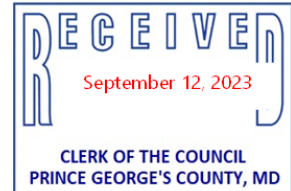


September 12, 2023

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



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-20003-01
Dash In Mill Branch

Dear Applicant:

This is to advise you that, on **September 7, 2023**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-290 of the Prince George's County Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice (**September 12, 2023**) of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291 of the Zoning Ordinance), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

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

Sincerely,
James R. Hunt, Chief
Development Review Division

By: Gupta, Mridula Digitally signed by Gupta, Mridula
Date: 2023.09.08 13:22:39 -04'00'
Reviewer

Attachment: PGCPB Resolution No. **2023-88**

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

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George’s County Code went into effect on April 1, 2022; and

WHEREAS, the applicant, Dash In Food Stores, Inc., submitted an application for approval of a detailed site plan; and

WHEREAS, pursuant to Section 27-1704(e) of the Zoning Ordinance, which allows for subsequent revisions or amendments to an approved project to continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved; and

WHEREAS, therefore, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on July 27, 2023, regarding Detailed Site Plan DSP-20003-01 for Dash In – Mill Branch, the Planning Board finds:

1. **Request:** This detailed site plan (DSP) amends DSP-20003, for construction of a gas station with a 4,809-square-foot food or beverage store. The subject property is part of a larger 70.11-acre mixed-use development called Mill Branch Crossing. This is the first DSP for commercial development within the Mill Branch Crossing site. A car wash is also proposed on the property, which is permitted with the approval of a special exception in the prior Commercial Shopping Center (C-S-C)-Zone. Therefore, the proposed car wash is not included in the subject DSP.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	CGO	CGO*
Use(s)	Vacant	Proposed Gas Station, Food or Beverage Store
Gross Acreage	3.19	3.19
Total Gross Floor Area	0	4,809 sq. ft.

Note: *This DSP is reviewed pursuant to the prior Prince George’s County Zoning Ordinance, and the prior C-S-C zoning of the subject property. The subject DSP-20003-01 was accepted for review on February 8, 2023. The acceptance documents, a revised statement of justification (SOJ) submitted on March 9, 2023, and revised site plans submitted on June 20, 2023, were used for the analysis contained herein.

Other Development Data

Parking Requirements (per Section 27-568(a) of the prior Zoning Ordinance)

	Required	Provided
Food and Beverage Store	1 space per 150 sq. ft. of GFA of the first 3,000 sq. ft. 1 space per 200 sq. ft. of GFA above the first 3,000 sq. ft.	1 x (3,000/150) + 1 x (1,809/200) + = 30 parking spaces
Gas Station	1 space per each employee	1 x 2 employees
Total Parking Required	32	
Total Parking Provided		31
Non-standard spaces* (9.5 feet x 20 feet)	-	4
Non-standard spaces* (10 feet x 20 feet)	-	12
Compact parking *** (9 feet by 20 feet)	-	7
Compact parking *** (8 feet by 20 feet)	-	3
Parallel parking (8 feet by 22 feet)	-	3
Handicap Van-accessible (8 feet by 20 feet)	2	2

Note: *Per Section 27-558(a) of the prior Zoning Ordinance, the minimum size of a standard car parking space is 9.5 feet by 19 feet. This DSP approves 4 parking spaces with a size of 9.5 feet by 20 feet, and 12 parking spaces with a size of 10 feet by 20 feet.

**Per Section 27-558(a), the minimum size of a compact car parking space is 8 feet by 16.5 feet. This DSP approves 7 compact parking spaces with a size of 9 feet by 20 feet, and 3 compact parking spaces with a size of 8 feet by 20 feet. The total number of compact parking spaces is 10, which meets the maximum number allowed per Section 27-559(a) of the prior Zoning Ordinance.

The total number of required parking spaces is 32, whereas the site plan reflects only 31. Prior to certification, the applicant shall either reduce the total gross floor area of the convenience store, or provide the minimum required number of parking spaces on-site. The parking calculations shall also be revised to reflect the correct number of required parking spaces.

Loading Spaces (per Section 27-582(a)* of the prior Zoning Ordinance)

	Required	Provided
Gas Station with a Food and Beverage Store	1 space (12 feet x 33 feet)	
Total		1 space (12 feet x 33 feet)

Note: *The subject site plan approves one loading space, in accordance with the requirements of Section 27-582(a), which lists the following requirement:

- One space per 2,000–10,000 square feet of gross floor area of retail sales and service (per store)

3. **Location:** The subject property is known as Outlot 15 of Mill Branch Crossing. It is located on the east side of US 301 (Robert Crain Highway), approximately 1,500 feet north of its intersection with Mill Branch Road, in Planning Area 71B and Council District 4. The property is subject to the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (master plan).
4. **Surrounding Uses:** The 3.19-acre site is bound to the west by US 301, with vacant land in the Commercial, General and Office (CGO) Zone (prior C-S-C-Zone) to the east. This land is also part of the overall Mill Branch Crossing development and proposed for future commercial development. To the north is vacant land in the Agriculture-Residential and CGO Zones; to the south is a public right-of-way for US 301, for a service road and a private roundabout (to be improved as part of the overall Mill Branch Crossing development), which provides access to the subject property.
5. **Previous Approvals:** The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B* reclassified the subject property from the prior Residential Agricultural Zone to the prior C-S-C Zone. The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* retained the property in the prior C-S-C Zone.

In 2019, the Prince George’s County District Council approved Prince George’s County Council Bill CB-45-2019, to amend Section 27-461, the Commercial Zone Table of Uses, of the prior Zoning Ordinance, for the purpose of permitting by right a gas station, food or beverage store in combination with a gas station, apartment housing for the elderly or physically handicapped, dwelling, multifamily, and townhouse uses in the C-S-C Zone, under certain circumstances.

Preliminary Plan of Subdivision (PPS) 4-19050 was approved by the Prince George’s County Planning Board on March 18, 2021 (PGCPB Resolution No. 2021-42), for the future development of 190 single-family attached dwellings, 408 multifamily dwelling units, a 150-room hotel, and 77,635 square feet of commercial, retail, and office uses. The PPS covers 70.1 acres, while this DSP amendment covers 3.19 acres in the northwestern corner of the subdivision. This DSP approves one parcel, Parcel 15, which is consistent with what is shown on the PPS. The subject DSP amendment is the first DSP submitted for commercial development

within the subdivision, and it is within the commercial square footage approved with the PPS. Therefore, a new PPS is not required at this time.

The first DSP for the overall Mill Branch Crossing development, DSP-20003, was approved by the Planning Board on March 24, 2022 (PGCPB Resolution No. 2022-35). This DSP approved the residential component and infrastructure improvements on the remainder of the site for future commercial development, including this subject site.

On November 29, 2021, the District Council approved Prince George's County Council Resolution CR-136-2021, the Countywide Sectional Map Amendment, which reclassified the subject property from the C-S-C Zone to the CGO Zone.

The site also has a Stormwater Management (SWM) Concept Approval (03-0621-205NE14) from the City of Bowie, approved on June 28, 2021, and expires on June 28, 2024.

6. **Design Features:** The DSP includes construction of a gas station, with 16 gasoline fueling stations and a 5,796-square-foot metal canopy, 2 diesel fueling stations, and a 4,809-square-foot food or beverage store, specifically, a Dash In store. A 3,059-square-foot car wash is also proposed on the property, which is not part of this DSP approval, and will be reviewed and permitted as part of a separate Special Exception (SE-22006) application. The car wash, while not reviewed with this DSP, uses access driveways and other site amenities, such as the trash enclosure, common with the gas station and the Dash In store. To that end, any revisions to the subject DSP have the potential to impact the special exception site plan once it is approved. Similarly, any revisions to SE-22006 may require concurrent revisions to this DSP. The applicant is cognizant of the interdependence of the two applications and acknowledges that changes to one site plan may require changes to the other site plan. A condition is included herein, to require the applicant to amend the subject DSP, if necessary, to reflect the approved SE-22006 prior to approval of a fine grading permit for the subject property.

The 3.19-acre subject site is irregularly shaped, with the northern portion located within the 100-year floodplain. The property fronts on US 301 to the west, and on its service road to the south. The site is accessed from a roundabout located at its southeast corner, while an egress only driveway is proposed to the US 301 Service Road. The site's topography includes a uniform slope from south to north and will be mass-graded, as approved under DSP-20003. An approximately 530-foot-long retaining wall is shown along the northern edge, to maximize the developable area on the property. The Dash In store is oriented towards US 301, with one access point to the common private driveway it will share with the car wash use on the property. The canopy and gas dispensing stations are located between the Dash In building and US 301.

The car wash, to be approved under SE-22006, will only feature one-way circulation, with the entrance to the car wash lane located along the eastern property border, on the rear side of the convenience store building. This one-way lane allows the car wash to have a queue separate from the remainder of the site, which permits adequate stacking space. The car wash will also be supported by vacuum stalls, which are located between the convenience store building and the car wash. These vacuum stalls are proposed with canopies with overhead lights. Though the car wash

and the vacuum stalls are not part of this DSP, future architecture of these structures should be consistent with the architecture approved with this DSP.

The convenience store is a one-story building, with parking located on two sides. Internal vehicular and pedestrian circulation is provided on-site by driveways and sidewalks around the convenience store building. The sidewalk, however, is not connected to the sidewalk system located along the property frontage or continuous with the overall Mill Branch Crossing development. This is further discussed under Finding 7d. Parking and loading schedules demonstrating conformance with the relevant requirements of Part 11 of the Zoning Ordinance are included on Sheet 4 of the DSP. Two bicycle racks are also provided near the front entrance to the Dash-In store.

The service areas, including the dumpster enclosure and loading space, are located along the northern and southern edges of the parking lot, and will be screened by landscaping. Two of the parking spaces are equipped with electric-vehicle charging stations, to provide an additional vehicle-related service to the customers.

Stormwater for the site is proposed to be managed and treated in a series of SWM facilities located at the periphery of the site.

Architecture

Architectural elevations for the convenience store show a coordinated design theme. The building materials include brick veneer, metal coping, aluminum, glass, and wood that will be in multiple colors including black, white, and brown. Separate architectural elevations are provided and are acceptable, but conditions have been included to label the cardinal directions on the elevations, and to dimension more architectural features. The fuel island canopy columns are finished with thin brick veneer and metal panels, colored to match the materials on the store façade.

Site details include a retaining wall and a dumpster enclosure. The dumpster enclosure uses the same thin brick veneer and metal, as used for the fuel island canopy columns.

The retaining wall is located along the property's northern frontage and is proposed to be a modular concrete block wall, with a maximum height of 16.5 feet. The design details for the retaining wall should be included with the DSP, and a condition has been included accordingly. Furthermore, this retaining wall extends approximately 45 feet into adjoining Outlot 16, which is not included in the subject DSP. A condition is included herein, requiring the applicant to submit another amendment to DSP-20003, to show the off-site grading and the retaining wall and its details on Outlot 16. During the Planning Board hearing on July 27, 2023, the applicant informed the Planning Board that a permit for construction of the on-site retaining wall had been issued, and was in construction. The retaining wall, as permitted, uses a different architectural treatment than what was evaluated with this DSP. Therefore, the Planning Board reviewed and approved revisions to the relevant portion in this finding and Condition 5, to reflect this new information.

Lighting

A photometric plan was submitted with this DSP and depicts a lighting design for the site, which includes full cut-off street light fixtures that provide adequate light for safety, in accordance with Crime Prevention Through Environmental Design principles, while preventing light spillage on adjacent properties. Other lighting luminaires on-site include 24 recessed light fixtures mounted under the fuel island canopy, and wall-mounted fixtures on all four façades of the building. The placement of the light fixtures, with respect to landscaping, was reviewed to ensure that the landscape trees, when they reach their mature height and breadth, will not interfere with the lighting. The lighting details, however, should use images of higher resolution, and shall be required to be corrected prior to signature approval. In addition, details of the building-mounted lights shall be provided on the DSP.

Signage

The signage design provided for the development was reviewed for conformance with the requirements of Part 12 of the prior Zoning Ordinance, for signs in the C-S-C Zone. The site design includes one freestanding pylon sign, three building-mounted signs, fueling canopy signs, regulatory, and directional signs. The signage related to the proposed car wash and vacuum stalls, including a clearance bar and menu board, will be reviewed and approved with SE-22006. The single freestanding sign is 65 square feet in area and is located on the southwest corner of the site, to be visible from US 301. It will display the Dash In franchise logo and the prices of various gasoline fuels. The sign is approved and meets the requirements of Section 27-614 of the prior Zoning Ordinance, for freestanding signs.

Section 27-613(c)(3)(A) to (G) of the prior Zoning Ordinance lists regulations regarding permissible sign areas in commercial zones on buildings and canopies. The signage included with this DSP is consistent and compatible with the architecture of the site. However, the DSP does not include details for the signs shown on the side building elevations, the logos etched on the glass doors, and site address signage, if any. Conditions have been included herein, requiring the applicant to provide signage details for the remaining building signs. The signage calculations shall also be revised to address Section 27-613(c)(3)(G), which regulates how the permissible sign area is to be divided between a building and a canopy.

Additional parking and directional signage are included to assist with wayfinding on-site. The dimensions and details for the proposed directional signs are, however, not provided. A condition has been included herein, requiring that details be provided to demonstrate that the directional signage is acceptable and meets the requirements of Section 27-631 of the prior Zoning Ordinance, for directional signs.

Green Building Techniques

The following list was provided by the applicant and outlines some of the project's sustainability features. The following strategies are proposed:

- Low flow plumbing fixtures with automatic shutoffs to reduce water usage.

- Light-emitting diode (LED) light fixtures for inside and outside to reduce energy usage.
- Predominant use of light-colored concrete for vehicular surfaces to reduce heat effect.
- Predominant use of drought tolerant native vegetation to reduce water usage and promote local wildlife.
- Implementation of erosion and sediment control.
- Heating, Ventilation, and Air Conditioning (HVAC) system to be Seasonal Energy Efficiency Ratio (SEER) 13+.
- Collection of recyclables and goal for zero waste.
- Low Volatile Organic Compound (VOC) materials (i.e., adhesives, sealants, and carpet).
- Upgraded thermal insulation.

These green building techniques are only listed in the SOJ for the application. Therefore, it is conditioned herein, that the applicant include a note on the DSP to indicate the green building techniques that will be used.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject DSP has been reviewed for compliance with the requirements of the prior C-S-C Zone and the site design guidelines of the Zoning Ordinance, as follows:

a. The subject DSP is in conformance with the requirements of Section 27-461(b) of the prior Zoning Ordinance, which governs uses in commercial zones. A food or beverage store in combination with a gas station is a permitted use in the C-S-C Zone, subject to Footnote 80, which requires approval of a DSP subject to specific criteria, as follows:

1. **The property is a minimum of fifty (50) acres in size at the time of preliminary plan of subdivision; and**

The entirety of the property included in this DSP exceeds the minimum size and is 70.11 acres.

2. **A Detailed Site Plan is required as a condition of preliminary plan of subdivision and shall be approved in accordance with Part 3, Division 9 of this Subtitle and Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9), and (10). The detailed site plan shall include architectural review and approval of building elevations and materials. The development regulations as provided for in Section 27-454(d) shall apply.**

This DSP was filed to address the above criterion. Building elevations and materials are included in the DSP. In addition, this DSP complies with Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9), and (10) of the prior Zoning Ordinance, as demonstrated below:

Section 27-358

- (a) **A gas station may be permitted, subject to the following:**

- (1) **The subject property shall have at least one hundred and fifty (150) feet of frontage on and direct vehicular access to a street with a right-of-way width of at least seventy (70) feet;**

The subject property has approximately 276 feet of frontage on US 301, and direct vehicular access to the US 301 Service Road, which is at least 70 feet wide.

- (2) **The nearest gas pump on the subject property shall be located at least three hundred (300) feet from any lot on which a school, outdoor playground, library, hospital, or a structure used as a residence is located;**

There are no schools, outdoor playgrounds, libraries, hospitals, or residences located within 300 feet of the subject property.

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

The applicant does not propose the storage or junking of wrecked motor vehicles on the subject property.

- (5) **Access driveways shall be not less than thirty (30) feet wide unless a lesser width is allowed for a one-way driveway by the Maryland State Highway Administration or the County Department of Permitting, Inspections, and Enforcement, whichever is applicable, and shall be constructed in compliance with the minimum standards required by the County Road Ordinance or Maryland State Highway**

Administration regulations, whichever is applicable. In the case of a corner lot, a driveway may begin at a point not less than twenty (20) feet from the point of curvature (PC) of the curb return or the point of curvature of the edge of paving at an intersection without curb and gutter. A driveway may begin or end at a point not less than twelve (12) feet from the side or rear lot line of any adjoining lot;

The DSP shows one 44.8-foot-wide full access driveway and one 15-foot-wide one-way access driveway. The driveways are proposed to be constructed in compliance with the applicable construction standards. The property is not a corner lot. The 44.8-foot-wide driveway is located more than 12 feet from the side lot line of adjoining Outlot 16.

(6) Access driveways shall be defined by curbing;

Both of the approved access driveways are defined by curbing.

(7) A sidewalk at least five (5) feet wide shall be provided in the area between the building line and the curb in those areas serving pedestrian traffic;

All on-site sidewalks are at least 5 feet wide.

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

All gas pumps and service appliances are located at least 25 feet behind the street line.

(9) Repair service shall be completed within forty-eight (48) hours after the vehicle is left for service. Discarded parts resulting from any work shall be removed promptly from the premises. Automotive replacement parts and accessories shall be stored either inside the main structure or in an accessory building used solely for storage. The accessory building shall be wholly enclosed. The building shall either be constructed of brick (or another building material similar in appearance to the main structure) and placed on a permanent foundation, or it shall be entirely surrounded with screening material. Screening shall consist of a wall, fence, or sight-tight landscaping material, which shall be at least as high as the accessory building. The type of screening shall be shown on the landscape plan.

The applicant is not proposing to repair vehicles on the subject property.

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

Architectural elevations for the approved food or beverage store and the gas station canopy are consistent and compatible with the surrounding development and similar uses along US 301.

- b. The DSP shows a site layout that is consistent with the requirements of Section 27-462(b) of the prior Zoning Ordinance and meets the specific regulations for development in commercial zones relating to setbacks.
- c. The DSP is in conformance with the purpose of DSPs contained in Section 27-281 of the prior Zoning Ordinance.

Section 27-281. – Purpose 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.**

The approved development promotes the intended purposes of the DSP. All proposed buildings and structures are located on the plan. There is adequate parking provided for the site. Grading, SWM, and tree preservation areas are also shown on the DSP. The proposed use is permitted and there are green areas shown on the plan, with adequate on-site landscaping, as demonstrated on the landscaping plan.

- d. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274, and as cross-referenced in Section 27-283 of the prior Zoning Ordinance.

Section 27-283. – Site design guidelines.

- (a) **The Detailed Site Plan shall be designed in accordance with the same guidelines as required for a Conceptual Site Plan (Section 27-274).**
- (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 27-286.**

The approved development conforms with the design guidelines indicated in the following analysis of Section 27-274. The guidelines below are applicable to the development of a proposed gas station with a food or beverage store in the C-S-C-Zone. The guidelines have not been modified, in accordance with Section 27-286 of the prior Zoning Ordinance.

Section 27-274(a). - Design Guidelines

(1) General.

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

The approved development is not subject to a conceptual site plan.

(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 (in part).

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

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

(viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;

(ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and

(xi) Barrier-free pathways to accommodate the handicapped should be provided.

The site is accessed from the Lola Lane/Service Road roundabout via a right-in/right-out and a right-out/egress only. This site does not have direct access to or from US 301. Internal circulation is provided via wide drive aisles which support bi-directional traffic. A right-out/egress only driveway is provided along the southern portion of the site that will access the Lola Lane/Service Road. "Do Not Enter" and "Stop" signs are provided at this location along with a stop bar pavement marking, striped crosswalk, and associated Americans with Disabilities Act (ADA) ramps.

A proposed car wash is shown on the plan which will be reviewed under SE-22006. However, since the location of the entrance to the car wash is located near the site access point from the roundabout, it was considered during the review of this DSP. During the review of the site plan, concerns were raised regarding the vehicular conflicts that would occur at the roundabout access point. The wide drive aisle at the site entry, the entrance to the car wash, as well as the proposed parking spaces near the building, would impact vehicles entering and exiting the site. The applicant revised the plans to include additional directional signage, striping, directional arrows, a stop bar, a "Stop" sign, a crosswalk, ADA ramps, and eliminated a lane from the car wash; thereby restricting vehicles from exiting the car wash in that location. This will accomplish safe and efficient pedestrian and vehicular movement on-site. However, a condition is included herein, to ensure that a minimum 5-foot-wide clear pedestrian path is provided around the Dash In store.

In order to provide safe pedestrian movement on-site, a direct pedestrian route shall be provided from the sidewalks shown within the right-of-way at the site access point to the sidewalks surrounding the building. The pedestrian route shall be clearly defined and shall include striped crosswalks when crossing any drive aisles and any associated ADA ramps where necessary.

The parking lot has been designed to provide safe and efficient vehicular and pedestrian circulation within the site. The parking spaces have been designed to be located near the use that it serves, and the parking aisles have been oriented and designed to minimize the number of parking lanes crossed by pedestrians. The DSP includes a total of 31 parking spaces, which is less than the required 32 parking spaces. Prior to certification, the applicant shall either reduce the total gross floor area of the convenience store, or provide the minimum required number of parking spaces on-site. The site plan also reflects one loading space and two bicycle parking spaces at a location near the entrance to the building.

A truck-turning plan was submitted as part of the DSP, to demonstrate on-site truck turning movements with the appropriate design classification for the site.

(3) Lighting.

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

The DSP provides adequate lighting. A photometric plan was provided and full cut-off LED fixtures are shown, harmonious with the surrounding commercial development.

(4) Views.

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

The site design techniques include landscape buffers along both the US 301 frontage and the US 301 Service Road frontage, in keeping with Section 4.2 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). These landscape buffers will provide adequate screening for the approved food or beverage store building, along with the gas station canopy.

(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.**

This DSP meets the tree canopy coverage (TCC) requirements for the applicable zone. An adequate variety of landscaping has been provided within the site, in compliance with the Landscape Manual, and native species are used throughout the development.

(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.**

There are site and streetscape amenities, such as the landscape buffers along US 301 and the service road, with a variety of landscape materials that contribute to an attractive development.

(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.**

The grading associated with the approved development minimizes environmental impacts and disruption to natural resources on the site and on adjacent sites. A retaining wall is shown along the northern edge of the site, to minimize such disruptions.

(8) Service Areas.

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

All service areas proposed on the site, such as the trash and recycling enclosure, are easily accessible and adequately screened by an 8-foot screen wall and evergreen shrubs.

(9) Public Spaces.

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

There are no public space systems provided as part of this development.

(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.

Architectural elevations were included with this DSP, and it was determined that the building materials, including brick veneer, metal coping, aluminum, glass, and wood that will be in black, white, and brown colors, are harmonious with the building design of the food or beverage store building. Both freestanding and building-mounted signage is included, and the architectural elevations are consistent with the buildings.

8. **Preliminary Plan of Subdivision 4-19050:** The site is subject to PPS 4-19050, which was approved by the Planning Board on March 18, 2021 (PGCPB Resolution No. 2021-42), for 190 lots and 39 parcels for development of 190 single-family attached dwellings, 408 multifamily dwelling units, a 150-room hotel, and 77,635 square feet of commercial development. PPS 4-19050 was approved, subject to 24 conditions, of which the conditions relevant to the review of this DSP amendment are listed below in **bold** text. Analysis of the project's conformance to the conditions follows each one in plain text:

3. **A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in this resolution of approval, shall require the approval of a new preliminary plan of subdivision, prior to approval of any building permits.**

The subject DSP does not propose a substantial revision to the mix of uses on the subject property which were approved at the time of the PPS. The Subtitle 24 adequacy findings of the PPS are not affected.

4. **Development of this site shall be in conformance with the stormwater management concept plan for this project (01-0614-205NE14, once reapproved by the City of Bowie), and any subsequent revisions.**

A revision of the SWM concept plan for the overall Mill Branch Crossing development and an associated approval letter (03-0614-205NE14) were submitted with the application. The approval is dated June 28, 2021, and expires on June 28, 2024.

5. **Prior to approval of a final plat, in accordance with the approved preliminary plan of subdivision, the final plat shall include the dedication of public utility easements (PUEs) along all public and private rights-of-way, unless a variation from the PUE requirement is obtained.**

The property was previously platted as Outlot 15 in Plat Book ME 262 page 52. The plat shows public utility easements (PUEs) on Outlot 15 consistent with PPS 4-19050, and the subject DSP shows PUEs consistent with both the PPS and the plat. The DSP also shows a new proposed PUE on the border between the subject property and Parcel 14, a private road parcel. When the property is re-platted as Parcel 15, the plat will need to show this new PUE.

13. **Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-020-2020). The following note shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-016-2020 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

- 14. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”

The applicant submitted a Type 2 Tree Conservation Plan, TCP2-044-2021-01, with the subject DSP. The TCP2 is in conformance with the approved Type 1 tree conservation plan (TCP1).

- 15. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat:**

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

The subject property contains primary management area (PMA). The existing plat recorded in Plat Book ME 262 page 52 shows the conservation easement containing the PMA. The subject DSP appears to show the PMA and conservation easement consistent with the existing TCP1 and plat. When the property is re-platted as Parcel 15, the conservation easement will need to be reflected on the new plat.

- 18. Total development within the subject property shall be limited to uses which generate no more than 909 AM peak-hour trips and 1,231 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The subject DSP does not propose commercial development exceeding that approved under the PPS; therefore, this condition is met.

- 20. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B*, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following improvements, and provide an exhibit that depicts the following improvements, prior to acceptance of any detailed site plan:**

- a. **Bikeway signage and shared lane markings (e.g., “sharrow”), within the right-of-way, along the subject site’s frontage of Mill Branch Road, unless modified with written correspondence by the Prince George’s County Department of Permitting, Inspections and Enforcement, and/or the Maryland State Highway Administration, as appropriate.**
- b. **Minimum 5-foot-wide sidewalks along both sides of all internal roadways, public or private, excluding alleyways.**
- c. **Minimum 5-foot-wide sidewalks along the full lengths of proposed Roads A, D, and F.**
- d. **A wide crosswalk with a pedestrian island crossing US 301 at Mill Branch Road, unless modified by the Maryland State Highway Administration, with written correspondence.**
- e. **Continental style crosswalk crossing all access points along Private Road A and Chesley Avenue.**
- f. **Long- and short-term bicycle parking, consistent with the 2012 AASHTO *Guide for the Development of Bicycle Facilities*, to accommodate residents and visitors at the proposed multifamily building, hotel, and commercial spaces.**
- g. **Parallel or perpendicular ADA curb ramps at all intersections within the subject site.**

These improvements were shown on DSP-20003. Not all of the above facilities (in particular those required along Mill Branch Road) affect the subject site. During review of DSP-2003, Condition 20.f. was reviewed and two new conditions of approval relating to additional bicycle parking at the multifamily building and clubhouse were included. This area is outside of the current application and this condition is enforceable at the time of the appropriate building permit.

21. **Prior to approval of the 50th residential townhouse building permit or the permit for the 2nd multifamily building, whichever occurs first, for the subject property, the applicant, and the applicant’s heirs, successors, and/or assignees shall provide (a) full financial assurances, (b) permits for construction through the applicable operating agency’s access permit process, and (c) an agreed-upon timetable for construction and completion with the appropriate operating agency for the following improvement:**

- a. **A continental-style crosswalk crossing the north leg of US 301 at its intersection with Mill Branch Road, unless modified by the Maryland State Highway Administration, with written correspondence.**

The amendment to the DSP is for the construction of a gas station with a food or beverage store and does not include any residential development. This condition is enforceable at the time of the appropriate building permit.

24. Prior to issuance of a use and occupancy permit for the development, the applicant and the applicant's heirs, successors, and/or assignees shall:

- a. **Contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility.**
- b. **Install and maintain automated external defibrillators (AEDs), in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.**
- c. **Install and maintain bleeding control kits next to fire extinguisher installation and no more than 75 feet from any employee. These requirements shall be noted on the detailed site plan for the development.**

These requirements shall be noted on the detailed site plan for the development.

The requirements of this condition are noted in General Note 35 on the coversheet. Therefore, this condition is met for the purposes of this DSP. Conformance to the noted requirements will be evaluated at the time of permitting.

9. **2010 Prince George's County Landscape Manual:** Per Section 27-450 of the prior Zoning Ordinance, landscaping, screening, and buffering for the property are subject to the provisions of the Landscape Manual. Specifically, this DSP is subject to the requirements of Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The landscape schedules have been provided showing conformance, except for the Section 4.9 schedule.

The schedule for Section 4.7, Buffering Incompatible Uses, lists 13 shade trees as being provided to meet the minimum requirements. However, the landscape plan only shows 12 shade trees along the property line abutting residential zoned property. The landscape plan shall be revised to show the minimum number of required plant units, in accordance with Section 4.7 of the Landscape Manual.

Section 4.9 of the Landscape Manual requires that a percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs) shall be native species.

Specifically, 50 percent of shade and ornamental trees, and 30 percent of evergreen trees and shrubs are required to be native. The landscape schedule shows 38 shade trees, 4 ornamental trees, and 200 shrubs. However, the Section 4.9 schedule on the landscape plan includes only 25 of the proposed 38 shade trees and 189 of the proposed shrubs. The schedule shall be revised to include all proposed plant types.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This project is subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) of the Prince George's County Code and the Environmental Technical Manual because the application was subject to a new PPS. TCP2-044-2021-01 was submitted for review which covers the area of the original DSP-20003, and which includes the subject property.

The woodland conservation threshold for the overall 70.11-acre tract of Mill Branch Crossing is 15 percent of the net tract area, or 9.02 acres. The total woodland conservation requirement, based on the amount of clearing proposed, is 14.69 acres. This requirement is proposed to be satisfied with 3.72 acres of on-site preservation, 4.94 acres of on-site afforestation, and the remainder of the requirement, 6.03 acres, is proposed to be met with off-site woodland conservation credits.

The TCP2 shows a reduction of woodland preservation by 0.08 acre. This additional clearing shall be accounted for in the woodland conservation worksheet. The total woodland conservation requirement, based on this additional clearing, is 14.77 acres. The woodland conservation worksheet shall be revised to meet the additional 0.08-acre woodland conservation requirement. Prior to certification of the DSP, technical revisions shall be made to the TCP2, as conditioned herein.

11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of TCC on projects that require a grading permit. Properties zoned C-S-C are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The development included in this portion of the site is 3.19 acres in size and the required TCC is 0.32 acre. A table was provided on the plan, demonstrating conformance with the requirements of the Tree Canopy Coverage Ordinance.

12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and incorporated herein by reference:

- a. **Historic Preservation**—In a memorandum dated March 6, 2023 (Stabler and Smith to Shelley), it was indicated that Phase III archeological investigations were completed on the site, and that no further archeological investigations are necessary on the subject property. However, PPS 4-19050 contained a finding concerning submittal of the final study and curation of artifacts from the Phase III archeological investigations, prior to issuance of a grading permit for the overall site. Permits have been filed for grading for portions of the development covered under PPS 4-19050 and DSP-20003, but submittal of the curation of artifacts with the Maryland Archaeological Conservation Laboratory in

Saint Leonard, Maryland is still outstanding. All other previous requirements regarding the archeological investigations have been satisfied. Final copies of the report “A Phase III Archeological Data Recovery of the Mill Branch Crossing Site (18PR857), Queen Anne District, Prince George’s County, Maryland,” were submitted on August 11, 2022. A condition is included herein, requiring the applicant to complete the curation of the artifacts from the Phase III archeological investigations, prior to certificate approval of this DSP. Prior to the Planning Board hearing on July 27, 2023, the applicant stated that curation of the artifacts was complete, and provided a copy of the receipt of delivery to the Historic Preservation Section. This condition was, therefore, deleted.

The subject property does not contain and is not adjacent to any Prince George’s County designated historic sites or resources.

- b. **Community Planning**—In a memorandum dated March 10, 2023 (Bellina to Gupta), it was indicated that this application is in the Established Communities growth policy area. The vision for the Established Communities is context-sensitive infill of low- to medium-density development. In addition, it was noted that the master plan recommends commercial land uses on the subject property. Master plan conformance is not required for this application.
- c. **Transportation Planning**—In a memorandum dated June 30, 2023 (Patrick to Gupta), an evaluation of the application was provided and is incorporated into the findings of this resolution. The on-site circulation related to vehicular and pedestrian transportation was found acceptable, and was determined to meet the findings for transportation purposes, subject to conditions included herein regarding pedestrian access. The following comments were presented:
 - (i) **Master Plan Rights-of-Way**
The subject property fronts US 301 along its western border. The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the master plan recommend this portion of US 301 as a freeway, with a proposed interchange serving MD 197 (Collington Road) and Ballpark Road. During review of PPS 4-19050, it was determined that the proposed US 301 interchange serving MD 197 and Ballpark Road would have an impact on the northern end of the subject property. To that end, reservation pursuant to Section 24-139 of the prior Prince George’s County Subdivision Regulations was considered. Due to the lack of information to support the findings needed to place the needed property in reservation, along with the lack of a legal nexus to require the dedication of the needed property, the PPS was approved without right-of-way preservation for this planned facility.

The DSP is consistent with the MPOT and master plan, as well as PPS 4-19050 and the findings and recommendations contained in the resolution approving that plan.

(ii) **Master Plan Pedestrian and Bicycle Facilities**

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 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

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.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The master plan recommends the following facilities within or adjacent to the subject property:

- **12-foot Shared-Use Path: US 301 (both directions).**

DSP-20003 included a 12-foot, shared-use path along US 301 that is shown in the PPS and recommended in the master plan. The current DSP includes a wide sidewalk and associated crosswalks along the service road to the site access at the roundabout.

- d. **Subdivision**—In a memorandum dated June 26, 2023 (Diaz-Campbell to Gupta), an evaluation of the application was provided, which is incorporated into Finding 8, and the DSP was found to be in conformance with the approved PPS. Technical revisions and corrections, related to the site plan, have been conditioned herein. Additional comments were presented as follows:

- (1) The approved PPS shows Parcel 15 having a single driveway onto to the traffic circle connecting private streets Lola Lane and Chesley Avenue. The DSP, by comparison, shows a second driveway onto the public service road located in between the traffic circle and US 301, a freeway. The proposed second driveway was found to be acceptable, pursuant to Section 24-121(a)(3) of the prior Subdivision Regulations, as the driveway access is to the service road, rather than to the freeway itself. The second driveway also conforms to the access and

circulation approved with the PPS because the traffic evaluation performed with the PPS treated the intersection of the service road and US 301 as the overall access point to the subdivision, rather than the intersection of the service road and the traffic circle. The second driveway is, therefore, an addition to the internal circulation of the subdivision rather than a new access point to the overall site.

- (2) The property is currently platted as Outlot 15 recorded in Plat Book ME 262 page 52 of the Prince George’s County Land Records. An outlot is not useable as a legal building site, pursuant to Section 24-101(b)(19) of the prior Subdivision Regulations. Therefore, the property must be re-platted as a parcel prior to approval of any building permits.
- (3) It is not clear whether the additional PUE provided on the border between the subject property and abutting Parcel 14 was added deliberately, as it was not shown in the project’s initial submission, and it was not added in response to any review comments. Prior to certification of the DSP, the applicant shall confirm whether this PUE is proposed or not and, if not, remove it from the plan drawings.
- (4) Bearings and distances for the subject property are shown on Sheet DSP-4B, however, this sheet does not show a bearing and distance for the property line bordering US 301.

e. **Environmental Planning**—In a memorandum dated June 23, 2023 (Meoli to Gupta), findings on this application were provided, which are summarized below.

- (1) The following applications and associated plans have been previously reviewed for the subject site:

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
SE-4734	TCPII-016-10	Zoning Hearing Examiner	Approved	6/22/2015	Z.O. No. 12-2015
4-08052	TCP1-22-07	Planning Board	Approved	3/30/2017	09-85(A)
NRI-029-07	N/A	Staff	Approved	5/3/2007	N/A
NRI-029-07-01	N/A	Staff	Approved	9/1/2009	N/A
NRI-029-07-02	N/A	Staff	Approved	3/22/2012	N/A
NRI-029-07-03	N/A	Staff	Approved	12/22/2016	N/A
NRI-029-07-04	N/A	Staff	Approved	6/5/2020	N/A
4-19050	TCP1-020-2020	Planning Board	Approved	3/18/2021	2021-42
DSP-20003	TCP2-044-2021	Planning Board	Approved	3/24/2022	2022-35
DSP-20003-01	TCP2-044-2021-01	Planning Board	Approved	7/27/2023	2023-88

- (2) The site is subject to the environmental regulations contained in Subtitle 25, and prior Subtitles 24 and 27, as the site has a recently approved PPS.

(3) **Natural Resources Inventory Plan/Existing Features**

An approved Natural Resources Inventory (NRI-029-07-04) was submitted with the DSP. The site contains a 100-year floodplain, wetlands, streams, and steep slopes that comprise the PMA. The NRI indicates the presence of one forest stand labeled as Stand 1, and 36 specimen trees identified; 8 trees are considered off-site with 28 on-site. The TCP2 and the DSP show all required information correctly, in conformance with the NRI. No additional information is required regarding the NRI.

(4) **Specimen Trees**

Section 25-122(b)(1)(G) of the WCO requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

A total of 38 specimen trees were identified on the approved NRI. At the time of PPS 4-19050, the Planning Board approved the removal of the 15 specimen trees. The specimen trees approved for removal are shown as ST-1 through ST-7, ST-9, ST-16 through ST-20, ST-37, and ST-38. No additional specimen trees are proposed for removal with this DSP.

(5) **Preservation of Regulated Environmental Features/Primary Management Area**

This site contains regulated environmental features (REF) that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the prior Subdivision Regulations.

The on-site REF include streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and steep slopes.

Section 24-130(b)(5) states “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

Impacts to the REF should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for reasonable use and orderly and efficient development of the subject property, or are those that are required by the County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing, or at the point of least impact to the REF. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site, in conformance with the County Code. The statement of justification (SOJ) must address how each on-site impact has been avoided and/or minimized.

The previously approved DSP-20003 included an SOJ and associated exhibits for eight impacts associated with the proposed development, totaling approximately 2.65 acres. The presented eight impacts are a combination of on-site and off-site locations, which are generally located on the western portion of the site. Off-site impacts were not part of the application because they are not located within the boundary of the property; however, they were considered as part of the overall impact. The off-site impacts were required for the right-of-way improvements to Mill Branch Road and US 301, as part of Maryland State Highway Administration Permit No. 10-AP-PG-004. The on-site Impact 3 is a total of 1.30 acres and was previously approved under PPS 4-19050. Impact 7, for a total of 0.08 acre, was previously approved under DSP-20003. All proposed impacts are permanent and are described as either on-site or off-site impacts. The off-site impacts total 1.27 acres, and the on-site impacts total 1.38 acres. The previously approved impacts remain unchanged, and no additional impacts are requested with this DSP.

(6) **Soils**

The predominant soils found to occur according to the United States Department of Agriculture, Natural Resource Conservation Service Web Soil Survey include the Collington fine sandy loam (0-40 percent slopes), and Shrewsbury fine sandy loam soils. According to available information, Marlboro and Christiana clays are not found to occur on this property.

There are no geotechnical concerns with the revisions as shown on the plans submitted with this DSP.

(7) **Stormwater Management**

A SWM Concept Approval (03-0621-205NE14) from the City of Bowie was submitted with the DSP for this site. The plan proposes to construct numerous bio-swales, drywells, infiltration trenches, micro-bioretenion facilities, and one SWM pond. No SWM fee for on-site attenuation/quality control measures is required. This stormwater approval expires June 28, 2024. In an email dated January 27, 2023, the City of Bowie engineer indicated that the SWM concept plan does not need to be updated for each new pad site, as the concept design may undergo some degree of revision to fit the particular layout for each pad as long as the final design adheres to the drainage patterns, and water quality requirements of the approved SWM concept plan. No further action regarding SWM is required with this DSP.

- f. **Permit Review**—The Permit Review Section did not offer comments on this DSP.
- g. **Prince George’s County Department of Parks and Recreation (DPR)**—In an email dated March 2, 2023 (Holley to Gupta), no comments were provided on this DSP.
- h. **Prince George’s County Fire/EMS Department**—The Fire/EMS Department did not offer comments on this DSP.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 9, 2023 (Giles to Gupta), comments were provided on the subject DSP, which were also forwarded to the applicant and were addressed by the applicant in the DSP, as appropriate.
- j. **Prince George’s County Police Department**—The Police Department did not offer comments on the subject DSP.
- k. **Prince George’s County Health Department**—In a memorandum dated February 14, 2023 (Adepoju to Gupta), comments were provided on the subject DSP which were forwarded to the applicant and were addressed by the applicant in the DSP, as appropriate.
- l. **Prince George’s County Soil Conservation District**—The Soil Conservation District did not offer comments on the subject DSP.
- m. **Maryland State Highway Administration (SHA)**—SHA did not offer comments on the subject DSP.
- n. **Washington Suburban Sanitary Commission (WSSC)**—In an email dated March 14, 2023 (Katwal to Gupta), WSSC provided water, sewer, and associated easement conditions to be addressed at the time of permitting.

- o. **City of Bowie**—In a memorandum dated March 7, 2023 (Adams to Shapiro), the City of Bowie indicated that they reviewed the subject DSP, and the City Council held a meeting to discuss the DSP on March 6, 2023. The City Council voted to recommend approval of DSP-20003-01, with the following conditions listed below in **bold** text. Analysis of the City’s conditions follows each one in plain text:

- (1) **All entrance and exit doors shall be equipped with mechanical door opening devices, preferably the overhead door sensory device, such as those typically found in grocery stores.**

An appropriate condition is included herein, to address the City’s recommended condition.

- (2) **The DSP shall include at least one electric vehicle (EV) charging station.**

The DSP includes two electric vehicle charging stations.

- (3) **The number of accessible parking spaces required and provided shall be added to the parking requirement data in the General Notes.**

The required and provided number of accessible parking spaces is listed in the Parking Requirements data in the Standard Notes located on Sheet DSP-4 of the site plan.

- (4) **A Do Not Enter sign shall be provided, facing the main access road from US 301 at the first egress point to the site, which is a 15-foot wide, out-only driveway. In addition, the same type of crosswalk shall be provided at this location as is shown across the main entrance to the site.**

A “Do Not Enter” sign is shown on the site plan, facing the main access road from US 301 at the first egress point to the site. In addition, an 8-foot-wide crosswalk with Americans with Disabilities Act (ADA) ramps is provided at this location, similar to the crosswalk shown across the main entrance to the site.

- (5) **A notation shall be added to point out the proposed light shown near the loading space.**

All proposed lights are labeled on the site plan with a notation.

- (6) **If street lighting is not provided by the Mill Branch site developer along the site access road from US 301 prior to the issuance of a building permit for the Dash In convenience store, the applicant in DSP-20003-01 shall install this lighting.**

An appropriate condition is included herein, to address the City's recommended condition. At the Planning Board hearing on July 27, 2023, the applicant requested that this condition be modified to remove specificity regarding the responsible party for installing the streetlights. The applicant also requested that the condition include language to cover the possibility that the operating agency does not approve installation of the streetlights. The Planning Board approved the applicant's proposed modifications to this condition, after concurrence by the City.

- (7) **To maximize the visual impact of the site's landscaping, the 11 viburnum shrubs proposed around the outside of the trash enclosure area shall be relocated to the large, sodded area (behind the curb of the drive aisle) west of the gas pump canopy.**

The 11 viburnum shrubs around the outside of the trash enclosure are shown to conform to the requirements of Section 4.4 of the Landscape Manual, which requires screening of trash and recycling facilities. However, to comply with the intent of the City's condition, the applicant shall provide additional shrubs west of the gas pump canopy, behind the curb of the drive aisle. The quantity and type of planting shall be reviewed and approved by the City prior to certification of the DSP.

- (8) **General Note #33 shall be revised to identify the nearest fire station is the Northview Fire Station (Company #816, located on Health Center Drive) which is approximately 1.5 miles away.**

An appropriate condition is included herein, to address the City's recommended condition.

- (9) **An ADA accessible parking symbol shall be added to at least one of the parking spaces serving the car wash and the parking calculations revised accordingly.**

The parking spaces serving the car wash will be reviewed and approved with SE-22006. However, the site plan does not show an ADA accessible parking space serving the car wash. The applicant should provide at least one ADA accessible parking space with the special exception application for the car wash.

- p. **Public Utilities**—The subject DSP application was referred to Verizon, the Baltimore Gas and Electric Company (BGE), Comcast, AT&T, and Washington Gas, for review and comments on February 8, 2023. No correspondence had been received from these public utility companies.
- q. **Community Feedback**—No community feedback was received regarding the subject DSP.

13. Based on the foregoing, and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the 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 prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
 - (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The site plan demonstrates the preservation and/or restoration of REF in a natural state, to the fullest extent possible, in accordance with the requirement of Section 24-130(b)(5).

15. Planning Board Hearing: During the Planning Board hearing on July 27, 2023, the applicant's representatives and the property owner's representatives proposed revisions to Finding 6 and deletion of certain conditions of approval. The applicant requested deletion of a condition related to curation of archeological artifacts, Condition 4 related to street lighting along the US 301 service road, and Condition 5 related to the on-site retaining wall. Discussion regarding the deletion or modification of these conditions is included in their respective findings.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-044-2021-01, and further APPROVED Detailed Site Plan DSP-20003-01 for the above-described land, subject to the following conditions:

1. Prior to certification, the applicant shall revise the detailed site plan (DSP) as follows, or provide the specified documentation:
 - a. The applicant shall confirm whether the public utility easement (PUE) located on the south side of the property, abutting Parcel 14 and not previously shown on the preliminary plan of subdivision, is proposed to be recorded. If the PUE is not proposed, it shall be removed from the DSP.
 - b. On Sheet DSP-4B, add a bearing and distance for the westernmost property line abutting US 301 (Robert Crain Highway).
 - c. Revise the Parking Requirements on Sheet DSP-4 to list the minimum required number of parking spaces for the proposed convenience store to be 30, and the total number of required parking spaces to be 32.

- d. Provide the minimum required number of parking spaces on-site, or reduce the total gross floor area of the convenience store to conform to the parking requirements in Section 27-568(a) of the prior Prince George's County Zoning Ordinance.
- e. The applicant shall provide additional planting west of the gas pump canopy, behind the curb of the drive aisle. The quantity and type of planting shall be reviewed and approved by the City of Bowie.
- f. Revise General Note 32 to identify that the nearest fire station is the Northview Fire Station (Company 816, located on Health Center Drive) which is approximately 1.5 miles away.
- g. Label the width of the proposed egress-only access to the service road.
- h. Provide a detail of the proposed crosswalk across the egress-only access to the service road.
- i. Provide a dimension between the proposed bicycle racks and the proposed building column, to ensure that a minimum 5-foot-wide clear pedestrian path is provided around the food or beverage store.
- j. Provide a direct pedestrian route to the entrance of the building that shall include striped crosswalks crossing any drive aisles and associated Americans with Disabilities Act ramps where applicable.
- k. Include the design details for the retaining wall in the DSP.
- l. Revise the lighting details on Sheet DSP-12 to images of higher resolution.
- m. Provide details of the building-mounted lights for the site lighting.
- n. Add a north arrow to the photometric plan.
- o. Provide signage details for all building signs, including the signs shown on the side building elevations, the logos etched on the glass doors, and site address signage, if any.
- p. Revise the signage calculations to address Section 27-613(c)(3)(G) of the prior Prince George's County Zoning Ordinance, which regulates how the permissible sign area is to be divided between a building and a canopy.
- q. Provide dimensions and details for the proposed on-site directional signs, to demonstrate that the directional signage meets the requirements of Section 27-631 of the prior Prince George's County Zoning Ordinance, for directional signs.

- r. Provide a note on the DSP to clearly indicate the green building techniques that are used in the buildings.
 - s. Provide details of the proposed parallel parking spaces.
 - t. Revise the landscape plan to show the minimum number of required plant units, in accordance with Section 4.7, Buffering Incompatible Uses, of the 2010 *Prince George's County Landscape Manual*.
 - u. Revise the schedule for Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's County Landscape Manual*, to include all proposed plant types.
2. Prior to certification of the detailed site plan (DSP), the Type 2 tree conservation plan (TCP2) shall be revised as follows:
- a. Revise the clearing amount in the woodland conservation worksheet, to account for the additional 0.08 acre of woodland clearing and show how this additional requirement will be met.
 - b. Revise Line 16 in the woodland conservation worksheet (Clearing permitted without reforestation) to 1.41 acres.
 - c. Remove depictions of the proposed car wash (The car wash shall be depicted on the revision to the TCP2 submitted with the special exception application).
 - d. Revise the layout so that the entrance to the parking lot located east of the proposed convenience store matches the layout on the DSP.
3. At the time of building permit, all entrance and exit doors shall be equipped with mechanical door opening devices, preferably the overhead door sensory device, such as those typically found in grocery stores.
4. Street lighting shall be provided along the site access road from US 301 (Robert Crain Highway), prior to issuance of a building permit for the Dash In convenience store, subject to modification by the Maryland State Highway Administration.
5. Prior to approval of a building permit for the retaining wall, Detailed Site Plan DSP-20003 shall be amended with a slip sheet, to show the off-site grading and the retaining wall and its details on Outlot 16.
6. Prior to approval of a fine grading permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall amend Detailed Site Plan DSP-20003-01, if necessary, to reflect the approved Special Exception (SE-22006) for the proposed car wash.


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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Doerner, and Shapiro voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, July 27, 2023, in Upper Marlboro, Maryland.

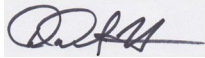
Adopted by the Prince George's County Planning Board this 7th day of September 2023.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:MG:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: August 22, 2023