

Case No: S.E./V.S.E 4654
Dash-In Woodyard Road

Applicant: Dash-In Food Stores, Inc.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 8 - 2013

AN ORDINANCE to approve a Special Exception and a Variance.

WHEREAS, Application S.E. 4654 was filed to request permission to use approximately 0.71 acres of land, in the C-S-C (Commercial Shopping Center) Zone, for a Gas Station; a variance is also requested as the western driveway entrance from Woodyard Road is located at a point less than 20 feet from the point of curvature of the curb return at the intersection of Woodyard Road with Woody Terrace, the subject property is located on the south side of Woodyard Road (MD 223), at its intersection with Stuart Lane and Woody Terrace, at 8906 Woodyard Road, Clinton, Maryland; 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 and Planning Board, which 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 filed with and considered by the District Council; and

WHEREAS, as the basis for this action, the District Council adopts the findings of fact, conclusions, and decision of the Zoning Hearing Examiner, as its findings and conclusions.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

1. Prior to certification of the Special Exception Site Plan, the following revisions shall be made:
 - a. Revise Sheet SGN-2 to demonstrate that the total area of all signs on the canopy shall not exceed one (1) square foot for each lineal foot of canopy width.
 - b. Revise Sheet SGN-3 to demonstrate that the total permitted sign area for the freestanding sign is 172.16 square feet, not 200 square feet.
2. The following revisions shall be made to the architectural elevations and the Site Plans as required, and be reviewed and approved by the Urban Design Section (M-NCPPC) prior to certification of the Special Exception Site Plan:
 - a. Provide a brick base for the proposed freestanding sign. The brick to be applied at the sign base shall be the same brick as on the proposed building.
 - b. Provide a brick wall to provide sight-tight screening for both the trash receptacle and any mechanical equipment.
 - c. Provide red-colored fabric canopies on top of each insert brick panel on the rear elevation of the proposed convenience store and on the top of the windows on both the right and left elevations.
3. If deemed necessary by the District Council, prior to the approval of a building permit, the Applicant shall submit written evidence to the Permit Review Sections (M-NCPPC) which demonstrates that any proposed structures that are located within the ultimate right-of-way of Woodyard Road (MD 223) have been validated through the District Council's approval of a structure within the right-of-way in accordance with Section 27-259 of the Zoning Ordinance.
4. Prior to issuance of a building permit, Stormwater Management Concept Plan 41637-2008-00 shall be renewed by the Department of Public Works and Transportation (DPW&T) and revised to be consistent with the layout shown on the special exception Site Plan.

SECTION 2. This Ordinance shall take effect on the date of its enactment.

Enacted this 30th day of September, 2013 by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Patterson,
and Toles.

Opposed:

Abstained:

Absent: Council Members Olson and Turner.

Vote: 7-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF THE
MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council