



MAYOR AND CITY COUNCIL OF LAUREL

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

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DATE December 28, 2021

AGENDA ITEM NO. 7

TECHNICAL STAFF REPORT

TO: City of Laurel Planning Commission

FROM: Joshua Mitchum, Planner II

CASE: Special Exception Application No. 920
Wawa at Westside Shoppes

GENERAL INFORMATION

APPLICANT: Westside Land Holdings LLC
9102 Owens Drive
Manassas Park, VA 20111

OWNER: Westside Land Holdings LLC
9102 Owens Drive
Manassas Park, VA 20111

LOCATION: 14910 Silver Trail Lane
Laurel, MD 20707

ZONE: Mixed Use Transportation Oriented (M-X-T)

REQUESTED ACTION: The Applicant is seeking Special Exception approval to build and operate a gas station complex.

PREVIOUS ACTION(S): **July 23, 2012:** Annexation into City of Laurel (*Annexation effective 9/6/2012*)

January 28, 2013: M-X-T Conceptual Plan Approved for 39.87 acres (Ord. No. 1764)

April 22, 2013: M-X-T Conceptual Plan Approved for 19.89 acres (Ord. No. 1770)

June 11, 2013: M-X-T Final Site Plan Design Approved on Parcel C for 484 Multi-Family Units (Resolution No. 13-10-PC)

May 12, 2015: Final Site and Landscape Plan Approved for Westside Townhouses (Resolution No. 15-10-PC)

December 8, 2015: Final Subdivision Plat Approved for 56 townhouse units (Resolution No. 15-13-PC)

July 22, 2019: M-X-T Conceptual Plan Approved (Ordinance No. 1940)

November 19, 2019: Preliminary Subdivision Plan Approved (Resolution No. 19-12-PC)

May 12, 2020: Detailed Site Plan for 81 townhomes Approved (Resolution No. 20-03-PC)

July 14, 2020: Record Plat approved (Resolution No. 20-09-PC)

BACKGROUND INFORMATION:

The Applicant (Westside Holdings LLC) is seeking Special Exception approval to construct a Wawa gas station complex. The site is part of the larger development known as Westside. The current zoning of the property is Mixed Use Transportation Oriented (M-X-T), which was annexed into the City in July of 2012.

The following comments from City Departments and external agencies were received:

Department or Agency	Comments Received
City of Laurel Police Department	No issues with the application as presented. (12/17/2021)
City of Laurel Department of Parks and Recreation	No comments on application.
City of Laurel Department of the Fire Marshal and Permit Services	No issues with application as presented. (12/30/2021)
Prince George's County Health Department	See excerpt below.
Maryland-National Capital Parks and Planning Commission	See excerpt below.
Maryland State Highway Administration	No comments received.
Maryland Department of Permitting, Inspections and Enforcement	No comments received.
Washington Suburban Sanitary Commission	No issues with application as presented. (12/15/2021)
Baltimore Gas and Electric Company	No comments received.
Verizon	No comments received.

Prince George's County Public Schools	No comments received.
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Excerpt from City of Laurel Department of Public Works, dated Dec. 28, 2021:

If any utility cuts are performed on a City Street, the restoration work must follow the City's standards that require the permanent patches in the cut area with a 2" mill and overlay from curb-to-curb and a minimum of 25-feet in each direction of the cut. The Applicant is responsible for all the damage within the public right-of-way. The scope of the restoration work will be determined by this Department.

All the hazardous waste from the site such as anti-freeze, tires, and various oils, etc. must be disposed of properly.

Streetlight designs and illumination will be coordinated with DPW.

DPW will be made aware of any necessary changes to stormwater/drain systems that may impact city streets and right of ways.

If it is anticipated that any refuse/recycling collection will be performed by this Department, please contact us as soon as the determination is made.

Excerpt from Maryland-National Capital Parks and Planning Commission, dated Dec. 22, 2021:

We are in receipt of a referral received December 10, 2021, for above referenced application, with a due date of December 30, 2021. The subject property is Zoned M-X-T and is located within the municipal limits of the City of Laurel. The subject application proposes a 5,600 square-foot food and beverage store with gas station. The site plan states that 35 parking spaces are required and that an excess of 52 parking spaces are provided.

No bicycle parking is shown on the property. The site is located at the intersection West side Boulevard and Van Dusen Road and is accessed by both local roads. A sidewalk connection from the Right-of-way to the store is not provided. Van Dusen Road is master plan roadway know as MC-102 which is recommended to have a bike lane.

A master planned hard surface bike trail is show on the property to the west. Screening around the transformers locate next the stormwater facility on southside of the property recommended.

Excerpt from Prince George's County Health Department, dated Dec. 21, 2021

The applicant must submit an application for plan review to the Maryland Department of Health's Environmental Bureau Food Protection and Food Licensing program located at 6 St. Paul Street, Suite 1301, Baltimore, MD 21202.

The applicant must submit plans for the proposed Wawa food facility and apply to obtain a Health Department Moderate HAACP priority, Food Service permit through the PG County Department of Permitting, Inspections & Enforcement.

The applicant should assure that all sources of air pollution from the Wawa fuel station have been registered with the Maryland Department of the Environment, Air and Radiation Management Administration.

Below is an overhead of the subject properties.



ANALYSIS

The Applicant seeks Special Exception approval for Westside Commercial Lot 4 to construct a gas station complex. The existing use of the property is vacant until the development of the Westside subdivision begins. The proposed building size of the Wawa store is proposed to be 5,600 square feet (building maximum is 27,630 square feet – a 30% coverage). The filling station and convenience store are located on the southeastern corner of the proposed Westside MXT development project.

- **Traffic & Parking:** A comprehensive traffic study was conducted by the applicant and submitted with the application. The traffic study concluded that,

based on the prior approvals of the project, the Wawa gas station complex will not have any negative impacts on traffic, access, or circulation. A traffic signal, which has been approved by Maryland State Highway Administration (SHA), is to be placed at the intersection of Van Dusen Road and Westside Boulevard/Anderson Way. Furthermore, the SHA has also approved a right-turn- only lane into the site.

A total of 52 parking spaces are provided in the application. A gas station complex use is required to have at least 35 parking spaces per the ULDC. The parking breakdown is as follows:

Parking Type	Number of Spaces
Standard (9'x19' min.)	35
Compact (8'x19' min.)	14
ADA (10' x19' min. w/ 5' access aisle)	1
Van Accessible (8'x19' min. w/ 8' access aisle)	2

- Landscaping:** A comprehensive landscaping plan has been submitted with the application. The applicant is proposing a 2:1 substitution for trees and a 10:1 substitution for shrubs. Twenty-nine (29) percent of the site is proposed to be landscaped per the Applicant.

Section 20-21.1 of the *Land Development Code* lists the general criteria that must be met in order for the special exception use to be granted.

- 1) The proposed use is in harmony with the purpose and intent of the Master Plan, as embodies in this article and in any Master Plan or portion thereof adopted or proposed as part of such Master Plan.*

The proposed Wawa store will offer Westside residents with a compatible use that is readily accessible to pedestrians and contributes to a community that provides a mix of working and living.

- 2) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area.*

The Wawa will be readily accessible to pedestrians within Westside and nearby developments. The conclusion of the transportation impact analysis submitted by the applicant shows that Westside Shoppes (and Wawa) would have no adverse impact on transportation facilities within the area. A traffic signal will be installed by the applicant at the intersection of Van Dusen Road and Westside Boulevard, and issuance of the SHA permit is expected in the very near future. Further, the conclusion of the supplemental analysis prepared by Lenhart Traffic Consulting is that approval of a Special Exception for the proposed Wawa will not result in any negative impact on traffic, access, or circulation. A request for a right-turn only into

Westside Shoppes has been filed with the SHA, and once constructed, that access will further promote additional traffic safety for access and internal circulation.

- 3) ***Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.***

The operation of the Wawa will not generate noise, vibrations, fumes, odors, or dust. Operational noise will not emanate from inside the building. The location of the closest residential units will be more than 200 feet from any fueling location, providing an appropriate buffer in promotion of the general peaceful enjoyment and comfort of the neighborhood and community.

- 4) ***Will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police, and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.***

The proposed use will not overburden existing public services and facilities. The submitted photometric plans show that the store's lights will ensure that the property will be safely lit, in addition to adequate shielding that will ensure that glare will not be cast onto adjoining properties. The transportation network has been deemed to function adequately within articulated levels of service.

- 5) ***Meets the definition and specific standards set forth elsewhere in this article for such particular use.***

The application appears to meet the specific standards set for in *Sec. 20-22.41. - Gas station complex* for the proposed use. Furthermore, the applicant has submitted a site plan in accordance with Subsection 20-5.3 (a)(2) of the Unified Land Development Code.

STAFF RECOMMENDATION

Staff recommends that the City of Laurel Planning Commission **RECOMMEND APPROVAL** to the City of Laurel Board of Appeals for Special Exception No. 920, with the following conditions:

1. The Applicant shall obtain all required City of Laurel permits from the Department of the Fire Marshal and Permit Services.
2. The Applicant shall comply with the comments from the Prince George's County Health Department as stated in the Technical Staff Report.
3. The Applicant shall comply with the comments from the City of Laurel Department of Public Works as stated in the Technical Staff Report.
4. A traffic signal must be installed at the intersection of Westside Boulevard, Van Dusen Road, and Anderson Way. Signal installation must be completed, and the signal must be operational prior to the issuance of a City of Laurel Use & Occupancy permit for the site.
5. The Applicant shall comply with all applicable local, state and federal laws and regulations in the development of the Property.

ATTACHMENTS

1. Plat Plan
2. Traffic Study
3. Statement of Justification

REVIEWED BY:



Robert Love
Director