1	THE PRINCE GEORGE'S COUNTY PLANNING BOARD OF
2	THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
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5	BEHNKE PROPERTY 7-ELEVEN
6	Detailed Site Plan, DSP-20029
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8	TRANSCRIPT
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10	PROCEEDINGS
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12	COUNTY ADMINISTRATION BUILDING
13	Upper Marlboro, Maryland
14	
15	February 4, 2021
16	VOLUME 1 of 1
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19	BEFORE:
20	ELIZABETH M. HEWLETT, Chair
21	DOROTHY F. BAILEY, Vice-Chair
22	A. SHUANISE WASHINGTON, Commissioner
23	MANUEL R. GERALDO, Commissioner
24	WILLIAM M. DOERNER, Commissioner
25	

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OTHERS PRESENT:

ADAM BOSSI, Staff, Transportation Section
MATTHEW GORDON, Attorney for Applicant

C O N T E N T S

SPEAKER	PAGE
Adam Bossi	5
Matthew Gordon	12
Tia Quiah	16
Ceceiro Quiah	16

1 PROCEEDINGS 2 MADAM CHAIR: Thank you, Ms. Butler. So, the next 3 case is Item 5, which is Detailed Site Plan 20029 for Behnke 4 Property 7-Eleven. Let me do the check, a sign-up check. 5 Mr. Bossi? 6 MR. BOSSI: Yes, good morning, Madam Chair. 7 MADAM CHAIR: Good morning. Okay. Matthew 8 Gordon? 9 MR. GORDON: Good morning. 10 MADAM CHAIR: Okay. Good morning. We have a number of speakers. Victoria Ballestero? 11 12 MS. BALLESTERO: Good morning. 13 MADAM CHAIR: Good morning. Michael Kaney? 14 MR. KANEY: (No audible response.) 15 MADAM CHAIR: Michael Kaney? I see you there. 16 We'll come back. Lanna Clement? 17 MS. CLEMENT: Good morning. 18 MADAM CHAIR: Okay. Wonderful. Chantelle Marino? 19 MS. MARINO: (No audible response.) 20 MADAM CHAIR: Chantelle Marino? Let's see. 21 UNIDENTIFIED SPEAKER: (Indiscernible.) 22 MADAM CHAIR: Okay. Don't see her. Brianne 2.3 Wilson. 24 MS. WILSON: Good morning. 25 MADAM CHAIR: Good morning. Heather Miklos?

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             MS. MIKLOS: Good morning.
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             MADAM CHAIR: Did I pronounce it correctly?
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             MS. MIKLOS: Miklos, yes.
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             MADAM CHAIR: Okay. Thank you. James Barringer,
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   or ger? James Barringer?
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             MR. BARRINGER: I'm, yes, I'm here. Good morning.
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             MADAM CHAIR: I it, is it ger or ger?
             MR. BARRINGER: Ger, Barringer.
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             MADAM CHAIR: Barringer? Okay. Thank you. I had
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   it right. Okay. Andrew --
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             MR. BARRINGER: Yes, ma'am.
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             MADAM CHAIR: Okay. Andrew Polott?
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             MR. POLOTT: I'm here. Good morning.
             MADAM CHAIR: Okay. And Michael McManamey, or
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   McManamey, maybe?
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             MR. MCMANAMEY: Yes, I'm here. Good morning.
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             MADAM CHAIR: Thank you. Did I get that one
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   right?
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             MR. MCMANAMEY: You got it right. Yes.
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             MADAM CHAIR: Okay. Thank you. Okay. All right.
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   Here we go. Okay, so --
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             MR. MCMANAMEY: Yes, you did.
             MADAM CHAIR: Okay. Wait a minute, I've got some
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24
   more. Ceceiro Quiah? I'm sure I got that wrong. Quiah?
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   Quiah?
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MS. QUIAH: I'm here, yes. Thank you. 1 2 MADAM CHAIR: Did I pronounce your last name 3 correctly? 4 MS. QUIAH: Yes. 5 MADAM CHAIR: Okay. And what about, is it Ceceiro? 6 7 MS. QUIAH: Yes, he's here as well. MADAM CHAIR: Okay. Thank you. Okay. 8 9 concludes the sign-up list. We also have additional back-We have Applicant's Exhibit No. 1, which is the 10 up. directional sign comparison; and Applicant's Exhibit No. 2, 11 12 which are Applicant's proposed revisions to the conditions. 13 Mr. Bossi, ready for take-off. MR. BOSSI: All right. Good morning, Madam 14 15 Chairwoman and members of the Planning Board. Just for the record, Adam Bossi, with the Urban Design Section. This is 16 17 the hearing for Item 5, the Detailed Site Plan, DSP-20029, 18 which proposes the development of a food and beverage store, 19 and gas station. As we get started here, Madam Chair 20 already mentioned we did receive the two additional back-up 21 items as she discussed. Additionally, just for the record, I do want to note that I was invited and did attend a 22 23 January 20th meeting of the Beltsville Citizens Association

where the applicant and residents were able to talk about

this case. So, I do want to thank them for inviting me to

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participate in that discussion.

MADAM CHAIR: Wonderful.

MR. BOSSI: I think it's great, you know, seeing those things happen prior to, to the hearing.

MADAM CHAIR: Wonderful.

MR. BOSSI: So, if we can move on to slide two then, we'll get started. The subject property here is in Planning Area 61, Council District 1.

Slide three please. Outlined in red, the subject site is located in the southwest quadrant of the intersection of Howard Avenue and Baltimore Avenue in Beltsville. Slide 4 please. As shown here, the property is zoned commercial miscellaneous. That's the CM zone shown in this pink shade.

Slide five please. The subject site is part of the former Behnke Nursery, which did operate at this location for many years. The subject area for this application includes the former retail building that's going to be outdoor plant sale areas. The closest neighbor to the subject site is the Hostess Commercial Bakery retail operation, which is just north, north of the site across Howard Avenue, excuse me. Baltimore Avenue does above the eastern side of the site with railroad tracks beyond as we see here in the aerial image.

Slide six please. The typographic map shows the

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site is relatively flat. Slide seven please. Again,

Baltimore Avenue does abutt the east side of the site and it
is shown here in red. It is classified as an arterial
roadway.

Slide eight please. Here with the bird's eye view, we do see the subject site in the top right corner of the image. This slide does provide a fairly clear view of the existing conditions here, again, with the existing retail building and other site features, which are proposed to be raised by this DSP.

Slide nine please. Just to slightly reorient you as we, we look at this. Most of the images that we've been looking at north has been to the, to the top side of the image. This one we've turned about 90 degrees clockwise; so, north is, is to the right here just for orientation purposes. So, the DSP does propose the development of a 4,500 square foot food and beverage store and a gas station with eight multi-product dispensers. The store is shown here on the west side of the site. Again, the top of the image here with the gas station shown below it and Baltimore Avenue beyond at the bottom of the image.

The next slide will actually show this, I think, a little bit more clearly. Yes, so here, here we are at the Landscape Plan and, again, we do see that proposed building and gas station represented by the light gray square and

rectangle, respectively.

Access to our site is proposed at Howard Avenue on the top right corner of the image; and at the bottom left corner of the image there is a portion of an access road that is proposed to be provided with a right in, right out turn to the southbound lanes of Baltimore Avenue. Adequate parking has been provided primarily around the convenience store building, as well as sidewalks, bike racks, a trash enclosure, lighting and landscaping. All of these features have been provided generally in accordance with the associated requirements of the Zoning Ordinance and Landscape Manual. And our Review Staff did note a few details that require some technical corrections, and we did include some recommended conditions for those in the Staff Report.

As was brought up actually at the last hearing on Wawa, just to, to get ahead of the question now, electric vehicle charging stations were not proposed with this application, so you will not see those on, on the Detailed Site Plan.

If we could move on to slide 11 please? So, in this, and in the final proceeding slides, we'll quickly look at the building elevations and some of the signage that's been provided. Here we see, again, the proposed building with an area of 4,500 square feet. It's rectangular in

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shape and a single story in height. The top image shows the front or the eastern façade of the store, which will face inward to the site; and we see the western elevation of the rear of the building and the bottom image. The front of the building includes its main entrance with appropriate fenestration and the rear includes service and delivery entrance. Facades on all the sides of the building are to be clad with a combination of efface and stone veneer and beige-colored tones. Again, here we see the front façade of this building is, is primarily to be clad in stone veneer.

If we could move on to the next slide please? So, this is showing the sides of the building, and the Applicant has paid some nice attention to some of the details here, including spandra (phonetic sp.) glass, canopies, and, and stone veneer for a water table and some of these vertical elements. These are some nice touches that do add some interest to the sides of the building. The trash enclosures also shown here and, and you can see it will be clad with complimentary materials and colors so it does match the building.

Slide 13 please. A gas station canopy will include, as I mentioned before, eight fuel dispensers and be approximately 152 feet long, 36 feet wide, and 19 1/2 feet in height. The materials and colors selected for the structure, again, match those of the building and trash

enclosure.

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Signage that's been provided by the DSP is pretty typical for the brand and the proposed use. As outlined in, as outlined in finding seven of the Staff Report, staff recommended two directional signs that did include some advertising be removed from the DSP. Since the publication of the Staff Report, we have been in touch with the Applicant who has proffered to remove that advertising from those directional signs, essentially making them acceptable for retention. Those items, as well as, excuse me, the Applicant has provided two exhibits seeking to address those items and issues now. The first exhibit, again, is that graphic showing the existing directional signs, and then their proffered revisions. The second document does provide some language changes to finding seven and Condition 1(c) of the Staff Report, which Staff does agree with those requested modifications.

To conclusion, Madam Chair, members of the Planning Board, based on our review, Staff does recommend that the Board approve DSP-20029, subject to the conditions included in the Technical Staff Report as modified by the Applicant's exhibit. Again, those modifications are finding seven and Condition 1(c).

With that, I'm here to answer any questions. Thank you.

MADAM CHAIR: Thank you, Mr. Bossi. Let's see if 1 2 the Board has any questions of you at this time. Madam Vice Chair? 3 4 MADAM VICE CHAIR: No, thank you. Thank you for 5 the report. MADAM CHAIR: Okay. Commissioner Washington? 6 7 COMMISSIONER WASHINGTON: No questions, thank you. MADAM CHAIR: Commissioner Doerner? 8 9 COMMISSIONER DOERNER: Yeah, just for historical 10 context. I think, can we go to the map, like one of the, I 11 think the second slide or something? Yeah, so I think like maybe on the parcel above that, there used to be a 7-Eleven. 12 13 Maybe it's been raised because it looked like one of the 14 other slides that the whole site is gone, but literally like 15 a block down was a 7-Eleven before. Is that true or kind of 16 what's happening there? 17 MR. BOSSI: Great question, Commissioner Doerner. 18 I think it may be best for, for Mr. Gordon to address that. 19 I believe there is a 7-Eleven located up the street, but I 20 think he can provide some more context. 21 MADAM CHAIR: Okay. So, that, we'll come back. 22 We'll come back. 23 COMMISSIONER DOERNER: That, I think it's like not

even 50 yards, maybe 20 yards away; so, I just want to kind

of find out what, yeah, where that CSE dark red kind of area

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is, I think. 1 2 MADAM CHAIR: Okay. COMMISSIONER DOERNER: Is there, is a 7-Eleven 3 4 right there. So, I'm just going to -- I want a little more 5 context about that if we can. MADAM CHAIR: Okay. When we get to Mr., when we 6 7 get to Mr. Gordon, did you have any other questions of Mr. Bossi, Commissioner Doerner? 8 9 COMMISSIONER DOERNER: No, no, thank you. MADAM CHAIR: Okay. Commissioner Geraldo? 10 11 COMMISSIONER GERALDO: I have no, I'll just wait for the Applicant. 12 13 MADAM CHAIR: Okay. And I'm sure the Applicant 14 was listening in the last case. Okay. Mr. Gordon, you 15 ready? MR. GORDON: Good morning, Madam Chair and members 16 17 of the Planning Board. For the record, Matthew Gordon with 18 the law firm of Selzer Gurvitch. Happy to be here today on 19 behalf of the Applicant, Route 1, LLC. We are grateful and 20 in full support of the Staff Report recommendations as 21 revised, and we thank Mr. Bossi and the rest of your Staff for providing us with really comments through this process 22 23 which resulted in a better overall site design. 24 I just wanted to touch on a couple of the details,

and I guess I'll, I'll take Commissioner Geraldo's question

from the last case. But today, presently, 7-Eleven is not contemplating electric vehicle charging stations; however, they would consider the infrastructure in the future depending on market demand. So, they were going to maintain that flexibility to, to monitor and see when it, when it becomes a demand for this site, and they would consider it at that time.

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On the, on the signage, I just wanted to touch on that briefly as well. The, the commercial advertising components of the two directional signs at the entrances have been, are proposed to be removed so that the signs can just function as wave finding to enhance vehicular circulation and traffic safety, which is consistent with other commercial uses in similar CM zoning, which has been permitted. So, that, that's been proposed and we appreciate Staff support for that, for those revisions; and then the one other point, I understand there were some questions from the community that were relative to Wicomico Avenue, and it was, it was vacated by the Planning Board in the late 90s, I believe, 1999, and there were a number of conditions that were required to be satisfied. And, well, just taking a step back, it's an east-west, it was a former public street that bisected the property from east to west.

And, recently, it has been, the conditions were satisfied, and so it's no longer a public street. It's been

consolidated into the property, and it doesn't allow for any connectivity from, from Route 1 into the neighborhood, to the, I believe to the, to the west. So, that, that was one of the questions that we had asked. So, it is, is no longer public street and it's part of the property. And I think those were, those were the minor points that we wanted to touch on and we appreciate your time and consideration, and the full team is available for any other questions that arise.

MADAM CHAIR: Okay. A couple of things, because I know we, we had the Commissioner draw those questions, Commissioner Doerner's question; and I know you've addressed the citizens.

MR. GORDON: Oh, I, yeah, I apologize.

MADAM CHAIR: Thank you.

MR. GORDON: Commissioner Doerner, that one, you're right, there is a, a 7-Eleven that is about a block away, and this is proposed to be the relocated 7-Eleven. So, that 7-Eleven will be closing and, and this is where they are moving it to, just, just down the street. So, you're right that there is an existing one very close that will be closing in the future.

MADAM CHAIR: Thank you. I am now going to see if the Board has any questions of you, Mr. Gordon; and after that, I know you have a large sign-up list for, if there are

any questions, but I'd like to go to the people who signed 2 up as opponents so that we can hear their concerns, which you may have already addressed; but if not, you can then 3 4 address it, okay? If you --5 MR. GORDON: Thank you. MADAM CHAIR: Okay. So, let's see if the Board 6 7 has any questions. Madam Vice Chair? 8 MADAM VICE CHAIR: No questions. Thank you. 9 MADAM CHAIR: Okay. Commissioner Washington? 10 COMMISSIONER WASHINGTON: No questions. 11 you. MADAM CHAIR: Okay. Commissioner Doerner? 12 13 COMMISSIONER DOERNER: No questions. Thank you. MADAM CHAIR: Commissioner Geraldo? 14 15 COMMISSIONER GERALDO: Just I, I didn't quite understand counsel's response. So, I take you're not, 7-16 17 Eleven is not adverse to a consideration in, in, in this 18 plan, just a consideration with a charging stations? 19 MR. GORDON: Yeah, I think it's more going to be 20 in the future that the consideration presently they're not 21 considering it; but in the future, as necessary, they, they 22 will. 23 MADAM CHAIR: And what I think Commissioner Geraldo is asking is that, similarly, if we, as we did with 24

the previous case, are you amenable to a consideration place

in the resolution that says you will, will be open to that, 1 will consider that as the need arises, or as the trends 3 continue that 7-Eleven --4 MR. GORDON: Yes, that, that would be acceptable. 5 MADAM CHAIR: Okay. Okay. Thank you. 6 COMMISSIONER GERALDO: Thank you. 7 MADAM CHAIR: Okay. So, now I'm going to turn to the folks who signed up in opposition. Ms. Quiah. 8 Tia, is, 9 is, I think it's Quiah. You, you passed it. MS. QUIAH: Hello. 10 MADAM CHAIR: Hi. 11 12 MS. QUIAH: My main concern is the, is the opening 13 of Wicomico Avenue. I'm hoping that that is not in the Site Plan and it, and it kind of seems like it is not going to 14 15 I got some clarification from someone from your office be. yesterday, which I appreciated; so, as long as that is not a 16 17 consideration, I can withdraw my opposition. 18 MADAM CHAIR: Thank you. I think that's what Mr. 19 Gordon was saying, so we'll let him respond again after 20 that; and, and then, Ceceiro, did I pronounce that 21 correctly, Quiah? The same position, I guess? 22 MR. QUIAH: Yes, that's, that's pretty close. 23 It's pronounced Ceceiro.

MADAM CHAIR: Ceceiro? Okay.

MR. QUIAH: Thank you.

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MADAM CHAIR: Okay.

MR. QUIAH: Yeah, so I have a similar concern, which I think is, wait for the response. However, I do have some opposition to --

MADAM CHAIR: Somebody has got, somebody has a TV or a telephone conversation going, so we're going to -- we need to mute people. Okay. Mr. Quiah, you're, you're back on. Thank you.

MR. QUIAH: Okay. Thanks. Yeah, so I do have some opposition to the gas station being there. I believe that there's already some standing that the owner of the property is going to build whatever they wish; however, I did want to voice my opposition. I, being as how, I'm extremely close to that property and I just didn't want to be by a gas station.

MADAM CHAIR: All right. Thank you. I'm going to turn to Mr. Gordon first to address the issue of the opening, and then we can also address, and either our counsel, Mr. Warner, can address whether a permitted use in the CM zone. Okay. Mr. Gordon?

MR. GORDON: Yes. Thank you. It will not,
Wicomico Avenue will not be open to the general public in
terms -- there will be no sort of through movements that
would connect to the neighborhood or the access from Route 1
to Baltimore Avenue just allows you to come into the

property and get to the gas station, the future gas station, beverage store. So, there, there will be no -- you're, you're correct that your concerns will, there will be no concern from, from, of what you raised. Thank you.

MADAM CHAIR: Thank you. Mr. Warner?

MR. WARNER: Thank you, Chair Hewlett. David
Warner, the principal counsel. This is an understandable
concern that people sometimes have when they use this
changing parcel, especially one that they live very close
to. The way that simply the law works is the County passes
a zoning code that identifies what uses are permitted to be
undertaken on different pieces of property around the
County. On this piece of property, the zoning code allows
the previous use, as well as this proposed use; and so,
because it's allowed, we are now at the point of designing
the property and approving the design for the property; but
we don't get involved in what the use of the property is
going to be. That's already been decided, so that's not
before us; and even if we didn't like the use, the Planning
Board could not do anything about that at this stage.

MADAM CHAIR: Thank you, Mr. Warner. So, it's been established by the Council as a legislative body that this is permitted in that CM zone and we can, as you indicated, we cannot thereby determine that this use is not permitted. It would be illegal on our part; but I would

invite you, Mr. Gordon, you and your, your clients, and, and
your team, you know, you can have future conversations if
there's any way anything that you can put in place to be a
little bit more protective about the, the surrounding
neighborhood. So, you can have continued conversations.

Was there anything you, else, anything else you
care to add, Mr. Gordon?

MR. GORDON: No, not at this time, but we, yeah, we will continue to communicate with the nearby community associations. We've met with three different associations over the last several months, and so we're, we're open and willing to listen to anything from any of the neighbors.

MADAM CHAIR: Okay. Mr. Bossi can share the contact information, too, for the Quiahs; but we won't do it over, you know, publicly; but he can get it to you, okay? Thank you.

MR. GORDON: Thank you.

MADAM CHAIR: All right. Does the Board have any questions of anyone?

(No affirmative response.)

MADAM CHAIR: Is there a motion?

COMMISSIONER WASHINGTON: Madam Chair, I move that we adopt the findings of Staff, in addition to the amended finding as outlined in Applicant Exhibit No. 2; in addition to adding a consideration to explore adding charging

stations for electrical vehicles; and approve DSP-20029, 1 2 along with the associated conditions as outlined in Staff's 3 Report and as further modified by Applicant Exhibit No. 2. 4 MADAM CHAIR: We have a motion --5 MADAM VICE CHAIR: Second. MADAM CHAIR: -- by Commissioner Washington, 6 7 seconded by Madam Vice Chair, Vice Chair Bailey. 8 MADAM VICE CHAIR: Aye. 9 MADAM CHAIR: Commissioner Washington? 10 COMMISSIONER WASHINGTON: Aye and happy birthday, Will. 11 12 MADAM CHAIR: Commissioner, Commissioner birthday 13 boy? 14 COMMISSIONER DOERNER: Thank you. Then I'll vote 15 aye as well. 16 MADAM CHAIR: Okay. And Commissioner Geraldo? 17 COMMISSIONER GERALDO: Vote aye. 18 MADAM CHAIR: Thank you. Okay. So, that's done. 19 The ayes have it 5-0. And I will, looking at my agenda. 20 That concludes what I have on my agenda before I turn to Mr. 21 Hunt in honor of, and to commemorate what would have been 22 Rosa Parks' 113th birthday today, I close with her quote, 23 "That you must never be fearful about what you are doing 24 when it is right." 25 Mr. Hunt, my question for the day is, is there any

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additional business to come before this Planning Board? 1 2 MR. HUNT: There is no additional business for the Planning Board today, Madam Chair. Thank you. 3 4 MADAM CHAIR: And --5 MR. HUNT: Happy birthday. MADAM CHAIR: Okay. So, before I hit this gavel, 6 7 let me just say everyone please stay safe. This is not joke out here. Please stay safe. Please look out for one 9 another. Please reach out to maybe elderly or, or folks in your communities who may be lonesome or lonely; also, or who 10 11 may be in need. Also, we have our black history month 12 programs, as I said. There's a brochure on my; and, 13 finally, very happy birthday to our beloved Commissioner Doerner. The Planning Board is adjourned. 14 15 MADAM VICE CHAIR: Thank you, Madam Chair. MADAM CHAIR: Thank you. Thank you. Bye-bye. 16 17 (Whereupon, the proceedings were concluded.) 18 19 20 21 22 23 24

DIGITALLY SIGNED CERTIFICATE

DEPOSITION SERVICES, INC., hereby certifies that the attached pages represent an accurate transcript of the electronic sound recording of the proceedings before the Prince George's County Planning Board in the matter of:

Behnke Property 7-Eleven

Detailed Site Plan, DSP-20029

By: 🤍

Tracy Waln
Date: April 13, 2021

Tracy Hahn, Transcriber