



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 16-06

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File No. DSP-15012

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 January 14, 2016, regarding Detailed Site Plan DSP-15012 for Royal Farms, Brandywine, the Planning Board finds:

1. **Request:** The subject application requests approval of a gas station and a 4,946-square-foot food and beverage store.
2. **Location:** The subject site is located on the west side of Branch Avenue (MD 5) in the southwest quadrant of its intersection with Moores Road in Planning Area 85A and Council District 9.
3. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-M	C-M
Use(s)	Vacant	Gas Station and Food and Beverage Store
Acreage	5.03	5.03
Square Footage/GFA	0	4,946

OTHER DEVELOPMENT DATA

Parking Requirements:

	REQUIRED	APPROVED
Total Parking Spaces (1 per every 150 sq. ft. up to 3,000 of GFA)	20	
(1 per every 200 sq. ft. >3,000 of GFA)	10	63
Gas Station employee (1 per employee)	2	2
Outdoor seating (1 space/3seats) 11 seats	4	4
of which are Handicap Spaces	3	3
Total parking spaces	36*	72
Total Loading Spaces	1	1

Note: *The DSP parking schedule should show the correct number of total required parking spaces.

4. **Surrounding Uses:** The subject site is zoned Commercial Miscellaneous (C-M) and consists of Parcel 130. The site is bounded to the north by Moores Road (MD 337) and beyond, by a nursery and garden center in the C-M Zone; to the east by Branch Avenue (MD 5) and beyond, by undeveloped land and single-family detached homes in the Rural-Residential (R-R) Zone; to the west, by single-family detached homes in the R-R Zone; and to the south by Jannie Lane, a paper street, and beyond, by undeveloped property in the R-R Zone.
5. **Previous Approvals:** The site has a stormwater management concept plan (40536-2015-00) approved on October 8, 2015.
6. **Design Features:** The subject property's configuration is unusually long and narrow and will be only partially developed as shown on this DSP, with the remainder left as woodland conservation at its southern end. The site plan proposes a single point of vehicular access along the site's frontage on Moores Road. The proposed site design places the primary gas station canopy with seven pump islands along Branch Avenue (MD 5) and the food and beverage store for the Royal Farms behind, in proximity to a residential dwelling in the R-R Zone abutting the western property line. Three diesel pump islands are proposed at the southern end of the development. Surface parking is proposed throughout the site and an air station is proposed adjacent to the stormwater management facility in the southern undeveloped part of the larger site. Another stormwater management facility is located in the site's frontage area along Moores Road. South of the air station and surface parking lot, on-site tree preservation and afforestation areas are proposed.

The retail building for the Royal Farms is designed to reflect a rural aesthetic, which is a trademark of Royal Farms. The prototype model has been constructed throughout Maryland and most recently, on Allentown Road. The building design incorporates a band of composite siding at the top portion of the building, brick veneer in the middle, and stone veneer at the base of the building. The main entrance projects from the rest of the building and features two side entry points. The front elevation is accented with a shed-style roof over the main entrance supported by stone veneer and painted steel columns and topped with a cupola, and over-sized windows that help break up the horizontal mass. The rear elevation, which abuts the residential property to the west, presents long uninterrupted bands of the composite siding, red brick and stone veneer. A six-foot-high privacy fence and landscaping on both sides of the fence will screen the proposed development. To further lessen the impact of the proposed use on the adjacent residential property, the Planning Board has included a condition that the neon-illuminated sign be eliminated on the rear elevation that abuts the residential property. In addition, the sidewalk along the rear of the building should be replaced with native shrub plantings, to soften the foundation along the rear elevation. The schedule for 4.9 of the 2010 *Prince George's County Landscape Manual* should be revised accordingly to reflect the additional plant material. Due to the high visibility of the pumps, canopy and retail building on a narrow site such as the subject site, the design of these features is important and should be of high quality. The proposed exterior building materials including stone, brick, and composite siding are of notable quality and durability. The pumps and canopy are reflective of the architecture and materials of the main building.

Signage: The applicant is proposing a unified sign package including one 25-foot-high freestanding pylon sign, two neon-illuminated building-mounted signs (on the front and rear elevations), signage on the fueling station canopies, and one directional sign to facilitate on-site internal circulation. The business logo is distinctive without being excessive, incorporating only a blue "Royal" and green "Farms" on all sign types and by using channel letters on the main building. For further discussion of signage refer to Finding 7(f).

Stormwater Management: A Stormwater Management Concept Approval Letter (40535-2015-00) and associated plan were submitted with the application. The approval was issued on October 8, 2015 from the Prince George County Department of Permitting, Inspections and Enforcement (DPIE). The stormwater concept plan proposes to construct a two-lined submerged gravel wetlands system. A stormwater management fee of \$15,520.00 for on-site attenuation/quality control measures is required.

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-M Zone; the site plan design guidelines, Departure from Design Standards, Part 11, Off-Street Parking and Loading; and Part 12, Signs of the Zoning Ordinance, as follows:
- a. The subject application is in conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in commercial zones. The proposed gas station is permitted in the C-M Zone subject to detailed site plan approval in accordance with Part 9, Division 3, of this Subtitle. This DSP has been prepared in fulfillment of this requirement.
 - b. The site layout is consistent with Section 27-462, regulations regarding building setbacks.
 - c. The detailed site plan (DSP) is in general conformance with the applicable site design guidelines contained in Sections 27-358 and 27-274. Section 27-358 of the Zoning Ordinance provides that 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 is a corner lot and has approximately 165 feet of frontage along Moores Road, which has a deeded right-of-way width of at least 70 feet. Access along MD 5 has been denied on SHA Plats; accordingly, the applicant is proposing a single point of access on Moores Road.
 - (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;**

There are no schools, outdoor playgrounds, libraries, or hospitals within 300 feet of the subject property. The subject property is approximately 2,350 feet from Gwynn Park Middle School, 3,800 feet from the Maryland Gospel Assembly School, and over 12,200 feet from Southern Maryland Hospital.

- (3) **The use shall not include the display and rental of cargo trailers, trucks, or similar uses, except as a Special Exception in accordance with the provisions of 27-417;**

The application does not include the display or rental of cargo trailers, trucks, or similar uses.

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

The applicant will not store motor vehicles at the subject property.

- (5) **Access driveways shall not be less than 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 accordance with the minimum standards required by the County Road Ordinance or the 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.**

This proposal provides for a 35-foot-wide right-in/right-out access driveway off Moores Road, is more than 80 feet from the point of curvature, and is more than 14 feet from the rear property line.

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

As shown on the detailed site plan, the 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 those areas serving pedestrian traffic;**

A 9.75-foot to 12-foot-wide sidewalk is proposed around three sides of the building to serve pedestrian traffic, and this will allow pedestrians to move safely between the parking area and the store. As noted in Finding 6, the sidewalk proposed at the rear of the building along the access driveway shall be replaced with plantings.

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

All gasoline pumps and service appliances are located more than 25 feet behind the street line. The pumps are more than 100 feet from Branch Avenue and more than 200 feet from Moores Road.

- (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 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 landscape material, which shall be at least as high as the accessory building. The type of screening shall be shown on the landscape plan; and**

There is no vehicle repair service proposed.

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

Architectural elevations have been submitted in conjunction with the detailed site plan. The Planning Board finds the architectural character and scale of the proposed building is attractive, and will be compatible with the surrounding community subject to the recommended conditions. The height of the fueling canopies should be shown on the plans.

- d. The detailed site plan is in general conformance with Part 11 of the Zoning Ordinance regarding parking requirements. The applicant should provide handicap ramps on the site wherever sidewalk meets the parking lot or drive aisle.

- e. The applicant requires a departure from Section 27-579(b) of the Zoning Ordinance, which prohibits access to a loading space to be located less than 50 feet from residentially-zoned property. Departure from Design Standards DDS-632 was approved by the Planning Board on January 14, 2016 (see PGCPB Resolution No. 16-07).
- f. The proposal includes building-mounted signs, freestanding signage, and directional signage. The signs have been reviewed for conformance with applicable sign regulations as follows:
 - (1) **Freestanding Signage**—The applicant proposes one 25-foot-high freestanding pylon sign at the intersection of Branch Avenue and Moores Road. The sign has been reviewed for conformance with the requirements of Section 27-614, Freestanding Signs, of the Zoning Ordinance. As the property is not located within an integrated shopping center, one square foot of signage is permitted for each four linear feet of street frontage, up to a maximum of two hundred square feet. The subject property has approximately 1,010 linear feet of street frontage on Branch Avenue and 270 linear feet on Moores Road; therefore, 200 square feet of freestanding signage is permitted. The Pylon Sign Table should be revised to show the correct allowable sign face area. The subject application proposes a total sign face area of 124 square feet inclusive of two areas that are identified only as “Product Display Signage” that appear to serve as sign piers or posts that hold up the sign. The base should be revised to incorporate a stone veneer finish or support columns that complement the primary building and fueling station canopies. The detail should also indicate more specifically the material of the product display sign face area. In addition, the Pylon Sign Table proposed sign face area should be revised to replace “Net Proposed” with “Product Advertising” and correct the square footage for the price sign to 56 square feet rather than 68 square feet.
 - (2) **Building-Mounted Signs**—The applicant proposes two building-mounted signs, which feature the business logo. The signs are proposed to be illuminated by neon. Based upon the linear feet of building width indicated on the site plan that is approximately 117 linear feet, the applicant is permitted 234 square feet of building-mounted signage. The proposal is within the limits outlined in the Zoning Ordinance, although the sign table does not include the square footage for the rear sign. However, the rear sign that faces the adjacent residential property should be removed to reduce the impact on the residential use. If the sign is removed, the building and canopy sign face area calculation table will be correct.
 - (3) **Canopy Signage**—The main fueling canopy is allowed 384 square feet of sign face area based on 192 linear feet and setback from the property line of at least 30 feet. The sign face area proposed is within the allowable limits. However, the percentage of total sign area for the main building and canopies combined must equal 100 percent. The Building and Canopy Sign Table should include a

breakdown of the percentage of sign area for the diesel canopy as well as the main canopy.

- (4) **Directional/Traffic Control Signage**—The detailed site plan also proposes one on-site traffic-control sign that does not include logos and is generally beneficial for on-site circulation. The detail should be revised to indicate the signage materials.

8. **2010 Prince George's County Landscape Manual:** The DSP for the construction of a gas station, food and beverage store and surface parking is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Interior Planting Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

- a. **Section 4.2, Requirements for Landscaped Strips along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. A minimum ten-foot-wide landscape strip is required along the site's frontage on Moores Road and Branch Avenue. The applicant is requesting Alternative Compliance (AC-15021) from this requirement along the site's frontage on Branch Avenue.

REQUIRED: 4.2 Landscape Strips along Streets, along Branch Avenue, east of Parcel 130 (Option 1)

Length of landscape strip (after 34% reduction for existing woodlands retained in strip)	667 feet
Width of landscape strip	±10 feet
Shade trees (1 per 35 linear feet)	20
Shrubs (10 per 35 linear feet)	96

PROVIDED: 4.2 Landscape Strips along Streets, along Branch Avenue, east of Parcel 130 (Option 1)

Length of landscape strip (after 34% reduction for existing woodlands retained in strip)	667 feet
Width of landscape strip	10–40 feet
Shade trees	0
Shrubs	265
Perennials	525
Ornamental grasses	73

Justification:

The applicant requests Alternative Compliance from Section 4.2, Requirements for Landscape Strips along Streets to waive the planting requirements of shade trees in the buffer by allowing for the substitution of additional shrubs, perennials, and ornamental grasses to satisfy the requirements of the Landscape Manual. The first 30 feet of width along the property's frontage with Branch Avenue is entirely encumbered by an existing Washington Suburban Sanitary Commission (WSSC) right-of-way, which does not allow trees to be planted within this area due to the underlying utilities. The Planning Board believes that, through a combination of planting additional shrubs, perennials, and ornamental grasses, the requirements of this landscape strip could be met aesthetically along the frontage of Branch Avenue within the ten-foot-wide area without conflict to the underlying vegetative restrictions imposed by both the ten-foot-wide public utility easement and the WSSC right-of-way. The Planning Board finds the applicant's proposal to be equally effective as normal compliance with Section 4.2 of the Landscape Manual. However, prior to certification of the landscape plan, the schedule should be amended to correctly indicate the linear feet of street frontage, excluding driveways, and to correctly state the number of shade trees and shrubs required. All labels shall also be amended on the landscape plan with the correct linear feet of street frontage along Branch Avenue.

- b. **Section 4.3, Parking Lot Requirements**—Section 4.3 requires that a proposed parking lot larger than 7,000 square feet provide interior planting islands throughout the parking lot to reduce the impervious area. When these planting islands are planted with shade trees, the heat island effect created by large expanses of pavement may be minimized. The subject parking lot is 41,615 square feet in size. Ten percent interior green area to be planted with 14 shade trees is required. The submitted landscape plan indicates conformance with this requirement.
- c. **Section 4.4, Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The submitted information indicates that a masonry dumpster enclosure for two dumpsters is provided. The detail for the structure indicates that the masonry will match that proposed for the main building. The enclosure gate is proposed to be chain-link with tan slats, which is not an acceptable screening. The applicant should replace the chain-link with another opaque material that complements the materials on the main structure. A condition has been included in the approval of this application.
- d. **Section 4.7, Buffering Incompatible Uses**—A goal of Section 4.7 is to provide a comprehensive, consistent, and flexible landscape buffering system that provides transitions between moderately incompatible uses. The applicant is requesting Alternative Compliance from this requirement adjacent to the western property line and single-family detached dwelling.

REQUIRED: 4.7 Buffering Incompatible Uses, along the western property line, adjacent to One-Family Detached

Length of bufferyard	992 feet
Minimum building setback	50 feet
Landscape yard width	40 feet
Fence or wall	Yes
Percent with existing trees	38%
Plant units (160 per 100 l. f.)	458

PROVIDED: 4.7 Buffering Incompatible Uses, along the western property line, adjacent to One-Family Detached Dwelling

Length of bufferyard	992 feet
Minimum building setback	57.2 feet
Landscape yard width	20.9 feet
Fence or wall	Yes
Percent with existing trees	38%
Plant units (160 per 100 l. f.)	458

Justification:

The applicant requests Alternative Compliance from Section 4.7, Buffering Incompatible Uses Requirements of the Landscape Manual to waive the buffer width requirement from 40 feet to 20.9 feet to satisfy the requirements of the Landscape Manual.

The site's narrow configuration constrains the useable area available for providing adequate circulation on the site. If the buffer were to be fully implemented, there would be insufficient room to allow for fuel trucks and other large delivery trucks to properly turn and navigate the site. If the buffer width were to be fully implemented, there would also be a loss of on-site parking as well. The Planning Director finds the applicant's proposal equally effective as normal compliance with Section 4.7 of the Landscape Manual, as the proposed buffer will still be meeting the plant unit requirement and building setbacks. However, certain changes are required to be made to the plan prior to certification. First, several large oaks are proposed to be planted within this buffer close to the paved area of circulation that will be primarily used by fuel trucks and delivery vehicles to navigate through the rear of the site. As the proposed oak trees grow and spread, trucks may encounter problems with clearance, unless the trees are regularly pruned, which may detract from the effectiveness of the buffer, as branches on both sides of the tree will need to be pruned to maintain the balance and stability of the canopy. The Planning Director recommends the substitution of shade trees with narrower growth habits, such as a columnar form shade tree in place of the proposed oak trees.

The Planning Board approves removing the proposed white vinyl privacy fence detail on Sheet 5 of the landscape plan and replacing it with a six-foot-high, board-on-board, composite fence instead. The vinyl fencing tends to be less durable than composite fencing, and the vinyl fencing specified will not be visibly uniform on each side when installed (there would be a defined front and back to the fence). The Planning Director recommends changing the color scheme of the fence specification to a non-white earth tone because a white fence requires cleaning. An earth-tone fence located in the middle of the buffer will visually blend in with the surrounding proposed landscaping.

On December 28, 2015 the Planning Director recommended APPROVAL of Alternative Compliance for Section 4.2, along the frontage of Branch Avenue, and Section 4.7, along the western boundary of Parcel 130, of the 2010 *Prince George's County Landscape Manual*, subject to four conditions. The Planning Board concurs, and the four conditions are included in the approval of this resolution.

- e. **Section 4.9, Sustainable Landscaping Requirements**—Section 4.9 requires a certain percentage of plants within each plant type, including shade trees, ornamental trees, evergreen trees, and shrubs, to be native species or the cultivars of native species. The subject application indicates conformance with the requirements of Section 4.9 by providing 100 percent native trees and shrubs.

- 9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan (TCP2) has been submitted showing the proposed development of the site.

The woodland conservation requirement is 0.91 acres and is being met with 1.20 acres of on-site retention. The Type 2 Tree Conservation Plan TCP2-022-15 requires technical revisions which are included as conditions in the Recommendation section of this report.

Section 25-122(d)(1)(B) requires that woodlands preserved, planted or regenerated in fulfillment of woodland conservation requirements on-site be placed in a woodland conservation easement recorded in the land records. This is in conformance with the requirements of the state Forest Conservation Act, which requires that woodland conservation areas have long-term protection measures in effect at all times. This requirement applies to original TCP2 applications approved after September 1, 2010 that do not have a TCP1 approved before September 1, 2010 (in other words, non-grandfathered projects). The recordation of a woodland conservation easement is required prior to the signature approval of a TCP2 for a development application that includes on-site woodland conservation areas. At the Planning Board hearing on January 15, 2016, the Board acknowledged and understood that should the southern portion of the subject property, which is currently being shown on the TCP2 as undeveloped, ever be developed in the future, a revision to the TCP2 shall be required, which may result in an amendment to or vacation of the

on-site woodland conservation easement, to accommodate possible future off-site woodland conservation.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual." Effective on October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted County Code Subtitle 25 effective on September 1, 2010.

A Subtitle 25 Variance Application, a statement of justification in support of a variance, and a tree removal plan were stamped as received by the Environmental Planning Section (EPS) on December 8, 2015. The specimen tree table on the TCP2 shows the removal of one of the five on-site specimen trees. The limits of disturbance on the plan also show that these trees are to be removed.

Section 25-119(d) of the WCO contains six required findings [**text in bold**] to be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for the removal of one specimen tree.

(A) Special conditions peculiar to the property have caused the unwarranted hardship

Condition rating scores were generated for the specimen trees on this site in accordance with Section 4.2.3c of the Technical Manual (which references The Guide to Plant Appraisal prepared by the Council of Tree and Landscape Appraisers and published by the International Society of Arboriculture).

The condition rating score for Tree 5 is 71 indicating that the tree is in fair condition. This tree has major and minor issues that comprised this low end fair score and is close to being in poor condition.

The condition rating of this specimen tree is listed as fair; however by focusing development in this area, the remaining four specimen trees (1, 2, 3 and 6) are being preserved in the adjacent woodlands.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas

If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants

The Planning Board supports the removal of this one specimen tree in the most developable area of the site because it serves to preserve the remaining on-site specimen trees. If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant

The site is undeveloped. The applicant has taken no action to date on the subject property.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property

The requested variance does not arise from a condition relating to the land or building use, either permitted or nonconforming on a neighboring property. There are no existing conditions on the neighboring properties that have any impact on the location or size of the trees, nor are there conditions that are affecting the layout and development of the size with respect to the specimen trees to be removed.

(F) Granting of the variance will not adversely affect water quality

Granting the variance to remove the specimen tree will not directly affect water quality because the reduction in tree cover caused by specimen tree removal will be minimal. Specific requirements regarding stormwater management for the site will be further reviewed by the Department of Permitting, Inspection and Enforcement (DPIE).

The required findings of Section 25-119(d) have been adequately addressed by the applicant for the removal of specimen tree No. 5.

10. **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. Properties that are zoned C-M are required to provide a minimum of ten percent of the gross tract area in tree canopy. The subject property is 5.03 acres in size, resulting in a TCC requirement of 0.50 acres or 21,911 square feet. The provided tree canopy worksheet indicates that 112,306 square feet of landscape trees is provided, or 2.58 acres, which meets and exceeds the requirement.
11. **Further Planning Board Findings and comments from Other Entities:** The subject application was referred to the concerned agencies and divisions below.

- a. **Community Planning Division**—The following summarized determinations are provided.
- (1) **Conformance with the Plan Prince George's 2035 Approved General Plan:** The application is consistent with the *Plan Prince George's 2035 Approved General Plan*. The Plan makes no relevant recommendations for this property.
 - (2) **Conformance with the 2013 Approved Subregion 5 Master Plan and Sectional Map Amendment:** The application is consistent with the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*. The Subregion 5 master plan recommends low-density residential development for this property. However, this recommendation only serves to provide justification for a zoning map amendment, if desired, by the property owner for a use change. The plan does encourage infill development along the MD 5 corridor. This proposal provides infill development, serving existing commuters and nearby communities without adding a significant number of peak-hour trips to an already congested roadway.

- b. **Subdivision Review Section**—The subject property is composed of Parcel 130, a deed-parcel recorded in Liber 19140 at Folio 506 of the County Land Records on March 12, 2004. The property is located on Tax Map 134 in Grid F-4, and is approximately 5.02 acres in size. The site seems to be currently improved with an unknown structure, based on a review of PGAtlas aerial imagery from 2014 and the existing conditions plan of the DSP.

Pursuant to Section 24-107(c)(7)(B) of the Subdivision Regulations, a site is exempt from the requirement of filing a preliminary plan of subdivision (PPS) and final plat if the development proposed does not exceed five thousand (5,000) square feet of gross floor area. The DSP, proposed for development of less than 5,000 square feet of GFA, is in conformance with this section.

Failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.

Required technical revisions were addressed during the review process.

- c. **Environmental Planning Section**—The following summarized comments are provided.
- (1) **Site Description:** The site is relatively flat sloping to the south, and contains 1.84 acres of woodlands. The site is located within the Piscataway Creek watershed, which drains into the Potomac River. The predominant soils found to occur according to the USDA NRCS Web Soil Survey are Beltsville-Urban land complex, Downer-Hammonton complex, Grosstown gravelly silt loam, and

Sassafras-Urban land complex. According to available information, Marlboro clay or Christiana complex are not identified on the property. According to the Sensitive Species Project Review Area (SSSPRA) map prepared by the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered (RTE) species found to occur on or in the vicinity of this property. There are no floodplains, streams, Waters of the US, or wetlands associated with the site. No Forest Interior Dwelling Species (FIDS) or FIDS buffer are mapped on-site. The site has frontage on both Moores Road and Branch Avenue (MD 5). Branch Avenue is identified as a master planned freeway roadway, which is a traffic noise generator; however, due to the proposed commercial use, traffic generated noise is not regulated in relation to the subject application. Moores Road and Branch Avenue are not identified as historic or scenic roadways. The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains Evaluation and Network Gap areas in the southern portion of the site.

- (2) **Woodland Conservation:** The project is subject to the current regulations of Subtitles 25 and Subtitle 27 that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new Detailed Site Plan and there are no previous approvals. The site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. See Finding 9 for further discussion.
- (3) **Natural Resources Inventory:** An approved Natural Resource Inventory Equivalence letter (NRI-141-15) was submitted with the review package, which was approved on September 17, 2015. The NRI verifies that no regulated environmental features occur on the subject property. There is 1.84 acres of woodlands located in the western portion of the site. No revisions are required for conformance to the NRI.
- (4) **Stormwater Management:** A Stormwater Management Concept Approval Letter (40535-2015-00) and associated plan were submitted with the application for this site. The approval was issued by DPIE on October 8, 2015. No further action regarding stormwater management is required at this time.
- (5) **Specimen Tree Variance:** The required findings of Section 25-119(d) have been adequately addressed by the applicant for the removal of specimen tree No. 5. See Finding 9 for further discussion.

d. **Transportation Planning Section**—The following summarized comments are provided.

- (1) No traffic-related findings are required for site plan review. A preliminary plan of subdivision was not required because the square footage being proposed is less than 5,000 square feet and therefore, a traffic study was not required for this use.
 - (2) The intersection of Branch Avenue and Moores Road includes southbound on/off-ramps. The site has one access point from Moores Road approximately 160 to 200 feet from the ramps. There may be operational issues for vehicles entering and exiting the site on Moores Road. The Maryland State Highway Administration (SHA) along with the County will review any operational issues on Moores Road at the access permit stage. Otherwise, access and circulation are acceptable.
 - (3) The applicant is seeking a departure from setback requirements for a drive aisle to a loading space located on the west side of the property. The width of the proposed commercial driveway is thirty-two feet. It is not clear why a driveway of this width is required, though the applicant submitted a truck turning study for on-site movements. Some of the conflicts cited in the study for a twenty-two-foot-wide driveway are the result of excessive on-site curbing and parking spaces.
 - (4) The site is adjacent to Branch Avenue (MD 5) which is listed in the *Approved Subregion 5 Master Plan and Sectional Map Amendment* as a freeway. No structures are being proposed within the right-of-way of Branch Avenue. Moores Road is a non-master plan roadway maintained by DPW&T. Additional SHA right-of-way is shown along Moores Road to accommodate the future interchange options. It is noted that the State Highway Administration is currently considering future interchange options for Branch Avenue between Moores Road and Earnshaw Drive as part of the overall MD 5 Corridor Transportation Study from US 301 to Auth Road north of the Capital Beltway (I-95/I-495). At this time it appears that the proposed structures and parking areas are outside the limits of disturbance for the options. Although there may be future potential impacts to the site, there are no impacts with regard to the current application.
 - (5) From the standpoint of transportation, the site plan is deemed acceptable and meets the findings required for a detailed site plan as described in Section 27-285. Any operational issues identified by the permitting agency will be addressed at the time of permit review.
- e. **Trails**—The following summarized comments are provided regarding the site plan's conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2013 *Approved Subregion 5 Master Plan*.

- (1) There are no MPOT trails that directly impact the subject property, nor are there specific master plan trails recommendations for Branch Avenue or Moores Road within the vicinity of the subject site.
- (2) The Complete Streets Section of the MPOT includes the following policy regarding sidewalk construction and the accommodation of pedestrians.
 - POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.
- (3) The area master plan includes the following policies regarding pedestrian and bicyclist transportation (area master plan, page 120):
 - Construct sidewalks along all major transportation facilities in areas where there are concentrations of people.
 - Expand the on-road and off-road facilities that connect major population centers with transit-related facilities.
- (4) The area master plan recommends a sidepath along Branch Avenue, however, this recommendation is not included in the MPOT. The area master plan recommends that MD 5 be designated as a six -to eight-lane freeway which may make active transportation not feasible. The Community Planning Division and Transportation Planning section concur that this trail can be built as part of a future capital improvement project along the corridor. Therefore, it is not recommended that the applicant build the sidepath recommended in the area master plan.
- (5) The expected increase of motor vehicle traffic along both MD 5 and Moores Road will likely require the applicant to build roadway improvements either along the subject site's frontage or at nearby intersections. These improvements will help accommodate the additional motor vehicle traffic traveling to or from the subject site and can also improve pedestrian and bicyclist access to the subject site. Should the applicant implement any required roadway improvements, the applicant should ensure that the roadway improvements conform to both the MD SHA Bicycle Policy & Design Guidelines and the DPW&T's standards for bicyclist and pedestrian access. The bicyclist and pedestrian improvements may include roadway striping or building sidewalks. Improvements to MD 5 and Moores Road will be subject to review and modification by the operating agencies, MD SHA and DPW&T, respectively. Conditions addressing these improvements are included in this approval of this resolution.

- f. **Historic Preservation**—An analysis of the subject DSP is summarized in the following comments.
- (1) A Phase I archeological survey is not recommended on the above-referenced property. The subject property has been extensively graded. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low.
 - (2) This proposal will not impact any historic sites or resources, documented properties, or any known archeological resources.
- Approval of the departure request will not result in a compromise to public safety. See Finding 7 above for further discussion of the departure.
- g. **Permit Review Section**—Comments regarding the site plan have either been addressed by the applicant's revisions to the plans during the review process, or have been included as conditions in the approval of this application.
- h. **Prince George's County Health Department**—No response had been received from the Health Department at the time this resolution was written.
- i. **Prince George's County Police Department**—In a memorandum dated December 4, 2013, the Prince George's County Police Department stated that after visiting the site, there are no crime prevention through environmental design (CPTED) issues.
- j. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated October 29, 2015 WSSC provided an evaluation of the subject proposal. Among a number of comments WSSC stated that the public utility easement (PUE) cannot overlap the Washington Suburban Sanitary Commission (WSSC) easement. WSSC facilities/structures cannot be located with a public utility easement (PUE), however, WSSC pipelines may cross over a PUE.
- The Planning Board notes that all technical review comments provided by WSSC have been acknowledged by the applicant and will be addressed prior to the issuance of building permits.
- k. **The Department of Permitting, Inspections and Enforcement (DPIE)**—In comments dated November 30, 2015, DPIE provided an evaluation of the subject proposal, summarized as follows:

- (1) The property is located on the west side of Branch Avenue (MD 5) in the southwest quadrant of its intersection with Moores Road. Moores Road is County-maintained; full road improvement is required to include a left-turn lane on westbound Moores Road at the entrance.
- (2) The proposed gas station is considered a site of potential concern. Oil and grit separators are required prior to discharging into the primary water quality devices. A lined micro bio-retention pond or filtration system can be used for water quality.
- (3) Sidewalks and Americans with Disabilities Act (ADA) Ramps are required along County and State roads, with concrete curb and gutter, in accordance with current
- (4) The site development has a DPIE Stormwater Management Concept Plan No. 40535-2015, dated October 8, 2015. The SWM Concept Plan is consistent with the Detailed Site Plan.
- (5) Departure from Design Standards DDS-632 is for a nonconforming setback of a drive aisle leading to a loading space; DPIE has no objection, provided public safety is not compromised.

Additional standard comments were provided regarding coordination of impacted agencies and utilities, conformance to specifications and standards, sight-distance, and the provision of additional information.

- l. **State Highway Administration (SHA)**—No response had been received by SHA.
 - m. **Prince George's County Fire/EMS Department**—No response had been received from the Fire Department.
12. Based on the foregoing and as required by Section 27-285(b)(1) 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.
 13. Section 27-285(b)(4) of the Zoning Ordinance states that the Planning Board should also find 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. In a memorandum dated December 21, 2015, the Environmental Planning Section noted that no regulated environmental features occur on the subject site. Therefore, this requirement is not applicable to this application.

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 2 Tree Conservation Plan TCP2-022-15, Specimen Tree Variance, Alternative Compliance AC-15021, and further APPROVED Detailed Site Plan DSP-15012 for Royal Farms, Brandywine for the above-described land, subject to the following conditions:

1. Prior to certificate of approval of the detailed site plan, the following revisions shall be made, or information shall be provided:
 - a. The parking schedule shall be revised to indicate the correct number of total parking spaces required.
 - b. The height of the fueling canopies shall be shown on the plan.
 - c. The applicant shall replace the slatted chain-link dumpster enclosure fencing with an opaque material that complements the finish materials on the primary structure.
 - d. The neon-illuminated "Royal Farms" sign on the rear elevation of the retail structure shall be removed.
 - e. Identify the materials for the directional sign on the detail sheet.
 - f. The base of the freestanding pylon sign shall be revised to incorporate a stone veneer base or support columns that complement the primary building and fueling station canopies.
 - g. The pylon/freestanding sign detail shall specifically indicate the material of the product display sign face area and what additional product information is proposed.
 - h. The Pylon Sign Table proposed sign face area shall be revised to replace "Net Proposed" with "Product Advertising" and correct the square footage for the price sign to 56 square feet.
 - i. The Pylon Sign Table shall be revised to show the correct allowable sign area.
 - j. The Building and Canopy Sign Table shall include a breakdown of the percentage of sign area for the diesel canopy as well as the main canopy. If a second "Royal Farms" building-mounted sign is approved, it shall also be reflected in the Table.
 - k. Indicate the illumination methods of all signs on the sign plan.
 - l. Provide handicap ramps on the site where applicable.

- m. Replace the sidewalk along the rear of the building with native ornamental grass plantings. The schedule for 4.9 of the 2010 *Prince George's County Landscape Manual* shall be revised accordingly to reflect the additional planting materials.
 - n. The landscape plan and associated Section 4.2 planting schedule shall show the correct linear frontage along Branch Avenue (MD 5), and the required number of shade trees and shrubs shall be adjusted accordingly.
 - o. The Section 4.7 planting schedule shall be amended so that the total linear feet of buffer strip required is corrected.
 - p. Substitute the proposed oak trees within the Section 4.7 bufferyard with shade trees with a narrower growth habit, such as a columnar form shade tree.
 - q. Replace the proposed vinyl fence detail with a non-white, earth tone colored, six-foot-high, board-on-board composite fence.
2. Prior to the signature of the TCP2 for this site, the liber and folio of the recorded woodland conservation easement shall be added to the standard Type 2 Tree Conservation Plan notes on the plan as follows:
- “Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber _____ Folio _____. Revisions to this TCP2 may require a revision to the recorded easement.”
3. The applicant and the applicant's heirs, successors, and/or assigns shall provide the following:
- a. Construct a sidewalk between the driveway and the west subject site boundary, as part of frontage improvements consistent with Department of Public Works & Transportation (DPW&T) standards, subject to modification by DPW&T.

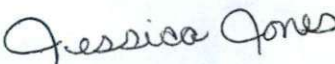
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Geraldo and Hewlett voting in favor of the motion, and with Commissioner Shoaff absent at its regular meeting held on Thursday, January 14, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of February 2016.

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:CF:ydw

APPROVED AS TO LEGAL SUFFICIENCY.



M-NCPPC Legal Department

Date 1/21/16