



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

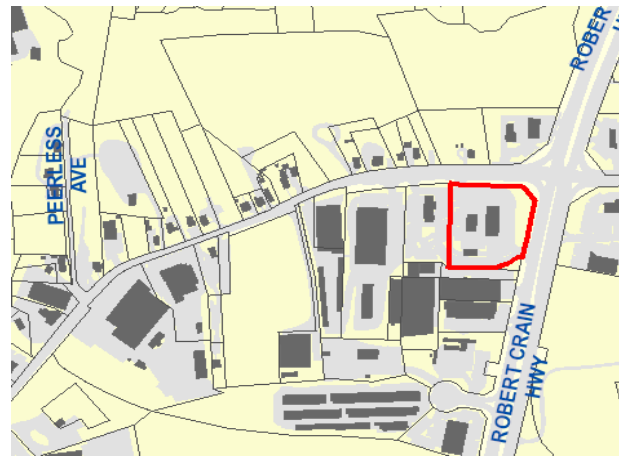
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Detailed Site Plan
Departure from Design Standards
Alternative Compliance
Dash In at Marlboro Pike #1552

DSP-21009
DDS-687
AC-21022

REQUEST	STAFF RECOMMENDATION
DSP: To construct a 4,508-square-foot food and beverage store, gas station, and a 3,216-square-foot car wash.	APPROVAL with conditions
DDS: To reduce the width of the buffer required by Section 4.6 of the Landscape Manual along the site's frontage on MD 725 (Marlboro Pike).	APPROVAL
AC: To reduce the width of the buffer required by Section 4.6 of the Landscape Manual along the site's frontage on MD 725 (Marlboro Pike).	DISAPPROVAL

Location: On the southwest quadrant of the intersection of Marlboro Pike and Crain Highway.	
Gross Acreage:	2.60
Zone:	I-1
Dwelling Units:	N/A
Gross Floor Area:	7,724 sq. ft.
Planning Area:	75A
Council District:	09
Election District:	03
Municipality:	N/A
200-Scale Base Map:	207SE13
Applicant/Address: Dash in Food Stores, Inc. P.O. Box 2810 La Plata, MD 20646	
Staff Reviewer: Tierre Butler Phone Number: 301-780-2458 Email: Tierre.Butler@ppd.mncppc.org	



Planning Board Date:	02/24/2022
Planning Board Action Limit:	03/18/2022
Staff Report Date:	02/10/2022
Date Accepted:	10/14/2021
Informational Mailing:	05/11/2021
Acceptance Mailing:	10/08/2021
Sign Posting Deadline:	01/25/2022

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

Table of Contents

EVALUATION CRITERIA	3
FINDINGS	3
1. Request	3
2. Development Data Summary	4
3. Location	5
4. Surrounding Uses.....	5
5. Previous Approvals.....	5
6. Design Features.....	5
COMPLIANCE WITH EVALUATION CRITERIA	8
7. Preliminary Plan of Subdivision	8
8. Prince George’s County Zoning Ordinance	8
9. 2010 Prince George’s County Landscape Manual	10
10. 2010 Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance	11
11. Prince George’s County Tree Canopy Coverage Ordinance.....	11
12. Referral Comments	11
RECOMMENDATION	13

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-21009
Departure from Design Standards DDS-687
Alternative Compliance AC-21022
Dash in at Marlboro Pike

The Urban Design staff has reviewed the detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION CRITERIA

This detailed site plan application was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance in the Light Industrial (I-1) Zone and the site design guidelines.
- b. The requirements of Preliminary Plan of Subdivision 4-93052.
- c. The requirements of the 2010 *Prince George's County Landscape Manual*.
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.
- e. The requirements of the Prince George's County Tree Canopy Coverage Ordinance.
- f. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

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

The companion Departure from Design Standards, DDS-687, requests a reduction to the requirements of Section 4.6 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

2. Development Data Summary:

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

Zoning Regulations

	Required	Proposed
Minimum Lot Coverage (percentage)	None	31
Green Area (percentage)	10	20.6

OTHER DEVELOPMENT DATA

Parking Spaces

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

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

Loading Spaces

	Required	Provided
1 loading space per 2,000–10,000 sq. ft. of gross floor area	1	1
Total	1	1

Bicycle Spaces

	Provided
TOTAL	2

3. **Location:** The subject 2.60-acre property, known as Lot 1, is located in the southwest quadrant of the intersection of MD 725 (Marlboro Pike) and US 301 (Robert Crain Highway), as shown on Tax Map 093/B4 in Planning Area 75A and Council District 9. The site is located at 15501 Marlboro Pike and is zoned Light Industrial (I-1). The site is also within the geography previously designated as the Developing Tier, reflected on Attachment H(5) of the 2014 *Plan Prince George’s 2035 Approved General Plan*, as found in Prince George’s County Planning Board Resolution No. 14-10 (see Prince George’s County Council Resolution CR-26-2014, Revision No. 31).
4. **Surrounding Uses:** The property is bounded by other I-1-zoned properties to the south and west; Mixed Use-Transportation-zoned properties to the north beyond MD 725, and Miscellaneous Commercial-zoned properties to the east beyond US 301. All of the surrounding properties are developed with commercial or industrial uses.
5. **Previous Approvals:** The subject site consists of existing Lot 1, in the Marlboro Shell development, as recorded on a plat of subdivision on October 31, 1994, among the Prince George’s County Land Records in Plat Book VJ 171 on page 1. Lot 1 was subject to Preliminary Plan of Subdivision (PPS) 4-93052, which was approved by the Prince George’s County Planning Board on December 2, 1993 (PGCPB Resolution No. 93-32), for two lots including Lot 1, for industrial and commercial development. Lots 1 and 2 were subsequently platted in accordance with the PPS (Final Plat No. 5-94206).
6. **Design Features:** This DSP proposes to construct a 4,508-square-foot food and beverage store, a gas station with eight multi-product fuel dispensers, and a 3,216-square-foot car wash. The site will have two access points: one located along MD 725 and one located along US 301. The proposed building and gas canopy are oriented facing US 301. The proposed plan shows dumpsters located behind the building on the northwest part of the site with a two-lane drive aisle leading to the car wash. The proposed 12-foot by 40-foot loading space is located between the rear of the building and the car wash drive aisle. The site is proposing a total of 44 parking spaces to include 2 handicap-accessible spaces and 2 bike racks. There will be 22 spaces that surround the food and beverage store and 4 additional spaces that are provided in the northeast corner of the site. There are 18 spaces that will also serve as vacuum stalls to accompany the car wash. A condition has been included herein, to request the removal of one parking space in front of food and beverage store to increase the width of the parking islands to provide additional trees to meet the landscape requirement.

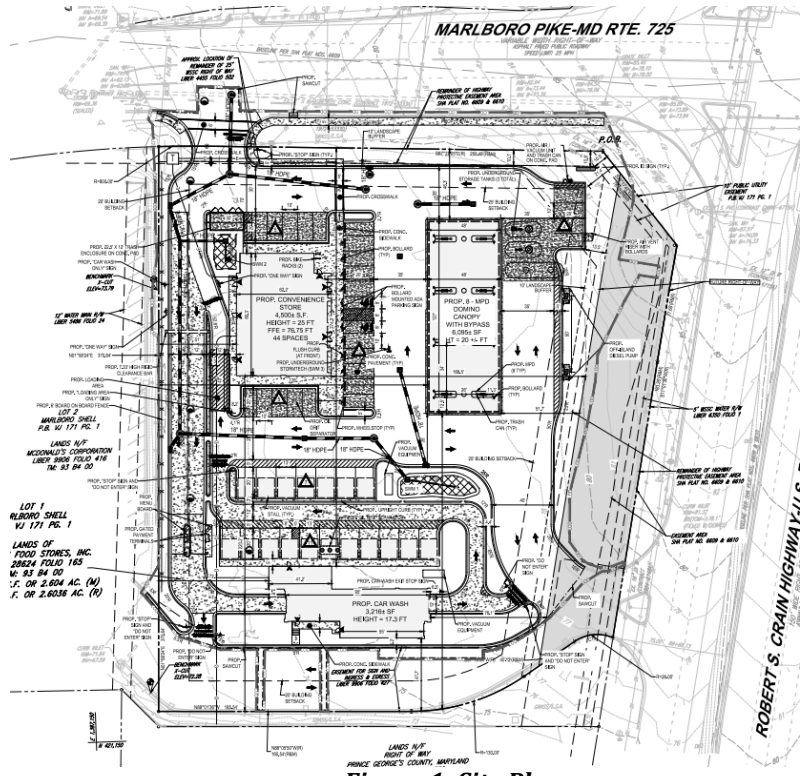


Figure 1: Site Plan

Architecture

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





Figure 2: Architecture Elevations



Figure 3: Architecture Elevations

Signage

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

Lighting

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

Dumpster Enclosure

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

COMPLIANCE WITH EVALUATION CRITERIA

7. **Preliminary Plan of Subdivision:** On December 2, 1993, the Planning Board approved PPS 4-93052 for the subject property with two conditions. Condition 2 is relevant to the subject DSP.

2. **Prior to the issuance of any building permits, the following improvements shall be in place, under construction or permitted with an agreed-upon schedule of construction between the applicant and SHA:**

At the intersection of US 301 and MD 725

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

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

At the proposed second intersection of MD 725 and site access

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

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

8. **Prince George's County Zoning Ordinance:** The subject DSP has been reviewed for compliance with the requirements of the I-1 Zone and the site design guidelines of the Prince George's County Zoning Ordinance.

a. This DSP is in conformance with the requirements of Section 27-473(b) of the Zoning Ordinance, which governs uses in the I-1 Zone. The proposed gas station and food and beverage store are permitted uses in the I-1 Zone, subject to Footnote 65, which permits each use if approved with a DSP. The car wash is permitted by-right in the I-1 Zone.

b. Section 27-474 of the Zoning Ordinance provides additional regulations for development in industrial zones, including requirements for setbacks, net lot area, lot frontage, building coverage, and green area. The subject DSP meets all these requirements, as shown on the submitted plans.

- c. This DSP is in conformance with all of the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance.
- d. **Departure from Design Standards DDS-687:** Section 4.6 of the Landscape Manual requires a minimum width landscape buffer and a required number of plantings along the frontage of MD 725, an historic roadway. Due to existing site limitations and the location of the public utility easement (PUE), the applicant is unable to meet the requirements. The departure is being requested to allow the applicant to utilize the landscape material planted within the PUE to count toward Section 4.6 compliance.

The applicant's Alternative Compliance application, AC-21022, was recommended for disapproval by the Planning Director. Therefore, the applicant requests a Departure from Design Standards (DDS) from Section 4.6, Buffering Developments from Streets, along the site's frontage on MD 725.

Section 27-239.01(b)(7) of the Zoning Ordinance contains the following required findings for the Planning Board to grant the departure:

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

(i) The purposes of this subtitle will be equally well or better served by the applicant's proposal;

This is a redevelopment of a gas station, food and beverage store, and car wash. The granting of the departure will allow the site to function more efficiently without compromising the drive aisle widths that allow vehicles to safely travel throughout the site. Full compliance with Section 4.6 would require the applicant to reduce the width of the drive aisles located to the north of the gas canopy and inhibit the ability of fuel trucks to access the site. The departure will not reduce the amount of landscape material located in the buffer; it will utilize the material located within the PUE toward compliance with Section 4.6 requirements. For these reasons, staff agrees that the applicant's proposal will equally well serve the purposes of the subtitle.

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

Other options have been explored to accommodate the Section 4.6 buffer, but each option would require a reduction in width of the drive aisle that adjoins this buffer and would inhibit the ability of fuel trucks to access the site. There is a 40-foot-wide easement located along the south side of the property and the applicant cannot shift the proposed development any further south without impacting this easement. Staff agrees that the applicant has attempted to accommodate the Section 4.6 buffer in every practical way possible,

and the departure is the minimum necessary given the specific circumstances of the property.

- (iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 1949;**

The site is significantly impacted by a 40-foot-wide access easement granted to the adjacent property owner. The easement is located to the south of the proposed car wash and inhibits the ability to shift the proposed improvements to the south. Staff agrees the departure is necessary to alleviate the unique circumstances of the easement.

- (iv) The departure will not impair the visual, functional, or environmental integrity of the site or the surrounding neighborhood.**

The site complies with the amount of landscape material required. The provided buffer should enhance the view of the property from MD 725 and the overall proposed redevelopment should improve the visual integrity of the site and the surrounding neighborhood.

- (B) For a departure from a standard contained in the Landscape Manual, the Planning Board shall find, in addition to the requirements in paragraph (7)(A), above, that there is no feasible proposal for alternative compliance, as defined in the Landscape Manual, which would exhibit equally effective design characteristics.**

With respect to the specific departure requested, the applicant cannot provide a feasible proposal for alternative compliance that would exhibit equally effective design characteristics. The applicant proposed AC-21022, which is recommended for disapproval.

Based on the analysis above, staff recommends that the Planning Board approve DDS-687, to allow a departure from the Section 4.6, Buffering Developments from Streets, along the site's frontage on MD 725.

- 9. 2010 Prince George's County Landscape Manual:** Development proposed by this DSP is subject to Section 4.2, Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The required schedules have been provided demonstrating conformance to the requirements.

As part of DSP-21009, the applicant filed a request for Alternative Compliance, AC-21022, relative to Sections 4.2.1, 4.3.1, 4.3-2, and 4.6 of the Landscape Manual. The applicant revised the landscape plan to meet the requirements of the Landscape Manual for Section 4.2, but has not yet satisfied Section 4.3. The site has an excess of parking spaces, and the Alternative Compliance Committee found that Section 4.3 could be satisfied with the removal of one parking space and the widening of the landscape islands to provide

shade trees, as conditioned herein. That eliminates the need for alternative compliance from Section 4.3 of the Landscape Manual.

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

The Planning Director recommends disapproval of Alternative Compliance AC-21022 from the Landscape Manual for Section 4.6, Buffering Developments from Streets, along the site's frontage on MD 725 and for Section 4.3, Parking Lot Interior Planting, with a condition requiring that, prior to certification of the DSP, the landscape plan be revised to conform to Section 4.3 by removing one parking space to the east of the food and beverage store, widening the planting islands, and adding a shade tree to each island. This condition has been included herein. The applicant filed DDS-687, as discussed in Finding 8d above.

- 10. 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance (S-046-2021) because the site contains less than 10,000 square feet of woodlands and has no previous tree conservation plan approvals. A Natural Resources Inventory equivalency letter has been issued for the site (NRI-040-2021). The NRI was issued based on the standard woodland conservation exemption, and that no regulated environmental features will be impacted. A Stormwater Management (SWM) Concept Plan and approval letter (8202-2021) were also submitted. Two micro-bioretenion facilities, an underground storage system, and oil/grit separators will be used to treat the stormwater.
- 11. Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires 10 percent tree canopy coverage (TCC) on properties in the I-1 Zone. The subject site measures 2.60 acres and the required TCC amounts to approximately 0.26 acre. The subject application provides a schedule showing that 2.60 acres of TCC will be provided, in conformance with this requirement.
- 12. Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

 - a. Historic Preservation—**In a memorandum dated December 24, 2021 (Stabler to Butler), incorporated herein by reference, the Historic Preservation Section stated the subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources. A Phase I archeology survey is not recommended.

- b. **Community Planning**—In a memorandum dated January 26, 2022 (White to Butler), incorporated herein by reference, the Community Planning Division indicated that pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Subdivision Review**—In a memorandum dated December 2, 2021 (DiCristina to Butler), incorporated herein by reference, the Subdivision Section stated that the DSP has been found to be in substantial conformance with the PPS and the record plat. Two conditions are included in the Recommendation section of this technical staff report.
 - d. **Transportation Planning**—In a memorandum dated January 27, 2022 (Saunders Hancock to Butler), incorporated herein by reference, the Transportation Planning Section stated it was determined that this plan is acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance. Two conditions have been added to the Recommendation section of this report regarding the loading area.
 - e. **Bike and Pedestrian Facilities**—In a memorandum dated December 1, 2021 (Smith to Butler), incorporated herein by reference, Transportation staff stated that the pedestrian and bicycle facilities and amenities proposed with the development are acceptable and support separating pedestrian and vehicular transportation routes within the site.
 - f. **Environmental Planning**—In an email dated December 3, 2022 (Reiser to Butler), incorporated herein by reference, the Environmental Planning Section stated the site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance (S-046-2021), and an NRI equivalency letter (NRI-040-2021). A SWM Concept Plan and approval letter (8202-2021) was submitted. As detailed in Finding 11 above, Marlboro Clay has been mapped on PGAtlas, but the area has no slope issues.
 - g. **Permits**—In a memorandum dated December 6, 2021 (Jacobs to Butler), incorporated herein by reference, the Permit Review Section evaluated the DSP and offered comments that are conditioned herein.
 - h. **Maryland State Highway Administration (SHA)**—In an email dated October 10, 2021 (Woodroffe to Butler), incorporated herein by reference, SHA noted that the work in the right-of-way on MD 725 will require an access permit and that detailed engineering plans will need to be submitted for comprehensive review.
 - i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated February 4, 2022 (Giles to Butler), incorporated herein by reference, DPIE noted the site plan was consistent with the SWM Concept Plan filed under DPIE Case No. 8202-2021-0, approved on May 19, 2021.
13. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George’s County Code without requiring

unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

14. As required by Section 27-285(b)(4) of the Zoning Ordinance, for approval of a DSP, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Prince George's County Subdivision Regulations.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and:

- A. DISAPPROVE Alternative Compliance AC-21022 for Section 4.6, Buffering Developments from Streets, of the 2010 *Prince George's County Landscape Manual* along the site's frontage on MD 725 (Marlboro Pike).
- B. APPROVE Departure from Design Standards DDS-687 to reduce the width of the buffer required by Section 4.6 of 2010 *Prince George's County Landscape Manual*, Buffering Developments from Streets, along the site's frontage on MD 725 (Marlboro Pike).
- C. APPROVE Detailed Site Plan DSP-21009 for Dash In at Marlboro Pike #1552, subject to the following condition:
 1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Revise the bearing for the western property line shown on the DSP to match the record plat.
 - b. Revise the height of the proposed freestanding pylon sign to 25 feet or revise the sign detail to reflect that there are three fuel types being proposed to meet the 50-foot height requirement.
 - c. Revise the sign legend to correspond to the signs on the site plan. Provide the same labeling convention for both the legend and the plan.
 - d. Label the area of Lot 1 on Sheet 4 of the DSP in square feet and acres.
 - e. Modify the site to expand the designated loading area, in order to facilitate safe and adequate truck turning maneuvers. The exact design and truck turning plans with design vehicle classification shall be evaluated and accepted by the Transportation Planning Section.
 - f. Provide additional signage on-site, which indicates that all loading should be conducted in the loading area, to be evaluated and accepted by the Transportation Planning Section.
 - g. Provide the exact dimensions of the buildings on the site plan.

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

DASH IN, MARLBORO PIKE, STORE #1552

Detailed Site Plan

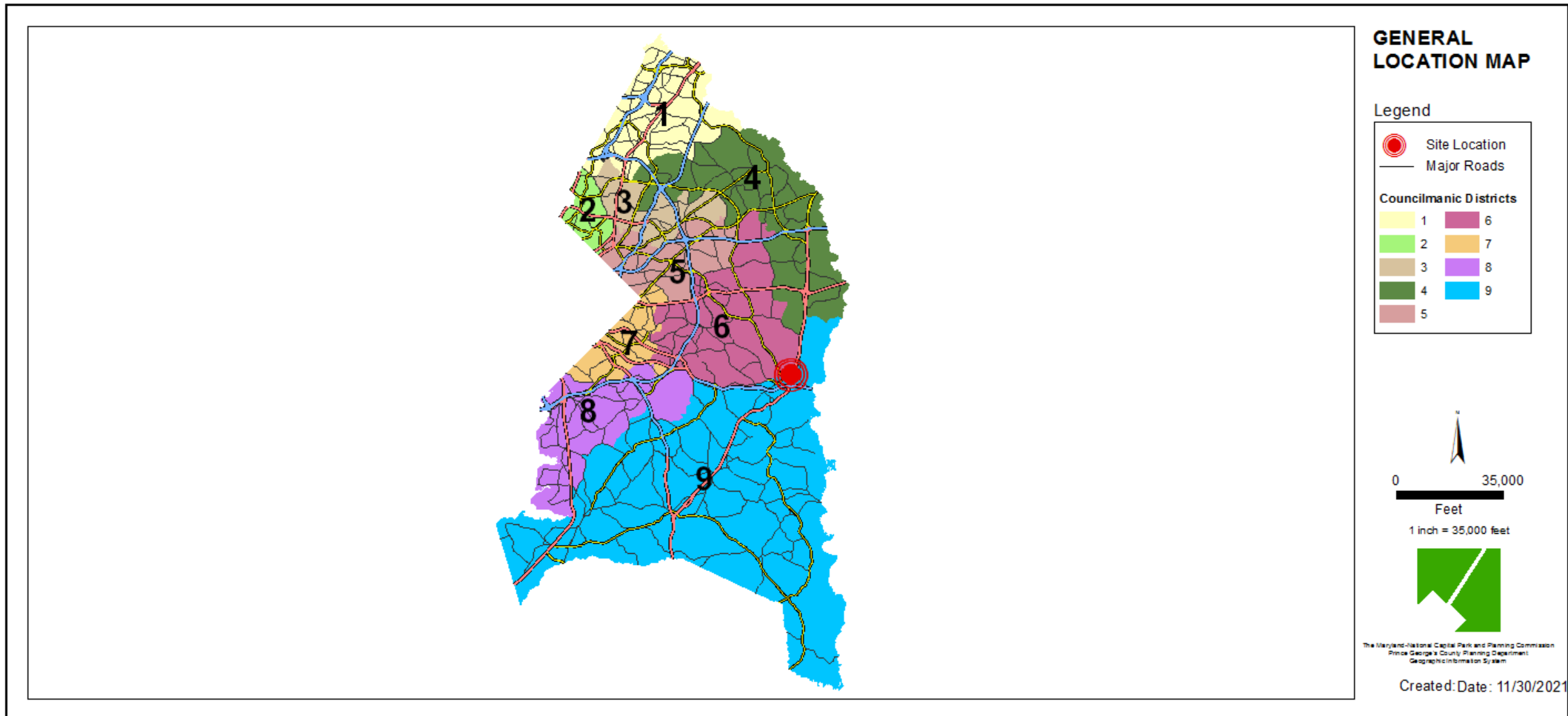
Staff Recommendation: APPROVAL with conditions



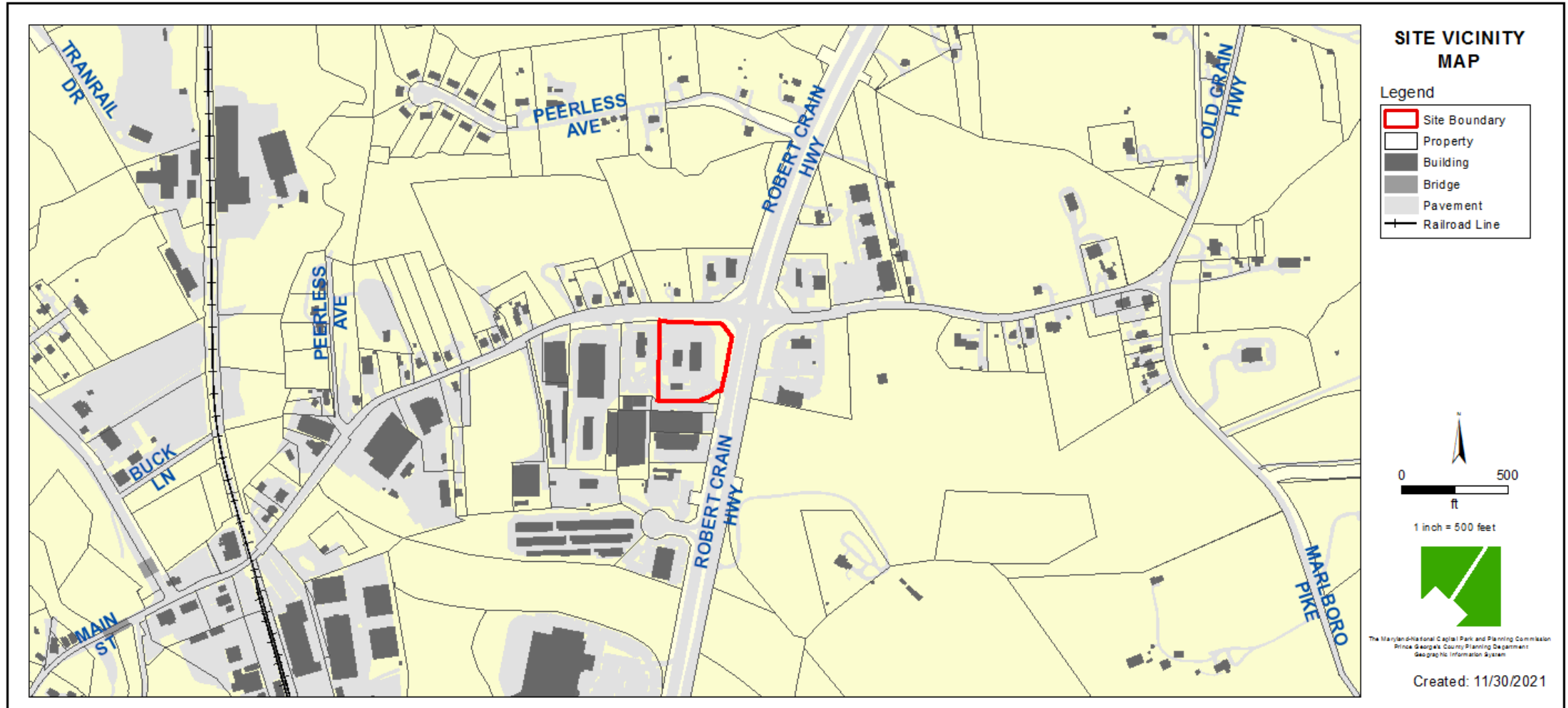
GENERAL LOCATION MAP

Council District: 09

Planning Area: 75A

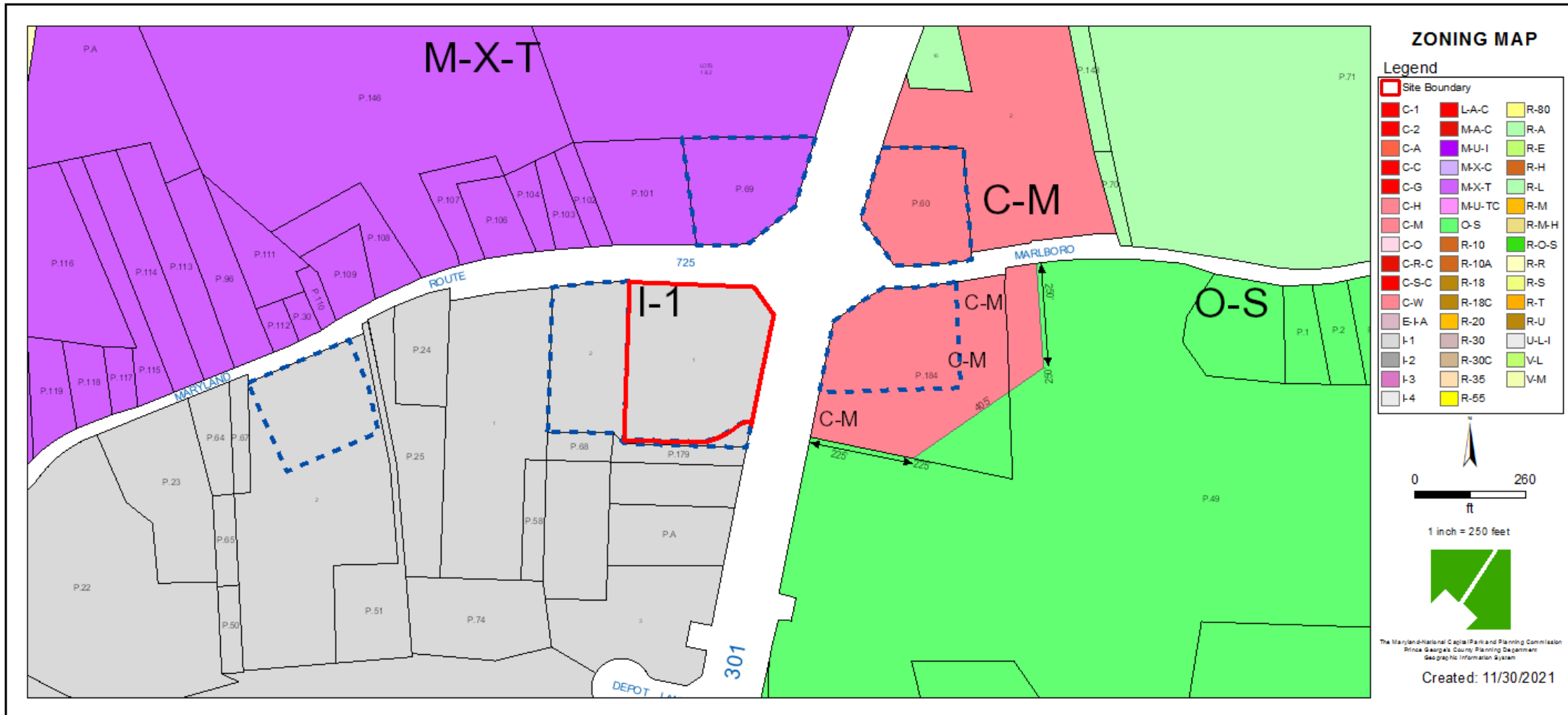


SITE VICINITY MAP



ZONING MAP

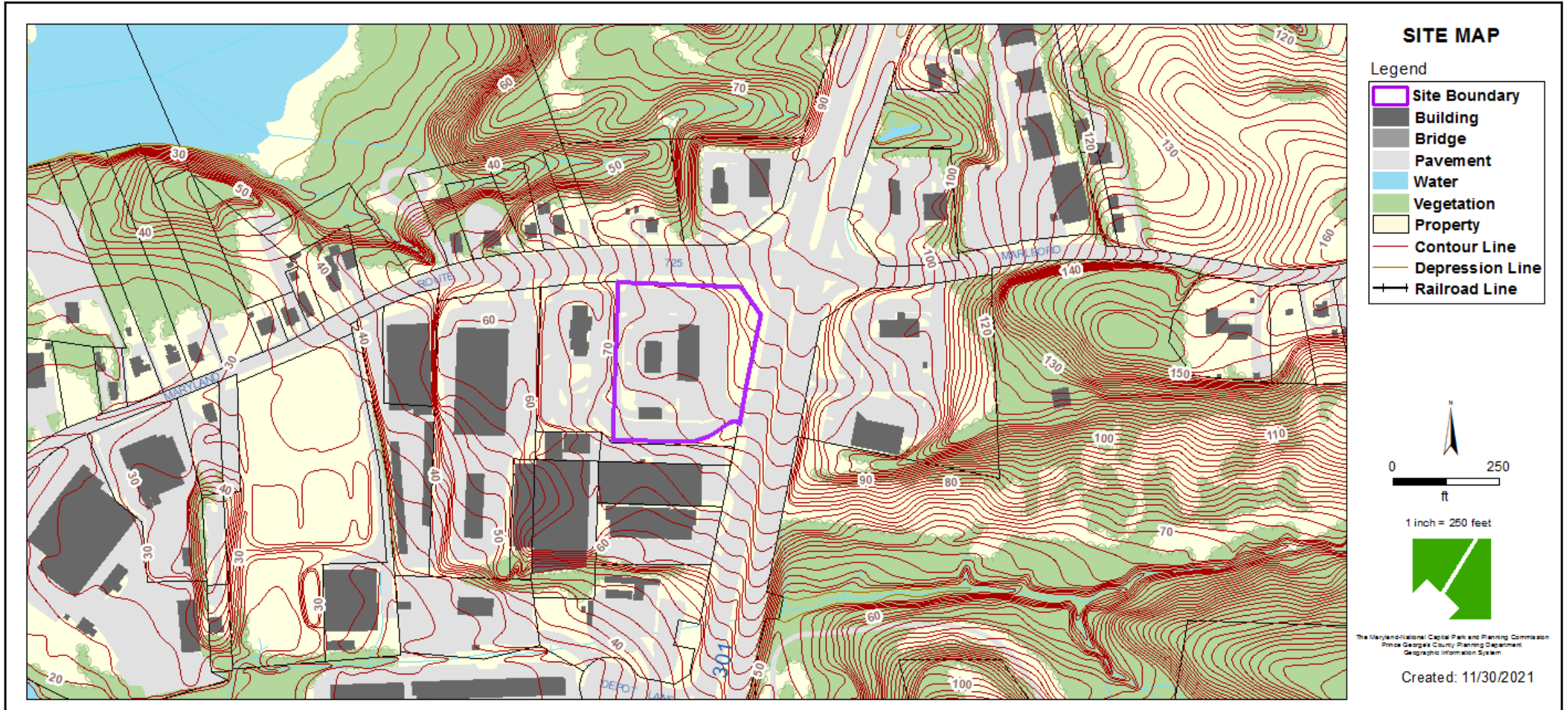
Property Zone: I-1



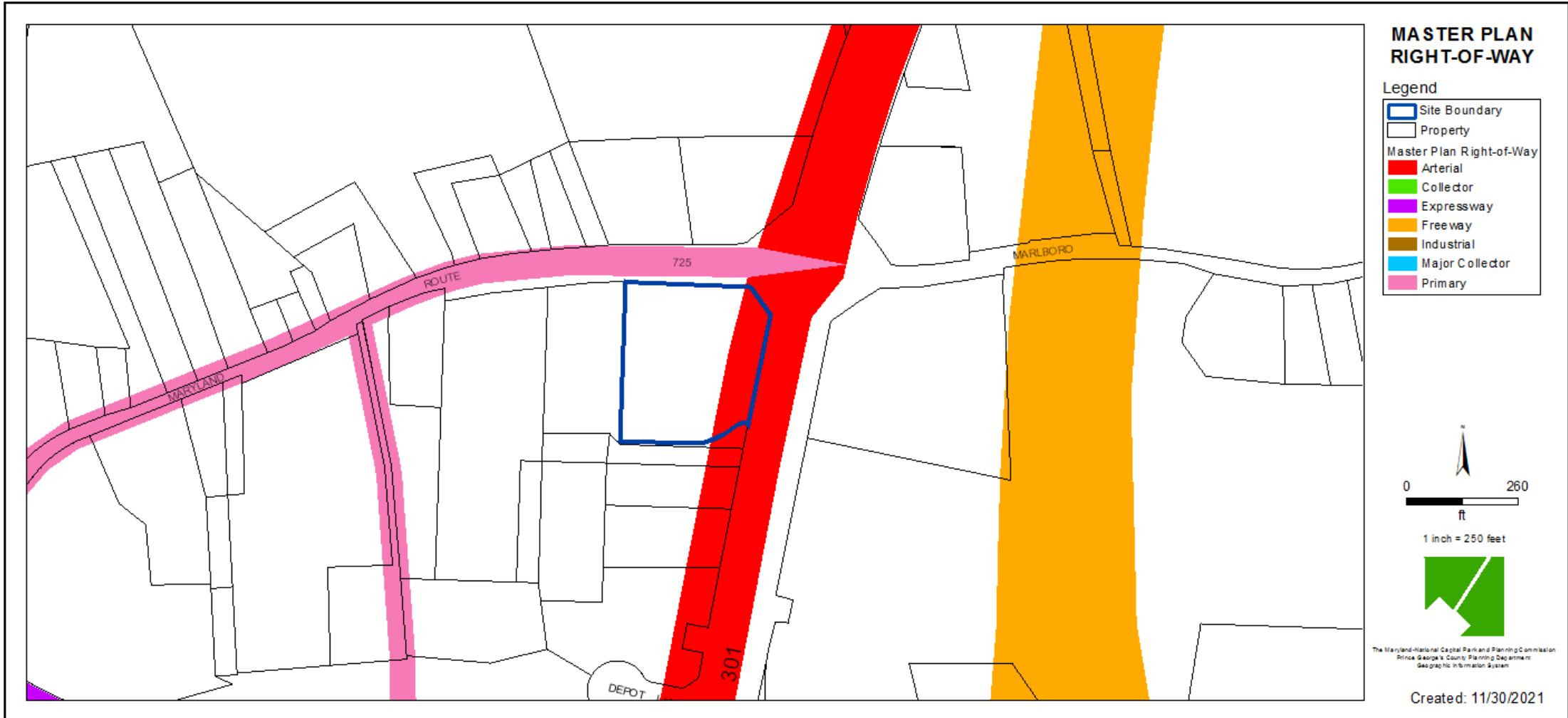
AERIAL MAP



SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



ELEVATIONS



- Proposed Exterior Materials**
- 0201 Thin Black Insurer - Painted
 - 0202 Corrugated Metal Panel - Black
 - 0203 Metal Cladding - Black
 - 0204 Medium Composite Panel - Black
 - 0205 Subvented Metal Decking
 - 0206 Prefinished Aluminum Canopy
 - 0207 Exposed Steel - Painted
 - 0208 Exterior Metal Storefront System - Black
 - 0209 Heavy Timber Wood Beams
 - 0210 Natural Wood Siding
 - 0211 Exterior Wood Door
 - 0212 Warehouse Roofing
 - 0213 Prefinished Aluminum Canopy
 - 0214 Internally Illuminated Signage



Front Elevation



1500 Prince George's Avenue
 Suite 100
 Bowie, MD 21048
 410.321.1500

DASH IN 1562 STORE
 Upper Marlboro, MD



- Proposed Exterior Materials**
- 0201 Thin Black Insurer - Painted
 - 0202 Corrugated Metal Panel - Black
 - 0203 Metal Cladding - Black
 - 0204 Medium Composite Panel - Black
 - 0205 Subvented Metal Decking
 - 0206 Prefinished Aluminum Canopy
 - 0207 Exposed Steel - Painted
 - 0208 Exterior Metal Storefront System - Black
 - 0209 Heavy Timber Wood Beams
 - 0210 Natural Wood Siding
 - 0211 Exterior Wood Door
 - 0212 Warehouse Roofing
 - 0213 Prefinished Aluminum Canopy
 - 0214 Internally Illuminated Signage



Side Elevation



1500 Prince George's Avenue
 Suite 100
 Bowie, MD 21048
 410.321.1500

DASH IN 1562 STORE
 Upper Marlboro, MD



- Proposed Exterior Materials**
- 0201 Thin Black Insurer - Painted
 - 0202 Corrugated Metal Panel - Black
 - 0203 Metal Cladding - Black
 - 0204 Medium Composite Panel - Black
 - 0205 Subvented Metal Decking
 - 0206 Prefinished Aluminum Canopy
 - 0207 Exposed Steel - Painted
 - 0208 Exterior Metal Storefront System - Black
 - 0209 Heavy Timber Wood Beams
 - 0210 Natural Wood Siding
 - 0211 Exterior Wood Door
 - 0212 Warehouse Roofing
 - 0213 Prefinished Aluminum Canopy
 - 0214 Internally Illuminated Signage



Rear Elevation



1500 Prince George's Avenue
 Suite 100
 Bowie, MD 21048
 410.321.1500

DASH IN 1562 STORE
 Upper Marlboro, MD



- Proposed Exterior Materials**
- 0201 Thin Black Insurer - Painted
 - 0202 Corrugated Metal Panel - Black
 - 0203 Metal Cladding - Black
 - 0204 Medium Composite Panel - Black
 - 0205 Subvented Metal Decking
 - 0206 Prefinished Aluminum Canopy
 - 0207 Exposed Steel - Painted
 - 0208 Exterior Metal Storefront System - Black
 - 0209 Heavy Timber Wood Beams
 - 0210 Natural Wood Siding
 - 0211 Exterior Wood Door
 - 0212 Warehouse Roofing
 - 0213 Prefinished Aluminum Canopy
 - 0214 Internally Illuminated Signage



Side Elevation



1500 Prince George's Avenue
 Suite 100
 Bowie, MD 21048
 410.321.1500

DASH IN 1562 STORE
 Upper Marlboro, MD



ELEVATIONS



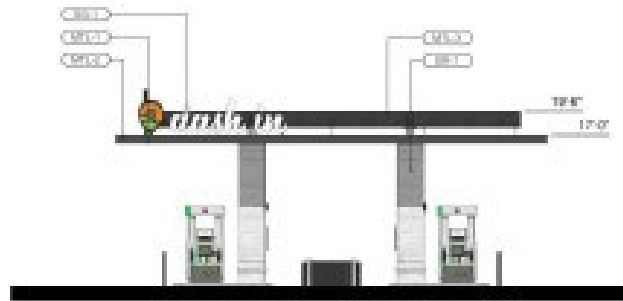
- Entry Elevation**
- Proposed Exterior Materials:
 - Thin Brick veneer - Polished
 - Corrugated Metal Panel - Black
 - Corrugated Metal Panel - Gray
 - Metal Cladding - Black
 - Membrane Roofing
 - Exterior Metal Cladding System - Black
 - Yellow Metal Door - Black
 - Exterior Glass & Metal Door - Black
 - Internally Illuminated Signage
- Front Elevation**
- Proposed Exterior Materials:
 - Thin Brick veneer - Polished
 - Corrugated Metal Panel - Black
 - Corrugated Metal Panel - Gray
 - Metal Cladding - Black
 - Membrane Roofing
 - Exterior Metal Cladding System - Black
 - Yellow Metal Door - Black
 - Exterior Glass & Metal Door - Black
 - Internally Illuminated Signage



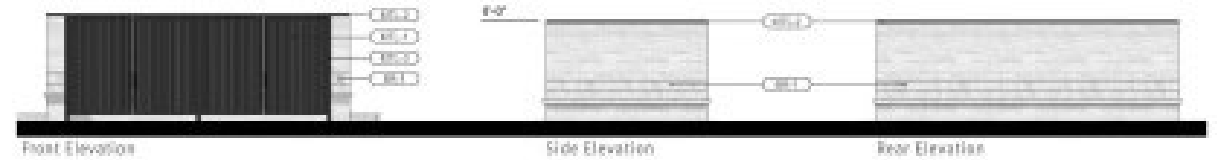
- Back Elevation**
- Proposed Exterior Materials:
 - Thin Brick veneer - Polished
 - Corrugated Metal Panel - Black
 - Corrugated Metal Panel - Gray
 - Metal Cladding - Black
 - Membrane Roofing
 - Exterior Metal Cladding System - Black
 - Yellow Metal Door - Black
 - Exterior Glass & Metal Door - Black
 - Internally Illuminated Signage
- Front Elevation**
- Proposed Exterior Materials:
 - Thin Brick veneer - Polished
 - Galvanized Metal Building - Gray
 - Fluoropolymer - Black
 - Painted Structural Members - Black
 - Internally Illuminated Signage



ELEVATIONS



- Proposed Exterior Materials**
- Thin Black Strips - Painted
 - Corrugated Metal Siding - Gray
 - Pencil Panel - Black
 - Painted Structural Members - Black
 - Internally Illuminated Signage



- Proposed Exterior Materials**
- Thin Black Strips - Painted
 - Corrugated Metal Panel Siding - Black
 - Metal Cladding - Black
 - Aluminum Post - Black

Side Elevation

2020 Prince George's County Planning Department
DASH IN 1552 GAS CANOPY
 Upper Marlboro, MD
 04/2022

Front Elevation

2020 Prince George's County Planning Department
DASH IN 1552 TRASH ENCLOSURE
 Upper Marlboro, MD
 04/2022

STAFF RECOMMENDATION

APPROVAL with conditions

- AC-21022 Disapproval
- DDS-687 Approval
- DSP-21009 Approval with conditions

Major Issues:

- N/A

Applicant Community Engagement:

- N/A

**STATEMENT OF JUSTIFICATION
DSP-21009**

APPLICANT: Dash In Food Stores, Inc.
P.O. Box 2810
La Plata, Maryland 20646

CORRESPONDENT: Daniel F. Lynch, Esq
McNamee Hosea
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
(301) 441-2420 Voice
(301) 982-9450 Fax
dlynch@mhlawyers.com

REQUEST: Detailed Site Plan pursuant to Section 27-285(b).

I. DESCRIPTION OF PROPERTY

1. Address –15501 Marlboro Pike, Upper Marlboro, Maryland 20772
2. Use - Retail Sale of Gasoline with Food and Beverage Store and Car Wash
3. Incorporated Area - N/A
4. Council District – 9th
5. Lot 1
6. Total Area – 2.60
7. Tax Map – 093/B4
9. Location – Located in the southeast quadrant of the intersection Marlboro Pike and US 301.
10. Zoned: I-1 (Light Industrial) Zone
11. Owner – Dash In Food Stores, Inc.
12. Zoning Map – 207SE13

II. APPLICANT'S PROPOSAL

The Subject Property, which is zoned I-1, is comprised of Lot 1 and currently developed with as gas station, food and beverage store and car wash which were first constructed on the property in the 1990s. At that time, these uses were permitted by right in the I-1 Zone. The applicant is proposing to redevelop the existing uses on the subject property. Specifically, the development proposal calls for the construction of a 4,500 square foot food and beverage store, 8 multi-product dispensers under the cover of a canopy, and a 3,216 square foot car wash.

The gas station and car wash require the approval of a Detailed Site Plan in conformance with Section 27-289 of the Zoning Ordinance. The car wash is a permitted use in the I-1 Zone.

III. COMMUNITY

The subject property is located in the *Approved Subregion 6 Master Plan and Sectional Map Amendment*. The subject property is surrounded by the following uses:

North: Marlboro Pike and beyond a gas station and food and beverage store in the I-1 Zone.

South: Warehouse in the I-1 Zone

East: US 301 and beyond an eating and drinking establishment and auto parts store in the C-M Zone.

West: Eating and drinking establishment in the I-1 Zone.

IV. CRITERIA FOR APPROVAL

The criteria for approval of a Detailed Site Plan are set forth in Section 27-285(b) and the Site Design Guidelines are set forth in Section 27-274.

Section 27-285

(b) Required findings.

- (1) The plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use;

Comment: This Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines. The plan does not require unreasonable costs nor does it detract substantially from the utility of the proposed development for its intended use as a gas station and food and beverage store. The site design guidelines are found in section 27-274 of the Zoning Ordinance.

Section 27-274 Design Guidelines

(1) General.

(A) The Plan should promote the purposes of the Detailed Site Plan.

Comment: The purposes of the Detailed Site Plan are found in Section 27-281 (b) & (c).

Section 27-281. Purposes of Detailed Site Plans.

(b) General purposes.

(1) The general purposes of Detailed Site Plans are:

(A) To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;

(B) To help fulfill the purposes of the zone in which the land is located;

(C) To provide for development in accordance with the site design guidelines established in this division; and

(D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.

(c) Specific purposes.

(1) The specific purposes of Detailed Site Plans are:

(A) To show the specific location and delimitation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;

(B) To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site;

(C) To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site; and

(D) To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.

Comment: This Detailed Site Plan promotes the purposes of Detailed Site Plans. Specifically, this plan helps to fulfill the purposes of the I-1 Zone in which the subject land is located. A gas station and food and beverage store are permitted in the I-1 Zone subject to the approval of a Detailed Site Plan. The plan gives an illustration as to the approximate location and delineation of the building, its parking, streets, green areas, and other similar physical features and land uses proposed for the site.

In addition to the purposes set forth in Section 27-281, Section 27-274 further requires the Applicant to demonstrate the following:

(2) Parking, loading, and circulation.

(A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.

Comment: This Detailed Site Plan demonstrates conformance with this Design Guideline. The plan shows that a majority of proposed parking spaces associated with the gas station and food and beverage store are perpendicular to the sidewalk located on the north, south and east sides the food and beverage store. There are also 4 parking spaces located in the northeast corner of the Subject property. There are 18 spaces located on the north side of the car wash that the applicant anticipates will be used in conjunction with the car wash operation. In addition there are generous drive aisles provided to help the safe circulation of vehicles. The applicant believes that this layout will prevent any conflicts between vehicles and pedestrians on the Subject Property.

(3) Lighting.

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

Comment: This plan complies with the design guidelines outlined in sub-part (3). Adequate lighting will be provided to illuminate entrances and parking areas throughout the site. Lighting Details are shown on the photometric plan.

(4) Views.

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

Comment: This Detailed Site Plan complies with the design guidelines outlined in sub-part (4) and the plan is designed to preserve, create, or emphasize views from the public roads that surround the property. There will be 4.2 landscape strips located along the US 301 frontage and a modified 4.6 landscape strip that includes a 11 foot landscape buffer located along the Marlboro Pike frontage of the site.

(5) Green Area.

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

Comment: The Detailed Site Plan notes that the site will comply with the green space requirements and the Tree Canopy Coverage requirements.

(6) Site and streetscape amenities.

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

Comment: As indicated above, the applicant is proposing to install a 4.2 landscape strip along the US 301 frontage and a modified 4.6 Landscape Strip along the Marlboro Pike frontage. The Landscape Plan also provides for compliance with Section 4.3 of the Landscape Manual. Given the size of the property and the nature of the use, the applicant is not proposing any other streetscape amenities.

(7) Grading.

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

Comment: The site is currently developed with a gas station and the applicant is proposing a minimal amount of additional grading as part of this redevelopment proposal.

(8) Service Areas.

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

Comment: The proposed loading space located on the south side of the car wash building will be screened from US 301 and the trash and recycling area will be surrounded by a screening wall with a site tight gate.

(9) Public Spaces.

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

Comment: The applicant is not proposing to provide public space as part of this amendment.

(10) Architecture.

(A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.

(B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.

(C) These guidelines may be modified in accordance with section 27-277.

Comment: This Detailed Site Plan complies with the design guidelines outlined in sub-part (10). As stated earlier, this Detailed Site Plan provides the front, rear and side exterior elevations of the proposed building. This Detailed Site Plan also provides the building materials, such as the brick veneer, glass, steel and aluminum that will be used for the proposed building. Generally speaking, the proposed architecture of the food and beverage store and car wash represents the newest prototype Dash-In building and the applicant intends to implement this design and associated branding on all future sites in Prince George's County as well other jurisdictions in this region.

With regard to the proposed signage for the site, the Detailed Site Plan contains a compliance chart demonstrating that the building mounted signage and freestanding signage complies with the standards for the I-1 Zone.

In addition to the requirements outlined in Section 27-274, Section 27-285 further requires that the Applicant demonstrate the following:

(2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required);

Comment: No Conceptual Site Plan was required.

(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

Comment: Not applicable.

V. PRIOR APPROVALS

The Planning Board approved preliminary plan 4-93053 for the subject property on December 2, 1993. This approval was subject to two conditions. Condition 2, which is relevant to this review, provides as follows:

2. Prior to the issuance of any building permits, the following improvements shall be in place, under construction or permitted with an agreed-upon schedule of construction between the applicant and SHA:

At the intersection of US 301 and MD 725

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

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

At the proposed second intersection of MD 725 and site access

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

The following shall be placed on the Final Plat of Subdivision:

“An automatic fire suppression system shall be provided in the proposed building.”

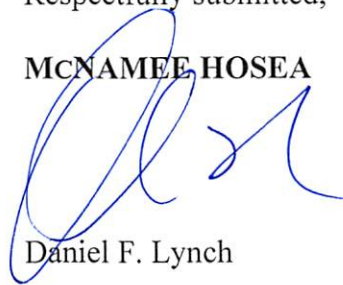
Comment: Condition 2 has been satisfied.

VI. CONCLUSION

The applicant respectfully submits that all of the criteria for approving a Detailed Site Plan have been met and on behalf of Dash-In Food Stores, Inc, requests the approval of this application.

Respectfully submitted,

MCNAMEE HOSEA



Daniel F. Lynch

**STATEMENT OF JUSTIFICATION
DDS-687**

APPLICANT: Dash-In Food Stores, Inc.
 P.O. Box 2810
 LaPlata, Maryland 20646

CORRESPONDENT: Daniel F. Lynch, Esq
 McNamee Hosea
 6411 Ivy Lane, Suite 200
 Greenbelt, Maryland 20770
 (301) 441-2420 Voice
 (301) 982-9450 Fax
 dlynch@mhlawyers.com

REQUEST: Departure from Design Standards to allow planting in PUE as set forth in Section 27-579(b).

I. DESCRIPTION OF PROPERTY

1. Address –15501 Marlboro Pike, Upper Marlboro, Maryland 20772
2. Use - Retail Sale of Gasoline with Food and Beverage Store and Car Wash
3. Incorporated Area - N/A
4. Council District – 9th
5. Lot 1
6. Total Area – 2.60
7. Tax Map – 093/B4
9. Location – Located in the southeast quadrant of the intersection Marlboro Pike and US 301.
10. Zoned: I-1 (Light Industrial) Zone
11. Owner – Dash In Food Stores, Inc.
12. Zoning Map – 207SE13

II. APPLICANT'S PROPOSAL

The Subject Property, which is zoned I-1, is comprised of Lot 1 and currently developed with as gas station, food and beverage store and car wash which were first constructed on the property in the 1990s. At that time, these uses were permitted by right in the I-1 Zone. The applicant is proposing to redevelop the existing uses on the subject property. Specifically, the development proposal calls for the construction of a 4,500 square foot food and beverage store, 8 multi-product dispensers under the cover of a canopy, and a 3,216 square foot car wash. The gas station and car wash require the approval of a Detailed Site Plan in conformance with Section 27-289 of the Zoning Ordinance. The car wash is a permitted use in the I-1 Zone. The applicant currently has pending DSP-21009. As part of that application, the applicant filed a request for the approval of Alternative Compliance to the Landscape Manual relative to Sections 4.2.1, 4.3.1, 4.3-2 and 4.6 of the Landscape Manual. The Alternative Compliance request relative to 4.6 is recommended for denial and therefore the applicant is requesting a Departure from Design Standards to allow the applicant to utilize the landscape material planted within the PUE to count toward 4.6 compliance.

III. COMMUNITY

The subject property is located in the *Approved Subregion 6 Master Plan and Sectional Map Amendment*. The subject property is surrounded by the following uses:

North: Marlboro Pike and beyond a gas station and food and beverage store in the I-1 Zone.

South: Warehouse in the I-1 Zone

East: US 301 and beyond an eating and drinking establishment and auto parts store in the C-M Zone.

West: Eating and drinking establishment in the I-1 Zone.

IV. CRITERIA FOR APPROVAL

As noted above, the applicant is requesting a Departure from Design Standards to allow the planting material located in the PUE along Marlboro Pike to be counted toward compliance with 4.6 of the Landscape Manual.

The criteria for the approval of a Departure from Design Standards is set forth in Section 27-239.01(7) of the Zoning Ordinance, which states:

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

(i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;

COMMENT: This is an existing gas station, food and beverage store and car wash. The granting of this departure will allow the site to function more efficiently without compromising the drive aisle widths and will therefore allow vehicles to safely travel through the site. Full compliance with 4.6 will require the applicant to reduce the width of the drive aisles located to the north of the canopy and in so doing, inhibit the ability of fuel trucks to access the site. On the other hand, the granting of this departure will not reduce the width of or the amount of landscape material located in the landscape buffer. It will merely allow the applicant to utilize the material located within the PUE toward compliance with 4.6 of the Landscape Manual.

As noted above, the applicant's proposal for the redevelopment of this gas station, food and beverage store and car wash complies with the purposes of this Subtitle set forth in Section 27-102, but this departure specifically complies with the following:

(5) To provide adequate light, air, and privacy;

(6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development.

Again, the applicant is not proposing a reduction in the width of or material located in the 4.6 buffer and therefore provide a landscape buffer that will provide for a transition between this property and the properties located in the north side of Marlboro Pike. Furthermore, the granting of this departure will allow the applicant to provide for drive aisles that are of a sufficient width to accommodate fuel trucks and therefore further enhance the utility of this property to accommodate a gas station.

The purposes and objectives of Section 4.6 of the Landscape Manual are:

- (1) Provide an attractive view of development from streets and special roadways by buffering those developments with appropriate landscaping
- (2) Buffer the rear yard and the lowest story of the rear exterior walls of any single family attached or detached dwelling from the view of any street, except an alley.
- (3) Provide a buffer between a multifamily dwelling and a major collector or higher classification roadway in order to reduce the adverse impacts to the multifamily development.
- (4) Preserve and enhance the scenic and/or historic landscape qualities within the viewshed adjacent to special roadways.

The applicant's proposal relative to the 4.6 landscape buffer complies with these objectives. The applicant is complying with the width and amount of landscape material required. The 4.6 buffer will not be compromised in any manner by this request. The applicant is requesting that the material placed in the PUE be counted toward the requirements of 4.6. This buffer should therefore enhance the view of the property from Marlboro Pike and preserve and enhance the scenic quality of Marlboro Pike as anticipated under 4.6.

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

COMMENT: The applicant has explored other options to accommodate the 4.6 buffer, but each option would require a reduction in width of the drive aisle that adjoins this buffer and as indicated above, inhibit the ability of fuel trucks to access the site. There is a 40 foot easement located along the south side of the property and the applicant cannot shift the proposed development any further south without impacting said easement.

(iii) The departure is necessary in order to alleviate circumstances, which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;

COMMENT: This site is significantly impacted by a 40 foot wide access easement granted to the property owner on the adjoining property. This access easement is located to the south of the property car wash and inhibits my client's ability to shift the proposed improvements to the south and therefore comply with 4.6 of the landscape manual.

(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

COMMENT: Again, the applicant is complying with the width and amount of landscape material required. The 4.6 buffer will not be compromised in any manner by this request. This buffer should therefore enhance the view of the property from Marlboro Pike and the overall proposed redevelopment should improve the integrity of the site and the surrounding neighborhood.

V. CONCLUSION

The applicant respectfully submits that all of the criteria for approving a Departure from Design Standards have been met and on behalf of Dash-In Food Stores, Inc, requests the approval of this application.

Respectfully submitted,

MCNAMEE HOSEA

A handwritten signature in blue ink, appearing to read 'D. Lynch', with a long horizontal flourish extending to the right.

Daniel F. Lynch



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


DATE: January 25, 2022
TO: Andree Green Checkley, Esq., Planning Director
VIA: Jill Kosack, Chair, Alternative Compliance Committee
FROM: Tierre Butler, Alternative Compliance Committee Member
PROJECT NAME: Dash In at Marlboro Pike
PROJECT NUMBER: Alternative Compliance AC-21022
COMPANION CASE: Detailed Site Plan DSP-21009

ALTERNATIVE COMPLIANCE

Recommendation: Denial

Justification: SEE ATTACHED

Tierre Butler


 Reviewer's Signature

PLANNING DIRECTOR'S REVIEW

Final Decision Approval Denial

Recommendation Approval Denial

To Planning Board

To Zoning Hearing Examiner

Andree Green Digitally signed by Andree Green Checkley, Esq. Date: 2022.01.27 10:50:50 -05'00'
 Checkley, Esq. _____
 Planning Director's Signature Date

APPEAL OF PLANNING DIRECTOR'S DECISION

Appeal Filed:

Planning Board Hearing Date:

Planning Board Decision: Approval Denial

Resolution Number:

Alternative Compliance: AC-21022
 Name of Project: Dash In at Marlboro Pike
 Companion Case: Detailed Site Plan DSP-21009
 Date: January 25, 2022

Alternative compliance is requested from the requirements of Section 4.6, Buffering Developments from Streets, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), along the site's frontage on MD 725 (Marlboro Pike), a designated historic roadway.

Location

The subject 2.60-acre property, known as Lot 1, is located in the southwest quadrant of the intersection of MD 725 and US 301 (Robert Crain Highway), as shown on Tax Map 093/B4. The site is located at 15501 Marlboro Pike and is zoned Light Industrial (I-1). The property is bounded by other I-1-zoned properties to the south and west, Mixed Use-Transportation-zoned properties to the north beyond MD 725, and Commercial Miscellaneous-zoned properties to the east beyond US 301. All of the surrounding properties are developed with commercial or industrial uses. The site is also within the geography previously designated as the Developing Tier, reflected on Attachment H(5) of the 2014 *Plan Prince George's 2035 Approved General Plan*, as found in Prince George's County Planning Board Resolution No. 14-10 (see County Council Resolution CR-26-2014, Revision No. 31).

Background

The site is currently developed as a gas station, food and beverage store, and car wash, which were first constructed on the property in the 1990s. The applicant is proposing to fully redevelop the existing property to construct a 4,500-square-foot food and beverage store, an 8 multi-product dispenser gas station with canopy, and a 3,216-square-foot car wash. As part of Detailed Site Plan DSP-21009, the applicant filed a request for alternative compliance relative to Sections 4.2.1, 4.3.1, 4.3-2, and 4.6 of the Landscape Manual.

The applicant has revised the landscape plan to meet the requirements of the Landscape Manual for Section 4.2, but has not yet satisfied Section 4.3. The site has an excess of parking spaces, and the Alternative Compliance Committee finds that Section 4.3 can be satisfied with the removal of one parking space and the widening of the landscape islands to provide shade trees, as conditioned herein. This eliminates the need for alternative compliance from Section 4.3 of the Landscape Manual.

The applicant has requested to provide an alternative design to conform with the requirement of Section 4.6 of the Landscape Manual for Buffering Development from Streets, along the site's frontage on MD 725.

REQUIRED: Section 4.6. Buffering Development from Streets, along the site's frontage on MD 725

Linear feet of street frontage	256 feet
Minimum width of buffer	20 feet
Fence or wall within the bufferyard	No
Number of plant units	205

PROVIDED: Section 4.6, Buffering Development from Streets, along the site's frontage on MD 725

Linear feet of street frontage	256 feet
Minimum width of buffer	11.5–20 feet
Fence or wall within the bufferyard	No
Number of plant units	391

Justification of Recommendation

The applicant is requesting alternative compliance from Section 4.6, Buffering Developments from Streets, of the Landscape Manual along MD 725, which abuts the property to the north. The applicant is required to provide a 20-foot-wide landscape buffer, but is only able to provide approximately 11.5 feet. The applicant is proposing to provide an additional 186 plant units; however, almost all of the plants will be located within the public utility easement (PUE) adjacent to the right-of-way. Per Section 4.6(c)(2)(A), all plant material is required to be located outside of the PUE to ensure survivability and long-term maintenance of the buffer, along special roadways.

While the Alternative Compliance Committee understands that the existing conditions of the site limit the ability to meet the requirements of Section 4.6, and the applicant has provided additional plant units, the plantings do not count towards compliance, as they are within the PUE. Therefore, the Committee concludes that the proposed alternative design solution fails to be equally effective as normal compliance in terms of durability and ability to fulfill the design criteria. A departure from design standards is required for the Section 4.6 buffer, in conformance with Section 27-239.01 of the Prince George's County Zoning Ordinance.

Recommendation

The Alternative Compliance Committee recommends DISAPPROVAL of Alternative Compliance AC-21022 from the 2010 *Prince George's County Landscape Manual* for Section 4.6, Buffering Developments from Streets, along the site's frontage on MD 725 (Marlboro Pike).

The Alternative Compliance Committee recommends DISAPPROVAL of Alternative Compliance AC-21022 from the 2010 *Prince George's County Landscape Manual* for Section 4.3, Parking Lot Interior Planting, with the following condition of approval for DSP-21009:

1. Prior to certification of the detailed site plan, revise the landscape plan to conform to Section 4.3 by removing one parking space to the east of the food and beverage store, widening the planting islands, and adding a shade tree to each island.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Odun Bowie Drive
Upper Marlboro, Maryland 20772
TOD: (301) 952-3788

PCCPB No. 93-320

File No. 4-93052

RESOLUTION

WHEREAS, Shell Oil Company is the owner of a 4.6-acre parcel of land known as Marlboro Shell (Lots 1 & 2), said property being in the 3rd Election District of Prince George's County, Maryland, and being zoned I-1; and

WHEREAS, on August 18, 1993, Shell Oil Company filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for two lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-93052, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on December 2, 1993, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on December 2, 1993, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plat of Subdivision 4-93052 with the following conditions:

1. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan, CSD #910010-24.
2. Prior to the issuance of any building permits, the following improvements shall be in place, under construction or permitted with an agreed-upon schedule of construction between the applicant, his heirs, successors and/or assigns, and State Highway Administration (SHA):

At the intersection of US 301 and MD 725

- a. Reconstruction of MD 725 between US 301 and a point just west of the proposed western access point to provide two lanes in accordance with SHA standards. The agreed-upon schedule of construction shall require this improvement to

be completed prior to the fast-food restaurant being open to the public.

- b. Restriping of both eastbound and westbound approaches.

At the proposed second intersection of RD 725 and Site Access

Provision of a second access point along RD 725 in accordance with SIA standards.

3. The following note shall be placed on the Final Plat of Subdivision:

"An automatic fire suppression system shall be provided in the proposed building(s)."

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located in the southwest quadrant of the intersection of RD 725 and US 301.
3. The Natural Resources Division reviewed the subject application and found that no significant environmental impacts will be caused as a result of the subdivision. In addition, the site is exempt from the requirements of the Woodland Conservation Ordinance because there is less than 10,000 square feet of existing woodland on the property.
4. The Department of Environmental Resources (DER), Watershed Protection Branch, determined that on-site stormwater management is required. A Stormwater Management Concept Plan, CSD #910010-24, was approved with conditions to ensure that development of this site does not result in on-site or downstream flooding.
5. The site is in Water and Sewer Category 3 and will be served by public systems.
6. In accordance with Section 24-134(a) of the Subdivision Regulations, the proposed subdivision is exempt from mandatory dedication of parkland because it is not a residential development.

7. The Transportation and Public Facilities Planning Division (T&PFD) staff reviewed the proposed subdivision's impact on the area road network in conjunction with the traffic impact study submitted by the applicant's consultant. The T&PFD staff offered the following background, findings and analysis:

BACKGROUND

The site is located on the west side of US 301, south of MD 725 in the southwest quadrant of the US 301/MD 725 intersection. The subject property is currently zoned I-1. Based on this zoning category, combined with the acreage, the subject property has the potential for supporting 25,000 square feet of office development. The trip rates from the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* have indicated that office use of that magnitude could generate 50 trips during the morning peak hour and 47 trips during the evening peak hours. The traffic study submitted by the applicant, however, indicated that a 3,500-square-foot fast-food restaurant is being proposed on Lot 2. Based on the *TTE 5th edition Trip Generation Manual*, the proposed development will generate 80 trips in the AM peak hour and 53 trips in the PM peak hour.

TRAFFIC STUDY FINDINGS

The study identified the following intersections as the ones on which the proposed development would have the most impact:

- US 301/Village Drive
- US 301/MD 725
- US 301/Site Access - [Right-in, Right-out]
- MD 725/Site Access - [Unsignalized]

The study cited six approved background developments which collectively will contribute 1,855 trips and 2,681 trips to the above intersections during the morning and evening peak hours respectively. When background, site and existing, as well as growth in through traffic, were combined in conjunction with proposed improvements conditioned and bonded by others, the following LOS/CLV were determined:

	<u>A.M.</u>	<u>P.M.</u>
• US 301/Village Drive	C/1,185	C/1,216
• US 301/MD 725	D/1,339	D/1,394
• US 301/Site Access - [Right-in, Right-out]	-----	-----
• MD 725/Site Access - [Unsignalized]	D/1,441	D/1,347

The traffic study concluded that "with the implementation of the planned off-site roadway improvements, the development of proposed Lot 2 will not have an adverse impact on the nearby road system."

REVIEW AND ANALYSIS

Upon review of the applicant's study, the T&PFD did not totally concur with the conclusions reached for the following reason:

MD 725/Site Access

In the applicant's traffic study, it was assumed that there would be only one access point which would be shared by the existing Shell Gas Station and the proposed development on Lot 2. The analysis of the MD 725/site access intersection was done using the CLV Signalized Procedure. Since this intersection is not currently signalized, nor likely to be signalized anytime in the foreseeable future, staff required that the HCM Unsignalized Procedure be used for capacity analysis. With the use of the Unsignalized Procedure, we found negative reserve capacity on the left-turn movement leaving the site. The lack of adequate capacity for the left-turn movement could create other operational problems for this intersection as well. For this reason, staff met with the applicant and advised them on the need for a prohibition on left turns leaving the site onto MD 725 or the provision of a second access point along MD 725 through which the proposed development on Lot 2 can be adequately served. The applicant made their request for a second access point to the State Highway Administration (SHA) whereupon they agreed to such request. With a second access point now granted, staff reanalyzed both access points along MD 725 with total future traffic and acceptable levels of service were found.

TRANSPORTATION STAFF FINDINGS

- a. The application is a Preliminary Plat of Subdivision for an industrial development consisting of 63,038 square feet of industrial space. The proposed development, if developed as office space, would generate 50 AM and 47 PM peak hour vehicle trips, or 80 AM and 53 PM trips if developed as a fast-food restaurant as determined using the Guidelines for the Analysis of the Traffic Impact of Development Proposals (April 1989) and the ITE 5th Edition Trip Generation Manual.
- b. The traffic generated by the proposed subdivision would impact the following intersections:

- . US 301/Village Drive
- . US 301/MD 725
- . US 301/Site Access - [Right-in, Right-out]
- . MD 725/Site Access - [Both Unsignalized]

The MD 725 link between US 301 and MD 202 is currently one lane in each direction of travel. Significant queuing along west-bound MD 725 is likely to occur as a result of traffic making left turns into the proposed site. It is therefore imperative that a second westbound lane be provided on this link to coincide with the opening of the proposed restaurant.

- c. None of the above-mentioned intersections are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program.
- d. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined Level-of-Service D (LOS D) as the lowest acceptable operating condition on the transportation system. The following intersections, when analyzed with bonded improvements and total future traffic as developed using the *Guidelines*, were found to be operating at LOS D or better:
 - . US 301/Village Drive
 - . US 301/MD 725
 - . US 301/Site Access - [Right-in, Right-out]
 - . MD 725/Site Access - [Both Unsignalized]

TRANSPORTATION STAFF CONCLUSIONS

The Transportation and Public Facilities Planning Division concluded that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved with the following condition:

- a. Prior to the issuance of any building permits, the following improvements shall be in place, under construction or permitted with an agreed-upon schedule of construction between the applicant and SMA:

At the intersection of US 301 and MD 725

- (1) Reconstruction of MD 725 between US 301 and a point just west of the proposed western access point to provide two lanes in accordance with SIA standards. The agreed-upon schedule of construction shall require this improvement to be completed prior to the fast-food restaurant being open to the public.
- (2) Restriping of both eastbound and westbound approaches and modify signal.

At the proposed second intersection of MD 725 and Site Access

Provision of a second access point along MD 725 in accordance with SIA standards.

8. The Fire Department reviewed the proposed subdivision for the impact on fire and rescue services and concluded the following:
 - a. Suppression services are provided by the engine at the Marlboro 01 Fire Station, Company 20, located on Pratt Street. In accordance with the *Adopted and Approved Public Safety Master Plan, 1999* and/or the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*, the recommended maximum response time for an engine is 3.25 minutes. Company 20 is able to provide this service within the *Guidelines* due to a 1.7-minute response time to the site.
 - b. The recommended maximum response time for ladder truck service is 4.25 minutes. Ladder truck service is provided by the Marlboro 02 Fire Station, Company 45, located on Cross Road. Company 45 is unable to provide this service within the *Guidelines* due to a 6.3-minute response time to the site.
 - c. The recommended maximum response time for ambulance service is 6.75 minutes. This service is provided by Company 20 and is available within the *Guidelines* due to a 1.7-minute response time to the site.
 - d. The recommended maximum response time for medic unit service to provide advanced life support is 7.25 minutes. This service is also provided by Company 20 and is available within the *Guidelines* due to a 1.7-minute response time.

The proposed subdivision will not be within the adequate coverage area of the nearest existing fire and rescue facility for ladder

truck service, and a facility has not been identified with 100 percent of the construction expenditures programed within the currently adopted six-year County Capital Improvement Program. In order to alleviate the negative impact on fire and rescue services, the Fire Department recommended that automatic fire suppression systems be provided throughout all buildings that are beyond the response criteria.

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Debnay, seconded by Commissioner Brown, with Commissioners Debnay, Brown, Boone and Rhoads voting in favor of the motion, and with Commissioner McNeill absent, at its regular meeting held on Thursday, December 2, 1993, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of December 1993.

Lefay J. Hodgopeth
Executive Director

Frances J. Guertin
By Frances J. Guertin
Planning Board Administrator

LJH:FJB:JB:aj



and 12/11/93



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division
Historic Preservation Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
301-952-3680

December 24, 2021

MEMORANDUM

TO: Tierre Butler, Urban Design Section, Development Review Division

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

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

SUBJECT: DSP-21009, AC-21022 and DDS-687 Dash In @ Marlboro Pike


The subject property comprises 2.60-acres and is located on the southwest quadrant of the intersection of Marlboro Pike and Crain Highway. The subject Detailed Site Plan application proposes the construction of a gas station, food and beverage store, and a carwash. The subject Departure from Design Standards application proposes a departure from Section 4.6 of the landscape manual, associated with a Food and Beverage Store in combination with a Gas Station and Car Wash. The subject property is Zoned I-1.


A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the property was the site of the Edelen Brothers Warehouse constructed in 1941. The warehouse represented a continuation of Upper Marlboro as a regional commercial tobacco center. The warehouse no longer exists and the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George's County Historic Sites or resources. A Phase I archeology survey will not be recommended. The Historic Preservation Section staff recommend approval of DSP-21009 and DDS-687 Dash In at Marlboro Pike without conditions.

January 26, 2022

MEMORANDUM

TO: Tierre Butler, Senior Planner, Urban Design Section, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division 

FROM: Samuel L. White, Jr., Senior Planner, Neighborhood Revitalization Section, Community Planning Division 

SUBJECT: DSP-21009, DDS-687 Dash In @ Marlboro Pike #7552

FINDINGS

Pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.

BACKGROUND

Application Type: Detailed Site Plan outside of an overlay zone

Location: 15501 Marlboro Pike, Upper Marlboro, Maryland, 20772

Size: 2.60 acres

Existing Uses: Gas station, food and beverage store, and car wash

Proposal: The applicant is proposing to redevelop the subject site and construct a 4,500 square feet food and beverage establishment, 8 multi-product dispensers with a canopy and a 3,216 square feet car wash. The applicant is also requesting a departure from design standards to allow landscaping within the PUE to comply with landscape manual requirements.

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: 2014 *Plan Prince George's 2035 Approved General Plan* places this application in the Established Communities growth policy area. The vision for the Established Communities are most appropriate for context-sensitive infill and low- to medium-density development (page 20).

Master Plan: The 2013 *Approved Subregion 6 Master Plan* recommends industrial future land use on the subject property. In addition, the master plan recommends the following policy and strategies:

- Policy: Promote high-quality development and redevelopment around the Town of Upper Marlboro at the intersection of US 301 and MD 725 (p. 205)
 - Strategy 1: Develop an implementation program that includes development requirements and necessary road improvements for the MD 725 corridor from US 301 to the Town of Upper Marlboro. This plan should include:
 - Incorporation of street trees and planting zones into design elements.
 - Develop a pedestrian safe zone with sidewalks and crosswalks.
 - Minimize parcel access points and consolidate curb cuts.
 - Focus efforts to improving signage: remove abandoned signs, consolidate signs when possible.
 - Strategy 2: Work with business/property owners and develop incentives to improve facades, signs, and property appearance for businesses along the MD 725 corridor.
 - Strategy 3: Promote signage and landscape improvements to “gateway” intersections: US 301/MD 725 and MD 202/MD 725.
 - Strategy 4: Achieve consistent design and setbacks for public and private improvements along MD 725.
 - Strategy 5: Develop a comprehensive streetscape program for MD 725 which would include:
 - Installing curbs along MD 725 to create a safety barrier, define parcel entrances, and generally define the roadway corridor.
 - Screening surface parking with hedges, walls, or fences.
 - Installing ornamental street lighting.
 - Burying overhead utilities.
 - Creating a street tree planting buffer zone adjacent to the back of the curb.

Planning Area: 79

Community: Upper Marlboro & Vicinity

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

SMA/Zoning: The 2013 Approved Subregion 6 Sectional Map Amendment retained the subject property into the I-1 zone.

MASTER PLAN CONFORMANCE ISSUES:

There are no master plan issues.

c: Long-range Agenda Notebook

Frederick Stachura, J.D., Supervisor, Neighborhood Revitalization Section, Community Planning Division

December 2, 2021

MEMORANDUM

TO: Tierre Butler, Senior Planner, Urban Design Section
VIA: Sherri Conner, Planning Supervisor, Subdivision Section *SC*
FROM: Kayla DiCristina, Senior Planner, Subdivision Section *KD*
SUBJECT: DSP-21009; Dash-In at Marlboro Pike

The subject property considered in this detailed site plan (DSP-21009) is known as Lot 1 in the Marlboro Shell development, as recorded on a plat of subdivision on October 31, 1994 among the Land Records of Prince George's County in Plat Book VJ 171 at page 1. Lot 1 is 2.60 acres in the Light Industrial Zone. This DSP proposes the development of a 4,500 square foot food and beverage store with eight gasoline pumps and a 3,216 square foot car wash on Lot 1.

Lot 1 is subject to a preliminary plan of subdivision (PPS) 4-93052, which was approved by the Prince George's County Planning Board on December 2, 1993 (PGCPB Resolution No. 93-32) for two lots, including Lot 1, for industrial and commercial development. Lots 1 and 2 were subsequently platted in accordance with the PPS (Final Plat file no. 5-94206). Three notes are included on the final plat, conformance to which will be evaluated at the time of building permit. At the time of PPS 4-93052, Lot 1 was developed with a gas station convenience store and a car wash, approximately 2,700 square feet and 1,310 square feet, respectively. Lot 2 is currently improved with a 4,342 square foot fast food restaurant. The development on Lot 1 present at the time of PPS 4-93052 is still in existence today, but would be razed with the proposed development in this application. Per the Transportation Planning Section's review and analysis, the trips to be generated at the time of approval of PPS 4-93052 by the existing development on Lot 1 and proposed development on Lot 2 will not be exceeded with this application. PPS 4-93052 was approved subject to three conditions. The condition relevant to the subject application area shown below in **bold** text. Staff analysis of the project's conformance to the condition follows in plain text.

1. Development of this subdivision shall be in accordance with approved Stormwater Management Concept Plan, CSD# 910010-24.

Given that new development is proposed with this application, the applicant submitted a copy of an approved Site Development Concept Plan, SDCP #8202-2021, which reflects improvements matching the proposed development on the DSP.

Plan Comments

1. The bearing for the western property line shown on the DSP is inconsistent with the record plat.
2. The area of Lot 1 is not labeled on Sheet 4 of the plan set.

Recommended Conditions

1. Prior to certification of the detailed site plan, the following revisions shall be made to the plan:
 - a. Revise the bearing for the western property line shown on the detailed site plan to match the record plat.
 - b. Label the area of Lot 1 on Sheet 4 of the detailed site plan in square feet and acres.

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. The DSP has been found to be in substantial conformance with the preliminary plan of subdivision and the record plat if the recommendations above are addressed. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.

January 27, 2022

MEMORANDUM

TO: **Tierre Butler**, Urban Design Review Section, Development Review Division

FROM: *CS Hancock* **Crystal Saunders Hancock**, Transportation Planning Section, Countywide Planning Division

VIA: *W Capers III* **William Capers III**, P.T.P, Supervisor, Transportation Planning Section, Countywide Planning Division

Tom Masog **Tom Masog**, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-21009/DDS-687: Dash-In Marlboro Pike

Proposal

The applicant is requesting the approval of a Detailed Site Plan (DSP) to construct a food and beverage store, gas station and car wash facility on approximately a 2.6-acre site.

Background

This proposed development is located in the Light Industrial (I-1) Zone as it allows for the use of a 4,500 square foot food and beverage store, 8 multi-product dispensers with a canopy and a 3,216 square-foot car wash. The subject property is in the *Approved Subregion 6 Master Plan and Sectional Map Amendment*. Transportation adequacy is not a required finding for this application.

Prior Conditions of Approval

The subject site has been previously reviewed. A Preliminary Plan of Subdivision (PPS) 4-93052 was approved and this site is within the subdivided area. This approval was subject to three conditions. Condition 2 is transportation related and described below:

2. Prior to the issuance of any building permits, the following improvements shall be in place, under construction or permitted with an agreed-upon schedule of construction between the applicant, his heirs, successors and/or assigns, and State Highway Administration (SHA):

At the intersection of US 301 and MD 725

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

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

At the proposed second intersection of MD 725 and Site Access

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

Comment: The conditions identified above have been previously implemented by the previous development project, Special Exception 4134, McDonald's Corporation.

Analysis of Traffic Impacts

The site is adjacent to two master plan rights-of-way MD 725 Marlboro Pike, a primary road and US 301 Crain Highway, an arterial road. The US 301 master plan right of way is identified on the DSP as a highway protective easement area. The approved PPS established a trip cap for the site using the current generation rates, and the DSP is consistent with the trip cap approved with 4-93052, as described below:

1. PPS 4-93052 created Lot 2 for the adjacent fast food restaurant that exists today, and the trips referred to in the resolution are the trips associated with the restaurant. The resolution also makes reference to the existing gas station without citing trips.
2. The restaurant approved under PPS 4-93052 generated 80 AM and 53 PM trips. The existing gas station generated 90 AM and 104 PM peak-hour trips. Total trips for the overall site would be 170 AM and 157 PM peak-hour trips.
3. As it exists today under current trip generation rates, the restaurant generates 70 AM and 57 PM trips. The current proposal for the gas station would generate 92 AM and 79 PM peak-hour trips. With the current proposal, total trips for the overall site would be 162 AM and 136 PM peak-hour trips, which places the overall site within the trips considered by the 1993 approval.

Departure from Design Standards

The applicant requests a departure from design standards to allow plantings in the PUE along Marlboro Pike pursuant to Section 27-579 (b) of the Zoning Ordinance.

Access and Circulation

There are two access points into this site one along MD 725 Marlboro Pike and one along US 301 Crain Highway. The US 301 access is configured to provide access to the site as well as a service driveway at the southern end of the property that connects with the neighboring development.

Two circulation plans that cover the site in its entirety have been submitted. A review of the plans highlights staff's concerns regarding truck access to the loading area which is located west of the proposed convenience store. The latest truck turning plans submission dated, December 17, 2021, demonstrates that the site does not provide sufficient space for a 30-foot single unit truck to adequately maneuver to the proposed loading area. The truck turning plans also show that trucks will need to use the full extent of the drive aisle to the south to access the loading area which will create conflicts with vehicles using the car wash facility. In addition, trucks will also need to encroach onto the curb area adjacent to the southern convenience store parking area and onto the

separated barrier along the car wash drive aisle to the west. Staff is concerned that the loading operations proposed on site present several safety implications and that the inability for delivery trucks (or trucks with higher design classification) to make adequate turning maneuvers to the designated loading area will shift loading operations to other areas of the site that will block travel lanes or parking spaces which will hinder circulation. To address this challenge, staff recommends the applicant modify the site to expand the designated loading area to facilitate safe and adequate trucking turning maneuvers. Staff believes this can be achieved by converting the dual access lanes for the car wash into a single lane to provide adequate space for safe maneuvers to the loading zone.

Conclusion

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a detailed site plan as described in the Zoning Ordinance with the following condition:

1. Staff recommends that the applicant modify the site to expand the designated loading area in order to facilitate safe and adequate truck turning maneuvers. The exact design and truck turning plans with design vehicle classification shall be evaluated and accepted by the Transportation Planning Section prior to certification of the DSP.
2. The applicant shall provide additional signage onsite which indicates that all loading should be conducted in the loading area. Detailed sign plans and profiles shall be evaluated and accepted by Transportation Planning Staff prior to certification of the DSP.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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Countywide Planning Division
Transportation Planning Section


301-952-3680


December 1, 2021

MEMORANDUM

TO: Tierre Butler, Urban Design Review Section, Development Review Division

FROM:  Noelle Smith, Transportation Planning Section, Countywide Planning Division

VIA:  William Capers III., PTP, Transportation Planning Section, Countywide Planning Division

 Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-21009 Dash In at Marlboro Pike

Proposal:

The subject application proposes to replace an existing gas station with a 4,500 square foot Dash In convenience store and gas station with 16 fueling positions, in the southwest corner of MD 725 and US 301. The application is also accompanied by an Alternative Compliance application regarding landscaping.

Prior Conditions of Approval:

The subject site has a prior approved preliminary plan of subdivision (4-93052). However, this prior approval does not contain conditions related to bicycle and pedestrian facilities.

Master Plan Compliance

This development case is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT), which recommends a side path along MD 725. The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

The site is also subject to the 2013 *Approved Subregion 6 Master Plan* includes the following recommendations regarding the accommodations of pedestrian and bicycle facilities (p.107):

Policy 8: Promote and encourage cycling and walking as an alternative to the car for commuting and recreational purposes.

Transportation Planning Review:

The submitted site plan includes a five-foot-wide sidewalk and a crosswalk along the property frontage of MD 725. An additional sidewalk connection and crosswalk is also provided from MD 725 to the building entrance, allowing for a designated pathway. These facilities fulfill the intent of Complete Streets Policy 2, by providing continuous sidewalk. The site does not include sidewalk along the property frontage of US 301, as there are no pedestrian facilities along this roadway. Additionally, bicycle parking is provided on site to accommodate non-motorized access to the building. Bicycle parking is an important component of a bicycle friendly roadway and can encourage alternative access to the site.

Staff find that the pedestrian and bicycle facilities and amenities proposed with the development are acceptable and support separating pedestrian and vehicular transportation routes within the site, pursuant to Sections 27-283 and 27-274. There are no additional recommendations at this time.

DSP-21009 Dash-In Marlboro Pike

Rea, Mary <Mary.Rea@ppd.mncppc.org>

Fri 12/3/2021 2:58 PM

To: Butler, Tierre <Tierre.Butler@ppd.mncppc.org>; PGReferrals <PGReferrals@ppd.mncppc.org>

Cc: Reiser, Megan <Megan.Reiser@ppd.mncppc.org>; Nickle, Suzanne <Suzanne.Nickle@ppd.mncppc.org>

Hi Tierre,

The Environmental Planning Section (EPS) has reviewed the referral information received by EPS on October 11, 2021 and on November 30, 2021. The proposal is to redevelop an existing gas station, food and beverage store and car wash in the I-1 zone with a 4,500 square foot food and beverage store, 8 multi-product dispensers under a canopy, and a 3,216 square foot car wash.. The site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance (S-046-2021) because the site contains less than 10,000 square feet of woodlands and has no previous TCP approvals. An NRI equivalency letter has been issued for the site (NRI-040-2021). The NRI was issued based on the standard woodland conservation exemption and that no regulated environmental features will be impacted. A stormwater management concept plan and approval letter (8202-2021) were submitted. Two micro-bioretenion facilities, an underground storage system, and oil/grit separators will be used to treat the stormwater. Marlboro Clay has been mapped on PGAtlas and the area has no slope issues. However, a geotechnical report may be required by DPIE at the time of permit. No other environmental requirements have been identified for this application. This email serves in lieu of a memo.

Thanks,

Mary

Mary Rea

Senior Planner | Environmental Planning



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772

Direct: 301-952-3661 | Teams Mobile: 240-573-2819


Email: [|Mary.Rea@ppd.mncppc.org](mailto:Mary.Rea@ppd.mncppc.org)



December 6, 2021

MEMORANDUM

TO: Tierre Butler, Senior Planner, Urban Design Section

FROM: Alice Jacobs, Principal Planning Technician, Permit Review Section 

SUBJECT: DSP-21009 – Dash In - Marlboro Pike #7552

1. Exact dimensions of the buildings should be shown on the site plan, not just the general building dimensions. Car wash does not contain even a general width of the building.
2. Note, the height of the proposed pricing sign is 27+ feet high, 25 feet is normally the maximum allowed height for the zone.
3. There are multiple signs proposed in the sign legend, but most do not have corresponding signs on the site plan using the same labeling system. The signage sheet only shows “A1” and “I”. There is also an “Option 1 A” sign which should probably be the “A2” sign.
4. Street connection width for Marlboro Pike should be added to the site plan.
5. The Permit Review Section offers no further comments for this development application.

RE: ACCEPTANCE REFERRAL: DSP-21009, Dash In - Marlboro Pike #7552 w/AC Companion; SHA; KW

Kwesi Woodroffe <KWoodroffe@mdot.maryland.gov>

Tue 10/19/2021 11:58 AM

To: Butler, Tierre <Tierre.Butler@ppd.mncppc.org>

Cc: PGReferrals <PGReferrals@ppd.mncppc.org>

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Tierre,

The work in the state right of way on MD 725 will require an Access Permit.

The applicant will need to submit detailed engineering plans to SHA for a comprehensive review.

Thanks, Kwesi

Kwesi Woodroffe
Regional Engineer
District 3 Access Management
MDOT State Highway Administration
KWoodroffe@mdot.maryland.gov

301-513-7347 (Direct)

1-888-228-5003 – toll free

Office Hours

M-Thurs.: 6:30a-3:30p

Fr: 6:30a-10:30a

9300 Kenilworth Avenue,

Greenbelt, MD 20770

<http://www.roads.maryland.gov>



From: ePlan <ePlan@ppd.mncppc.org>

Sent: Thursday, October 14, 2021 11:43 AM

To: Rotondo, Chris <Chris.Rotondo@ppd.mncppc.org>; PPD-DRD_Referral_Distribution <ppd-drd_referral_distribution@ppd.mncppc.org>; Smith, Tyler <Tyler.Smith@ppd.mncppc.org>; Stabler, Jennifer <Jennifer.Stabler@ppd.mncppc.org>; Hall, Ashley <Ashley.Hall@ppd.mncppc.org>; Henderson, Tamika <Tamika.Henderson@ppd.mncppc.org>; Franklin, Judith <Judith.Franklin@ppd.mncppc.org>; Green, David A <davida.green@ppd.mncppc.org>; Masog, Tom <Tom.Masog@ppd.mncppc.org>; Burton, Glen <Glen.Burton@ppd.mncppc.org>; Hancock, Crystal <crystal.hancock@ppd.mncppc.org>; Gupta, Mridula

MEMORANDUM

February 4, 2022

TO: Terre Butler, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director *Mary Giles*
Site/Road Plan Review Division, DPIE

Re: Dash - In at Marlboro Pike No. 7552
Detailed Site Plan, DSP-21009

CR: Marlboro Pike (MD Route 725)
CR: Robert S. Crain Highway (US Route 301)

This is in response to the Detailed Site Plan, DSP-21009, referral for the development of a gas station, food and beverage store, and associated infrastructure. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is in Upper Marlboro, MD, on the southwest quadrant of the Marlboro Pike and Robert S. Crain Highway intersection.
- **Marlboro Pike (MD Route 725)** is a State-maintained roadway to the north of the subject property with variable right-of-way width and Master Plan Road Classification P-608. The applicant shall coordinate right-of-way dedications and construct roadway/frontage improvements with the Maryland State Highway Administration (MSHA) as determined necessary.
- **Robert S. Crain Highway (US Route 301)** is a State-maintained roadway to the east of the subject property with variable right-of-way width and Master Plan Road Classification A-61. The applicant shall coordinate right-of-way dedications and construct roadway/frontage improvements with MSHA as determined necessary. All traffic comments are deferred to MSHA. All roadways along the frontage are maintained by SHA.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.

- Compliance with the Department of Public Works and Transportation (DPW&T) Utility Policy is required. Based upon the plans submitted, proper temporary and final patching and the related mill and overlay in accordance with "DPW&T Policy and Specifications for Utility Installation and Maintenance Permits" is required.
- The Detailed Site Plan filed under M-NCPPC Case No. DSP-21009 is consistent with the Site Development Concept Plan filed under DPIE Case No. 8202-2021-0 approved on May 19, 2021.
- A site development fine grading permit approved by DPIE is required.
- All stormwater management facilities and drainage systems, including their recreational features and visual amenities (if applicable), are to be designed and constructed in accordance with the standards and specifications set forth by DPIE and DPW&T. Approval of all facilities are required prior to permit issuance.
- All easements are to be approved by DPIE and recorded prior to technical approval.
- A maintenance agreement is to be approved by DPIE and recorded prior to technical approval.
- A soils investigation report which includes subsurface exploration and Geotechnical Engineering evaluation for all proposed roadways and Marlboro Clay is required.
- This site contains Marlboro Clay. The following requirements must be addressed during or prior to site development grading permits through DPIE:
 - a) A geotechnical report for site grading, roads and stormwater management ponds shall be provided. The ponds should be analyzed for geotechnical impacts on the proposed roads and structures in the vicinity.
 - b) The site should be evaluated for the presence of Marlboro Clay and slope stability for slopes steeper than or equal to 5:1.
 - c) The geotechnical report shall also analyze the proposed grading in Marlboro Clay areas and recommend maximum allowable slopes. Any slope more than 5H:1V shall be specifically evaluated, and recommendations shall be provided.
 - d) The 1.5 factor of safety (FS) line shall be shown on the plan. Structures are to be located at least 25 feet from the 1.5 FS line.

- e) Grading in Marlboro Clay areas must not exceed 5H:1V without specific geotechnical analysis that proves its stability.
 - f) Permit plans of both site grading, storm drain, and paving shall comply with the recommendations of the geotechnical report.
 - g) Compliance with recommendations from the geotechnical report shall be verified on the plans by the preparer of the geotechnical report, and in the field by the geotechnical engineer.
 - h) Due to Marlboro Clay, field investigation, lab testing, engineering analysis and preparation of geotechnical reports, site plans shall comply with DPIE's 005-2018, Techno-gram.
- This memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:
- a) Final site layout, exact impervious area locations are shown on plans.
 - b) Exact acreage of impervious areas has not been provided.
 - c) Proposed grading is shown on plans.
 - d) Stormwater volume computations have not been provided.
 - e) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth.
 - f) Disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion, and sediment control practices are not included in the submittal.
 - g) A narrative in accordance with the code has not been provided.
 - h) Applicant shall provide items (a-g) at the time of filing final site permits.

Tierre Butler
February 4, 2022
Page 4

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.883.5710.

MA:TJ:AG

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