion Aggregate Income

We have also consulted the Metropolitan Washington Council of Governments (MWCOG) Round 8.4 Cooperative Forecasts for population, household and employment data for the same general market area. The MWCOG data is typically more precise than Census data due to the local source information and participation. We find that both the Census and MWCOG household projections appear to complement each other.

Trade Area Residential Gasoline Demand

Residential households within the defined District Heights trade area are estimated to have purchase approximately 25.3 million gallons of gasoline in Calendar Year 2018.

This estimate conservatively assumes that each of the estimated 21,629 households used for 2019 are buying approximately the same amount of gasoline as in 2018. For 2018, the Census American Community Survey estimates that consumer households spent on average 3.5% (\$2,025) of annual median gross income for gasoline and diesel fuels. With all grades of gasoline selling at an annual average of \$2.77 per gallon for the East Coast region in 2018 according to the U.S. Energy Information Administration, and assuming the demand for gasoline being relatively inelastic, we estimate that market area households are now buying an average of 731 gallons of gasoline per year. This equates to approximately \$43 million in gasoline sales to households residing in the trade area.

We find these estimates to be conservative. If the average household is purchasing approximately 731 gallons of gas annually, that equates to 14.1 gallons per week—slightly less than one fill-up for typical automobiles. We note that the average number of vehicles per household in the market area is 1.6, that many of the residents are longer-distance commuters and that many of the vehicles are not likely to be compact cars with smaller fuel tank sizes. Understanding all of those factors, we judge the estimates to be conservative.

21,629 households x 1.6 vehicles per HH x 731 gallons per year = 25,297,278 gallons

The above projection is conservative when also considering the pipeline of up to 1,043 residential units proposed along Addison Road as part of the Metro City development, described in further detail below. This development will likely have a significant impact on the total residential demand for gasoline within the trade area especially given its proximity to the subject. The developments will be a significant input of suburban population and households into the District Heights area, especially in an area underserved with modern convenience stores and gasoline options. Thus, we believe our residential demand calculation of approximately 25.3 million gallons per year will likely expand year-by-year with the completion of new housing units and is further demonstrated by approximately 1.0% growth rate expected for the area's households through 2023.

Metro City – The proposed development seeks to extend the Addison Road Metro Town Center D-D-O zone to include the approximately 39.68 acres of land located on the east side of Rollins Avenue. The site is planned as 151,365 sq. ft. of commercial/retail space as well as a total of 1,043 residential units in townhome, condo and multifamily formats.

C. OTHER DEMAND

In addition to trade area residential households who will be the principal patrons at the subject fueling station and convenience store, we find that there are additional identifiable groups of consumers whom the station will serve:

Workers in the District Heights Trade Area

The daytime worker population in the District Heights trade area is approximately 8,369 according to estimates by US Census in 2018. This is approximately one-quarter of the total nighttime population. It is important to recap that the trade area includes a number of retail hubs along Marlboro Pike as well as schools and other commercial establishments.

Within the trade area, using Census data on transportation to work, Valbridge estimates the proportion of personal vehicles used by the employees to commute to/from their place of employment at 70.6% or 5,908 vehicles. Each of those vehicles can benefit from fuel service convenient to the place of employment.

Valbridge estimates conservatively that each commuter vehicle will average at least one fill-up per week near the workplace. Assuming a commuter vehicle uses one fill up of roughly 15 gallons per week, we estimate personal vehicle demand from workers within the trade area to be 88,620 gallons per week or over 4.6 million gallons per year.

We, therefore, estimate that there is approximately **4.6 million gallons** per year demand from the workforce is available to fuel service stations within the trade area.

Traffic Volume

Traffic generation models show that a modern gas station with convenience stores could attract as much as 64% of morning peak hour pass-by traffic and 66% of evening peak hour pass-by traffic.¹ We cannot use traffic count data to compute the individual impacts of each of these three consumer groups of local residents, commuters and local employees because the overall traffic data includes overlap among them. It is reasonable to assume that at the subject's location that there will be sufficient traffic to accommodate the proposed gas station and convenience store based on traffic modeling statistics provided in the previous section. We also believe that the actual volume of gasoline purchased at gas stations in the trade area surpasses what is demanded by trade area residents alone, especially since roughly one-quarter of the vehicles in the trade area are not local residents and we have not accounted for potential commercial vehicle pass-through traffic.

¹ Traffic Generation Manual, 10th Edition; Institute of Traffic Engineers, September 2017.

Total Demand

We have, therefore, adjusted trade area demand for gasoline upwards by 4.6 million gallons to account for potential sales to the pass-through commuters likely to purchase gasoline proximate to their workplace.

District Heights Trade Area Annual Demand	
Residential	25.3 mgal/yr
Workforce	4.6 mgal/yr
Total	29.9 mgal/yr

We estimate that total trade area demand for gasoline from residential and commuter sources is at least 29.9 million gallons per year.

D. SUMMARY

We estimate total demand available to gas stations within the District Heights trade area to be in the range of 29.9 million gallons per year. Although households residing in the District Heights trade area will account for a demand of 25.3 million gallons, we believe the demand is greater due to the local employment numbers at retail destinations along Marlboro Pike, equating to demand of roughly 4.6 million gallons per year.

IV. COMPETITIVE SUPPLY

Valbridge has surveyed automobile filling stations located within the defined trade area. In addition to our observations, we have consulted various sources including the Maryland Department of Assessments & Taxation (SDAT), CoStar Realty Group's commercial multiple list system, NAICS Business Summary Data and others to better describe the competitive supply in the trade area. We examine the likely demand of 7-Eleven patrons for the subject gasoline fueling facility in the context of competition within its District Heights retail trade area.

A. STATION TYPES

Valbridge consulted the National Association of Convenience Stores (NACS) for facts associated with the different types of motor fuel sales operations. The District Heights trade area has a variety of fueling stations: some with service bays and others with kiosk stores. NACS classifies these establishments as follows:²

- **Kiosk** – less than 800 square feet with fast moving retail items like tobacco, beverages and snacks. Typical customers are transients and locals stopping in to buy gasoline.
- **Mini Convenience Store** – typically 800-1,200 sq.ft.. Limited to prepared foods and serving people buying gasoline.
- **Limited Selection Convenience Store** – approximately 1,500 to 2,200 sq.ft. which is the typical conversion of a former 2-bay service station.
- **Traditional Convenience Store** – Typically 2,400 to 2,500 sq.ft. with an expanded product mix, often including more grocery items.
- **Expanded Convenience Store** – About 2,800-3,600 sq.ft. This is a popular alternative to the large grocery store and often attract more families, women and senior citizens.
- **Hyper Convenience Store** – Very large stores at 4,000-5,000 sq.ft., such as the subject. These stores employ more staff, offer fresh food and sit-down eating spaces. These stores attract more families, senior citizens and in some locations act as a mini-truck stop with expanded services.

We find it important to study the classification of the supply in the trade area and balance that against the customer type, or target markets in this rapidly developing community. Additionally, there are three overarching store market types: Neighborhood, Commuter and Interstate. The subject location is in the unique position to serve all three markets.

² NACS State of the Industry of 2016 Data Fact Book.

NACS reports that convenience store operations sell approximately 80% of all consumer motor fuels in the country. The remaining 20% is sold at traditional service stations and supermarkets. They also report that consumers will drive up to 10 minutes out of their way to save pennies on gas purchases, which is why the convenience store venues are often able to sell fuel with lower margins, based on sales of other goods with higher margins.

B. DISTRICT HEIGHTS TRADE AREA

We have focused on the competitive supply within the trade area since those gas stations are in the trade area's core at locations important for serving demand derived from throughout the broader trade area geography. As available, the 2017 annual sales volume (fuel and other products in total) has been taken from NAICS Business Summary Records as provided by ESRI. ESRI analysis accounted for 12 stations in the trade area while Valbridge determined that there are a total of 19 existing gas stations located within the trade area.

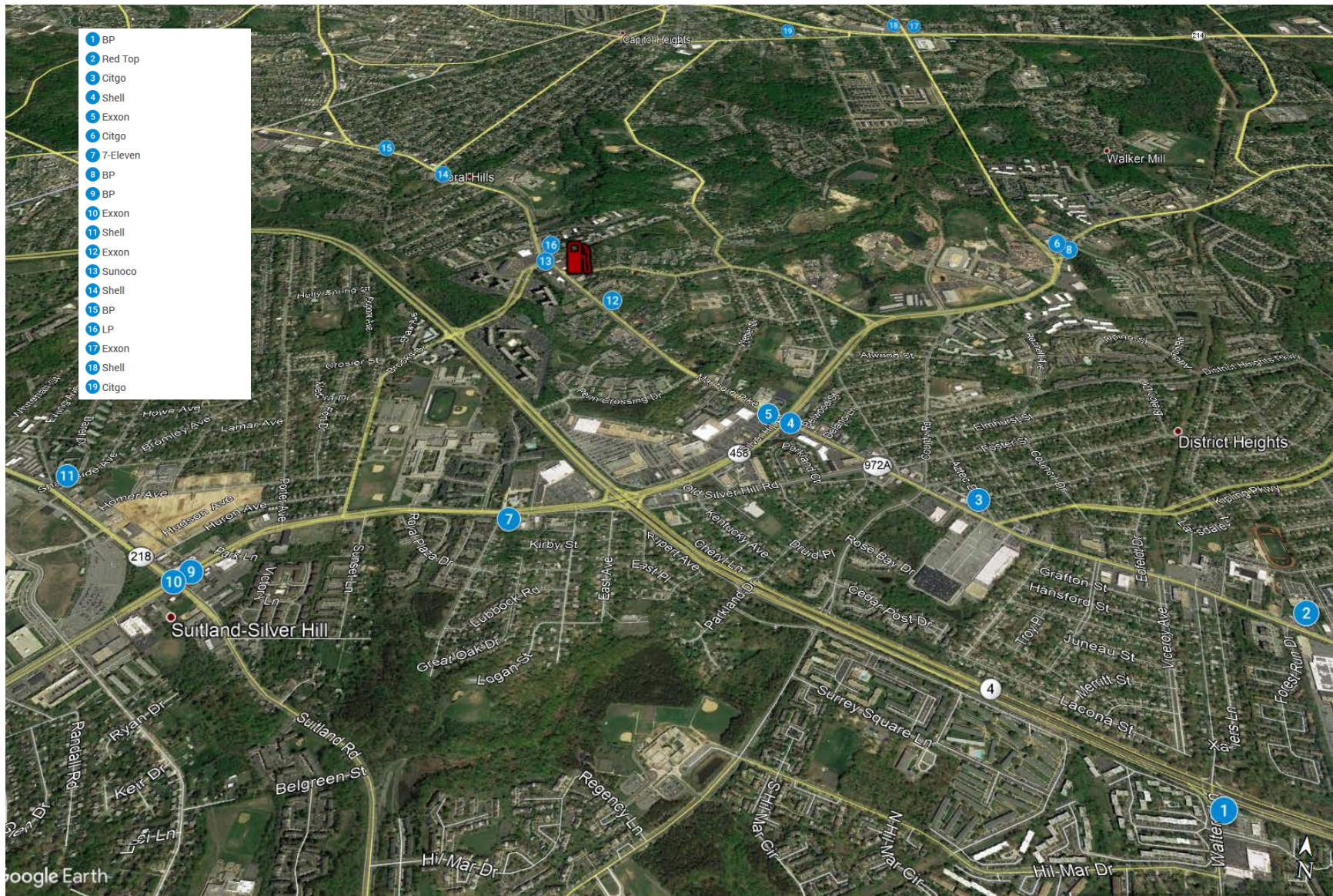
- BP – 3232 Walters Lane – This station is a Limited Selection Convenience Store of approximately 2,485 sq. ft at the intersection of Walters Lane and Pennsylvania Avenue. The site is adjacent to a McDonald's and cannot be accessed from Pennsylvania Avenue. The station was built in 1968 and offers four MPD's with two diesel fueling positions. There is also a tag & title and post office at this site. Estimated 2017 sales volume was \$7,719,000.
- Red Top – 6930 Marlboro Pike – This station is a Mini Convenience store attached to a 3-bay service garage. The station is accessible traveling westbound on Marlboro Pike. The site benefits from its positioning north of the Penn Mar Shopping Center. The station was built in 1962 and only offers two MPD's with no diesel fuel. Estimated sales were not available for this location.
- Citgo – 6346 Marlboro Pike - This station is a Mini Convenience store attached to a 3-bay service garage on a corner lot. The total leasable area is roughly 1,600 sq. ft. The station is accessible traveling westbound on Marlboro Pike. The site benefits from its positioning north of the Great Eastern Shopping Center and Aldi's. The station was built in 1957 and only offers two MPD's with no diesel fuel. Estimated 2017 sales volume was \$3,309,000.
- Shell – 5921 Silver Hill Road - This station is a Mini Convenience store attached to a 3-bay service garage at an intersection with Marlboro. The station is accessible traveling eastbound on Marlboro Pike or northbound on Silver Hill Road. The site benefits from its positioning close to the Penn Station Shopping Center. The station was built in 1967 and offers five MPD's with two diesel fueling positions. Estimated sales were not available for this location.
- Exxon – 5921 Marlboro Pike – This station is a Mini Convenience store of approximately 1,100 sq. ft. and is across Silver Hill Road from the Shell station surveyed above. The station is accessible by way of Marlboro Pike traveling eastbound and Silver Hill Road traveling

Southbound. The station is on a pad site of the Penn Station Shopping Center. The station was built in 1987 and offers four MPD's with two diesel fueling positions. Estimated sales were not available for this location.

- Citgo – 6700 Walker Mill Road – This station is a Mini Convenience store attached to a used tire shop and 3-bay service garage. The total above ground area is approximately 1,650 sq. ft.. Constructed in 1959, the station is at the crossroads of Walker Mill Road and Addison Road South. The site has access from both roads however maneuverability is tight. The station offers three MPD's with no diesel fuel. Estimated 2017 sales volume was \$4,411,000.
- 7-Eleven – 5401 Silver Hill Road – This station is a traditional convenience store with an above ground area of approximately 2,251 sq. ft. The station was built in 1980 and is in close proximity to a Giant grocery store and the intersection of Silver Hill Road and Pennsylvania Avenue. The station offers four MPD's with no diesel fuel. Estimated sales were not available for this location.
- BP – 6701 Walker Mill Road – This station is a Limited Selection Convenience Store of approximately 1,827 sq. ft. The site has two access points both on Walker Mill Road and is next door to a car wash as well as the Citgo surveyed above. The station was built in 1973 and offers four MPD's with two diesel fueling positions. Estimated 2017 sales volume was \$2,206,000.
- BP – 4801 Silver Hill Road – This station has a small Kiosk and was constructed in 1999. There was previously a traditional convenience store at this location, but it burned down in 2006 and has not been rebuilt. Located at an intersection with Suitland Road, this site can be accessed on both sides. The station offers six MPD's and four diesel positions. Estimated sales were not available for this location.
- Exxon – 4747 Silver Hill Road – This station is a Limited Selection Convenience Store of approximately 1,663 sq. ft. across Suitland Road from the BP at 4801 Silver Hill Road surveyed above and was originally a Getty. The site has access from both Suitland Road and Silver Hill Road. The station was built in 1984 offers three MPD's with two diesel fueling positions. The station has a 3-bay service garage and performs state inspections. Estimated 2017 sales volume was \$6,617,000.
- Shell – 4500 Suitland Road – This station is a Mini Convenience Store attached to a 3-bay service garage totaling an above grade area of approximately 1,811 sq. ft. across from the US Census Bureau and at the entrance to a residential neighborhood. The station was built in 1957 and has four MPD's with three diesel fueling positions. Estimated 2017 sales volume was \$7,719,000.

- Exxon – 5520 Marlboro Pike – This station is less than a quarter mile east of the subject. The station has a total above grade area of roughly 1,946 sq. ft. with the convenience store making up roughly 1,000 sq. ft. The station was built in 1969 and offers four MPD's with no diesel fuel. Estimated 2017 sales volume was \$4,411,000.
- Sunoco – 2000 Brooks Drive – This station has a small kiosk and was built in 1978. The station is at the intersection of Marlboro Pike and Brooks Drive, less than a quarter mile west of the subject. The station has four MPD's with two diesel fueling positions. Estimated sales were not available for this location.
- Shell – 5017 Marlboro Pike - This station has a small kiosk of less than 500 sq. ft. and is located roughly three-quarters of a mile west of the subject. The station's construction data was not available. It offers six MPD's with two diesel fueling positions. It is also next to a car wash. Estimated sales were not available for this location.
- BP – 4909 Marlboro Pike – This station has a small kiosk of less than 500 sq. ft. and is less than a mile west of the subject. The site was constructed in 1988 and is next door to a larger convenience store. The station has six MPD's with no diesel fuel. This station had the lowest 2017 annual sales volume of only \$1,103,000.
- LP – 5258 Marlboro Pike – This station is a Limited Selection Convenience Store with a total above ground area of approximately 2,156 sq. ft. including a 2-bay service garage. It is located at the intersection of Brooks Drive and Marlboro Pike and is less than a quarter mile west of the subject. The station was built in 1970 and offers four MPD's with no diesel fuel. Estimated 2017 sales volume was \$3,309,000.
- Exxon – 6400 Central Avenue - This station is a Limited Selection Convenience Store with a total above ground area of approximately 1,600 sq. ft. including a 3-bay service garage. It is located at the intersection of Central Avenue and Addison Road and is at the northern edge of the defined trade area. The station was built in 1984 and offers four MPD's with no diesel fuel. Estimated sales were not available for this location.
- Shell – 6308 Central Avenue - This station is a Limited Selection Convenience Store with a total above ground area of approximately 2,500 sq. ft. including a 3-bay service garage. It is located at the intersection of Central Avenue and Addison Road and is at the northern edge of the defined trade area. The station was built in 1972 and offers six MPD's with four diesel fuel positions. Estimated sales were not available for this location.
- Citgo – 6154 Central Avenue – This station has a small kiosk of less than 500 sq. ft. and offers five MPD's with two diesel fueling positions. The station was built in 1982 and is off of the main roadway which turns into E Capitol Street once crossing the city line. Estimated 2017 sales volume was \$3,309,000.

Name	Address	MPD's	Diesel Positions	C-Store	Year Built	NAICS Sales Volume	Notes
BP	3232 Walters Lane	4	2	X	1968	\$7,719,000	Tag & Title and Post office on site
Red Top	6930 Marlboro Pike	2	-	X	1962		3-bay Service garage
Citgo	6346 Marlboro Pike	2	-	X	1957	\$3,309,000	3-bay Service garage
Shell	5921 Silver Hill Rd	4	2	X	1967	\$6,617,000	3-bay Service garage
Exxon	5921 Marlboro Pike	4	2	X	1987		
Citgo	6700 Walker Mill Rd	3	-	X	1959	\$4,411,000	Used tire store/ 3-bay service garage
7-Eleven	5401 Silver Hill Rd	4	-	X	1980		
BP	6701 Walker Mill Road	4	2	X	1973	\$2,206,000	
BP	4801 Silver Hill Rd	6	2	X	1999		Small kiosk
Exxon	4747 Silver Hill Rd	3	2	X	1984	\$6,617,000	3-bay Service garage
Shell	4500 Suitland Rd	4	3	X	1957	\$7,719,000	3-bay Service garage
Exxon	5520 Marlboro Pike	4	-	X	1969	\$4,411,000	3-bay Service garage
Sunoco	2000 Brooks Drive	4	2	X	1978		Small kiosk
Shell	5017 Marlboro Pike	6	2	X	n/a		Small kiosk
BP	4909 Marlboro Pike	6	-	X	1988	\$1,103,000	Small kiosk
LP	5258 Marlboro Pike	4	-	X	1970	\$3,309,000	2-bay service garage
Exxon	6400 Central Avenue	4	-	X	1984	\$4,411,000	
Shell	6308 Central Avenue	6	4	X	1972		3-bay Service garage
Citgo	6154 Central Avenue	5	2	X	1982	\$3,309,000	Small kiosk



Evaluation

At the time of our survey on a weekday afternoon, the gas stations that were conveniently located along Marlboro Pike between the Washington, D.C. city line and the interstate highways were busy. Of these nineteen stations, the majority were service stations and/or small mini convenience stores and all of the stations were of considerable vintage.

- Marlboro Pike through District Heights is not a new route and the gas stations that populated this area were the classic service station design with garage bays, rather than convenience stores. Some were converted resulting in sites of limited size and functionality. Others remain as service stations.
- None of the stations are modern sites (Royal Farms and High's as example) with design and capacity that caters to the demand of the marketplace.
- Most if not all of the stations are located on land parcels which are typically less than one acre in size, resulting in generally "tight" sites with automobile movements around the pumps and properties being somewhat constricted. Service station sites also have parked cars for staff and service.

C. PIPELINE STATIONS

We also note that there are two gasoline service stations in the planning or construction phases within the trade area. Those stations include:

- Royal Farms – 3700 Donnell Drive – This site is under construction and is approved as a 5,166 sq. ft. convenience store on 2.4 acres. The station will have eight MPD's and will access from its frontage on Donnell Drive. The station will have an outdoor seating area for dining as well as 52 parking spaces.
- 6618 Walker Mill Road – Hunt Real Estate Development has received a special exception approval for this site next to the existing NAMCO station on Walker Mill Road which used to sell gasoline. This site is proposed as a 3,010 sq. ft. convenience store with six MPD's.

We find that each of these stations will have more contemporary formats and are located in strong locations oriented toward capturing a high proportion of their sales from regional shoppers and residential neighborhoods construction along Walker Mill Road.

These two automobile filling stations listed are indirectly competitive with the subject. In particular, the Royal Farms on Donnell Drive is located toward the periphery of the subject's trade area and, therefore, also draw a significant share of their consumers from outside the District Heights trade area especially those coming off the Beltway. Other nearby gas stations are

primarily located northeast of the subject trade area at the commercial developments which borders 495-S.

D. CURRENT PERFORMANCE

Petroleum retail industry sources including the Maryland Motor Fuel Tax & Motor Carrier Tax (IFTA) Annual Report and "National Petroleum News" and our experience indicate that the average gasoline fuel service station pumps about 93,943 gallons of gasoline per month or 1.13 million gallons per year. Additionally, data from NACS indicates that, on a national average, efficient dealers sold approximately 2.1 million gallons per year, which we find more realistic for larger, more contemporary stores.³

Reviewing the NAICS 2017 annual sales volume for twelve of the nineteen gasoline station locations in the trade area, we find a range between \$1,103,000 up to \$7,719,000 per year with the average station having a total sales volume of \$4,595,083 per year. In the process of collecting, tabulating, analyzing, and disseminating statistical data, the U.S. Census Bureau assigns and maintains only one NAICS code for each establishment based on its primary activity (generally the activity that generates the most revenue for the establishment). Thus, the imputed total sales volume provided for each gasoline station with a convenience store represents an estimate of all sale receipts for that business location. According to the NACS, overall, 69.2% of total industry revenues in 2015 were for motor fuel products while food sales represented close to 20.8% of in-store sales. Recognizing that majority of the surveyed stations within the trade area only offer a Mini Convenience Store or Kiosk with minimal retail selections, we make the assumption then that fuel revenue accounts for closer to 75% of total sales volume. Thus, using our observed average of \$4,595,083 in total sales per station we can conclude that roughly \$3,446,312 is attributable to gasoline sales. At EIA's 2017 annual fuel price for the East Coast of \$2.53 per gallon, the average gallons sold per station is then roughly **1.36 million gallons per year**.

There are 19 fueling stations with convenience stores of similar sizes and styles within the trade area. Additionally, we believe that only one (the 7-Eleven on Silver Hill Road) of the sites that currently exists in the trade area are comparable to the subject based on product offerings and design. The newest building was constructed in 1999. Therefore, the District Heights trade area supply is liberally estimated at **25.88 million gallons of fuel per year**, assuming each station is operating at an efficiency level similar to the trade area average.

More realistically the gas station performance in this trade area is based on other factors such as price, accessibility and perceived safety. Fueling options within the trade area of the subject vary in regard to these other factors and some are so antiquated that they do not draw the same volumes of customers as indicated by the range in total sales volume for sites in the same general area. On the other hand, most of the stations have little competitive advantage over one another

³ NACS State of the Industry Annual Report of 2017 Data: Convenience and Fuel Retailing Totals, Trends and Analysis of 2017 Industry Data; National Association of Convenience Stores; June 2018.

in terms of the services they offer and benefit solely from the fact that they are well-positioned along commuter routes.

Based on ITE traffic generation models, a hyper convenience store has a daily customer traffic of 3,350 vehicles, whereas a traditional service station generates 1,200 ADT (35.8%).⁴ ITE classifies the super convenience station as one with greater than 3,000 sq.ft. of retail space and at least 10 fueling positions. Within our District Heights trade area, of the 19 competitive stations, there are zero other super convenience stations, however two are in the pipeline/under construction. Factoring the 36% rate of traffic generation among smaller stations to the hyper station, we can further refine the supply to be limited by a factor of 2:1, suggesting that the modern gas station with convenience services will draw more than double the customer traffic of the older and obsolete competitive supply.

It is clear upon midday drive-by that the more contemporary convenience store sites have a greater volume of traffic than the neighboring service station sites. The National Association of Convenience Stores (NACS) has surveyed that 41% of fuel customers prefer to go inside the store for additional purchases. "While survey results show that gas price is still the primary determinant in selecting a station, an increasing percentage of consumers say that the quality of items inside the store dictates where they buy fuel. In fact, one in seven drivers (16%) say that the in-store offer is driving their fueling decision, a 5-point increase since 2015."⁵

E. SUMMARY

We find that there is notable competition within the defined District Heights trade area for the available consumer demand for gasoline and diesel.

- District Heights Trade Area Supply – The nineteen other gas stations identified along the Marlboro Pike corridor between the Washington, D.C. city line and the Capital Beltway represent the most direct competition for the subject due to their central location within the trade area's highway network proximate to residential communities and retail destinations. The majority of the stations are of considerable vintage with an average construction date of 1974. The most recent station was completed in 1999. There is no presence of hyper convenience stores and most stations are classified as Mini Convenience Stores or Kiosks being located on land parcels which are typically smaller than one acre, resulting in generally "tight" sites with automobile movements around the pumps and properties being somewhat constricted.
- Pipeline Supply – We are aware of two other gas stations in the planning phases or under construction within the trade area. We find that each of these stations will have more contemporary formats and are located in strong locations oriented toward capturing a high

⁴ Trip Generation Manual, 10th Edition, Institute of Traffic Engineers; September 2017

⁵ 2016 NACS Retail Fuels Report; National Association of Convenience Stores

proportion of their sales from regional shoppers and residential neighborhoods. These two automobile filling stations listed are indirectly competitive with the subject. In particular, the Royal Farms on Donnell Drive is located toward the periphery of the subject's trade area and, therefore, also draw a significant share of their consumers from outside the District Heights trade area especially those coming off the Beltway. Other nearby gas stations are primarily located northeast of the subject trade area at the commercial developments which borders 495-S.

- Current Performance – Estimating that the total existing competitive supply is now pumping approximately 25.88 million gallons of gasoline per year, we judge that local consumer demand for gasoline within the trade area is shaped by other factors including price, accessibility and perceived safety. Fueling options within the trade area of the subject vary in regard to these other factors and some are so antiquated that they do not draw the same volumes of customers as indicated by the range in total sales volume for sites in the same general area. On the other hand, most of the stations have little competitive advantage over one another in terms of the services they offer and benefit solely from the fact that they are well-positioned along commuter routes. Performance data and traffic generation models prove that the modern convenience store will generate more customer traffic than that of the traditional and smaller gas stations.
- Unmet Demand - We quantify unmet trade area demand (need) in the range of approximately 4 million gallons per year, based on a comparison of trade area consumption with the estimated gallonage pumped for the area by the existing service stations. We believe this is a conservative estimation, based on the estimated 1.36 million gallons of annual supply per station.

APPENDIX A

Consultant Qualifications

Valbridge Property Advisors

Valbridge is the largest national commercial real estate valuation and advisory services firm in North America with more than 675 professionals in 70 offices. We are a multifaceted, independent real estate consulting and appraisal firm covering all property types, including special-purpose and services from site acquisition to market feasibility to valuation. Our Marriottsville, Maryland office employs 13 professionals, of which three hold the MAI designation and other advanced degrees. Professional licenses are held by various members of the firm in Maryland, District of Columbia, Pennsylvania, Delaware and Virginia. Academic degrees and professional designations are combined with hands-on real estate investment, development and ownership expertise-- offering our clients many decades of accumulated counseling and valuation experience.

We provide clients with objective advice and practical assistance at every stage of decision-making on the development, use or reuse of all types of real estate. Our clients include corporations, institutions, real estate owners, builders, developers, and government entities. Our professional staff has an exceptional capability to use a vast array of information and resources to assist clients in making sound, timely decisions through the real estate planning, financing and development process.

The principal-in-charge of this assignment has been Edward Steere, AICP, MSRE, Managing Director. He has 30 years of planning, real estate development, and consulting experience. He has successfully completed market studies and economic and fiscal analyses for many development opportunities throughout the Mid-Atlantic in Maryland, Pennsylvania, Delaware and Virginia on behalf of public and private clients.

Edward M. Steere, AICP

Edward M. Steere, AICP is the senior consultant who completed this assignment. Mr. Steere has a broad professional background in planning and real estate acquired over 30 years in the industry including: site design, entitlement, research, sales and marketing, development, financing and appraisal. His advisory assignments have encompassed: market and financial feasibility analyses of major real estate projects; land acquisition and marketing for residential development; tax-motivated and conventional financing for single family and multifamily residential projects; and advising public, non-profit and private clients concerning real estate decision-making. Mr. Steere is qualified in analyzing the multitude of issues relating to residential and commercial real estate development, including: demographic and economic trends, financial analysis and property valuation, economic and fiscal impacts. Mr. Steere has conducted real estate and market feasibility analyses throughout the Washington-Baltimore region. He has testified before administrative bodies concerning the public need for various kinds of commercial facilities and other planning issues in many of the jurisdictions in the Washington-Baltimore region.

Qualifications of Edward M. Steere, MSRE, AICP
Managing Director – Planning and Market Analysis
Valbridge Property Advisors | Baltimore Washington Metro



Independent Valuations for a Variable World

Education

MS —
Johns Hopkins University
Real Estate

BFA—
Syracuse University
Maxwell School of Citizenship
& Public Affairs, Geography

AICP—
American Planning Association
American Institute of Certified
Planners

Contact Details

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Baltimore Washington Metro
11100 Dovedale Court
Marriottsville, MD 21104

ESteere@Valbridge.com
www.valbridge.com

Background

Valbridge Property Advisors (October 2017-Present)
Lipman Frizzell & Mitchell LLC (2016-2017)
EMSPlanning LLC, Aberdeen, MD (2009-2015)
Frederick Ward Associates, Bel Air, MD (2003-2009)
Lipman Frizzell & Mitchell LLC, Columbia, MD (2001-2003)
Harford County Planning & Zoning, Bel Air, MD (1990-2001)
Chester County Planning Commission, West Chester, PA (1988-1990)
Fairfax County Public Works, Fairfax, VA (1987-1988)

Expert Witness

Before Maryland public administrative bodies, zoning hearing examiners and/or boards of appeals: Montgomery County, Prince Georges County, Baltimore County, Carroll County, Cecil County, Harford County, City of Laurel, City of Aberdeen, City of Havre de Grace, Town of Bel Air, Town of Elkton, Town of North East, Town of Perryville.

Membership/Affiliations

American Planning Association, American Institute of Certified Planners
Lambda Alpha International Land Economics Society (Baltimore), Member
Economic Development Advisory Board for Harford County, MD
Friends School of Harford Board of Trustees
Habitat for Humanity Susquehanna Resource Development Committee Member

Experience

Steere's experience has spanned nearly three decades as a professional in land planning, real estate research, marketing, development, appraisal and public policy across the Mid-Atlantic region. His experience includes both public- and private-sector land planning and zoning; feasibility and site design for development projects including institutional, residential, commercial and industrial; market and financial feasibility analyses for major real estate projects, including mixed use; due diligence research and project entitlement; and advising clients concerning development strategies.

STATEMENT OF JUSTIFICATION
SE-4822
DPLS-462
7-Eleven #38445 (Marlboro Pike)

OWNER: Michael Puckett et al.
Mary Cranford et al.
14616 Brock Hall Drive
Upper Marlboro, MD 20772-7768

APPLICANTS: 7-Eleven, Inc.
3200 Hackberry Court
Irving, Texas 75063

Verdad Real Estate &Construction Services
1211 S. Whitechapel Boulevard
Southlake, Texas 76092

ATTORNEY/AGENT: Matthew C. Tedesco, Esq.
McNamee, Hosea, Jernigan, Kim, Greenan & Lynch, P.A.
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(301) 441-2420 Voice
(301) 982-9450 Fax

CIVIL ENGINEER: Bohler Engineering
16701 Melford Boulevard, Suite 310
Bowie, Maryland 20715
(301) 809-4500

REQUEST: Pursuant to Sections 27-317, 27-355 and 27-358(a), a Special Exception is being filed for the development of a food or beverage store in combination with a gas station, and pursuant to Section 27-588(b), a departure from parking and loading standards for the reduction of three parking spaces.

I. DESCRIPTION OF PROPERTY

1. Address – 5410 & 5416 Marlboro Pike, District Heights, Maryland 20747.
2. Use – Food or Beverage Store in combination with a gas station.
3. Incorporated Area – None.
4. Council District – 7.
5. Property –Parcels 35, 36, and 383.
6. Total Area – 0.807 Acres.

7. Tax Map/Grid – 81/A-1.
8. Location – The site is located at the southeast quadrant of the intersection of Marlboro Pike and Walker Mill Road.
9. Zoned: C-S-C.
10. 200 Sheet – 203SE05

II. COMMUNITY

The subject property is located in the 2009 *Approved Marlboro Pike Master Plan and Sectional Map Amendment*. The subject property is surrounded by the following uses:

North: Walker Mill Road, and beyond vacant land in the R-R Zone.

South: Vacant land in the C-S-C Zone.

East: Single-family detached residential in the R-55 Zone.

West: Marlboro Pike, and beyond a car wash in the C-S-C Zone.

The character of the community is generally a mix of commercial.

The general neighborhood is bounded to the north by Brooke Road, Rollins Avenue and Walker Mill Road, to the south by Pennsylvania Avenue (MD Route 4), to the east by Silver Hill Road, and the west by Shamrock Avenue and an unnamed tributary of Watts Branch.

III. APPLICANT'S PROPOSAL

The subject property is currently improved with a building originally constructed circa 1988, as Oakcrest Auto Body. The total area of the property is 0.807 acres, and is known as Parcels 35, 36, and 383. This Special Exception Site Plan is being submitted so that the property can be developed with a food or beverage store in combination with a gas station.

The 7-Eleven brand is known and loved around the world, and their iconic products are a big part of the American culture. Although 7-Eleven has grown significantly over the years, its focus remains fixed on making life easier for its customers. This simple idea is the reason 7-Eleven is the marketplace leader for convenience needs. The proposed development will include a 2,993 square foot food and beverage store, with 4 multi-product gas dispensers which will facilitate the redevelopment of this property with a modern and attractive commercial retail business that satisfies the needs of the modern consumer. The development will be attractive; will use sustainable building materials; will utilize environmental site design techniques to the fullest extent practical; will add attractive landscaping; will provide for the convenience needs of the surrounding community; will create jobs for the local economy; and will increase the County's tax base.

Design Features

The site plan utilizes two points of vehicular access; one full access along the frontage of Walker Mill Road, and one full access along the frontage of Marlboro Pike. The proposed site design places the primary gas station canopy, with four pump islands facing the intersection of Walker Mill Road and Marlboro Pike. Both the gas canopy and building are located at a forty-five degree angle off of the right-of-way line of Walker Mill Road. Given the unique shape of the subject property, specifically that the site

is located on an acute corner of the intersection of Walker Mill Road and Marlboro Pike, the site has been oriented such that the canopy and building are angled in order to front towards the existing signal. This layout allows for the most efficient ingress/egress to the site for fuel dispensing vehicles as well as vehicular patron traffic to the convenience store and fuel pumps by orienting the drive lanes to provide a direct path between both site entrances. This also allows for a natural green space at the front corner of the site that will be used to accommodate a stormwater management facility. Finally with the canopy and building facing the intersection, visibility for passing vehicles is enhanced in order to provide additional time for vehicles trying to gain access to the site to maneuver to accessible positions. More importantly, the proposed layout creates a safe environment for patrons utilizing all of the services offered by 7-Eleven. Further, as an expert in the field and having designed numerous sites that are aesthetically pleasing and safe and efficient, the applicant very strongly contends that its layout will result in a very successful and high quality development.

7-Eleven is committed to protecting the environment and controlling energy consumption for all new stores within its real estate portfolio. The following is a summary of green building initiatives and environmentally sustainable methods proposed to be utilized in the construction of new stores:

- **LED Lighting:** 7-Eleven incorporates LED lighting into the interior and exterior design of its buildings reducing store energy consumption significantly.
- **White Roofs:** 7-Eleven incorporates single ply white roofs into its building design providing a highly reflective surface and reducing heat absorption significantly reducing store energy consumption.
- **Energy Management Systems:** 7-Eleven incorporates computer-aided controls into its building design to monitor, control, and optimize the performance of its mechanical and electrical systems increasing building systems efficiency.
- **High Efficiency Mechanical Systems:** 7-Eleven incorporates variable speed high efficiency mechanical heating and cooling systems into its building design to insure consistent airflow delivery based on need and minimizing on-off system cycling.
- **Low Flow Plumbing Fixtures:** 7-Eleven incorporates low flow sink faucet and toilet fixtures into its building design reducing water consumption significantly.
- **Structural Insulated Panels:** 7-Eleven incorporates structural insulation panel (SIP) technology into its building design improving energy efficiency and indoor air quality, reducing emissions and eliminating Chlorofluorocarbon (CFC's).

Pursuant to Section 27-317(a) and 27-358(a), a Special Exception Site Plan is being filed to develop a food and beverage store in combination with a gas station on this site. As discussed in detail below, the applicant contends that all of the requirements for a special exception site plan have been met.

IV. CRITERIA FOR APPROVAL

General Criteria for Special Exception Approval

Section 27-317. Required findings.

(a) A Special Exception may be approved if:

- (1) The proposed use and site plan are in harmony with the purpose of this Subtitle;**
- (2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;**

COMMENT: The plan complies with the general purposes of this Subtitle, and is in compliance with all requirements and regulations set forth in Subtitle 27. Specifically, a gas station in combination with a food or beverage store is a permitted use, subject to special exception approval in the C-S-C Zone and the proposal complies with the specific gas station requirements set forth in Section 27-358(a). Moreover, and as provided herein or depicted on the site plan filed in conjunction with the application, the purposes provided in Section 27-102 are all met.

- (3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;**

COMMENT: SE-4822 conforms to this finding. Although the Approved Prince George's County General Plan, Plan 2035, places the property within a residential medium-high land use designation and within the Established Communities Growth Policy Area (Pages 100-101, 106-107), the *Approved Marlboro Pike Master Plan and Sectional Map Amendment* "Map 13: Approved Future Land Use for Subregion 1" (Page 160) placed the property in a Commercial land use. Again, the property is located in the C-S-C Zone, and the use is permitted subject to a special exception. Thus, the proposed use will not substantially impair the integrity of the Sector Plan or General Plan.

- (4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;**

COMMENT: SE-4822 provides for safe internal circulation of vehicles and pedestrians, as well as safe ingress and egress of vehicles from both Marlboro Pike and Walker Mill Road. The applicant is proposing lighting and landscaping, as well as other Crime Prevention Through Environmental Design (CPTED) principles, that will further ensure the health, safety and welfare of residents or workers in the area.

- (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and**

COMMENT: SE-4822 is for the development of a food or beverage store in combination with the retail sales of gasoline. The development proposed will not be detrimental to the use or to the development of the adjacent properties, but will enhance the existing uses with this service. By making this use a permitted use in the C-S-C Zone, subject to the approval of a special exception, a determination has already been made that the use is prima facie compatible with the neighborhood, and no adverse impacts associated with the proposed use will exceed those inherent to said use.

- (6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and**
- (7) The proposed site 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).**

COMMENT: A Natural Resources Inventory Equivalency Letter (NRI-138-2018) and Woodland Conservation Letter of Exemption (S-121-2018) were approved for the property due to the fact that no regulated environmental features are located on the property and the property is less than 40,000 square feet in size. These findings have been met.

- (b) In addition to the above required findings, in a Chesapeake Bay Critical Area Overlay Zone, a Special Exception shall not be granted:**
 - (1) Where the existing lot coverage in the CBCA exceeds that allowed by this Subtitle, or**

- (2) **Where granting the Special Exception would result in a net increase in the existing lot coverage in the CBCA.**

COMMENT: SE-4822 is not located within a Chesapeake Bay Critical Overlay Zone, this finding does not apply.

C-S-C ZONE REQUIREMENTS

The proposed food or beverage store in combination with a gas station is a permitted use in the C-S-C Zone subject to the approval of a special exception. The additional requirements for this special exception in the C-S-C Zone are as follows:

Sec. 27-358. - Gas station

- (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;**

COMMENT: This criteria is met. The subject property is a corner lot and has approximately 444.55 feet of frontage along both Walker Mill Road and Marlboro Pike. Walker Mill Road has a variable right-of-way width that measures approximately 80 feet, and is designated as a master planned collector roadway (C-427) in the Master Plan of Transportation. Marlboro Pike has a variable right-of-way width that measures approximately 80 feet in front of the subject property, and is designated as a master planned collector roadway (C-410) in the Master Plan of Transportation. Access to the development is proposed from both Walker Mill Road and Marlboro Pike, which both are 80 foot wide minimum right-of-way.

- (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;**

COMMENT: This criteria is met. There are no schools, outdoor playgrounds, libraries, or hospitals within three hundred (300) feet of the subject property.

- (3) **The use shall not include the display and rental of cargo trailers, trucks, or similar uses, except as a Special Exception in accordance with the provisions of Section 27-417.**

COMMENT: This criteria is met. There will be no display or rental of cargo trailers, trucks, or similar uses.

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

COMMENT: This criteria is met. The applicant will not store motor vehicles at the subject property.

- (5) **Access driveways shall not be less than 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 accordance with the minimum standards required by the County Road**

Ordinance or the 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 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 12 feet from the side or rear lot line of any adjoining lot.

COMMENT: This proposal provides for two access driveways that meet the criteria. One 37.4' wide access driveway is proposed onto Walker Mill Road, which is more than 95' from the point of curvature, and is not less than 12' from the side property line. One 35.2' wide access driveway is proposed onto Marlboro Pike, which is more than 100' from the point of curvature, and is not less than 12' from the side property line.

(6) Access driveways shall be defined by curbing;

COMMENT: This criteria is met. As shown on the special exception site plan submitted in conjunction with this application, the 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 those areas serving pedestrian traffic;

COMMENT: This criteria is met. A 7.67' sidewalk is proposed at the front of the store, which allows pedestrians to move safely between the parking field(s) and the store. A 5' sidewalk is proposed along the western side and rear of the store to the employee entrances located at the back of the store.

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

COMMENT: This criteria is met. All gasoline pumps and service appliances are located more than twenty-five (25) feet behind the street line. Indeed, the gasoline pumps are approximately 32.6' from Walker Mill Road and approximately 48.9' from Marlboro Pike.

(9) Repair service shall be completed within forty-eight (48) hours after the vehicle 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 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 landscape material, which shall be at least as high as the accessory building. The type of screening shall be shown on the landscape plan; and

COMMENT: There is no vehicle repair service proposed.

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

COMMENT: Architectural elevations for the proposed convenience store and gas canopy have been submitted in conjunction with the special exception site plan. The applicant believes that the architectural character of the proposed convenience store, gas canopy and pump islands (with the use of brick and metal), will not only be an attractive addition to the existing development, but will be consistent with the surrounding development/community, as it is compatible with the commercial character of the area.

- (b) **In addition to what is required by Section 27-296(c), the site plan shall show the following:**
 - (1) **The topography of the subject lot and abutting lots (for a depth of at least fifty (50) feet);**
 - (2) **The location and type of trash enclosures; and**
 - (3) **The location of exterior vending machines or vending area.**

COMMENT: The site plan submitted in conjunction with this application shows the topography of the subject property as well as the topography of the abutting properties for a depth of at least 50 feet. The location of the trash enclosure is labeled and depicted on Sheet 3, and a detail is provided on Sheet 9. Exterior vending machines are not proposed.

- (c) **Upon abandonment of the gas station, the Special Exception shall terminate and all structures exclusively used in the business (including underground storage tanks), except buildings, shall be removed by the owner of the property. For the purposes of this subsection, the term “abandonment” shall mean nonoperation as a gas station for a period of fourteen (14) months after the retail services cease:**

COMMENT: The applicant will comply with this provision.

- (d) **The District Council shall find that the proposed use:**
 - 1) **Is necessary to the public in the surrounding area.**
 - 2) **Will not unduly restrict the availability of land, or upset the balance of land use, in the area for other trades and commercial uses.**

COMMENT: Necessary is not defined in the Zoning Ordinance, however, Maryland case law has found necessary to mean “convenient, useful, appropriate, suitable, appropriate or conducive to the public in that area.” This standard has been applied by the District Council in all recent gas station cases. The subject gas station will be located along a busy commuter route in the County and within close proximity to densely populated residential development (including high rise multifamily buildings) and employment areas. Therefore, the proposed gas station will be reasonably convenient to residents and workers in the area. Furthermore, the use will not unduly restrict the availability of land in that the proposed station is being developed on land that is currently developed with a commercial use.

The practice of co-locating a gas facility with a food or beverage store arises from the appropriateness of a site with high vehicular traffic for both gas and food or beverage uses. Not to mention, it responds to the modern consumers desire to have a one-stop shop for its convenience needs. The combination of uses has the added benefit for providing for increased vehicular trip efficiency by allowing customers to expediently combine trips and minimize traffic on the roads. In other words, the combining of a food or beverage store with a gas station makes the combined uses reasonably convenient for the consumer. There is no debate that combining a gas component with the existing food or beverage store, at this location, is convenient, useful, suitable, appropriate or conducive to the public in that area. Furthermore, the use will not unduly restrict the availability of land in that the proposed station is being developed on land is already developed. Finally, in further support of a necessity existing, the applicant submitted a Summary of Gasoline Trade Area analysis and Needs Analysis, which, among other things,

provides acceptable methods for determining the annual demand in a given trade area. Both exhibits, filed in conjunction with the special exception, confirm that the demand in the market area exceeds four million gallons annually, which exceeds the current supply. Consequently, the applicant contends that the demand of gasoline is necessary to serve the public in the surrounding area.

In addition, although the food or beverage store is a permitted use in the C-S-C Zone, it is worth mentioning that it too meets the criteria for special exception approval set forth in Section 27-355 of the Zoning Ordinance as follows:

Section 27-355. Food or beverage store.

- (a) **A food and beverage store may be permitted, subject to the following:**
- (1) **The applicant shall show a reasonable need for the use in the neighborhood;**
 - (2) **The size and location of, and access to, the establishment shall be oriented toward meeting the needs of the neighborhood;**

COMMENT: It is well established that this criterion requires that an applicant demonstrate that a proposed food or beverage store is reasonably convenient or expedient. As provided in the Needs Analysis and supported by the practice of colocation of gas facilities with a food or beverage stores, the need for the later make the former reasonably convenient.

- (3) **The proposed use shall not unduly restrict the availability of land, or upset the balance of land use, in the area for other allowed uses;**

COMMENT: As indicated above and supported by the site plan filed in conjunction with this application, the food or beverage store with the combined gas station facility will not restrict the availability of land or upset the balance of land use in the area. SE-4822 proposes access driveways on both Walker Mill Road and Marlboro Pike. Residents from the surrounding community who wish to patron the food or beverage store in combination with a gas station will have an opportunity to access the facility without competing with the traffic on Marlboro Pike. The traveling public on both Walker Mill Road and Marlboro Pike will have the opportunity to access the proposed development easily from both roadways.

- (4) **In the I-1 and 1-2 Zones, the proposed use shall be located in an area which is (or will be) developed with a concentration of industrial or office uses;**

COMMENT: The subject property is located within the C-S-C Zone; therefore, this criterion does not apply.

- (5) **The retail sale of alcoholic beverages from a food and beverage store approved in accordance with this Section is prohibited; except that the District Council may permit an existing use to be relocated from one C-M zoned lot to another within an urban renewal area established pursuant to the Federal Housing Act of 1949, where such use legally existed on the lot prior to its classification in the C-M Zone and is not inconsistent with the established urban renewal plan for the area in which it is located.**

COMMENT: Alcoholic beverages will not be sold within the proposed food or beverage store.

DEPARTURE FROM PARKING AND LOADING STANDARDS

Section 27-582(a) of the Zoning Ordinance requires 22 parking spaces for the proposed use.

Section 27-572 provides for the option for a reduction of the number of parking spaces when the spaces are used by two or more users.

Section 27-572. - Joint use of parking lot.

- (a) **Except in the M-X-T Zone, which is governed by Section 27-574, the off-street parking requirements for two (2) or more uses may be satisfied by providing a joint parking lot. The normal parking space requirement for each use participating in a joint lot may be reduced by up to twenty percent (20%), provided:**
 - (1) **The normal requirement for each use is not more than twenty (20) spaces; and**
 - (2) **The total of these reductions does not exceed forty (40) spaces.**

COMMENT: SE-4822 proposes the normal requirement for each use does not exceed 20 spaces, and the total reduction requested in DPLS-462 does not exceed 40 spaces. The 2,993 square foot convenience store results in the requirement of 20 parking spaces. The gas station results in the requirement of 2 parking spaces. The parking space reduction requested in DPLS-462 is for 3 parking spaces.

Therefore SE-4822 meets the requirements to utilize the 20% reduction provided for in Section 27-572.

The criteria for obtaining approval of a departure from the number of parking and loading spaces is contained in Section 27-588(b)(7) of the Zoning Ordinance. That section states the following:

Sec. 27-588. - Departures from the number of parking and loading spaces required.

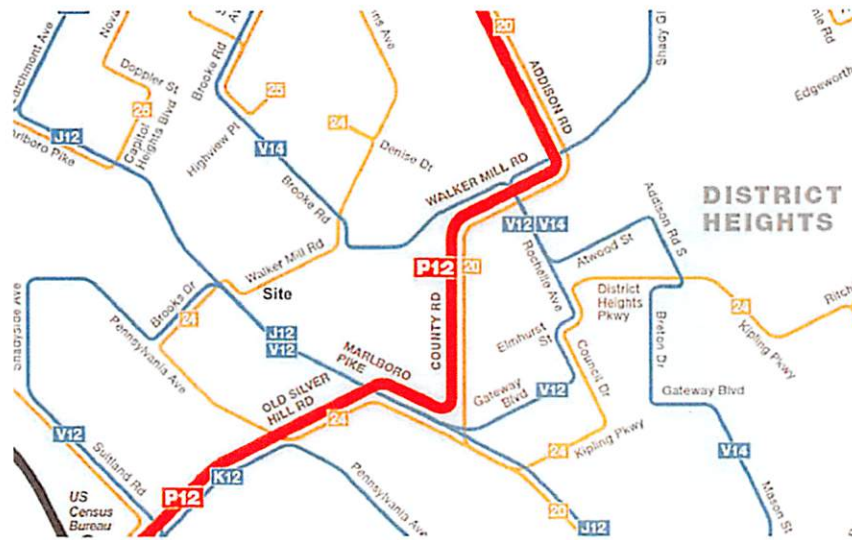
- (b) **Procedures.**
 - (7) **Required findings.**
 - (A) **In order for the Planning Board to grant the departure, it shall make the following findings:**
 - (i) **The purposes of this Part (Section 27-550) will be served by the applicant's request;**

Section 27-550. Purposes

- (a) **The purposes of this Part are:**
 - (1) **To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;**
 - (2) **To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**
 - (3) **To protect the residential character of residential areas; and**
 - (4) **To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

COMMENT: The purposes of the parking and loading regulations will be served by the applicant's request to develop a food or beverage store in combination with a gas station. The departure seeks to

ensure sufficient parking to serve the needs of the food or beverage store in combination with a gas station, and is not otherwise located adjacent to public residential streets; therefore, there will be no impact to residential areas or the residential character of the surrounding community. The parking facilities provided are immediately adjacent to the building(s) and convenient to the uses they serve. The applicant has revised the site plan to better promote accessibility and circulation for the patrons, all of which benefits the redevelopment of the property. Moreover, the subject property is located in an area that is served by public transportation. The site is adjacent to a number of Bus routes/stops. Routes J12 and V12 of the WMATA bus are located on Marlboro Pike and the Route 24 bus stop from TheBus is located on Walker Mill Road (WMATA and Prince George’s County Department of Public Works and Transportation “The Bus”) as depicted below:



Thus, nearby properties will not be affected by the departure, as parking will be sufficient to serve patrons. The requested departure will not impair the visual, functional, or environmental quality or integrity of the site or surrounding neighborhood. The reduction to the number of parking spaces by three spaces will allow 83.3% of the required parking to be standard sized spaces, not compact. Unfortunately, compact spaces are not viable given the site constraints and would result in a more restrictive parking scenario along the front of the store by providing smaller spaces that would be less conducive than standard spaces. Moreover, the departure ensures that the applicant is able to accommodate the required 4.3 Internal Planting requirements in the Landscape Manual.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

COMMENT: The requested departure is the minimum necessary given the utilization of the 20% reduction. Again, circumstances exist that are special to this site, mainly its size and unique shape at an acute corner, which this departure will alleviate. Finally, because there will be sufficient parking spaces to accommodate the proposed retail use, and there will not be any spill over parking onto surrounding areas, the parking and loading needs of adjacent property will not be infringed. This contention is further supported by the fact that public transportation exists in the immediate area and patrons for the food and beverage component can also easily walk to this location. Finally, the Institute of Transportation Engineers Parking Generation Manual, 5th Edition, provides that the parking demand for a convenience market in a dense multi-use urban setting averages 2.92 spaces per 1,000 square feet; and in a general urban/suburban setting averages 5.44

spaces per 1,000 square feet. The applicant contends that the subject property can be classified as somewhere in between a dense multi-use urban setting and a general urban/suburban setting. Consequently, at a parking ratio of approximately 5 spaces per 1,000 square feet, the applicant contends that the average parking demand will be met despite the requested departure.

- (iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;**

COMMENT: The departure will alleviate circumstances that are special to the proposed use, on this property given the unique shape of the subject property and the limitations that exist around the property – including –of-ways and older existing development in the area. Specifically, the property is located on an acute corner of the intersection of Walker Mill Road and Marlboro Pike, which requires the site to be oriented such that the canopy and building are angled to front towards the existing intersection and traffic signal. This layout allows for the most efficient ingress/egress to the site for fuel dispensing vehicles as well as vehicular patron traffic to the convenience store and fuel pumps by orienting the drive lanes to provide a direct path between both site entrances. This also allows for a natural green space at the front corner of the site that will be used to accommodate stormwater management runoff. Finally with the canopy and building facing the intersection, visibility for passing vehicles is enhanced in order to provide additional time for vehicles trying to gain access to the site to maneuver to accessible positions. The development proposal, with the reduction allowed for the joint use of parking lot, results in an 18 parking space requirement. The proposed layout provides for 15 parking spaces. Further the purposes of this Part seek to ensure sufficient parking and loading to serve the needs of the patrons of the store, and the Applicant believes that 15 parking spaces for this location will be sufficient to serve the needs of the patrons.

- (iv) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and**

COMMENT: The calculating methods provided for in the Zoning Ordinance, including utilization of the shared 20% reduction, require 18 parking spaces. The applicant is proposing 15 parking spaces, so a departure for 3 spaces is requested. The reduction to the number of parking spaces by three spaces will allow 83.3% of the required parking to be standard sized spaces, not compact. Unfortunately, compact spaces are not viable given the site constraints and would result in a more restrictive parking scenario along the front of the store by providing smaller spaces that would be less conducive than standard spaces. Moreover, the departure ensures that the applicant is able to accommodate the required 4.3 Internal Planting requirements in the Landscape Manual

- (v) Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

COMMENT: As indicated above, because there will be sufficient parking spaces to accommodate the proposed retail use, and there will not be any spill over parking onto surrounding areas, the parking and loading needs of adjacent property will not be infringed. This is supported by the fact that Public Transportation exists in the immediate area and patrons for the food and beverage component can also easily walk to this location.

- (B) In making its findings, the Planning Board shall give consideration to the following:**

- (i) **The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within five hundred (500) feet of the subject property;**

COMMENT: There are off-street parking lots associated with other commercial uses in the vicinity of SE-4822.

- (ii) **The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;**

COMMENT: *The Plan Prince George's 2035 Approved General Plan* designates the property in the Established Community Growth Policy Area and makes no specific recommendations concerning parking spaces in this area. Nevertheless, the vision for Established Communities is a context-sensitive infill and medium-high density development. This application is consistent with the Established Communities Growth Policy in the General Plan.

- (iii) **The recommendations of a municipality (within which the property lies) regarding the departure; and**

COMMENT: The property is not within a municipality.

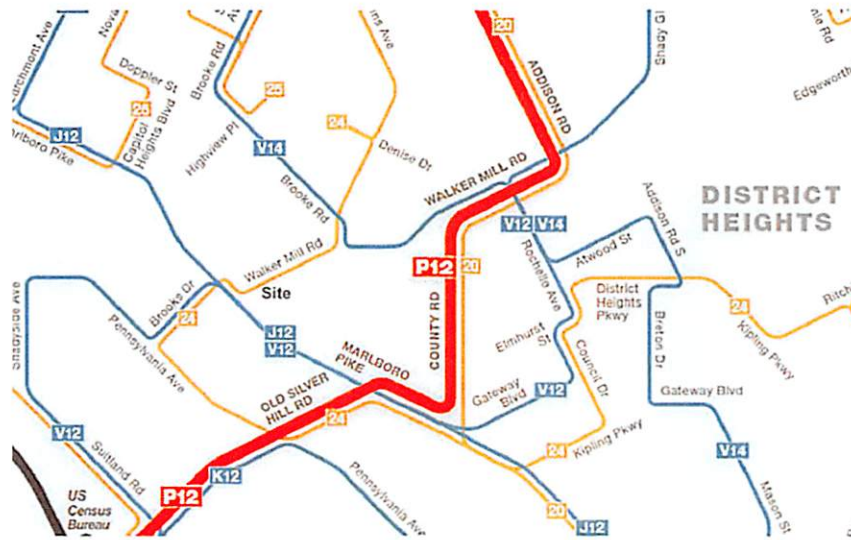
- (iv) **Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.**

COMMENT: There are no public parking facilities proposed for this area

In summary, there is no indication of a shortage of parking within the general vicinity of SE-4822. The proposed use is consistent with the future land use designation for the property in the Marlboro Pike Sector Plan and SMA and will not impair the integrity of the sector plan. The property is not located within a municipality. There are no parking facilities proposed for this area.

- (C) **In making its findings, the Planning Board may give consideration to the following:**
 - (i) **Public transportation available in the area;**

COMMENT: The subject property is located in an area that is served by public transportation. The site is adjacent to a number of Bus routes/stops. Routes J12 and V12 of the WMATA bus are located on Marlboro Pike and the Route 24 bus stop from TheBus is located on Walker Mill Road (WMATA and Prince George's County Department of Public Works and Transportation "The Bus") as depicted below:



- (ii) Any alternative design solutions to off-street facilities which might yield additional spaces;

COMMENT: The applicant is proposing standard parking spaces within the parking lot for patrons, which alters from the required parking spaces by only 3 spaces. The site does not avail itself to the utilization of compact spaces, therefore, no alternative design solutions (saving the 20% reduction already utilized) to off-street facilities will yield additional spaces.

- (iii) The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;

COMMENT: The proposed use will operate 24 hours a day. The requested departure will not impact other uses within 500 feet of the subject property. No overflow parking will occur, as the site is adequately/sufficiently parked.

- (iv) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.

COMMENT: Not applicable, the subject property is in the C-S-C Zone.

MARLBORO PIKE SECTOR PLAN AND SECTIONAL MAP AMENDMENT STANDARDS

SE-4822 is located within the boundaries of the 2009 *Approved Marlboro Pike Master Plan and Sectional Map Amendment* (Sector Plan), but not within the Development District Overlay Zone of said Sector Plan. The property is located within an activity node, but outside of any designated character areas or development district overlay zone with applicable development district standards. Page 108 of the Sector Plan states that the listed design standards should be considered for design projects. Thus, although not

specifically applicable, the following design standards were considered and incorporated in the design of SE-4822.

Street Trees and Landscaping

Activity Nodes

- Provide street trees at regular intervals between 25 and 35 feet along the corridor.

COMMENT: Buffer trees are being provided along Marlboro Pike and Walker Mill Road at regular intervals and present the functionality of Street Trees. Street trees are not being provided at this time due to existing utility placement and overhead line conflicts.

- Group species together to form a thematic appearance.

COMMENT: Species are grouped together on this plan to form a thematic appearance.

- Provide large planting wells with a minimum size of 4 feet by 8 feet or provide elongated planting trenches to connect street tree planting wells and enlarge rooting zones.

COMMENT: This streetscape and sidewalk width doesn't lend itself to installation of planting wells. The trees have been planted behind the sidewalk in a large pervious area which will encourage the largest of rooting zones.

- Utilize hardy, native, and stress-tolerant species.

COMMENT: All proposed plantings are stress-tolerant and hardy. Native or naturalized species have been used throughout the landscape design.

- Utilize low maintenance planting designs.

COMMENT: Ease of maintenance requirements have been taken into consideration for planting design for sustainability of the planted materials.

Bus Stops

Activity Nodes

- Include uniform bus stop signage.
- Include benches and attractive shelters or canopies.
- Include informational signage regarding schedules and routes.
- Include coordinated trash receptacles.

COMMENT: There are two existing bus stops adjacent to SE-4822, one on Marlboro Pike and one on Walker Mill Road. The Marlboro Pike bus stop will remain as is. However, the bus stop along Walker Mill Road is proposed to be relocated to the west of the proposed driveway access. Both bus stop locations will provide uniform bus stop signage.

V. CONCLUSION

Based on the foregoing, as well as the special exception site plan filed in conjunction with this application, the owner and applicant respectfully requests the approval of SE-4822 to develop a food or beverage store in combination with a gas station, and a departure from parking and loading standards (DPLS-462) for the reduction of three parking spaces. This application and the requests herein are consistent with the goals of the Sector Plan, and as such, must be approved.

Respectfully submitted,

MCNAMEE HOSEA

By: 
Matthew C. Tedesco, Esq.

Date: June 13, 2019

6/17/2019



June 11, 2019
Via Hand Delivery

M-NCPPC
14741 Governor Oden Bowie Dr.
Upper Marlboro, MD 20772

Attention: Ras Cannady

Re: SE-4822 & DPLS-462
7-Eleven, Inc.
5410 Marlboro Pike
District Heights, Prince George's Co., MD
BEPC #MB162081

Dear Mr. Cannady:

In regards to the above referenced project and pursuant to comments, received May 29, 2019, please find the following point-by-point responses for your review.

Comment 1: There appears to be two trash enclosures. Add second identifying arrow to site plan pointing to the 2nd trash enclosure. Change label from enclosure to enclosures, include type of enclosure to callout label per Sec. 27-358. (b)(2).

Response 1: **The second trash enclosure has been called out and labeled.**

Comment 2: As a general practice, 7-Eleven's (and most convenience stores) have external vending areas for such typical and common vendors as Red Box, Ice machines, Rhino Propane, etc., This site plan shows no vending area and the SOJ states there will be no vending in machines. I would just confirm with the applicant regarding this matter and in the event that they may wish to add them later, then they may want to show a vending area on the site plan now, as would be required per Sec. 27-358 (b)(2).

Response 2: **No vending machines or other vendors are proposed on the site.**

Comment 3: Clearly label and identify on the plan, the Ultimate R/W Line of Walker Mill Road in the same manner as the Ultimate R/W Line as identified for Marlboro Pike on both the Site and Landscape Plans.

Response 3: **The ultimate right-of-way line has been called out for Walker Mill Road.**

Comment 4: The DPLS is accurate at requiring a 3-space departure, unless parking changes with any redesign of plans.

Response 4: **Comment acknowledged.**

Comment 5: Though the landscaping was addressed with the AC in regard to the southern side lot line, the 12;' setback, per Zoning Ordinance was not. With a current setback shown at 9.16'

Response 5: **The site layout was revised to meet the minimum 12' setback from the building.**

Comment 6: Applicant does not indicate that there is a rear lot line and shows no rear setback under the general Notes Section. I would contend however that there is a rear lot line as there is a defined lot line, thus the rear lot line would be the lot line opposite or parallel to the front line of Marlboro Pike.

Response 6: **The East side of the property has been updated to be a rear lot line. Note 5A has been changed to reflect the rear setback.**

Comment 1: Defining a rear lot line, which is presently considered a side lot line on the current plan, will further affect the landscape plan and AC.

Response 1: **The Zoning Setback for the Rear lot line is indicated to be 25ft for which we are providing 25.04 ft of landscape buffer under the Alternative compliance application.**

Transportation Planning Section Comments

Comment 1: A bike rack is recommended accommodating a minimum of three bicycles.

Response 1: **A bike rack has been added to the Site Plan.**

In regards to the above referenced comments, please find the following materials enclosed:

- Two (2) copies of the Special Exception Plan, prepared by Bohler Engineering, dated October 1, 2018, revised June 10, 2019.
- One (1) copy of the Statement of Justification.
- One (1) copy of the Traffic Counts, prepared by Lenhart Traffic Consulting.

Should you have any questions or require additional information, please do not hesitate to contact this office at (301) 809-4500.

Sincerely,

Bohler Engineering VA, LLC



Joseph DiMarco, P.E.

Cannady, Ras

From: Kwesi Woodroffe <KWoodroffe@mdot.maryland.gov>
Sent: Tuesday, June 18, 2019 8:13 AM
To: Cannady, Ras
Subject: RE: SE-4822 & DPLS-462; 7-Eleven Marlboro Pike

Good morning Ras,

I reviewed the subject referral and have no comments or objections. Both Marlboro Pike and Walker Mill Rd are County owned and maintained roadways.

Thanks, Kwesi

Kwesi Woodroffe
Regional Engineer
MDOT - SHA Access Management, District 3
9300 Kenilworth Avenue, Greenbelt, MD 20770
301-513-7347 (Direct)

From: ePlan <ePlan@ppd.mncppc.org>
Sent: Friday, June 14, 2019 8:46 AM
To: Kosack, Jill <Jill.Kosack@ppd.mncppc.org>; Zhang, Henry <Henry.Zhang@ppd.mncppc.org>; Masog, Tom <Tom.Masog@ppd.mncppc.org>; Kwesi Woodroffe <KWoodroffe@mdot.maryland.gov>; Peter Campanides <PCampanides@mdot.maryland.gov>; Erica Rigby <ERigby@mdot.maryland.gov>
Cc: Cannady, Ras <ras.cannady@ppd.mncppc.org>; Summerlin, Cheryl <Cheryl.Summerlin@ppd.mncppc.org>; Walker, Tineya <tineya.walker@ppd.mncppc.org>
Subject: SE-4822 & DPLS-462; 7-Eleven Marlboro Pike

Hello all,

Revised plans and documents have been received for the subject special exception, please review the documents using the link below in the folder Revised 6.13.19 and submit your comments to the reviewer, Ras Cannady by **June 17, 2019** using the instructions on the attached referral coversheet.

Dropbox link: https://www.dropbox.com/sh/7b5ed9ih1r1tu1t/AAB3sc4GMZmx4F6HeCaY_14ga?dl=0

From: ePlan <ePlan@ppd.mncppc.org>
Sent: Monday, May 13, 2019 12:23 PM
To: Smith, Tyler <Tyler.Smith@ppd.mncppc.org>; Stabler, Jennifer <Jennifer.Stabler@ppd.mncppc.org>; Henderson, Tamika <Tamika.Henderson@ppd.mncppc.org>; Franklin, Judith <Judith.Franklin@ppd.mncppc.org>; Kowaluk, Ted <Ted.Kowaluk@ppd.mncppc.org>; Masog, Tom <Tom.Masog@ppd.mncppc.org>; Kosack, Jill <Jill.Kosack@ppd.mncppc.org>; Grigsby, Martin <Martin.Grigsby@ppd.mncppc.org>; Zhang, Henry <Henry.Zhang@ppd.mncppc.org>; Dixon, June <june.dixon@ppd.mncppc.org>; Chaconas, Sheila <Sheila.Chaconas@ppd.mncppc.org>; Larman, Brooke <Brooke.Larman@ppd.mncppc.org>; Ryan, Benjamin <Benjamin.Ryan@ppd.mncppc.org>; Hancock, Crystal <crystal.hancock@ppd.mncppc.org>; Shoulers, Katina