

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 September 30, 2021, regarding Detailed Site Plan DSP-04054-03 for Bellefonte, the Planning Board finds:

1. **Request:** This detailed site plan (DSP) requests the development of two warehouse buildings with associated parking and infrastructure within the Military Installation Overlay (M-I-O) Zone.
2. **Development Data Summary:**

|                                       | <b>EXISTING</b> | <b>APPROVED</b>                       |
|---------------------------------------|-----------------|---------------------------------------|
| Zone(s)                               | I-4 /M-I-O      | I-4 /M-I-O                            |
| Use(s)                                | Vacant          | Industrial                            |
| Gross Acreage                         | 29.31           | 29.31                                 |
| Lots/Parcels                          | 8               | 8                                     |
| Square Footage/Gross Floor Area (GFA) | 127,338 sq. ft. | 325,338 sq. ft.<br>(198,000 proposed) |

**Parking and Loading**

| <b>USE</b>   | <b>NUMBER OF SPACES REQUIRED</b> | <b>NUMBER OF SPACES PROVIDED</b>                          |
|--|----------------------------------|---|
| 3 spaces for first 1,500 sq. ft. of GFA  | 3                                |   |
| 1 space for additional 1,500 sq. ft. of GFA up to 100,00 sq. ft.               | 66                               |   |
| 0.2 spaces for additional 1,000 sq. ft. above the first 100,000 sq. ft. of GFA | 20                               |   |
| <b>Total</b>   | <b>89</b>                        | <b>210</b><br>(203 Standard,<br>7 Handicapped Accessible) |
| <b>LOADING</b>   |                                  |   |
| 1 space for 1,500-10,000 sq. ft. of GFA  | 1                                |   |
| 1 space for each additional 40,000 sq. ft. of GFA                              | 5                                |   |
| <b>Total</b>   | <b>6</b>                         | <b>85</b><br>(10 Trailer)                                 |

3. **Location:** The subject site is located on the west side of Louie Pepper Drive, approximately 200 feet north of MD 223 (Woodyard Road), in Planning Area 81A and Council District 9. The site is zoned Limited Intensity Industrial (I-4) and is within the M-I-O Zone and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (sector plan).
4. **Surrounding Uses:** The subject property is zoned I-4. The abutting property located to the northeast is zoned Rural Residential (R-R) and the property abutting the southwest corner is zoned Commercial Miscellaneous. The remaining surrounding properties are zoned I-4 or Light Industrial.
5. **Previous Approvals:** The subject property consists of Lots 154 through 159, Parcel B, Parcel C, and part of previously dedicated right-of-way for Louie Pepper Drive, shown on Tax Map 108 in Grids A-4 and B-4 and Tax Map 117 in Grids A-1 and B-1. The development has an approved Stormwater Management (SWM) Concept Plan (38302-2004).

In 1991, the property was rezoned from the R-R to the I-4 Zone by Zoning Map Amendment Application A-9758-C (Zoning Ordinance No. 5-1991). On April 29, 2004, the Prince George's County Planning Board approved Preliminary Plan of Subdivision (PPS) 4-03118 and on July 18, 2019, the Planning Board approved a reconsideration (PGCPB Resolution No. 04-63(A)). On December 2, 2004, the Planning Board approved Conceptual Site Plan CSP-04001 (PGCPB Resolution No. 04-265) and DSP-04054 (PGCPB Resolution No. 04-262) for warehouse, consolidated storage, and office uses on the subject property. Both the CSP and DSP were subsequently approved by the Prince George's County District Council on March 28, 2005, as required by A-9758-C. The DSP has been amended twice at the Planning Director level for changes to the consolidated storage facility, which is currently under construction on Parcel 159.

6. **Design Features:** A stream and its associated wetlands running from west to north bisects the 29.31-acre site. A 70-foot-wide internal public right-of-way, Louie Pepper Drive, running from southeast to northwest from Woodyard Road into the site further divides the site into four major sections consisting of six lots and two parcels. Previous DSP approvals included a 91,088-square-foot consolidated storage facility in multiple buildings on Lot 159, which is under construction, and 36,250 square feet of flex/office space in one building on Lot 154, which has not been constructed, both along the property's Woodyard Road frontage. Existing Parcel C, in the northeast corner of the property, is to be developed with a SWM pond.

This DSP amendment proposes to construct two warehouse buildings totaling 198,000 square feet with associated parking facilities to replace 111,375 square feet of warehouses previously approved for Lots 155 through 158. Vacation of a part of Louie Pepper Drive (master plan road I-502) public right-of-way is proposed, with the road truncated in a cul-de-sac in the middle of the property. Existing Parcel B was created for conveyance to the Prince George's County Department of Public Works and Transportation (DPW&T) upon demand for the construction of master plan road I-502, which ties into Louie Pepper Drive. DPW&T has indicated that they have no intent to acquire Parcel B to complete the I-502 connection. Therefore, this DSP proposes

incorporation of Parcel B with Lots 155–158 into the new lot (Lot 160), which will have to be the subject of a future plat of consolidation, and vacation of part of Louie Pepper Drive, leaving the right-of-way with appropriate terminus so that sufficient access can be provided to the industrial development.

The DSP shows that the first, northernmost, 35-foot-high one-story building is proposing a total of 108,000 square feet to include an 18,000-square-foot mezzanine area. The second 35-foot-high one-story building is proposing a total of 90,000 square feet to include a 15,000-square-foot mezzanine level. The site will have access from proposed Louie Pepper Drive. The site will contain a total of 210 parking spaces, which are located to the north and south of the buildings, and 85 truck spaces located mainly between the buildings in a large truck court, with 10 trailer spaces in the northeast corner of the site. Louie Pepper Drive will have five-foot-wide sidewalks on each side of the road that connect into the site and the buildings, with bike racks provided by both buildings. The SWM area is located along the eastern side of the site, on Parcel C. Each building contains painted light and dark grey tiltwall panels and aluminum framed entry doors, in multiple locations, and multiple loading dock doors on the sides that face each other. Each elevation includes quality building materials that the Planning Board considers acceptable. The applicant is proposing an approximately eight-foot-high, metal and concrete monument sign with no building-mounted signage shown.

During the Planning Board hearing, it was noted that there was an inconsistency between the proposed 35 feet height on the Detailed Site Plan and the height reflected on the Architecture Plans. The Applicant provided exhibits to explain the inconsistency and requested that the proposed height of both buildings be increased to a height of 41 feet. The new proposed height is in conformance with the requirements of the Limited Intensity Industrial Zone (I-4) and the height requirements of the Military Installation Overlay Zone (M-I-O). The Planning Board voted in favor of increasing the height to 41 feet and added a condition that the 41 feet building height is consistently reflected on both the Detailed Site Plan and Architecture elevations prior to certification.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance No. 5-1991 (A-9758-C):** Zoning Ordinance No. 5-1991 was adopted by the District Council on February 25, 1991, to approve Zoning Map Amendment Application A-9758-C. It rezoned approximately 29.316 acres of land located on Woodyard Road, approximately 500 feet east of the intersection of Old Alexandria Ferry Road and Dangerfield Road with 100 feet of frontage on Bellefonte Lane, from the R-R Zone to the I-4 Zone, with seven conditions. The subject site is a portion of the rezoned property. The following conditions are applicable to this DSP review:
  1. **Any use or development of the property shall require Conceptual and Detailed Site Plan approval by the District Council. Particular attention should be given to the buffering and screening of adjacent residential areas, noise impacts and building acoustics.**

This DSP amendment will require District Council approval per this condition. The site is adjacent to single-family residential dwellings along a portion of the northern property line. The applicant has provided a 2010 *Prince George's County Landscape Manual* (Landscape Manual) Type 'C' bufferyard, consisting of a total of 142 planting units. The building is setback a minimum of 40 feet, as required, with parking spaces located around the perimeter of the building.

**2. The uses and intensity of development shall limit employee density to no more than 16 employees per acre.**

The maximum employee density per acre has been noted on the DSP, in accordance with this condition.

**3. No building or structure shall be more than two stories in height, and these structures may only cover up to 35 percent of the total land area.**

The two proposed buildings are 41 feet in height and one story, in accordance with this condition. The structures do not exceed more than 35 percent of the total land area.

**4. Bellefonte Lane shall not be used for access to the property.**

The site is not accessed from Bellefonte Lane. The site will be accessed from a private drive off of Louie Pepper Drive.

**5. No use shall release into the air any substance which would impair visibility or otherwise interfere with the operation of aircraft (e.g., steam, dust or smoke).**

**6. No use shall produce light emissions, either direct or indirect (reflective), which would interfere with pilot vision.**

**7. No use shall produce emissions that would interfere with aircraft communication or navigational equipment.**

The proposed warehouse use will not impair visibility or interfere with the operation of aircrafts, pilot vision, or navigational equipment. These restrictions have been noted on the DSP.

**8. Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the I-4 Zone of the Zoning Ordinance:

- a. The subject application is in general conformance with the requirements of Section 27-473 of the Zoning Ordinance, which governs development in the industrial zones. The proposed warehouse use is permitted in the I-4 Zone.

- b. The DSP generally conforms with Sections 27-472 and 27-474 of the Zoning Ordinance, Regulations for the I-4 Zone, with the exception of Section 27-472(d)(1), from which a variance is requested to allow for a floor area ratio (FAR) above 0.3.
- c. **Variance:** A variance was requested for additional density above the 0.30 FAR permitted per Section 27-472(d)(1). The project proposes a combined total of 198,000 square feet of gross floor area for Buildings 1 and 2, which is a 0.34 FAR for the 13.20-acre proposed Lot 160. This results in an increase in density of 0.04 FAR, or approximately 25,502 additional square feet of gross floor area.

Per Section 27-230(a) of the Zoning Ordinance, a variance may only be granted when the Planning Board finds that:

1. **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;**

There are numerous circumstances that constitute extraordinary situations or conditions. The property is situated outside the nearest sector plan focus area, the Clinton Commercial Core at Branch Avenue and Woodyard Road, but is zoned I-4 and surrounded by numerous industrially-zoned properties consistent with the sector plan recommendations, and is in close proximity to Joint Base Andrews. However, the I-4 zoned properties abutting the property to the north contain non-conforming single-family structures currently used for residential purposes. In addition, there is a stream valley running east-west through the property and a master-planned right-of-way running north-south, bisecting and reducing the lot area leading to a higher FAR.

2. **The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and**

The application of the I-4 Zone's 0.30 FAR limit will result in peculiar and unusual practical difficulties. As a result of the abutting nonconforming residential dwellings in the I-4 Zone, the rear building setback is increased to 75 feet, limiting the buildable portion of the lot by pushing the proposed buildings south. The environmental features and 20-foot sewer easement further push the building envelope north and west. Due to the limit of the building envelope, the applicant proposes a mezzanine level in both buildings, which puts the DSP over the FAR limit. The size of the mezzanine is set by the overall building dimensions and standard warehouse space dimensions expected by the future tenants.

**3. The variance will not substantially impair the intent, purpose, or integrity of the General Plan or master plan.**

The variance request will implement the vision and recommendations of the sector plan for the property and the overall Branch Avenue Corridor planning area. The sector plan envisions the development of large industrial buildings in the planning area, such as proposed. The project will facilitate job creation, promote new economic investment, and harness the potential of an underutilized site with desirable warehouse space with interior mezzanine.

Based on the above discussion, the Planning Board approves a variance to Section 27-472(d)(1) for an increase of 0.04 FAR, above the 0.30 FAR maximum in the I-4 Zone.

- d. **Military Installation Overlay Zone:** The project is also located within the Height, Noise, and Accident Potential Zone (APZ) 1 under the M-I-O Zone. Under this zoning, the applicant must meet the requirement for height and noise. The site is required to meet a clearance of 50:01. The proposed building height is 41 feet and meets the height requirements. The project also falls in the Noise Intensity Zone, where noise levels may range from 60db to 74db. Section 27-548.56 of the Zoning Ordinance addresses prohibited and limited uses in the APZ1, which does not include the proposed warehouse use.
- e. **Site design guidelines:** The DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance. For example, vehicular and pedestrian circulation is separated and convenient; the service/truck area is accessible to both buildings but unobtrusive; and the lighting is used to illuminate important on-site elements while minimizing spillover onto adjacent properties.

**9. Conceptual Site Plan CSP-04001:** CSP-04001 was approved by the District Council on March 28, 2005, for a business park including warehouse and consolidated storage facilities and offices, subject to four conditions, which are applicable as follows:

**2. Prior to issuance of any permits, the right-of-way dedication along Woodyard Road (MD 223) shall be recorded among the Land Records of Prince George's County.**

The required right-of-way dedication along Woodyard Road was previously dedicated, as required.

**3. No more than one year after the date of approval of this Order, the applicant, his successor or assignees("applicant"), shall submit to the Department of Environmental Resources (DER) photographs (and other evidence if appropriate) to demonstrate that all conditions above have been fulfilled and that all structures and landscaping are being maintain in presentable condition and good working order. Every two years after that on the anniversary of the approval, the applicant**

**shall submit current photographs and evidence to DER to demonstrate full compliance again in the same way.**

4. **Failure to submit the required evidence in a timely way shall be grounds for revocation of the Use and Occupancy permit by DER. Failure to demonstrate by means of photographs and evidence submitted full compliance with the intent of these conditions shall be grounds for revocation of the Use and Occupancy permit by DER.**

No development has occurred on the property until approximately the last year. The applicant is required to comply with this condition in the future, after construction and issuance of a use and occupancy permit on the site.

10. **Preliminary Plan of Subdivision 4-03118:** The Planning Board approved PPS 4-03118 on March 25, 2004, for seven lots and two parcels for the development of 500,000 square feet of industrial uses (PGCPB Resolution No. 04-63(A)). A reconsideration of PPS 4-03118 was approved by the Planning Board on July 18, 2019. Final plats were recorded in compliance with the PPS and DSP, showing six lots and two parcels. The PPS was approved, subject to 21 conditions. The relevant conditions are discussed, as follows:

2. **At the time of Detailed Site Plan, a Type II Tree Conservation Plan shall be approved.**

The applicant submitted a Type II Tree Conservation Plan, TCPII-114-04-03, with this application. The Planning Board has reviewed the TCPII and DSP for conformance and approves with conditions.

4. **An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.**

The applicant has indicated that an automatic fire suppression system will be provided in all buildings, unless otherwise determined by the Prince George's County Fire/EMS Department, as noted on the plans.

7. **Development shall be in accordance with the approved Stormwater Management Concept Plan 7542-2003-00.**

The applicant submitted an approved SWM Concept Plan (38288-2004-00) for the Phase 1/ Pond 2. The proposed features include one bio-retention facility. The previous SWM concept plan (7542-2003-00) was for the entire project and contained two bio-retention facilities, including the Phase 2 pond. The Planning Board finds that there is no further action regarding SWM required with the DSP review.

12. **Each building permit shall include a 75 dBA (Ldn) noise contour. Structures for industrial and commercial uses shall be designed to reduce interior noise levels to 55 dBA (Ldn) or less, unless the structure or portions thereof are designed only for storage purposes. If residential or residential type uses are proposed, the structures shall be designed to reduce interior noise levels to 45 dBA (Ldn) or less. In the event any structure or portion thereof originally designed for storage use only is modified to permit nonstorage use, the structure shall be designed to reduce interior noise levels to 55 dBA (Ldn) or less.**
13. **Prior to the issuance of building permits for structures on this site, the building permits shall be modified to contain certification by a professional engineer with competency in acoustical analysis that the building shells within the 70 and 75 dBA (Ldn) noise corridors for Andrews Air Force Base have been designed to attenuate noise levels to 55 dBA (Ldn) or less for industrial or commercial structures unless the structure or portions thereof are designed only for storage purposes, and 45 dBA (Ldn) or less for residential structures or structures that contain residential type uses. In the event any structure or portion thereof originally designed for storage use only is modified to permit nonstorage use, the structure shall be designed to reduce interior noise levels to 55 dBA (Ldn) or less.**

The applicant is proposing a warehouse use. There are no residential type uses being proposed as part of this project. At the time of building permits, an acoustical analysis must be provided for the structures, in accordance with these conditions.

14. **A conceptual and detailed site plan shall be approved prior to grading or building permit for any use or development of the property.**

Both CSP-04001 and DSP-04054 were approved in December 2004. This amendment of DSP-04054 will be approved before any grading or building permits are approved.

16. **At the time of final plat approval, the applicant shall dedicate right-of-way of 70 feet and construct Bellefonte Road Extended within the property as delineated on the proposed preliminary plan of subdivision.**

The final plat of subdivision, recorded in Plat REF 211-75, dedicated the 70-foot right-of-way to construct Louie Pepper Drive. Correspondence from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) has been provided by the applicant in the DSP package, which indicates DPIE's agreement to the partial vacation of the right-of-way. The vacation petition application, once submitted, will be reviewed for conformance with the Prince George's County Subdivision Regulations. A cul-de-sac is shown at the terminus of Louie Pepper Drive, to provide an adequate truncation to the public street within the property.

20. **Total development within the subject property shall be limited to 500,000 square feet consisting of 400,000 square feet as an industrial park and 100,000 square feet**



**as a mini warehouse facility, or equivalent development that generates no more than 307 AM and 326 PM peak-hour trips. Any development other than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The total development proposed under DSP-04054, -01, -02, and -03 amendments is 325,338 square feet, and within the 500,000 total square feet of industrial development entitled in the approved PPS. The Planning Board finds that the proposed amendment is within the trip cap limit.

**11. Detailed Site Plan DSP-04054, as amended:** DSP-04054 was approved by the District Council on March 28, 2005, for a business park including warehouse and consolidated storage facilities and offices, subject to four conditions. Those four conditions were either required prior to certification of the DSP, at time of permitting, or the same as CSP-04001 conditions 3 and 4, as discussed above. DSP-04054-01 was approved on April 2, 2020, at Planning Director level, for modification to the consolidated storage facility. DSP-04054 -02 was approved on May 7, 2021, at Planning Director level, for minor adjustments to parking, sidewalk, fences, retaining walls, and planting to match final construction of the consolidated storage facility.

**12. 2010 Prince George's County Landscape Manual:** The application is subject to the requirements of Section 4.2, Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The landscape and lighting plan provided with the subject DSP contains the required schedules demonstrating conformance to these requirements.

**13. 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 because the property is greater than 40,000 square feet in size, contains more than 10,000 square feet of existing woodland, and has a previously approved TCPII.

TCPII-114-04-03 was submitted with this DSP. Based on the submitted TCPII, the site's gross tract area is 29.31 acres with 1.95 acres of floodplain for a net tract area of 27.36 acres. There is 1.13 acres of wooded floodplain with 23.17 acres of wooded net tract area. The woodland conservation threshold for the site, based on a 15 percent conservation requirement, is 4.10 acres. The TCPII proposes the removal of 21.48 acres of woodland in the net tract area and 0.31 acre of woodland within the floodplain, for a woodland conservation requirement of 11.59 acres. The TCPII worksheet proposes to preserve 1.69 acres, reforest 1.01 acres, and to purchase 8.53 acres of off-site woodland conservation credits. The reforestation table on Sheet 1 identifies 10 planting areas (Area 1 through to Area 10) with several planting areas (Area 2, 3, and 4) no longer present; however, the planting schedule identifies eight separate planting areas (Area 1 through to Area 8). Other technical revisions are required and conditioned herein.

**14. Prince George's County Tree Canopy Coverage Ordinance:** The DSP is subject to the requirements of the Prince George's County Tree Canopy Coverage Ordinance. Section 25-128

of the Prince George's County Code requires a minimum percentage of tree canopy coverage on projects that propose more than 5,000 square feet of disturbance. The subject DSP provides the required schedule demonstrating conformance to these requirements through existing trees and the provision of new plantings on the subject property.

- 15. Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:
- a. **Subdivision**—The Planning Board adopts, herein by reference, a memorandum dated August 31, 2021 (Vatandoost to Butler), which noted the DSP is in substantial conformance with the approved PPS. Conditions relating to labeling parcels and public utility easements have been included herein.
  - b. **Transportation**—The Planning Board adopts, herein by reference, a memorandum dated September 1, 2021 (Saunders Hancock to Butler), which noted the plan was acceptable and meets the finding required for a DSP, as described in the Zoning Ordinance.
  - c. **Pedestrian and Bicycle Facilities**—The Planning Board adopts, herein by reference, a memorandum dated September 1, 2021 (Jackson to Butler), which noted the plan was deemed acceptable from the standpoint of bicycle and pedestrian transportation. Conditions regarding the bike rack are outlined below.
  - d. **Environmental Planning**—The Planning Board adopts, herein by reference, a memorandum dated August 30, 2021 (Schneider to Butler), which noted comments of TCPII-114-04-03, as outlined in the conditions.
  - e. **Historic**—The Planning Board adopts, herein by reference, a memorandum dated July 1, 2021 (Berger to Butler), which noted that the subject property did not contain and is not adjacent to any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites.
  - f. **Permits**—The Planning Board adopts, herein by reference, a memorandum dated August 30, 2021 (Jacob to Butler), which noted that the plan was acceptable with the condition outlined below.
  - g. **Fire Department**—The Planning Board adopts, herein by reference, an email dated July 8, 2021 (Reilly to Butler), which noted that the plan was acceptable, as revised, to show hammerhead turnarounds for the dead-end parking lots.
  - h. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board adopts, herein by reference, a memorandum dated July 9, 2021 (MacLaren to Butler), that provided standard comments on the subject DSP. WSSC's comments will be addressed through their own separate permitting process.

- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopts, herein by reference, a memorandum dated September 10, 2021 (Giles to Butler), which noted standard comments that will be addressed at the time of permitting.
  - j. **Community Planning**—The Planning Board adopts, herein by reference, a memorandum dated September 10, 2021 (Tariq to Butler), which noted that the plan conforms to the 2014 *Plan Prince George’s 2035 Approved General Plan* and the sector plan.
16. As required by Section 27-285(b) of the Zoning Ordinance, the DSP 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.
17. Per Section 27-285(b)(4), which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.**

The site contains regulated environmental features. The DSP application does not propose any additional primary management area impacts to those previously approved with PPS 4-03118. The previously approved impacts (one road crossing, four SWM outfalls associated impacts, in-stream check dams, and sanitary sewer connections) are unchanged. The applicant has been notified in previous approvals that no permit is to be issued without the Maryland Department of the Environment, or the United States Army Corps of Engineers approval. Therefore, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, based on consistency with the limits of disturbance shown on previous approvals.

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 Type II Tree Conservation Plan TCPII-114-04-03, and further APPROVED Detailed Site Plan DSP-04054-03 for the above described land, subject to the following conditions:

- 1. Prior to certification, the detailed site plan shall be revised, or additional information shall be provided, as follows:
  - a. Clearly label the 10-foot-wide public utility easements along Louie Pepper Drive.
  - b. Label remainder of Parcel C as a new parcel D.

- c. Provide a detail indicating the type of bicycle rack as an inverted U-style rack, or a similar style that provides two points of contact to support and secure a parked bicycle.
  - d. Identify specific locations of signage and provide the setback distance from the street.
  - e. Revise the retail sign dimensions and notes so that they are clearer to read.
  - f. Revise the detailed site plan and architectural drawings to identify a building height of up to 41 feet.
2. Prior to signature approval of the detailed site plan, the Type II Tree Conservation Plan (TCPII) shall be revised as follows:
- a. Revise the TCP approval block and remove the “2” from TCP2 and change to TCPII.
  - b. Revise the TCP approval block to revise the “01” line to change the “03” to “01”.
  - c. Revise the TCP approval block to revise the “02” line to add “C. Schneider” “5/6/2021” “DSP-04054-02”.
  - d. Revise the TCP approval block to revise the “03” line to add in the DRD column “DSP-04054-03”.
  - e. Revise the Planting Schedule Table to label the correct planting areas and show the required amount of planting.
  - f. Add the following note to the plan under the specimen tree table: “NOTE: This plan and specimen trees are grandfathered from requirements of Subtitle 25.”
  - g. Revise the woodland conservation worksheet line 6 to show “TCPII” instead of TCP2 and add in the 03 revision.
  - h. Have the revised plan signed and dated by the qualified professional who prepared it.
3. Prior to approval of a final plat, which is required to complete the vacation process, the applicant and the applicant’s heirs, successors, and/or assignees shall:
- a. Grant 10-foot-wide public utility easements along the public rights-of-way, in accordance with the approved detailed site plan.
  - b. Dedicate additional right-of-way at the end of Louie Pepper Drive, in conformance with the approved detailed site plan.

4. Prior to approval of any permits, the applicant shall submit and obtain approval of a vacation petition application to vacate part of Louie Pepper Drive public right-of-way, as delineated on the approved detailed site plan.

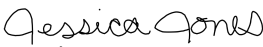
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

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 Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, September 30, 2021, in Upper Marlboro, Maryland.

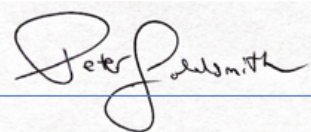
Adopted by the Prince George's County Planning Board this 7th day of October 2021.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:TB:nz

APPROVED AS TO LEGAL SUFFICIENCY

  
\_\_\_\_\_

M-NCPPC Legal Department  
Date: October 5, 2021