AGENDA ITEM: 6 AGENDA DATE: 1/21/2021



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

Note: Staff reports can be accessed at <a href="http://mncppc.iqm2.com/Citizens/Default.aspx">http://mncppc.iqm2.com/Citizens/Default.aspx</a>

### Detailed Site Plan Wawa #582

### **DSP-20001**

REQUEST	STAFF RECOMMENDATION
Validation of existing gas station and food and beverage store development and replacement of existing signage.	APPROVAL with conditions

**Location:** In the median strip of US 301 (Crain Highway) at its intersection with Marketplace Boulevard.

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Gross Acreage:	4.69
Zone:	C-M
Dwelling Units:	N/A
Gross Floor Area:	4,653 sq. ft.
Planning Area:	74A
Council District:	04
	a <b>-</b>



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Council District:	04			
Election District:	07			
Municipality:	N/A			
200-Scale Base Map:	201SE14			
Applicant/Address: Wawa, Inc. 260 West Baltimore Pike Media, PA 19063				
Staff Reviewer: Tierre Butler Phone Number: 301-952-2548 Email: Tierre.Butler@ppd.mncppc.org				

Planning Board Date:	01/21/2021
Planning Board Action Limit:	01/27/2021
Staff Report Date:	01/05/2021
Date Accepted:	11/03/2020
Informational Mailing:	01/28/2020
Acceptance Mailing:	10/29/2020
Sign Posting Deadline:	12/22/2020

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### THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

#### PRINCE GEORGE'S COUNTY PLANNING BOARD

#### STAFF REPORT

SUBJECT: Detailed Site Plan DSP-20001

Wawa #582

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**

The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Commercial Miscellaneous (C-M) Zone and the site design guidelines of the Prince George's County Zoning Ordinance;
- b. The requirements of the 2010 *Prince George's County Landscape Manual*;
- c. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- d. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- e. Referral comments.

#### **FINDINGS**

Based upon the analysis of the subject application, the Urban Design staff recommends that the Planning Board adopt the following findings:

1. Request: The subject application is for approval of a detailed site plan (DSP) to validate the existing food and beverage store and gas station uses in the Commercial Miscellaneous (C-M) Zone and minor modifications to existing freestanding and building-mounted signage.

### 2. Development Data Summary:

	EXISTING	PROPOSED			
Zone	C-M	C-M			
Use(s)	Gas Station (8 fueling positions) and Food or Beverage Store	Gas Station (8 fueling positions) and Food or Beverage Store			
Acreage	4.69	4.69			
Parcel	A	A			
Total Gross Floor Area (square foot)	4,653 sq. ft.	4,653 sq. ft.			

**Parking and Loading** 

	REQUIRED	PROVIDED	
Food and beverage store	29	42	
Employee spaces	2	2	
Total	31	44	
Van-Accessible Handicapped Spaces	2	2	
Loading Spaces	1	1	

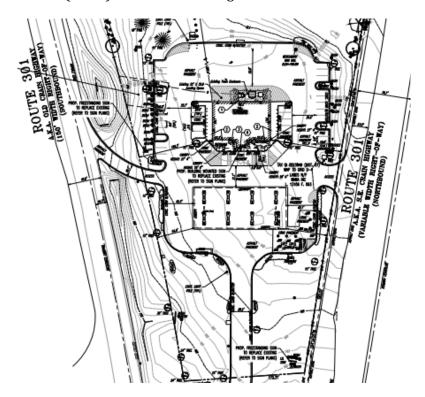
- **3. Location:** The subject property is located within the median strip of US 301 (Robert Crain Highway) at its intersection with Marketplace Boulevard, in Planning Area 74A and Council District 04.
- **Surrounding Uses:** The property is bordered to the north by undeveloped property zoned Residential-Agricultural (R-A), Rural Residential, and Residential Estate. South of the site is a median crossover road between the north and southbound lanes of US 301. East of the subject property, beyond northbound US 301, is undeveloped property in the R-A Zone; and west, beyond southbound US 301, is property zoned Employment and Institutional Area that is being developed as the mixed-use South Lake development.
- **5. Previous Approvals:** The Prince George's County District Council approved Special Exception SE-4303 to permit the food and beverage store on the subject property on June 16, 1998. A gas station was a permitted use in the C-M Zone in 1998.

In 2008, the Prince George's County Planning Board approved Revision of Site Plan ROSP-4303/01 to allow an increase in the size of the parking area on the property. The site was never developed, in conformance with ROSP-4301/01. The Prince George's County Zoning Ordinance was amended pursuant to Prince George's County Council Bill CB-721999 to require the approval of a DSP for a gas station in the C-M Zone in 1999. Subsequently, CB-99-2012 amended the Zoning Ordinance to permit a food or beverage store in combination with a gas station, in the C-M Zone, subject to a DSP.

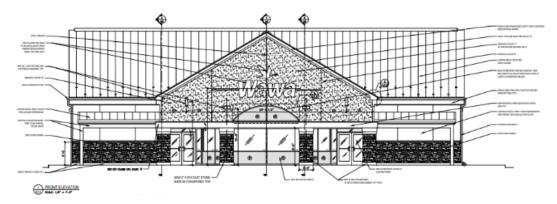
**6. Design Features:** The 4.69-acre parcel is developed with an existing Wawa 8 multi-product dispenser gas station and 4,653-square-foot, one-story, food and beverage store. The site is located within the median strip of US 301, and the building is oriented south toward an access road that transverses the median. The gas station canopy is located south of the

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building and 44 parking spaces, including 3 oversized and 2 Americans with Disabilities Act compliant spaces, surround the building. The site has a loading space and enclosed dumpsters at the rear (north) side of the building.



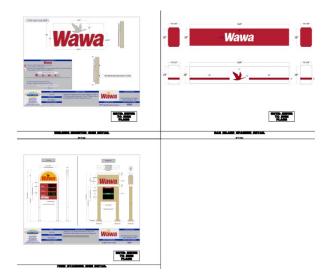
**Architecture:** The existing 28-foot-high food and beverage store building contains a metal cross-gable roof. The front of the building contains columns with cast stone at the base. The building also contains stone veneer, exterior insulation finishing system, reflective panels, and storefront windows. The gas station canopy includes a sloped metal roof and stone-veneered columns to match the building. No changes are proposed to the architecture, as part of this application.



**Signage and Lighting**: This application proposes to validate the existing gas station and food and beverage store development and replace the existing signage. There are four signs being proposed to include the replacement of a building-mounted sign, the gas canopy island spanner, and two freestanding signs. The building-mounted sign will be red plexiglass channel letters reading "Wawa" and a gray goose logo totaling 66.78 square feet.

The gas canopy island spanner will be 13.67 feet wide and 2.33 feet high. The freestanding pylon signs will be 23 feet tall and contain an LED cabinet topped by red channel letters reading "Wawa" and the gray goose logo. These signs are in conformance with the Zoning Ordinance.

The existing site contains lighting to illuminate the building and the fueling areas, which is found to be acceptable.



#### **COMPLIANCE WITH EVALUATION CRITERIA**

- **7. Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-M Zone and the site plan design guidelines of the Zoning Ordinance.
  - a. The subject application is in conformance with the requirements of Section 27-459 and Section 27-461(b) of the Zoning Ordinance, which governs uses in the commercial zones. The food or beverage store in combination with a gas station is a permitted use in the C-M Zone, subject to a DSP. The gas station is a permitted use, which in the C-M Zone is subject to DSP review, in accordance with specific parts of Section 27-358(a) of the Zoning Ordinance, as follows:
    - (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 more than 150 feet of frontage on and direct access to US 301 southbound, which has a right-of-way width of 150 feet.

(2) The subject property shall be located at least three hundred (300) feet from any lot on which a school, outdoor playground, library or hospital is located;

No schools, outdoor playgrounds, libraries, or hospitals are located within 300 feet of the subject site.

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

The storage or junking of wrecked motor vehicles is not proposed.

(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 existing site contains multiple access drives, but only one that directly connects to US 301. These access points are existing and previously permitted by the Maryland State Highway Administration (SHA) and the Prince George's County Department of Permitting, Inspections and Enforcement, and there are no new proposed driveways with this application.

(6) Access driveways shall be defined by curbing;

There is existing curbing along the length of both driveways.

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

The site is located in the median of US 301, a master plan freeway, and currently does not serve pedestrian traffic. There are no existing or proposed sidewalks for this site.

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

Gasoline pumps and all other service appliances are located at least 25 feet behind the street line of US 301.

(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 the 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.

Vehicle repair services are not proposed by this DSP.

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

Details regarding architectural elements of all existing structures are provided and demonstrate the building and gas station canopy will be compatible with existing surrounding development.

- b. **Site Design Guidelines**—Section 27-283 of the Zoning Ordinance provides that a DSP should be designed, in accordance with the same design guidelines for a conceptual site plan (referenced in Section 27-274 of the Zoning Ordinance), regarding parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, and architecture. There are no site design guidelines relative to signage. Therefore, due to the limited nature of this DSP, conformance with the site design guidelines is not required.
- 8. 2010 Prince George's County Landscape Manual: The subject DSP is exempt from the 2010 Prince George's County Landscape Manual (Landscape Manual) as there is no change of use, increase in impervious surface, or increase in gross floor area proposed. However, the previous SE-4303 was subject to the Landscape Manual, and included a companion Alternative Compliance, AC-98009. Therefore, the landscape plan must be revised to include a Certificate of Landscape Maintenance, in conformance with the Landscape Manual requirements. The plan must show that the previously required landscaping has been maintained, in compliance with the previous approval, or that the plant material is proposed to be replaced with this DSP. This requirement has been conditioned herein.
- **9. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The project has an approved Natural Resources Inventory, NRI-035-2019, which was issued on April 5, 2019, and a Standard Letter of Exemption (S-049-2019) from the Woodland and

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Wildlife Habitat Conservation Ordinance that was issued on April 5, 2019. There are no regulated environmental features identified on the site.

- **10. Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit for more than 5,000 square feet of disturbance. Properties that are zoned C-M are required to provide a minimum of 10 percent of the gross tract area in TCC. This application does not propose more than 5,000 square feet of disturbance and is therefore exempt from TCC.
- **11. Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference and summarized, as follows:
  - a. **Permits**—In a memorandum dated December 21, 2020 (Jacobs to Butler), incorporated herein by reference, the Permits Section provided three comments on canopy dimensions, sign location, and setback of the replacement monument sign. The applicable comments are included herein as conditions of approval.
  - b. **Maryland State Highway Administration (SHA)**—In an email dated November 4, 2020 (Woodroffe to Butler), SHA noted that they had no comments.
- 12. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, if approved with the recommended conditions, 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 cost and without detracting substantially from the utility of the proposed development for its intended use.
- 13. As there are no environmental features located on the subject property, the normally required finding, pursuant to Section 27-285(b)(4), that the regulated environmental features on a site have been preserved and/or restored in a natural state to the fullest extent possible, in accordance with the requirements of Subtitle 24-130(b)(5) of the Subdivision Regulations, does not need to be made for the subject project at this time.

#### RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-20001, Wawa, Inc #582, subject to the following condition:

- 1. Prior to certification of the detailed site plan, the applicant shall revise the plans or provide information, as follows:
  - a. Provide the canopy dimensions on the site plan.
  - b. Provide an illustrated location of the goose logo proposed on Sheet 6 for the Gas Island Spanner.
  - c. Provide the setback of the replacement monument gas price signs.

d. Revise the landscape plan to provide a Certificate of Landscape Maintenance, in conformance with the 2010 *Prince George's County Landscape Manual*. If necessary, missing or dead required landscaping shall be shown as being replaced.

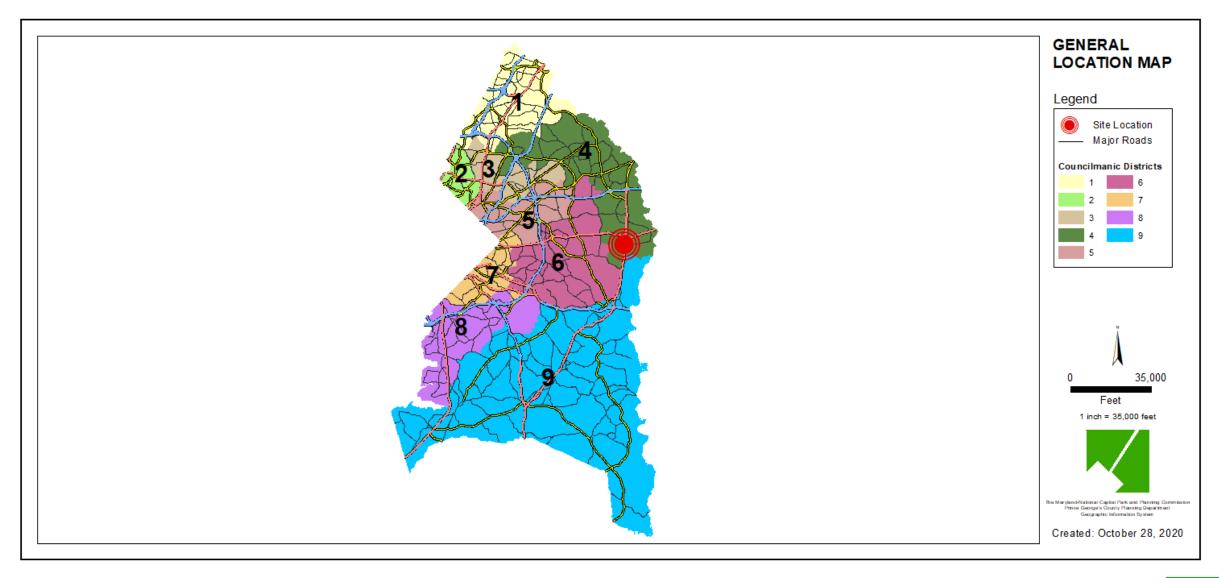
ITEM: 6

CASE: DSP-20001

# WAWA #582 CRAIN HIGHWAY

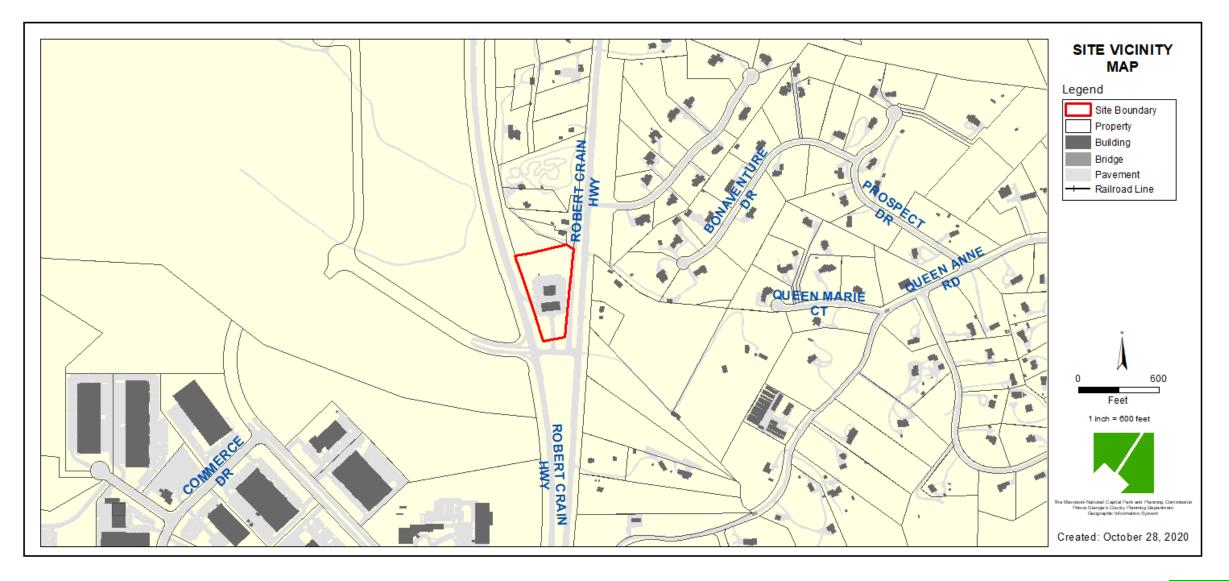


# GENERAL LOCATION MAP



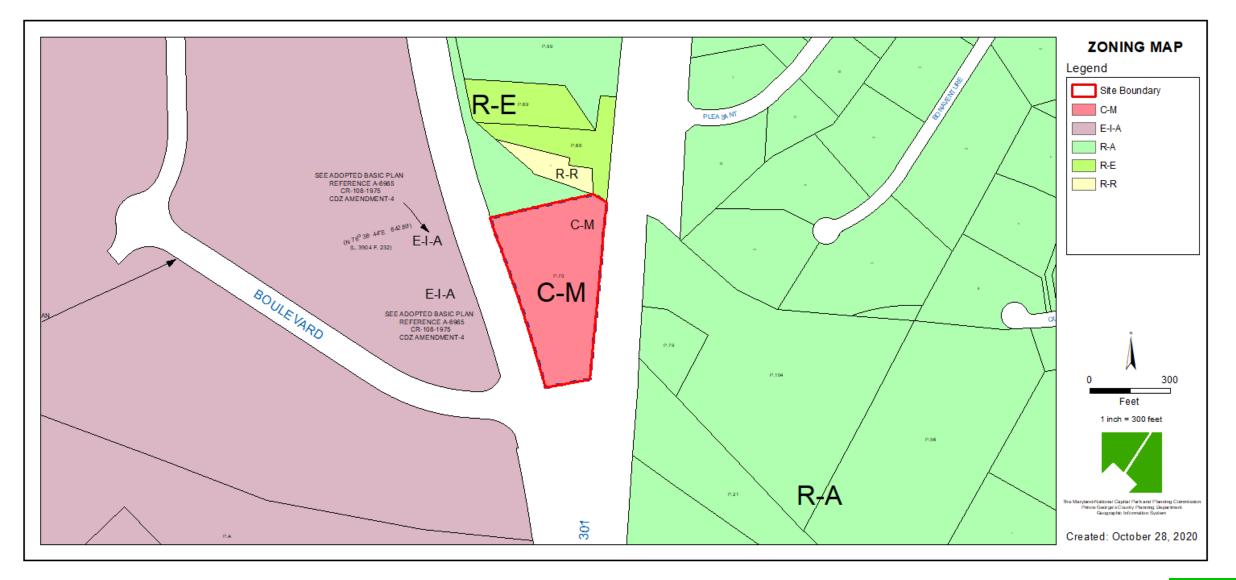


## SITE VICINITY





# **ZONING MAP**



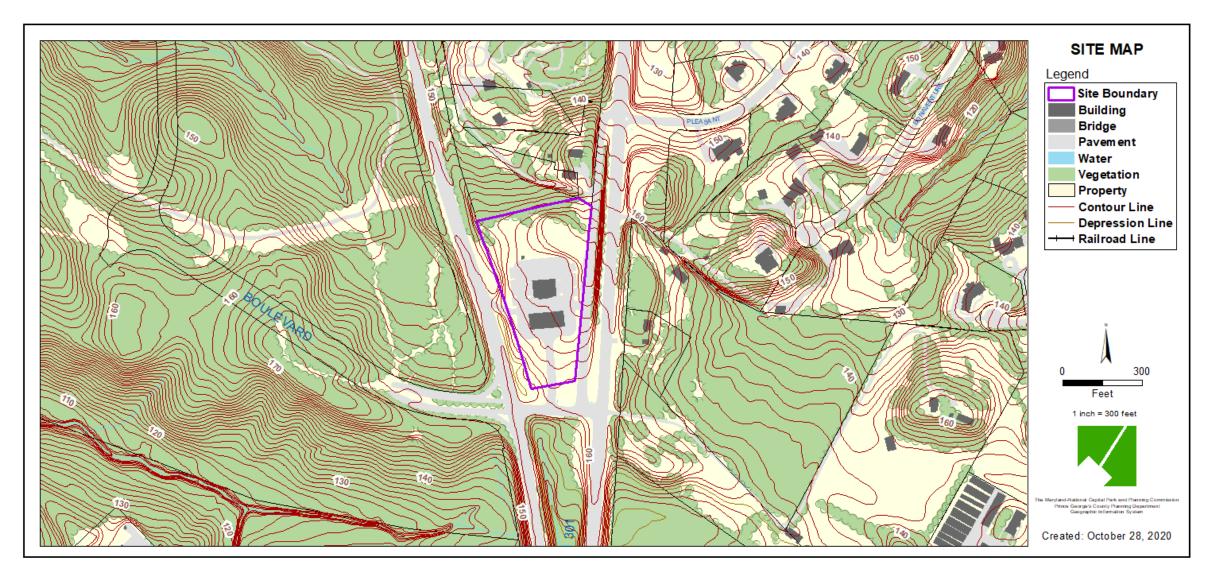


# **AERIAL MAP**



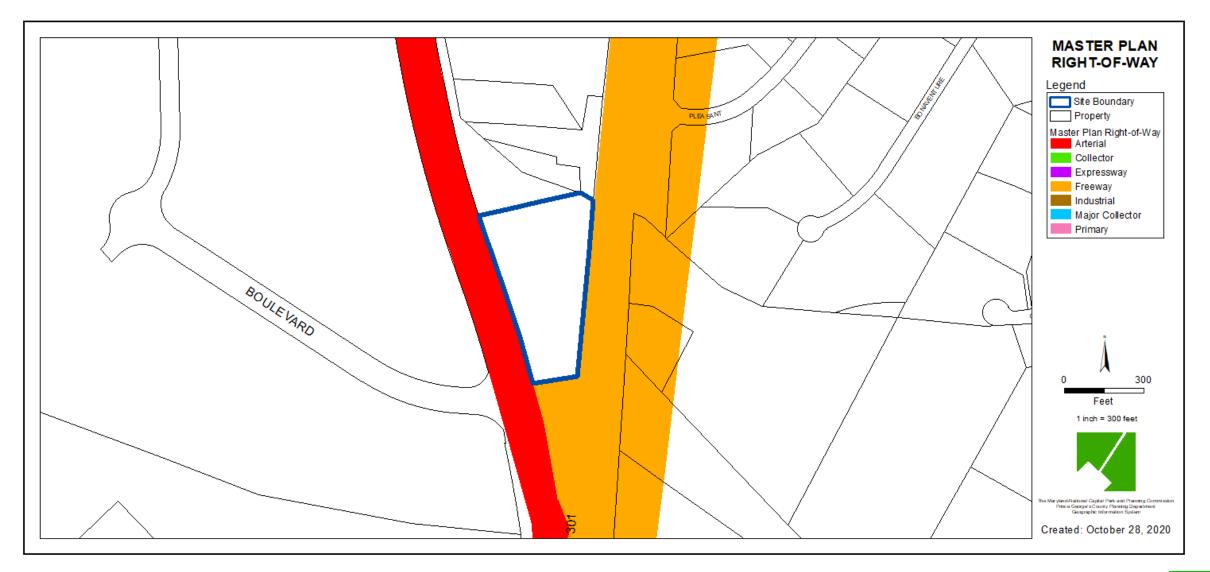


# SITE MAP





# MASTER PLAN RIGHT-OF-WAY MAP



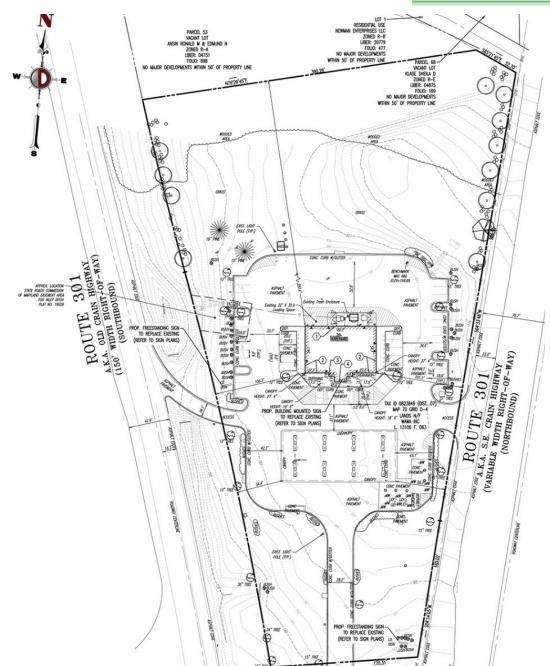


## BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



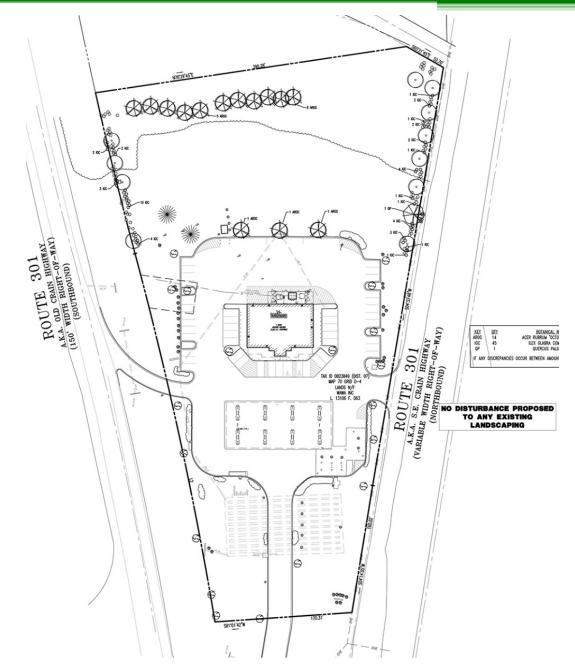


# SITE PLAN



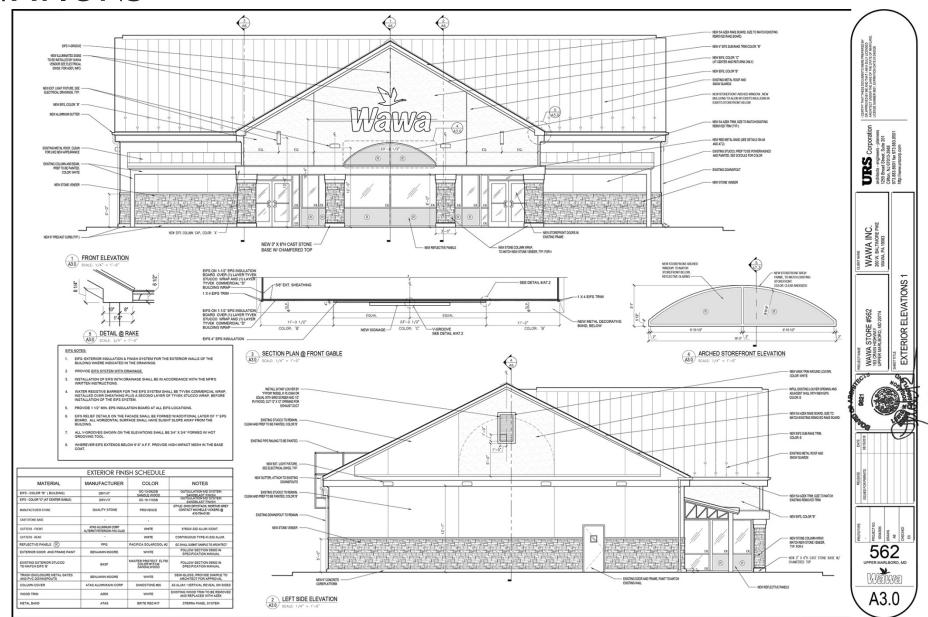


# LANDSCAPE PLAN



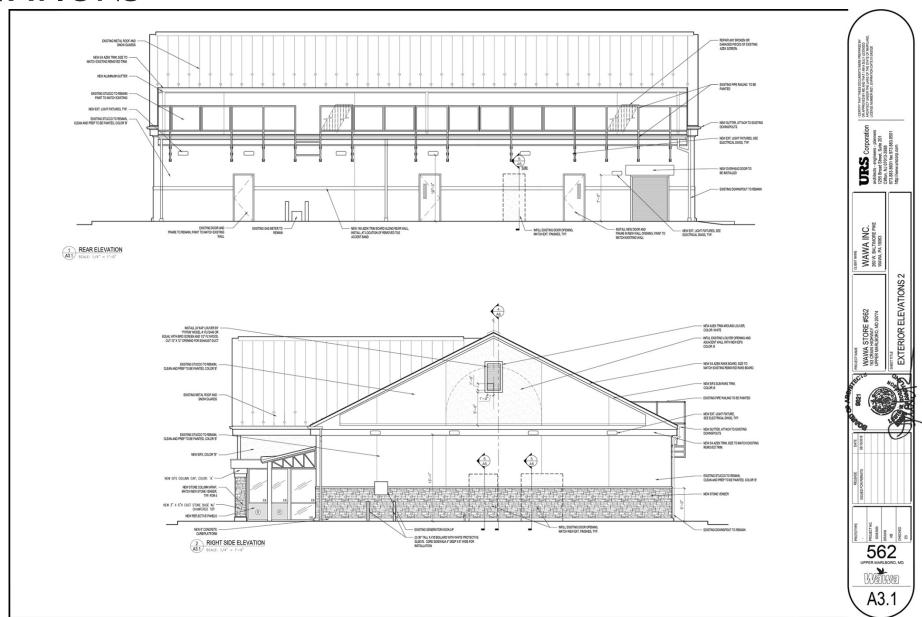


## **ELEVATIONS**

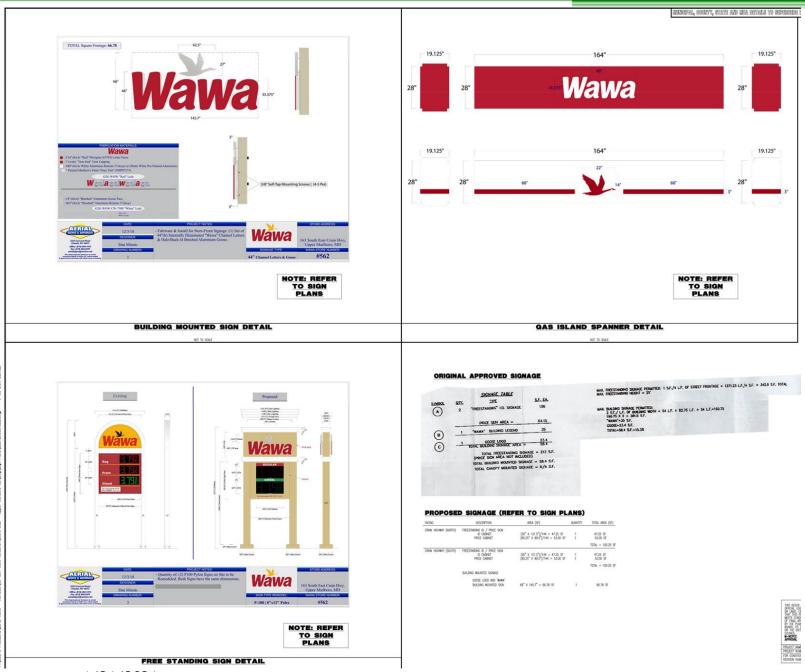




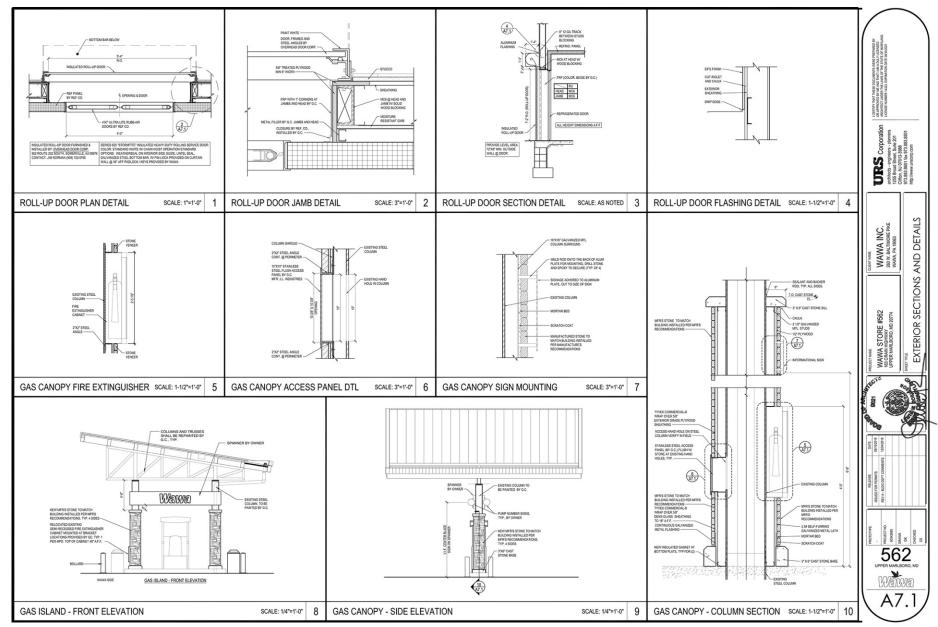
## **ELEVATIONS**



# **SIGNAGE**



### GAS CANOPY





AGENDA ITEM: 6 AGENDA DATE: 1/21/2021

### STATEMENT OF JUSTIFICATION DSP-20001 Wawa, Inc.

APPLICANT:

Wawa, Inc.

260 W Baltimore Pike Media, PA 19063

CORRESONDENT:

Daniel F. Lynch, Esq.

McNamee Hosea

6411 Ivy Lane, Suite 200 Greenbelt, Maryland 20770 (301) 441-2420 Voice (301) 982-9450 Fax

(301) 982-9450 Fax dlynch@mhlawyers.com

**REQUEST:** 

Detailed Site Plan for Gas Station in accordance with Section 27-

285(b).

### I. DESCRIPTION OF PROPERTY

- 1. Address 163 SE Crain Highway, Upper Marlboro, Maryland 20774
- 2. Use Retail Sale of Gasoline
- 3. Incorporated Area N/A
- 4. Council District 7th
- 5. Parcels -70
- 6. Total Area 4.69 Acres
- 7. Tax Map 7/D4
- 9. Location Located in the median strip of US 301 at its intersection with Karington Center Boulevard
- 10. Zoned: C-M (Commercial Miscellaneous) Zone
- 11. Owner Wawa, Inc.
- 12. Zoning Map 201SE14

#### II. APPLICANT'S PROPOSAL

The Subject Property, which is zoned C-M and is comprised of Parcels A, which is approximately 4.69 acres in size. In 1998, the District Council approved SE-4303 to permit a food and beverage store on the subject property. A gas station was a permitted use. In 2008, the Planning Board approved ROSP-4303/01 to allow an increase in the size of the parking area on the property. The site was never developed in conformance with ROSP-4301/01. In 1999, the Zoning Ordinance was amended pursuant to CB-72-1999 to require the approval of a detailed site plan for a gas station in the C-M Zone. The applicant is now proposing to alter the freestanding sign on the site and prior to the issuance of permits for that change, the site must be brought into compliance with the Zoning Ordinance by obtaining the approval of a detailed site plan.

### III. COMMUNITY

The 2006 Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity, recommends service-commercial uses for the subject site and the SMA retained the C-M zoning for the site. The property is unique, as it is within the median of US 301. The "neighborhood" is predominantly undeveloped residentially zoned land. Although, commercial uses occur along both sides of US 301just to the north of the subject property.

The surrounding uses are:

*North*: Undeveloped property in the R-A, R-R, and R-E Zones.

South: Access road (median crossover) to north and south bound lanes of US 301.

East: Undeveloped property in the R-A Zone with the exception of the new Belmont Farms Subdivision slightly northeast of the subject property.

West: Undeveloped property in the E-I-A Zone.

#### IV. CRITERIA FOR APPROVAL OF A DETAILED SITE PLAN

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 C-M Zone in which the subject land is located. A gas station is permitted in the C-M 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 the proposed parking spaces are located perpendicular to the sidewalk located around the food and beverage store. 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 has been provided to illuminate entrances and parking areas throughout the site. The applicant is not proposing any changes to the existing on-site lighting as part of this detailed site 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. 4.2 landscape strips were previously installed on this site along the US 301 frontages.

### (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 previously installed 4.2 landscape strips along the road frontages of the property. The applicant is not proposing any changes to the landscaping as part of this detailed site plan.

### (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 developed with a gas station and food and beverage store. The applicant is not proposing any additional grading as part of this detailed site plan.

### (8) Service Areas.

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

**Comment:** The existing loading space is located behind the existing building and is easily accessible by trucks.

### (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 detailed site plan.

### (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 existing building.

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.

In addition to the criteria for approval set forth in 27-285(b), the applicant must also demonstrate conformance to the requirements set forth in 27-358(a)(1), (2), (4-10). The proposed station will comply with Section 27-358 as demonstrated below:

#### Sec. 27-258. Gas Stations

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

**Comment:** The subject property has more than 150 feet of frontage on and direct access to US 301, which has a right-of-way width of more than seventy (70) feet.

(2) The subject property shall be located at least three hundred (300) feet from any lot on which a school, playground, library, or hospital is located;

**Comment:** There are no schools, playgrounds, libraries or hospitals currently 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;

**Comment:** The applicant is not proposing to store junked or wrecked motor vehicles on the subject property.

(5) Access driveways shall be not less than thirty (30) feet wide, 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;

**Comment**: As demonstrated on the site plan submitted in conjunction with this application, the existing access driveways will remain as originally approved, at 30' wide.

(6) Access driveways shall be defined by curbing;

**Comment:** All existing 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;

**Comment:** An existing five-foot sidewalk is located between the face of the building and the adjacent curb and gutter and parking on the east, south, and west sides of the store to serve on-site pedestrian traffic.

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

**Comment:** The existing pump islands and canopy are located at least 57' from the ultimate right-of-way (US 301). Other service appliances, including but not limited to trash receptacles, vacuums, and air/water tower are also located at least 25' behind adjacent street lines.

(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 the 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.

**Comment:** The applicant is not proposing repair service.

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

**Comment:** Architectural elevations, a schedule of exterior finishes, a rendering and description of the architectural character demonstrating compatibility with the surrounding development were submitted and approved as part of the original special exception. There are no changes to the architecture being proposed by this revision.

### V. CONCLUSION

The applicant respectfully submits that all of the criteria for granting the proposed Detailed Site Plan have been met and on behalf of Wawa, Inc., requests the approval of this application.

Respectfully submitted,

MCNAMEE HOSEA

10-1

Daniel F. Lynch

Case No.: S.E. 4303
Applicant: WAWA, Inc.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,

ZONING ORDINANCE NO. 12 - 1998

AN ORDINANCE to approve a special exception.

WHEREAS, an application has been filed for property described as approximately 4.69 acres of land, in the C-M Zone, located on the median of U.S. Route 301, approximately 2,500 feet north of its intersection with Queen Anne Road, identified as 163 S.E. Crain Highway, Bowie, Maryland, for approval of a special exception for a food or beverage store; and

WHEREAS, the application was advertised and the property posted prior to public hearing, in accordance with all requirements of law; and

WHEREAS, the application was reviewed by the Technical Staff, who has filed recommendations with the District Council; and

WHEREAS, a public hearing on the application was held before the Zoning Hearing Examiner; and

WHEREAS, the Zoning Hearing Examiner's recommendations were duly filed with and considered by the District Council; and

WHEREAS, having reviewed the record, the District Council has determined that the application should be approved; and

S.E. 4303

WHEREAS, to protect adjacent properties and the surrounding neighborhood, this special exception is granted subject to conditions; and

WHEREAS, as the basis for this action, the District Council adopts the recommendations of the Planning Board as its findings of fact and conclusions of law in this case, and, in addition the seto, the District Council adopts the following findings and conclusions:

- The District Council hereby adopts Findings 1-4 of the Zoning Hearing Examiner's recommendations.
- 2. The District Council finds the Bowie-Collington and Vicinity Master Plan and SMA notes in the Crain Highway Corridor chapter that the southerly median properties south of Central Avenue comprising 47 acres are recommended for employment zoning. The subject site is recommended for commercial to serve the ancillary retail and convenience needs of the employment area in the median and the Collington Center which is an approximately 1250 acre development in the E-I-A Zone with an approximate employee base of 22K at buildout.
- The District Council finds that there are 39,000 average daily trips on U.S. Rt. 301, which pass by the subject site.
- 4. The District Council finds the neighborhood of the property is as follows:

North - Central Avenue East - Patuxent River West - Railroad Tracks South - Leeland Road

The neighborhood includes the Collington Center, scattered residences in the median, and residences to the east and north.

 The District Council finds the proposal utilizes access from U.S. Rt. 301 indirectly via a service road adjoining the northbound lanes and via the

S.E. 4303

median crossover from the southbound lanes as well as a driveway to the southbound lanes and the service road. There is a median crossover connecting the north and southbound lanes to said service road which is directly across from the northern entrance to the Collington Center, which has an existing curb cut.

- 6. The District Council concludes that the subject application addresses through substantial evidence in the record that it meets the purposes of the Zoning Ordinance; the general purposes for a Special Exception and Commercial Zones; and the purposes of the C-M Zones. The proposal is the most beneficial relationship between the uses of land and buildings and protects landowners from effects with extensive landscape buffers, and access pattern that directs traffic away from residences, improves circulation to U.S. Rt. 301, and the use of lighting that prevents glare to adjoining properties.
- 7. The District Council concludes the subject property is in a location that is designated in the Master Plan to serve the Collington Center, adjacent residents, and the travelling public on U.S. Rt. 301. The ultimate plans for the Collington Center require that the northern entrance to the center be to U.S. Rt. 301 at the median crossover serving the subject site. The market study submitted shows that the above noted users will meet the demand. The reasonable need test is met given the amount of demand, location of the site to the surrounding neighborhood, and deficit of food and beverage stores in the neighborhood.
- 8. The District Council concludes there is no adverse effect generated by the subject use as the traffic pattern shown is no different than any other similar special exception use irrespective of its location and zone. There is no evidence or claim of any other adverse effect.
- The District Council concludes the subject application otherwise meets the criteria for approval as required by Section 27-355 of the Zoning Ordinance.

S.E. 4303

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

Section 1. The Zoning Map of the Mary'and-Washington Regional District in Prince George's County, Maryland, is hereby amended to show an approved special exception for a food or beverage store on the property which is the subject of Application No. S.E. 4303. Alternative Compliance No. 98009 is approved. All development and use of the subject property under this special exception shall conform to the revised site plan, Exhibit 59(c).

Section 2. The special exception approval herein is subject to the following conditions:

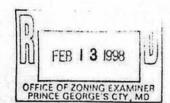
- The applicant shall comply with access improvements required by the State Highway Administration.
- The applicant shall secure a variance from Section 27-358(a)(5) to allow for two driveways less than 30 feet in width.
- The applicant shall secure Alternative Compliance for landscaping deficiencies, obtain a departure or revise the site plan to show compliance with the requirements of the Landscape Manual.
- Appropriate signage shall limit access to the access road north of the subject property to local residents only.

Section 3. This Ordinance shall take effect on the date of its enactment.

	Enacted	this	16th	day	of	June	 1998,	by	the
foll	owing vot	te:							

In Favor: Council Members Russell, Estepp, Hendershot, Scott and Wilson

Opposed: Council Member Maloney



AGENDA ITEM: 17 AGENDA DATE: 2/19/98

Special Exception Application No. 4303 Planning Area 74A Mitchellville and Vicinity No Municipality

## THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION County Administration Building

### TECHNICAL STAFF REPORT

Council Hearing Room

First Floor

14741 Governor Oden Bowie Drive

Upper Marlboro, Maryland 20772

Pu'olic Release Date: 01/14/98

Agenda Date:

01/22/98 (See note)

TO:

The Prince George's County Planning Board

FROM: The Technical Staff

### NOTE:

The above-captioned Special Exception application is on the Planning Board agenda for the purpose of permitting the Planning Board to decide whether or not to hear the case. If no action is taken, the application will be transmitted directly to the District Council. If the Board votes to hear the case, the application will be placed on a future agenda for Planning Board consideration.

Any interested party may request the Planning Board to hold a hearing. Such request may either be made in person on the agenda date indicated above or in writing prior to the agenda date. All requests for hearing shall set forth specific reasons a Planning Board hearing is being requested. All parties will be notified of the Planning Board's decision.

Also, we recommend, if you have not already done so, that you request to become a person of record in this case. A request to become a person of record must be made in writing and should be addressed to the Office of the Zoning Hearing Examiner at the address listed above. If you have any questions about becoming a person of record contact the Zoning Hearing Examiner at 952-3644. All other questions should be directed to the Zoning Division at 952-4065.

SUBJECT:

Special Exception Application No. 4303

Date Filed:

October 16, 1997

Applicant:

Wayne Limited Partnership, Owner

WAWA Inc., Agent

Chris Bean, Correspondent

Request:

Food and Beverage Store in the C-M Zone in accordance with Sections

27-355 and 27-317 of the Zoning Ordinance.

- other properties in the area. The site plan is in accordance with an approved Tree Conservation Plan, TCP I/64/97.
- J. The subject site meets the applicable requirements of <u>Section 27-358</u> with the exception of the two 20-foot-wide (one-way) driveways along the east and west sides of the site. A variance is required to allow these driveways to be less than 30 feet wide.
- K. The Applicant has submitted a revised landscaping plan which does not meet all of the requirements of the Landscape Manual. Specifically, it does not show a ten-foot-wide commercial landscaped strip (Section 4.2) along some of the frontage on US 301, nor does it show the required five percent interior landscaping in the parking lot (Section 4.3.c). The landscape plan notes that Alternative Compliance will be sought for the deficiencies. To date, the applicant has not submitted an application. The applicant will either need to secure Alternative Compliance, obtain a departure or revise the site plan to show compliance with the requirements of the Landscape Manual.

### 11. Application Data:

- Location The subject property is located in the median of US 301, 2,500± feet north of Queen Anne Road.
- B. Premise Address 163 S.E. Crain Highway
- C. Municipality None
- D. Frontages 686± feet on the east side of northbound US 301 674± feet on the west side of southbound US 301
- E. Zoning C-M Zone
- F. Area 4.69+ acres
- G. Right-of-Way US 301 is proposed for a variable-width right-of-way. The applicant's site plan correctly shows these lines.
- H. Zoning Map Page 201NE, SE 14R
- History The property was retained in the C-M Zone by adoption of the Bowie-Collington-Mitchellville and Vicinity Sectional Map Amendment in November, 1991.
- J. Master Plan and Sectional Map Amendment (SMA) Status The 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan recommends a service-commercial use for the subject property, and the 1991 SMA retained the property in the C-M Zone.
- K. Subdivision Not required
- L. Historic Sites None affected

- M. Council District 4
- N. Zoning Hearing Examiner Date February 11, 1998

# III. Field Inspection and Character of the Neighborhood:

The property is improved with an old motel which is presently used as an antique shop. It is surrounded by the following uses:

North - Single-family residences in the median in the R-R Zone.

East - Across US 301 are scattered residences and agricultural uses in the R-A Zone.

South - Across a service road connecting the lanes of US 301 is undeveloped median within the right-of-way.

West - Across US 301 is undeveloped land in the E-I-A Zone (Collington Center).

The neighborhood is defined by the following boundaries:

North - Central Avenue

East - US 301

South - Leeland Road

West - Popes Creek Line of the Penn Railroad

The neighborhood contains three land uses in proximity to the subject property: the subject motel/antique shop, a few single-family residences in the median to the north and the now-developing employment park to the south and west (Collington Center). The remainder of the neighborhood is undeveloped other than a few scattered residences and agricultural fields.

#### IV. Nature of the Request:

The applicant seeks permission to use the subject site for a food and beverage store with a self-serve gas station. The gas station is permitted in the C-M Zone; the food and beverage store requires special exception approval. Ordinarily, this type of use would be classified as a "commercial-convenience center" with a maximum of 3,000 sq. ft. of retail floor area (mostly "mini-marts" at gas stations). However, the applicant proposes the primary use will be the food and beverage store (at 4,675 sq. ft.), with the added convenience of gas pumps.

### V. Relationship to Provisions of the Zoning Ordinance:

### A. Section 27-355 of the Zoning Ordinance:

A food or beverage store may be permitted, subject to the following:

- It The applicant shall show a reasonable need for the use in the neighborhood
- 2. The size and location of, and access to the ex-allahus, in thalf he bilented toward mostles the needs of the neighborhood;
- The proposed use shall not unduly restrict the availability of land, or upset the balance of land use, in the area for other allowed uses;
- In the I-1 and I-2 Zones, the proposed use shall be located in an area which is (or will be) developed with a concentration of industrial or office uses;
- The retail sale of alcoholic beverages from a food or beverage store approved in accordance with this Section is prohibited....

Comment: The applicant has not submitted a formal market analysis as part of this application. However, they have provided census data showing existing and projected population,
household and income numbers for the areas within 1, 3, and 5-mile radii from the subject
property. They claim the projected increase in these numbers show support for the 4,675±
square feet of retail floor space proposed. To bolster their claim, the applicant also points
to the potential customers to be provided by the now-developing employment area to the
west and south, as well as the large volume of traffic along US 301. We tend to agree that
the retail sales from a rehabilitated use at this preeminent location would be reasonably
convenient for those persons living and working in the neighborhood and to those persons
who drive by and enter the site to purchase gas; however, this is not dispositive of the
question of need.

The staff of the Information Management Division (M-NCPPC) finds that the information provided to this point does not show reasonable need, suggesting more information is required. The proposed use will certainly provide for the needs of the traveling public, but it is more difficult to say whether it is oriented to meet the needs of the neighborhood. Particularly since the recommendation of the 1991 Master Plan and the zoning of the site (C-M) envisioned service-commercial uses rather than retail sales. We recommend the applicant submit additional information to address the need issue. The property is within an area shown on the 1991 Master Plan as a planned employment park, and such a use is presently developing to the west and south. The applicant does not propose the sale of alcoholic beverages.

#### B. Section 27-317 of the Zoning Ordinance:

This section requires the District Council to make the following findings prior to approving any special exception:

- The proposed use and site plan are in harmony with the purposes of the Zoning Ordinance.
- The proposed use is in conformance with all the applicable requirements and regulations of the Zoning Ordinance.

- The proposed use will not substantially impair the integrity of any validly
  approved Master Plan or Functional Master Plan, or in the absence of a Master
  Plan or Functional Master Plan, the General Plan.
- The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area.
- The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.
- 6. The proposed site plan is in conformance with an approved Tree Conservation

Comment: This application is for the establishment of a food and beverage store with the sale of gasoline. It is important to remember, however, that the application is not for the gas station; that is a permitted use in the C-M Zone. A new special exception is required solely for the food and beverage store.

Generally, the purposes of the Zoning Ordinance can be summarized as protecting public health, safety, and welfare. The proposed special exception is in harmony with these purposes. However, once approved, the resultant land use will be more intense than the current one. The Transportation and Public Facilities Planning Division (T&PFPD), in its memo of January 8, 1998, concludes that this development will bring with it additional peak-hour trips. However, the number of trips coming on site for the food and beverage store (the special exception use) is likely to be fewer than the number coming to the gas pumps (a use permitted by right).

With several exceptions noted in the statement of justification, the site plan conforms to the applicable requirements of the Zoning Ordinance. The deficiencies must be either corrected or waived by variance approval, and our recommendation includes conditions to do so.

The 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan recommends a service-commercial use for the property. The Master Plan is concerned with the proposed developments along US 301 and particularly within the median. In fact, a plan chapter is devoted to the Crain Highway corridor. This chapter contains the following guidelines (P. 103):

"The following guidelines are excepted from CR-24-1988 and are intended to minimize the effects of permitting development to proceed in some parts of the median and along the east and west highway frontages:

- \*1. Review of all development plans by the Maryland Department of Transportation and The Maryland-National Capital Park and Planning Commission for access and setback requirements.
- Prohibit permanent access to northbound Cain Highway.

- "3. Discourage variances from minimum standards.
- "4. Minimize driveway cuts, consolidate driveways, and use acceleration/deceleration lanes in order to reduce conflict points and safety hazards.
- \*5. Site plan review should be applicable to all development in the median and along highway flanks, with special attention to be given to:
  - "a. Buffering outside of the right-of-way to ensure compatibility with adjacent uses, and effective screening from the highway, including use of such measures as dense landscaping, berms, and appropriate fencing. Supplemental landscaping within the right-of-way, as determined appropriate by the State Highway Administration, is further encouraged.
  - "b. The appearance and function of parking areas, by means of internal landscaping and circulation; and
  - "c. Architecture and design to ensure that open storage is not visible from adjacent properties or the highway, and that suitable construction materials are utilized.
- Review all development plans for conformance with noise mitigation standards.
- "7. Review all development plans for potential impacts on perennial streams and associated environmental features, including Mariboro Clay."

As far as access to the site from US 301 is concerned, the site plan is showing one entrance-only driveway from southbound US 301, one ingress from the "old roadbed" service road parallel to the northbound lanes of US 301 and primary access (ingress and egress) from the road along the southern boundary of the site which connects the two sections of US 301. Based on the 1991 Master Plan for Bowie-Collington-Mitchellville and Vicinity, the existing northbound lanes of US 301 on which the subject property fronts, will be upgraded and become a part of a new access-controlled freeway facility (F-10). To the west of the subject property, the existing southbound lanes will be upgraded to a 4-6 lane arterial (A-61). At some point in the future when the master planned A-61 road is built, it seems quite likely that the entrance-only ramp will either have to be removed or modified to be compatible with the proposed two-way arterial roadway. The access from the service road will still remain the primary access to the site.

This application meets the intent of most of these guidelines, with the possible exception of the provision of acceleration/deceleration lanes. However, these may no longer be necessary given the revised access shown on the new site plan. The State Highway Administration, the body which grants access points onto

US 301 has not completed its final recommendations for this site. Therefore, we recommend that any approval of this application be conditioned on access improvements required by the State Highway Administration. With these in place, we can conclude that the proposal does not result in a substantial impairment to the 1991 Master Plan.

With the proposed conditions, the use will not threaten the public health, safety and welfare. The surrounding land is now developing in accordance with the recommendations of the Master Plan, so the use will not inhibit development in the area. The use and enjoyment of the surrounding uses will be virtually unaffected. With the recommended conditions, and once the need issue is fully resolved, the use will be compatible with other properties in the area. The site plan is in accordance with an approved Tree Conservation Plan, TCP I/64/97.

# C. Specific Requirements for Gas Stations:

Section 27-358 of the Zoning Ordinance sets the following specific requirements for gas station special exceptions, compliance with which must be shown in order for the station to be permitted in the C-M Zone:

- (1) The subject property shall have at least 150 feet of frontage on and direct vehicular access to a street with a right-of-way width of at least 70 feez.
- (2) The subject property shall be located at least 300 feet from any lot on which a school, playground, library, or hospital is located.
- (4) The storage or junking of wrecked motor vehicles (whether capable of movement or not) is prohibited.
- (5) Access driveways shall be not less than 30 feet wide, 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 20 feet from the point of curvature (PC) of the curb return or the point of curvature of the edge of paving at an intersection without curb and gutter. A driveway may begin or end at a point not less than 12 feet from the side or rear lot line of any adjoining lot.
- (6) Access driveways shall be defined by curbing.
- (7) A sidewalk at least five feet wide shall be provided in the area between the building line and the curb in these areas serving pedestrian traffic.
- (8) Gasoline pemps and other service appliances shall be located at least 25 feet behind the street line.

Comment: The subject site meets these requirements with the exception of the two 20foot-wide (one-way) driveways along the east and west sides of the site. A variance is services required to allow these driveways to be less than 30 feet wide:

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Which does not meet all of the requirements of the Landscape Manual. Specifically, it does not show a ten-foot-wide commercial landscaped strip (Section 4.2) along some of the frontage on US 301, nor does at show the required five percent interior landscaping in the parking lot (Section 4.3.c). The tandscape plan notes that Alternative Compliance will be sought for the deficiencies. To Manager of the applicant has not submitted an application. The applicant will either need to a submitted to a submitted to a submitted to a submitted the same of the same submitted to a submitted the same submitted to a submitted t ance with the requirements of the Landscape Manual.

A din Sport of

#### Conclusion:

a interest in the set the best of the end of the contract of the second Wish the recommended conditions in place, we conclude that the applicant has met their burden in this case. Therefore, we recommend APPROVAL of Special Exception Application No. 4303, subject to the conditions at the beginning of this report. the second of th

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### RECOMMENDATION:

# APPROVAL, subject to the following conditions:

- The applicant shall provide additional information to show a reasonable need for the use in the neighborhood and that the size and location of, and access to the establishment shall be oriented toward meeting the needs of the neighborhood.
- The applicant shall comply with access improvements required by the State Highway Administration.
- The applicant shall secure a variance from Section 27-358 (a)(5) to allow for two driveways less than 30 feet in width.
- The applicant shall secure Alternative Compliance for landscaping deficiencies, obtain a departure or revise the site plan to show compliance with the requirements of the Landscape Manual.

### Findings of Fact and Conclusions:

- A. The applicant seeks permission to use the subject site for a food and beverage store with a self-serve gas station. The gas station is permitted in the C-M Zone; the food and beverage store requires special exception approval. Ordinarily, this type of use would be classified as a "commercial-convenience center" with a maximum of 3,000 sq. ft. of retail floor area (mostly "mini-marts" at gas stations). However, the applicant proposes the primary use will be the food and beverage store (at 4,675 sq. ft.), with the added convenience of gas pumps.
- B. The applicant has not submitted a formal market analysis as part of this application. However, they have provided census data showing existing and projected population, household and income numbers for the areas within 1, 3, and 5-mile radii from the subject property. They claim the projected increase in these numbers show support for the 4,675± square feet of retail floor space proposed. To bolster their claim, the applicant also points to the potential customers to be provided by the now-developing employment area to the west and south, as well as the large volume of traffic along US 301.
- C. The staff of the Information Management Division (M-NCPPC) finds that the information provided to this point does not show reasonable need, suggesting more information is required. The proposed use will certainly provide for the needs of the traveling public, but it is more difficult to say whether it is oriented to meet the needs of the neighborhood. Particularly since the recommendation of the 1991 Master Plan and the zoning of the site (C-M) envisioned service-commercial uses rather than retail sales. We recommend the applicant submit additional information to address the need issue. The property is within an area shown on the 1991 Master Plan as a planned employment park, and such a use is presently developing to the west and south. The applicant does not propose the sale of alcoholic beverages.

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

February 12, 2008

Wawa, Inc. 260 Baltimore Pike Media, PA 19063

Re: Notification of Planning Board Action on ROSP-SE-4303/01
Wawa Bowie

Dear Applicant:

This is to advise you that on *February 7, 2008* the above-referenced application was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

The Planning Board's decision will become final on *March 13, 2008* unless an appeal is filed prior to this date with the Circuit Court for Prince George's County by any person of record. Please direct questions regarding this matter to Ms. Peggy Magee, Clerk of the Circuit Court, at 301-952-3318.

(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 301-883-5784.)

Very truly yours, Arie Stouten, Chief

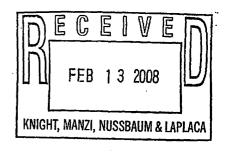
Development Review Division

y: Jan Locker

cc:

Clerk of the Council Persons of Record

**PGCPB No. 08-08** 



14741 Governor Oden Bowie Drive Upper Marlboro, Maryland 20772 TTY: (301) 952-3796

File No.ROSP-SE-4303/01

### RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed ROSP-SE-4303/01 requesting in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on January 10, 2008, the Prince George's County Planning Board finds:

### FINDINGS:

PGCPB No. 08-08

A. Location and Field Inspection: The subject property is located in the median of US 301 approximately 2,500 feet north of its intersection with Queen Anne Road. The 4.69-acre site is developed with a 16-pump gas station and a 4,675-square-foot food and beverage store. A 49-space parking lot surrounds the store. The gas station/food and beverage store sits on the high point on the property; the remainder of the site slopes down towards US 301. The site is predominantly cleared, with the exception of some existing woods along the northern boundary where the site adjoins residentially zoned and occupied land. Access is provided via driveways from southbound US 301, the crossover road between the two sides of US 301, and from a service road (a remnant of old US 301) running parallel to northbound US 301.

### B. Development Data Summary

	EXISTING	PROPOSED
Zone(s)	C-M	C-M
Use(s)	Gas Station	Gas Station
	Food & Beverage Store	Food & Beverage Store
Acreage	4.69	4.69
Lots	0	0
Parcels	1 (Parcel 7, TM 70)	1 (Parcel 7, TM 70)
Square Footage/GFA	4,675	4,675

- C. History: The 2006 Bowie and vicinity sectional map amendment retained the property in the C-M (Miscellaneous Commercial) Zone. Special Exception 4303 was approved by the District Council in 1998 to permit a food and beverage store. The gas station is a permitted use in the C-M Zone. There have been no further zoning actions on the subject property.
- D. Master Plan Recommendation: The 2002 General Plan places the site in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. The 2006 approved Bowie and vicinity master plan and sectional map amendment recommends the retention of the existing commercial use.

- E. Request: The applicant seeks approval of a minor revision of the approved site plan to add additional parking spaces to serve the WAWA gas station/food and beverage store. This revision would add 54 additional parking spaces, while removing three of the four oversize (truck) parking spaces.
- F. Neighborhood and Surrounding Uses: The neighborhood contains the subject gas station/food and beverage store, a few single-family residences in the median to the north and the now-developing employment park to the south and west (Collington Center). The remainder of the neighborhood is undeveloped other than a few scattered residences and agricultural fields.

Immediately surrounding the subject site are the following uses:

- North Single-family residences in the median in the R-R, R-A and R-E Zones.
- East Across US 301 are scattered residences and agricultural uses in the R-A Zone.
- **South** Across a service road connecting the lanes of US 301 is undeveloped median within the right-of-way.
- West Across US 301 is undeveloped land in the E-I-A Zone (Collington Center).
- G. Minor Change Provisions: Section 27-325(b), which governs minor revisions to special exception site plans, provides that:
  - (1) The Planning Board is authorized to approve the following minor changes:
    - (A) An increase of no more than fifteen percent (15%) in the gross floor area of a building;
    - (B) An increase of no more than fifteen percent (15%) in the land area covered by a structure other than a building;
    - (C) The redesign of parking or loading areas; or
    - (D) The redesign of a landscape plan.

The proposed revisions do not increase the gross floor area of the building. The change does constitute a redesign of the parking areas; however, no redesign of the landscape plan is proposed.

H. Specific Special Exception Requirements: Pursuant to Section 27-355 of the Zoning Ordinance, the following specific requirements apply to a food and beverage store in the C-M Zone:

Section 27-355 of the Zoning Ordinance:

A food or beverage store may be permitted, subject to the following:

- 1. The applicant shall show a reasonable need for the use in the neighborhood;
- 2. The size and location of, and access to the establishment shall be oriented toward meeting the needs of the neighborhood;
- 3. The proposed use shall not unduly restrict the availability of land, or upset the balance of land use, in the area for other allowed uses;
- 4. In the I-1 and I-2 Zones, the proposed use shall be located in an area which is (or will be) developed with a concentration of industrial or office uses;
- 5. The retail sale of alcoholic beverages from a food or beverage store approved in accordance with this Section is prohibited....

Each of the above criteria was addressed when the special exception was initially approved by District Council. The Council found that the use complied with each criterion. The project is currently under construction in accordance with the Council's decision. This application proposes no changes in the building which was approved, the number of pumps at the gas station, or other physical changes to the uses taking place on the site. Staff has reviewed the proposed revision and has determined that the addition of 54 parking spaces does not alter any of the findings as they relate to the specific criteria set forth in Section 27-355.

In addition, Section 27-325(a)(4) provides that:

The revised site plan shall comply with all applicable requirements of this Subtitle, and with any conditions, relating to the use, imposed in the approval of the Special Exception or of any applicable Zoning Map Amendment, subdivision plat, or variance.

The District Council approved SE-4303 subject to the following conditions:

- 1. The applicant shall comply with access improvements required by the State Highway Administration.
- 2. The applicant shall secure a variance from Section 27-358 (a)(5) to allow for two driveways less than 30 feet in width.

In lieu of obtaining a variance, the applicant revised their access driveways to meet the 30-foot requirement, with the exception of the driveway from southbound US 301, which tapers down to 18 feet in width pursuant to design criteria established by the State Highway Administration (SHA). The District Council has subsequently amended this section of the Zoning Ordinance to allow alternative driveway designs required by the SHA and Department of Public Works and Transportation without the need to obtain a variance.

3. The applicant shall secure Alternative Compliance for landscaping deficiencies, obtain a departure or revise the site plan to show compliance with the requirements of the Landscape Manual.

The applicant revised the site plan to meet the requirements of the Landscape Manual with the exception of the relocation of a portion of the commercial landscape strip along the main entrance drive from the crossover rather than along the site frontage of US 301. This relocation was approved via Alternative Compliance Case No. 98009. The new parking area appears to be in conformance with the requirements of the Landscape Manual

4. Appropriate signage shall limit access to the access road north of the subject property to local residents only.

Signage exists which prohibits traffic from exiting from the site north onto the service road.

- I. Parking Regulations: The applicant originally provided 49 parking spaces for the building, which exceeds the 31 spaces required by the code. With the net additional 51 parking spaces proposed in this minor revision (54 spaces 3 oversize spaces, which would be removed to provide access), 100 parking spaces will be provided on-site, more than three times the minimum required number.
- J. Landscape Manual Requirements: Generally, compliance with the Landscape Manual is required when there is either a proposed increase in gross floor area of a building or a change of use. The proposed additional parking is not the result of a change of use or an increase in gross floor area. The proposed revision is, therefore, exempt from the Landscape Manual. The plan provided by the applicant shows the landscaping in accordance with the approved landscape plan from the initial approval of the special exception.
- K. Zone Standards: No additional variances or waivers are required for this application.
- L. Sign Regulations: No signs are proposed for this revision.
- M. Required Findings:

Section 27-317(a) of the Zoning Ordinance provides that a special exception may be approved if:

(1) The proposed use and site plan are in harmony with the purposes of this Subtitle.

- (2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.
- (3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.
- (4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.
- (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.
- (6) The proposed site plan is in conformance with an approved Tree Conservation Plan.

The District Council, in approving the subject use, found it provides a reasonable and convenient location for food and beverages for the general neighborhood and the traveling public, without being detrimental to the adjoining property owners. The residents within the median were very concerned with the use and the impact it would have on their way of life. This application would extend the use closer to the residences and thus create the potential for greater impacts, particularly if the parking area is increased to the extent proposed by the applicant. However, with conditions of approval imposed, staff believes the proposed revisions will not impair the findings made by Council.

### N. Referrals:

a. Community Planning North Division, dated July 10, 2007:

"The 2006 approved Bowie and vicinity master plan recommends that US 301/Crain Highway be upgraded from US 50 southward to a six- to eight-lane freeway (F-10) with a continuous parallel arterial facility (A-61) on the west side. Rights-of-way of this freeway range from 300 to 600 feet in width, excluding service road. (See page 44.) The Land Use and Transportation Map (South of US 50) depicts the property within the planned F-10 freeway. In the Developing Tier section, the master plan recommends facilitating future highway improvements on US 301/MD 3 while allowing limited, low traffic-generating development along the corridor. (See page 11, Policy 5.)

"It appears that the proposed increase in parking spaces from 31 required by the Zoning Ordinance to 100 could potentially generate more traffic volume at the site, causing safety problems on US 301. Currently, the food store attracts many truck drivers who park their trucks on the service road east of the property. A portion of the proposed parking lot behind the food store could be potentially used for truck parking. The applicant should explain the reason why additional parking spaces are needed for this site."

### b. Urban Design Section, dated September 24, 2007:

The required number of parking spaces for the site is 31 parking spaces. The subject site has currently 46 parking spaces. The proposed addition of 54 parking spaces will provide a total of 100 parking spaces. This excess of parking will increase the pedestrian and vehicle traffic on site. It is not clear how providing additional parking will allow for a "safer internal flow of vehicles and pedestrians." There is an existing loading space located at the rear of the WAWA building. The proposed 54 parking spaces will be located to the north end section of the site. Although building entrances are not shown on the site plan, a customer parking in the new parking area would have to walk across the parking lot, behind the building, to get to the front building entrance. Thus, the location of proposed parking area would negatively affect the health and safety of residents or workers in the area.

The site plan indicates "proposed area light," however, the applicant should provide a photometric lighting plan detail sheet for the type of lights which are proposed to be used on site.

#### Landscape Manual Conformance

The applicant is proposing 54 additional surface parking spaces located in the eastern portion of the subject site. The proposed site is subject to the requirements of Section 4.3 Parking Lot Requirements and 4.7 Buffering Incompatible Uses of the Landscape Manual. The applicant is providing the required 40-foot-wide landscape buffer along the east property line, which is adjacent to an existing single-family dwelling in R-R Zone. The plans appear to be in conformance with the requirements of the Landscape Manual. The landscape plan for the overall site should be provided.

#### Conclusion

The Urban Design Section does not find that the proposed parking facility is designed in relationship to the existing development on this site as safe or convenient for pedestrians walking from their parked vehicles to the convenience store, due to distance and the location of existing loading facilities for the development.

The Planning Board agrees with the Urban Design staff's assessment that this is not the optimal location for additional parking, but cannot suggest an alternative location. The front of the property contains an underground stormwater management structure and potential parking in that area of the site would involve a more precarious crossing of drive aisles around the gas pumps than would the proposed location. Extending additional parking along the sides of the property is not feasible due to the location of the large septic recovery fields. In this instance, the need for additional parking is substantial enough to locate in this less than ideal location.

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c. Transportation Section, dated July 12, 2007:

The subject application is limited to the provision of 54 additional spaces only. There will be no improvement to the food and beverage operation or to the type or number of fueling positions. In this regard, since a parking space by itself is not considered a traffic generator, staff concludes that this expansion of the parking facility will not create any additional traffic on the surrounding transportation road network.

Regarding the on-site circulation of traffic, staff opines that more parking spaces in the location as being proposed could lead to better circulation of traffic within the overall site.

O. Conclusions: Even to the casual observer who passes by this site on US 301 during peak hours it is apparent that this use needs additional parking. Staff has visited the site on numerous occasions, both in the AM peak and PM peak hours and as late as 10:00 p.m. In the morning, cars and trucks are double-parked alongside pumps and within the driveways. It is common to see two or three tractor-trailers parked to the rear of the building, with an additional three or four trucks parked along the service road. On-site circulation is at times hectic.

However, the applicant's solution to this problem seems excessive and may result in additional unforeseen problems. Essentially doubling the number of parking spaces would create a large asphalt pad to the rear of the building that is unlikely to be used to capacity. While the Planning Board agrees with the need for additional parking, and concurs that this is probably the only space available for additional parking, we have not seen a degree of illegal parking that would suggest an additional 51 net parking spaces would be necessary. The Planning Board concludes that an additional 45 parking spaces will be sufficient to meet the existing and future needs.

The Planning Board is also concerned that such a large asphalt pad would be appealing to the inordinate number of truckers that use this store, considering that diesel fuel is not available for purchase. A recent week night visit to the site (10:00 p.m. on Thursday, November 15, 2007) found few cars but many tractor-trailers at the site. Staff is concerned that if this additional parking pad is built to the size proposed, truckers will see it as a potential stopping point for evening layovers. The service road already seems to be used for this purpose. This use of the site was clearly never intended when the District Council approved it in 1998, and would negatively impact the residents living within the median to the north.

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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 the above-noted application, subject to the following conditions:

- 1. Prior to certification, the site plan shall be revised to show a maximum of 45 additional parking spaces. In addition, design techniques such as adherence to standard aisle widths and turning radii shall be employed to discourage the use of the lot by tractor-trailers. The center rows of parking spaces shall be designed to not have pull-through capability.
- 2. Prior to certification, the revised landscape plan for the overall site shall be provided.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the Circuit Court for Prince George's County, Maryland within thirty (30) days of 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 Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns, Clark and Parker voting in favor of the motion, and with Commissioner Cavitt opposing the motion at its regular meeting held on Thursday, January 10, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of February 2008.

Oscar S. Rodriguez Executive Director

By Frances J. Guertin

Planning Board Administrator

OSR:FJG:TL:bjs

From: Kwesi Woodroffe To: Burke, Thomas Cc: **PGCReferrals** 

Subject: RE: EPlan ACCEPTANCE of DSP-20001, WAWA #582; SHA; KW

Date: Wednesday, November 4, 2020 8:42:46 AM

Attachments: image011.png

image012.png image013.png image014.png image015.png image016.png image018.png image019.png image020.png image021.png image022.png image023.png image024.png image025.png

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

Good morning Thomas,

I reviewed the subject referral and have no comments or objections.

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









From: ePlan <ePlan@ppd.mncppc.org>
Sent: Tuesday, November 3, 2020 10:27 AM

To: Larman, Brooke <Brooke.Larman@ppd.mncppc.org>; Rotondo, Chris

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<dlynch@mhlawyers.com>

**Subject:** EPlan ACCEPTANCE of DSP-20001, WAWA #582

ALL,

This is an EPlan ACCEPTANCE for **DSP-20001, WAWA #582.** This case was officially accepted as of today, November 3, 2020.

Please submit ALL comments to Thomas Burke(email attached).

Click on the hyperlink to view the case:

https://www.dropbox.com/sh/py5lb7zc3f0v31l/AADxLHTXYaBsH1V1pObgqTp0a?dl=0

### Donald R. Townsend

Senior Planning Technician | Development Review Division



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# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive Upper Marlboro, Maryland 20772 www.pgplanning.org

December 21, 2020

## **MEMORANDUM**

TO: Tierre Butler, Senior Planner, Urban Design Section

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

SUBJECT: DSP-20001 – WAWA #582

1. Site is already constructed; however, the canopy dimensions still need to be added to the site plan.

- 2. Provide illustrated location of the Goose logo proposed on Sheet 6 for the Gas Island Spanner. The associated WAWA sign is shown on Sheet A7.1, Gas island -Front Elevation, but not the Goose Logo.
- 3. Add the setback of the replacement monument gas price signs to the site plan even though they are replacing the existing signs.
- 4. The Permit Review Section offers no further comments for this development application.