

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 21, 2005 regarding Detailed Site Plan DSP-03081 for Bell Station Center – Gas Station/Convenience Store, the Planning Board finds:

1. **Request:** The subject application requests the development of a gas station, food and beverage store, a car wash, and fast food restaurant in the C-M Zone. The subject project is a first phase of development of a larger parcel. The applicant has provided, as part of this application, a conceptual plan for the balance of the site.

2. **Development Data Summary**

|                             | <b>EXISTING</b> | <b>PROPOSED</b>   |
|-----------------------------|-----------------|---|
| Zone                        | C-M             | C-M   |
| Use(s)                      | Vacant          | Gas station, food and beverage store, fast food restaurant, and car wash. |
| Acreage                     | 14.64           | 14.64   |
| Parcels                     | 2               | 2   |
| Building Square Footage/GFA | 0               | 4,224   |

**OTHER DEVELOPMENT DATA**

|                      | <b>REQUIRED</b> | <b>PROPOSED</b> |
|----------------------|-----------------|-----------------|
| Total parking spaces | 10              | 23              |
| Loading spaces       | 1               | 2               |

3. **Location:** The site is in Planning Area 70, Council District 4. More specifically, it is located in the southwest quadrant of the intersection of Annapolis Road (MD 450) and Bell Station Road.
4. **Surroundings and Use:** The subject property is bounded to the north by Bell Station Road; to the west by Glenn Dale Boulevard (MD 193) and the Pennsylvania Railroad Line; to the east by Annapolis Road (MD 450); and to the south by Annapolis Road (MD 450) and Glenn Dale Boulevard (MD 193).
5. **Previous Approvals:** The site is the subject of preliminary plan of subdivision 4-95053, special exception SE-4460, and final plat REP 193@082. The site is also the subject of stormwater concept plan #8000470-1995-01, approved March 17, 2005, and effective for three years.

6. **Design Features:** The site is proposed to have a single two-way access onto Annapolis Road (MD 450) and two-way accesses onto Bell Station Road. The 4,224-square-foot building, proposed as a food and beverage store and fast-food restaurant, is proposed to be located on the western side of the site, with two parallel rows of pumps halfway between the building and the site's frontage on Annapolis Road (MD 450). A 792-square-foot car wash would be placed south of the proposed building adjacent to a landscaped area that forms the westernmost corner of the site. Parking would be provided on all sides of the building and between the pumps and the project's frontage on Annapolis Road (MD 450) and on the southerly side of the pumps, as well. The project's periphery and the islands defining parking bays are proposed to be landscaped. The building to house the food and beverage store and fast-food restaurant and the building containing the car wash are proposed to be standard red brick veneer, with large areas of glass fenestration, with standing seam metal roofing. The materials to be utilized in the canopy or the uprights supporting it are unclear, though brick does not appear to be employed at all. The car wash proposes large vinyl letter signage to indicate the entrance, the exit, and the car wash.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-O Zone and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-461(b), which governs permitted uses in commercial zones. The Table of Uses indicates that while the car wash and the gas station are permitted uses in the C-M Zone, the proposed food and beverage store requires a special exception. Such review and approval has been received by the subject applicant. Please see Finding 10 below. In addition, though a gas station is a permitted use, Section 27-461(b) requires detailed site plan review in accordance with Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9) and (10), giving rise to the need for the subject application. For a more detailed discussion, please see subsection c. below.
  - b. The proposal is also in conformance with the requirements of Section 27-462, Regulations, regarding additional regulations for development in commercial zones.
  - c. The project is also in conformance with the requirements of Section 27-238 as follows:  
  
Staff has listed each relevant requirement of Section 27-358(a) in boldface type below and addressed each individually in the following comments. Please note that the Zoning Ordinance only requires adherence to the requirements of Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9) and (10) for a gas station in the C-M Zone:  
  
(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 151.26 feet of frontage on Bell Station Road. The Transportation Planning Section has indicated that it has a right-of-way width of 80 feet, in excess of the required 70 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;**

Comment: Staff has reviewed the vicinity of the subject site and found no school, outdoor playground, library or hospital 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;**

Comment: A recommended condition below ensures that the storage or junking of wrecked motor vehicles (whether capable of movement or not) is prohibited on the subject property.

- (5) Access driveways shall not be 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 Public Works and Transportation, 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;**

Comment: All driveways included in the proposed project measure a minimum of 30 feet wide. Compliance with the Department of Public Works and Transportation's requirements for the Bell Station Road frontage and the State Highway Administration's standards shall be ensured through their separate permitting requirements. The requirement regarding driveway placement have been met in the proposed plan.

- (6) Access driveways shall be defined by curbing;**

Comment: Curbing is indicated on the proposed plan.

- (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: The sidewalks included for the proposed project measure five feet wide and have been provided throughout the project.

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

Comment: Gasoline pumps and other service appliances are located well in excess of 25 feet behind the street line.

- (9) Repair service shall be completed within forty-eight (48) hours after the vehicle is left for service. Discarded parts resulting from any work shall be removed promptly from the premises. Automotive replacement parts and accessories shall be stored either inside the main structure or in an accessory building used solely for 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: Compliance with repair service timeline above and discarding and storage of parts is ensured by a recommended condition below. The remaining requirements of requirement 9 above are met because the proposed building is brick and placed on a permanent foundation.

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

Comment: The applicant has submitted detailed elevation drawings complete with specified materials. Staff has reviewed such elevation drawings and finds them to be compatible with the existing surroundings and proposed development.

8. **Preliminary Plan of Subdivision, 4-95053:** Preliminary Plan of Subdivision 4-95053 was approved on October 26, 1995. The Planning Board adopted resolution 95-364, formalizing that approval on November 16, 1995. A final plat has been recorded based on the preliminary plan and is known as REP 193@082.

Staff has evaluated the subject proposal against the requirements of the approval of Preliminary Plan of Subdivision 4-95053, as expressed in Prince George's County Planning Board Resolution No. 95-364. Staff has listed the conditions relevant to the approval of the subject detailed site plan in bold face type below. Staff's comments on each relevant condition follow in regular type.

**2. A Type II Tree Conservation Plan shall be approved for this site by in conjunction with the Detailed Site Plan.**

Comment: Type II Tree Conservation Plan TCP/II/94/97-02 is recommended for approval, subject to two conditions.

**8. A Detailed Site Plan for the entire site shall be approved prior to the issuance of building permits. The Detailed Site Plan shall include, but not be limited to, the following:**

- a. A cohesive design for vehicular access, circulation, parking, and pedestrian circulation. Auto, truck, and pedestrian traffic shall be separated to the extent possible. Pedestrian access shall be provided throughout the site, such that pedestrians can safely and conveniently access the entire site without use of an automobile.**

Comment: The applicant has provided a comprehensive plan for both vehicular and pedestrian connection. Although a vehicular connection from the site to the balance of the shopping center was not initially included in the plans, the applicant has agreed to include one, and a condition below requires that it be shown prior to signature approval of the plans. Pedestrian access to the BP site is accommodated by a sidewalk system allowing pedestrians to access the sidewalk along Bell Station Road as well as the interior sidewalk system connecting each of the proposed buildings in Bell Station Center.

- b. Common pedestrian space and common focal points shall be provided.**

Comment: Common pedestrian space in this portion of the overall center is the sidewalks provided. The sidewalk system for Bell Station Center will eventually connect to the balance of the center, where additional common pedestrian spaces will be provided. Focal points in the development are provided by the extensive landscaping offered on the periphery of the site. Additionally, the primary architectural material choice, a quality brick, for the buildings on the site is enhanced by an architectural design that exceeds the quality standard approved in the special exception.

- c. Design guidelines and specific designs for signage and architecture. Signage shall be consistent in terms of location for both building-mounted and free-standing signs, shall be easy to read and shall provide clear internal directions and an uncluttered external appearance. Architectural guidelines shall include colors, materials, and styles, such that all buildings are**

**consistent and compatible with each other, and are compatible with the adjoining historic buildings and residential neighborhood.**

Comment: The signage offered, both wall and freestanding, is clear, easy to read, and simple in design. The architectural guidelines do include colors, materials and styles to ensure that the buildings are compatible with each other, the adjoining historic resource, and the adjacent residential neighborhood.

- d. Screening for trash enclosures and loading areas oriented to the interior of the site shall be provided and shall consist of masonry walls designed to appear to be an extension of the building (brick, stone, or ornamental concrete).**

Comment: The trash enclosure for the site is to the rear left side of the building, interior to the site. It will be screened both by its location and the extensive landscaping on the periphery of the site and on the landscape island adjacent to it. However, the trash enclosure should be of the same masonry construction as the proposed building and should be designed so as to appear integral to the main building on the site. These requirements are reflected in the recommended conditions below.

- e. The stormwater management pond shall be designed as an amenity, to the extent possible.**

Comment: The stormwater management pond for the proposed development is off-site. Therefore, this condition has become inapplicable for the proposed project.

- f. Views from the road (public right-of-way). All views of trash and loading areas shall be completely screened from the road. The facades of any structure visible from the road shall be treated as front facades.**

Comment: Staff has reviewed the submitted plans with respect to the topography and layout of the surrounding roads and finds that the proposed project meets this requirement.

- g. Parking shall be screened from the road with either a masonry screen wall or evergreen shrub material, or other materials as approved by Planning Board.**

Comment: Screening from the road has been provided as per the landscape plan submitted with the proposed project.

- h. A determination shall be made whether a limited access (ingress only) from MD 193 to the subject site shall be permitted.**

Comment: The Transportation Planning Section has stated that transportation improvements to MD 193 need not be considered at present, but should be discussed when the balance of the site is developed.

9. **A 30-foot landscaped yard shall be provided along MD 193 and a 50-foot landscape yard shall be provided along the southern boundary of the site where it adjoins historic site (#70-30).**

Comment: A recommended condition ensures that the required buffering will be provided along Bell Station Road and along the southern boundary of the site.

10. **Development of this site shall be in accordance with approved Conceptual Stormwater Management Plan (CSD #958000470).**

Comment: In comments dated April 29, 2005, the Department of Environmental Resources stated that the proposed plan is consistent with approved stormwater concept #8000470-1995-02 that superceded concept plan #95800470.

9. **The Requirements of Final Plat REP 193@082:** Staff has reviewed the proposed project against the requirements of final plat REP 193@082 and finds it to be substantially in conformance. Minor deviations have been remedied in the recommended conditions below.
10. **Special Exception SE-4460:** Staff has evaluated the subject proposal against the requirements of the approval of Special Exception 4460—BP Amoco Corporation—and offers the following. Please note that each condition of that approval is reiterated in bold face type and staff's comments follow:

1. **A Detailed Site Plan for the entire site shall be approved prior to the issuance of building permits. The Detailed Site Plan shall include, but not be limited to, the following:**
  - a. **A cohesive design for vehicular access, circulation, parking and pedestrian circulation. Auto, truck, and pedestrian traffic shall be separated to the extent possible. Pedestrian access shall be provided throughout the site, such that pedestrians can safely and conveniently access the entire site without use of an automobile.**

Comment: The applicant has provided a comprehensive plan for both vehicular and pedestrian connection. Although a vehicular connection from the site to the balance of the shopping center was not initially included in the plans, the applicant has agreed to include one, and a condition below requires that it be shown prior to signature approval of the plans. Pedestrian access to the BP site is accommodated by a sidewalk system, allowing pedestrians to access the sidewalk along Bell Station Road as well as the interior

sidewalk system connecting each of the proposed buildings in Bell Station Center.

**b. Common pedestrian space and common focal points shall be provided.**

Comment: Common pedestrian space in this portion of the overall center is the sidewalks provided. The sidewalk system for Bell Station Center will eventually connect to that of the balance of the center, where additional common pedestrian spaces will be provided. Focal points in the development are provided by the extensive landscaping offered on the periphery of the site. Additionally, the primary architectural material choice, a quality brick, for the buildings on the site is enhanced by an architectural design that exceeds the quality standard approved in the special exception.

**c. Design guidelines and specific designs for signage and architecture. Signage shall be consistent in terms of location for both building-mounted and freestanding signs, shall be easy to read and shall provide clear internal directions and an uncluttered external appearance. Architectural guidelines shall include colors, materials, and styles, such that all buildings are consistent and compatible with each other, and are compatible with the adjoining historic buildings and residential neighborhood.**

Comment: The signage offered, both wall and freestanding, is clear, easy to read, and simple in design. The architectural guidelines do include colors, materials and styles to ensure that the buildings are compatible with each other, the adjoining historic resource, and the adjacent residential neighborhood.

**d. Screening for trash enclosures and loading areas oriented to the interior of the site shall be provided and shall consist of masonry walls designed to appear to be an extension of the building (Brick, stone, or ornamental concrete).**

Comment: The trash enclosure for the site is to the rear left side of the building, interior to the site. It will be screened both by its location and the extensive landscaping on the periphery of the site and on the landscape island adjacent to it. However, the trash enclosure shall be of the same masonry construction as the proposed building and should be designed so as to appear integral to the main building on the site. These requirements are reflected in the recommended conditions below.

**e. The stormwater management pond shall be designed as an amenity to the extent possible.**

Comment: The stormwater management pond for the proposed development is provided off-site. Therefore, this condition has become inapplicable for the proposed project.

**f. Views from the road (public right-of-way). All views of trash and loading**



**areas shall be completely screened from the road. The facades of any structure visible from the road shall be treated as front facades.**

Comment: Staff has reviewed the submitted plans with respect to the topography and layout of the surrounding roads and finds that the proposed project meets this requirement.

- g. Parking shall be screened from the road with either a masonry screen wall or evergreen shrub material or other materials as approved by Planning Board.**

Comment: Screening from the road has been provided as per the landscape plan submitted with the proposed project.

- h. A determination shall be made whether a limited access (ingress only) from MD 193 to the subject site shall be permitted.**

Comment: The Transportation Planning Section has stated that transportation improvements to MD 193 need not be considered at present, but should be discussed when the balance of the site is developed.

- 2. Prior to the issuance of permits, the Applicant shall obtain Detailed Site Plan approval for specific architectural elements and to demonstrate conformance with all applicable conditions of previous subdivision and zoning actions.**

Comment: This requirement is being met by the processing of the subject application before the Planning Board.

- 4. The hours of operation of the Food and Beverage Store and the Gas Station will be from 5:00 a.m. to 12:00 a.m. until March 1, 2005. After that said date, the hours of operation of the Food and Beverage Store and Gas Station shall be at the discretion of the Applicant.**

Comment: Since the trigger date of March 1, 2005, mentioned above is in the past, the hours of operation of the food and beverage store and gas station are at the discretion of the applicant. Therefore, no recommended condition below reflects this requirement.

- 5. The hours of operation of the Fast Food Restaurant shall be from 5:00 a.m. to 10:00 p.m.**

Comment: This requirement is reiterated in the recommended conditions below.

- 6. The hours of operation of the Car Wash shall be 5:00 a.m. to 9:00 p.m.**

Comment: This requirement is reiterated in the recommended conditions below.

**7. The architectural design of the buildings associated with this proposal shall be in conformance with Exhibits 47 and 51 which depict the brick façade.**

Comment: Staff has reviewed the architectural design of the buildings for the project and finds that it is in conformance with Exhibits 47 and 51 of the special exception approval both in the quality of design and in the use of brick.

11. ***Landscape Manual:*** The proposed development is subject to the requirements of Sections 4.7, Buffering Incompatible Uses, and Section 4.3, Landscaped Strip Requirements, Perimeter Landscape Requirements and Interior Planting, of the *Landscape Manual*.

The Urban Design staff reviewed the proposed landscape plan and found that the submittals are in general compliance with the applicable sections of the *Landscape Manual*.

12. **Woodland Conservation Ordinance:** The site is subject to the provisions of the Woodland Conservation Ordinance because there are previously approved tree conservation plans associated with it. The site had 3.92 acres of existing woodland and a total of 3.38 acres of woodland has been cleared. The current TCP II shows the site has a woodland conservation requirement of 3.43 acres. This requirement has been met with 0.54 acre of on-site woodland preservation and 3.00 acres of off-site mitigation, for a total of 3.54 acres of woodland conservation. The current plan reflects conformance with the previously approved TCPII plan, except for one necessary revision that is recommended to be made to the plan in Condition 1.r(1) and (2) below.

13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

**Historic Preservation**—In a memorandum dated May 4, 2005, the Historic Preservation and Public Facilities Planning Section offered the following:

**Background:**

The proposed gas station, car wash, fast-food restaurant and food/beverage store site encompasses 1.84 acres and is located on the south side of Bell Station Road between Annapolis Road (MD 450) and Glenn Dale Boulevard. (MD 193). The Magruder-Brannon House (Historic Site 70-030) property abuts the development parcel to the southwest.

Special Exception 4460 for the fast-food restaurant and food or beverage store was approved with conditions on May 29, 2002. Along with the special exception, alternative compliance 02010 was approved with Exhibit 48(a) being the site plan and Exhibit 48 (b) being the landscape plan.

**Findings:**

- a. Condition 2 of the Zoning Hearing Examiner's Decision states:

Prior to the issuance of permits, the Applicant shall obtain Detailed Site Plan approval for specific architectural elements and to demonstrate conformance with all applicable conditions of previous subdivision and zoning actions.

- b. Page 15 of the special exception decision, under *Landscape Manual*/Alternative Compliance section, states that the 50-foot building setback and 40-foot landscaped yard are provided. The site plan submitted shows the car wash building encroaching into the building setback and six parking spaces encroaching into the landscaped yard. Elimination of these encroachments has been ensured in the recommended conditions below.

- c. Condition 27(d) of Planning Board Resolution 95-364 approving Preliminary Plan 4-95053 states:

- d. **Architectural style of the historic site, Magruder-Brannon House should be incorporated throughout the development.**

**The Magruder-Brannon House adjoins the site and the Marietta Mansion is across the street and west of the subject site. When the Master Plan was approved by the Council it was deemed appropriate to encourage development of the subject site with an architectural style that is consistent, similar, and/or compatible with the Magruder-Brannon site. The Historic Sites Plan also cited architectural style consistent with the adjacent parcel. According to staff, Marietta is the more significant of the two historic sites and thus, is the more dominant historical site in terms of architectural style in the community. Discussions with the Community Planning staff and the civic association representatives have indicated a desire for the subject site to reflect architectural compatibility with the style of Marietta. Staff believes that if the proposed development is compatible with Marietta it will also be compatible with the adjacent Magruder-Brannon House.**

4. Condition 29 of Planning Board Resolution 95-364 approving Preliminary Plan 4-95053 states:

- 29. The Historic Preservation staff offered the following recommendations if this application is approved.**

- a. **Applicants shall provide a bufferyard of at least 50 feet, with a minimum 40-foot landscaped yard, along the southern boundary of the subdivision, where it adjoins Historic Site #70-30.**

- b. **The locations of all historic sites shall be correctly identified on the**

**Preliminary Plat, as Magruder-Brannon House, Historic Site #70-30,  
Marietta, Historic Site #70-20.**

- c. **There shall be no access to this commercial subdivision from MD 193.**
- d. **There shall be no signage for the commercial subdivision on MD 193.**
- e. **In order to be compatible with landscape features of the immediate area, developers should consider split rail or board fencing for the boundaries of the commercial subdivision.**
- f. **Architectural elements should be incorporated into the commercial development. Siting, orientation, roof shapes, and landscaping, as well as building height, mass and scale should be planned in a way that is compatible with both historic sites.**

Conclusions:

- a. The Maguder-Bannon House, Historic Site (#70-030), located on the adjacent property to the south, should be noted on all appropriate sheets of the detailed site plan.
- b. The architectural elements of the proposed buildings should be compatible with the historic sites, Marietta and the Magruder-Brannon House.
- c. The requirements of the *Landscape Manual* should be followed.

Staff has incorporated recommended conditions below that support the conclusions of the Historic Preservation and Public Facilities Planning Section.

**Community Planning**—In a memorandum dated April 15, 2005, the Community Planning Division stated that the proposal is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. They also noted that it conforms to the recommendation in the master plan for service-commercial use for the subject property, but the site plan does not conform to the specific recommendations for the subject property addressed in the *1993 Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity*. Partially in response to Community Planning's concerns regarding access to the site, the applicant is providing a vehicular connection to the remainder of the complex across the property line to the northwest and has agreed to limit the access point on MD 450 to right in/right out traffic movement only.

**Transportation**—In a memorandum dated May 2, 2005, the Transportation Planning Division stated that the subject property is a part of a larger development of 11.83 acres that was the

subject of preliminary plan 4-95053 and cited Conditions 6a-d and 7 of that approval as relevant to the subject detailed site plan. Outstanding requirements of these conditions include:

- Condition 6b calls for the completion of a traffic signal warrant study at MD 193 and Bell Station Road prior to the approval of the detailed site plan.
- Condition 6c requires SHA conceptual approval of the driveway access onto MD 450 prior to the approval of the detailed site plan.

Additionally, the Transportation Planning Section noted that under Subtitle 24, direct lot access onto an arterial facility is treated as a variation request to Section 24-113, which requires specific findings to be made if such access is to be granted. Therefore, they are suggesting that prior to approval of the subject detailed site plan, it should be determined if the driveway access onto MD 450 is consistent with the underlying subdivision, or if a variation from Subtitle 24 must be requested. Lastly, the Transportation Planning Section stated that the plan does not acceptably address cohesive access and circulation though conditions for both the subdivision approval and the Zoning Hearing Examiner's decision on a special exception approved on the site call for "a cohesive design for vehicular access, circulation, parking, and pedestrian access."

Since the time of receipt of the above transportation comments, Urban Design staff has received a memorandum dated July 13, 2005, stating that their concerns have been largely addressed. They still, however, wanted the inclusion of an interparcel connection with the adjacent parcel to the northwest. Such interparcel connection has been assured by a recommended condition below.

**Subdivision**—In a memorandum dated May 5, 2005, the Subdivision Section stated that the property is the subject of preliminary plan 4-95053, approved by the Planning Board on October 26, 1995. They also stated that the resolution of approval, PGCPB Resolution 95-364, was adopted by the Planning Board on November 16, 1995, and a final plat recorded for the property at REP 193@082. They noted the following conditions relating to the review of a detailed site plan for the site:

- a. Development of this subdivision shall be in compliance with the approved Type I tree conservation plan (TCP1/39/95).
- b. A Type II tree conservation plan shall be approved for this site in conjunction with the detailed site plan.
- c. A detailed site plan for this site shall be submitted prior to the issuance of building permits.
- d. A detailed site plan for the entire site shall be approved prior to the issuance of building permits. The detailed site plan shall include, but not be limited to, the following:
  - (1) A cohesive design for vehicular access, circulation, parking, and pedestrian

circulation. Auto, truck, and pedestrian traffic shall be separated to the extent possible. Pedestrian access shall be provided throughout the site, such that pedestrians can safely and conveniently access the entire site without use of an automobile.

- (2) Common pedestrian space and common focal points shall be provided.
  - (3) Design guidelines and specific designs for signage and architecture. Signage shall be consistent in terms of location for both building-mounted and freestanding signs, shall be easy to read, and shall provide clear internal directions and an uncluttered external appearance. Architectural guidelines shall include colors, materials, and styles, such that all buildings are consistent and compatible with each other and are compatible with the adjoining historic buildings and residential neighborhood.
  - (4) Screening for trash enclosures and loading areas oriented to the interior of the site shall be provided and shall consist of masonry walls designed to appear to be an extension of the building (brick, stone, or ornamental concrete).
  - (5) The stormwater management pond shall be designed as an amenity, to the extent possible.
  - (6) Views from the road (public right-of-way). All views of trash and loading areas shall be completely screened from the road. The facades of any structure visible from the road shall be treated as front facades.
  - (7) Parking shall be screened from the road with either a masonry screen wall or evergreen shrub material, or other materials as approved by the Planning Board.
  - (8) A determination shall be made whether a limited access (ingress only) from MD 193 to the subject site shall be permitted.
- h. A 30-foot landscaped yard shall be provided along MD 193 and a 50-foot landscape yard shall be provided along the southern boundary of the site where it adjoins historic site 70-30.
- i. Development of this site shall be in accordance with approved conceptual stormwater management plan (CSD #958000470).

In addition, the Subdivision Section noted that record plat 193@82 contains six notes; the following apply to the review of the SDP that were not already addressed above.

**Plat Note 3** Requires that the development is subject to restrictions shown on the approved Type I Tree Conservation Plan TCP I or as modified by TCP II Tree

### Conservation Plan.

In conclusion, the Subdivision Section stated that the detailed site plan, as submitted, is in substantial conformance of the approved preliminary plan, but suggested the following conditions of approval:

- a. The detailed site plan should label the property Parcel B, not Parcel A.
- b. Correct General Note 3 to read Parcel B.
- c. The DSP appears to be part of Parcel B (1.84 acres), not the approved 10.81 acres, which is reflected on record plat REP 193@82.
- d. Label the bearings and distances.
- e. Label: Magruder-Brannon House (#70-30) and Marietta Mansion (#70-20) historic sites.

These suggested conditions have been included in the recommended conditions below.

**Trails**—In a memorandum dated May 6, 2005, the senior trails planner, noting that the master plan trail that the State Highway Administration is currently constructing along the site's MD 450 frontage and the recent Department of Public Works and Transportation's improvements along the site's Bell Station Road frontage should be correctly reflected on the detailed site plan, stated that there are no trail requirements for the subject plan. Additionally they noted that internal pedestrian connections, including the proposed pedestrian access to the rest of the center, would adequately accommodate pedestrian movement on the site and to the adjoining land uses.

**Permits**—The Permit Review Section offered numerous comments regarding the project that have either been addressed by revisions to the plans or in the recommended conditions below.

**Public Facilities**—In a memorandum dated April 29, 2005, the Historic Preservation and Public Facilities Planning Section stated that the proposed site is within fire engine, ambulance and paramedic service; it is beyond the response time guideline for ladder truck service. This is provided for information only as there is no required finding for adequacy of public facilities at the time of detailed site plan.

**Environmental Planning**—In a memorandum dated June 7, 2005, the Environmental Planning Section offered the following:

### SUMMARY OF PRIOR ENVIRONMENTAL CONDITIONS OF APPROVAL

The approval of preliminary plan 4-95053 included 11 conditions, one of which dealt with

environmental issues to be addressed during subsequent plan reviews. The one environmental condition to be addressed during the review of the detailed site plan is provided below.

**Preliminary Plan of Subdivision, 4-95053**

- 2. A Type II Tree Conservation Plan shall be approved for this site in conjunction with a Detailed Site Plan.**

Submittal of DSP-03081 included a revision to TCPII/94/97 to address this condition. See the Environmental Review section of this memo for further details.

**Special Exception SE-4460**

- 4. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits.**

The site has previously been graded; however, a copy of the federal and state wetland permits are not on file in the Environmental Planning Section. Submittal of wetland permits prior to the issuance of a revised county grading permit is required to address this condition.

**Environmental Review**

As revisions are made to the plans submitted, the revision boxes on each sheet shall be used to describe what revisions were made, when and by whom.

- a. A forest stand delineation (FSD) was prepared with the submittal of preliminary plan 4-94087 to address the requirements in the Woodland Conservation Ordinance. TCPI/39/95 was approved with Preliminary Plan 4-94087.

**Discussion:** No further information regarding the FSD is necessary.

- b. This 11.83-acre site is subject to the provisions of the Woodland Conservation Ordinance because there are previously approved tree conservation plans associated with it. The site had 3.92 acres of existing woodland and a total of 3.38 acres of woodland has been cleared. The current TCPII shows the site has a woodland conservation requirement of 3.43 acres. This requirement has been met with 0.54 acre of on-site woodland preservation and 3.00 acres of off-site mitigation, for a total of 3.54 acres of woodland conservation. The current plan reflects conformance with the previously approved TCPII; however, one minor revision is necessary.

When an off-site mitigation easement is provided in preservation, the off-site mitigation area must be provided at two acres of existing woodlands for every one acre of woodland



conservation required (2 to 1). A note on the TCPII indicates the following:

“3.00 acres of existing woodland is being provided offsite to meet the woodland conservation requirements of this plan. Off-site conservation provided on approved TCPII/11/96. Easement recorded at Liber 11597 Folio 171.”

The 3.00 acres that have been provided off-site satisfies 1.5 acres of the woodland conservation requirement for this site. As a result, an additional 1.5 acres of woodland conservation must be provided prior to the issuance of any grading permits for the subject property.

**Recommended Condition:** Prior to the issuance of grading permits, all of the off-site mitigation requirements for the subject property shall be satisfied and documentation provided.

**Recommended Condition:** Prior to certificate approval of DSP-03081, revise TCPII/94/97-02 as follows:

- a. Update the revision box with information regarding the purpose of the 02 revision.
- b. After the revision has been made, have the qualified professional who prepared the plan sign and date it.

**Zoning**—In comments dated April 20, 2005, the Zoning Section stated that the site plan complies with the relevant conditions of the approval of special exception SE-4460.

**Department of Environmental Resources (DER)**—In comments dated April 29, 2005, DER stated that the site plan for Bell Station Center is consistent with approved stormwater concept plan #8000470-1995-02. However, they stated that the project has been laid out differently than the layout shown on the approved stormwater management concept plan.

**Prince George’s County Fire/EMS Department**—At the time of this writing, the Prince George’s County Fire Department has not offered comment on the proposed project.

**Department of Public Works and Transportation (DPW&T)**—In a memorandum dated May 4, 2005, DPW&T stated:

- Any damage to the existing Bell Station Road newly installed frontage would have to be repaired per their specifications and standards.
- All improvements within the public right-of-way as dedicated to the county are to be designed in accordance with the county Road Ordinance, DPW&T’s Specifications and Standards and the Americans with Disabilities Act.

- All storm drainage systems and facilities are to be designed in accordance with DPW&T's and the Department of Environmental Resources' requirements.
- Existing utilities may require relocation and/or adjustment and that coordination with the various utility companies would be required.
- DPW&T's requirements will be enforced through their separate permitting process.

**Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated April 25, 2005, WSSC stated that a sewer extension may be required and water is available. Further they stated that existing WSSC facilities are located on the site and that an on-site plan review package should be submitted. Additionally, they stated that Project #DS3040Z01 is an approved project within the limits of the proposed site and that an amendment revision/hydraulic review package has been submitted for review of an alternative sewer alignment. The memorandum provided appropriate contact names and telephone numbers.

**Maryland State Highway Administration (SHA)**—In a letter dated April 7, 2005, SHA stated that the site plan shows a proposed entrance into the site from MD 450 of a size and location that may not be deemed appropriate for consistency with SHA guidelines. They stated that access at the proposed location may present some operational and safety problems, and the Engineering Access Permits Division within SHA must make a finding regarding its appropriateness. Lastly, they mentioned that the proposed entrances along Bell Station Road are subject to the rules and regulations of Prince George's County Public Works and Transportation. SHA's comments have been included in the recommended conditions below. In a subsequent letter dated May 19, 2005, however, SHA, noting that the plan shows an entrance onto MD 450 (Annapolis Road), stated that the proposal for ingress/egress is subject to the rules and regulations of SHA and that the Engineering Access Permits Division will determine access sufficiency.

**Bowie**—At the time of this writing, the City of Bowie has not offered comment on the proposed project.

**Enterprise Road Corridor**—At the time of this writing, the Enterprise Road Corridor Development Review District has not offered comment on the proposed project.

14. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

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 Type II Tree Conservation Plan (TCP/II/94/97) and further APPROVED Detailed Site Plan DSP-03081 for the above-described land, subject to the following conditions:

1. Prior to signature approval, the applicant shall revise the plans or provide documentation as follows:
  - a. The applicant shall present evidence from the Engineering Access Permits Division of SHA that the proposed access from MD 450 has been determined to be sufficient and in accordance with SHA rules and regulations.
  - b. The hours of operation of the fast-food restaurant and the car wash as conditioned in Special Exception 4460 shall be provided on the site plan (i.e., that the hours of operation of the fast-food restaurant shall be from 5:00 a.m. to 10:00 p.m. and that the operation of the car wash shall be from 5:00 a.m. to 9:00 p.m.).
  - c. The general notes on Sheet 3 shall be revised to show compliance with Section 27-358(a) (the requirements for approval of a gas station as a special exception) of the Zoning Ordinance.
  - d. The centerline of Annapolis and Bell Station Roads shall be provided on the site plan.
  - e. The height and location of the proposed building containing the fast-food restaurant and food and beverage store shall be revised to dovetail with the building approved as part of Special Exception 4460.
  - f. The location of the buffer along the south property line shall reflect that approved as part of AC-02010. Also, the transformer pad, not indicated in the alternative compliance application, shall be removed from the required bufferyard.
  - g. Per the requirements of Special Exception 4460, the historic site adjoining to the south shall be clearly identified.
  - h. All adjacent uses and zones shall be provided on the overall site plan.
  - i. Landscape schedules and plant lists shall be provided for the 30-foot landscape buffer along Glenn Dale Boulevard and the 50-foot landscape buffer along the south property line shown on the overall site plan.
  - j. Compliance with Section 4.2 of the *Landscape Manual* shall be indicated on the remaining portion of Parcel B.
  - k. The loading schedule on Sheet 3 shall be corrected to indicate that one, not two, loading spaces are provided.
  - l. The subject property shall be correctly labeled "Parcel B" (not "Parcel A").

- m. General Note 3 shall be corrected to read “Parcel B.”
- n. The DSP shall encompass the entirety of Parcel B (10.81 acres as reflected on record plat REP 193@82) or a sheet shall be added to the detailed site plan showing the entirety of Parcel B, indicating the location of the subject property (1.84 acres) on Parcel B.
- o. The applicant shall include bearings and distances along all property lines on the detailed site plan, including the composite plan, if any.
- p. The applicant shall label the following historic sites on the detailed site plan:
  - (1) Magruder-Brannon House (#70-020)
  - (2) Marietta Mansion Historic Site (#70-20).
- q. A “Type D” bufferyard per the requirements of the *Landscape Manual* shall be indicated adjacent to the Environmental Setting of Historic Site 70-020, the Magruder-Bannon House.
- r. Prior to certificate approval of DSP-03081, the TCP II/94/97/02 shall be revised as follows:
  - (1) Update the revision box with information regarding the purpose of the 02 revision.
  - (2) After the revision has been made, have the qualified professional who prepared the plan sign and date it.
- s. The applicant shall revise the plans to provide interparcel vehicular and pedestrian connections between the subject property and the adjacent parcel to the northwest. The design and location of the interparcel connection shall be reviewed and approved by the Transportation Planning Section as designee of the Planning Board.
- t. The applicant shall revise the site plan to indicate that the access to MD 450 will be designed exclusively as a right in/right out access point only.
- u. The applicant shall revise the plans so that the car wash is moved 1.5 feet further from the south property line to dovetail with its location on approved AC-02010.
- v. The site plan shall be revised to correctly reflect the master plan trail that the State Highway Administration is currently constructing along the site’s MD 450 frontage and the recent Department of Public Works and Transportation’s improvements along the site’s Bell Station Road frontage.
- w. The plans shall be revised to provide a 30-foot landscaped yard along MD 193 and a 50-

foot landscape yard along the southern boundary of the site where it adjoins Historic Site 70-30.

- x. A note shall be added to the plans that the storage or junking of wrecked motor vehicles (whether capable of movement or not) is prohibited.
  - y. A note shall be added to the plans stating, "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."
  - z. It shall be indicated on the plans that the trash enclosure included as part of the proposed development shall be of the same masonry construction as the proposed buildings on the subject property and shall be designed so as to appear integral to the main building on the site.
2. Prior to issuance of grading permits for the proposed project, all of the off-site mitigation requirements for the subject property shall be satisfied and documentation provided.

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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, and Hewlett voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, July 21, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of September 2005.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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