

R E S O L U T I O N

WHEREAS, CGMG Parcel F, LLC is the owner of a 5.31-acre parcel of land known as Parcel F of Hargrove, said property being in the 6th Election District of Prince George's County, Maryland, and being zoned Light Industrial (I-1); and

WHEREAS, on May 13, 2021, CGMG Parcel F, LLC filed an application for approval of a Preliminary Plan of Subdivision for 2 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-19039 for Hargrove Industrial was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on July 15, 2021, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on July 15, 2021, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-073-03-01, and further APPROVED Preliminary Plan of Subdivision 4-19039 for 2 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to move the label for Parcel II from within the right-of-way of Hargrove Drive to the portion of the parcel, which is unencumbered by right-of-way, or add an arrow leading from the label to that portion of the parcel.
2. A substantial revision to the mix of uses on the subject property, including any proposed residential development, that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval, shall require the approval of a new preliminary plan of subdivision, prior to approval of any building permits.
3. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (35712-2018-01) and any subsequent revisions.
4. Prior to approval of a final plat, in accordance with the approved preliminary plan of subdivision, the final plat shall include:

- a. The granting of public utility easements along the public rights-of-way.
 - b. Denial of access to US 50 (John Hanson Highway) and MD 704 (Martin Luther King Jr. Highway).
5. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised to meet all the requirements of Subtitle 25 of the Prince George's County Code. Required revisions include but are not limited to:
- a. Correct the worksheet on the TCP1 to show the correct amount of existing woodland in the floodplain.
6. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat:
- "Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."
7. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-073-03-01). The following note shall be placed on the final plat of subdivision:
- "This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-073-03-01 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department."
8. Prior to approval of permits, the applicant shall show due diligence for securing off-site woodland conservation credits first within the limits of the 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment*. If no woodland conservation credits are available within the limits of the sector plan, the applicant shall follow the requirements of Section 25-122(a)(6) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.

9. Prior to approval of any permits which impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
10. Prior to approval of any grading permit, approved pursuant to the approved Type 2 tree conservation plan, the final erosion and sediment control plan shall be submitted. The limits of disturbance shall be consistent between the tree conservation and erosion and sediment control plans.
11. Prior to approval of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”
12. Full cut-off optic light fixtures shall be used in order to minimize light intrusion from development of this site into environmentally sensitive areas.
13. Total development within the subject property shall be limited to uses that would generate no more than 250 AM and 195 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.
14. Prior to approval of any building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. Restripe and widen southbound Hargrove Drive to provide a left turn shared through/left and a right turn lane, unless modified by the Maryland State Highway Administration, with written correspondence.
15. In conformance with the sector plan, the applicant, and the applicant’s heirs, successors and/or assignees shall provide the below listed improvements. If a detailed site plan is required, these improvements shall be depicted on the plan, prior to its acceptance:
 - a. A shared-use path, consistent with AASHTO Guide for the Development of Bicycle Facilities along the subject site frontage of MD 704 (Martin Luther King Jr. Hwy), unless modified by the Maryland State Highway Administration, with written correspondence.
 - b. Six-foot-wide sidewalk connection between the proposed building entrances and Hargrove Drive.

- c. Six-foot-wide sidewalk along the property frontage and along one side of all driveways.
 - d. Crosswalks and Americans with Disabilities Act (ADA) accessible curb ramps throughout the site to create continuous connections.
 - e. A minimum of two inverted U-style bicycle racks at a convenient location to each building.
16. Prior to issuance of a Use and Occupancy permit for nonresidential development, the applicant, and the applicant's heirs, successors, and/or assignees shall:
- a. Contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility.
 - b. Install and maintain automated external defibrillators (AEDs), in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.
 - c. Install and maintain bleeding control kits next to fire extinguisher installation and no more than 75 feet from any employee.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The site is located in the northwest quadrant of the intersection of MD 704 (Martin Luther King Jr. Highway) and Hargrove Drive. The site consists of one parcel known as Parcel F of Hargrove, which was recorded in Plat Book ME 251 p. 62 in March 2019. The property has an address of 4400 Hargrove Drive. The 5.31-acre property is in the Light Industrial (I-1) Zone and is subject to the 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment* (Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and SMA). The subject site is currently vacant, save for some environmental areas and infrastructure which supports abutting development.

As shown on the submitted preliminary plan of subdivision (PPS), the subject project is for two parcels for a total of 10,577 square feet of industrial/commercial development. Based on the submitted plans and documents, the southern parcel, Parcel G, is conceptually proposed to be improved with a 6,077-square-foot food or beverage store and gas station. The northern parcel, Parcel H, is conceptually proposed to be improved with a 4,500-square-foot retail building or a restaurant with drive through of the same size. The applicant stated that they are also considering development of 120,000 square feet of light industrial space instead; however, no site layout has been submitted for such a proposal. This PPS has been evaluated based on the commercial site

layout shown on the plans. Any future project proposal showing a different use or layout will not require a new PPS if it is found to conform to the adequacy findings of this PPS. The plans showing details of the commercial site layout, including the Type 1 tree conservation plan (TCPI) and stormwater management concept plan (SWM), may still need to be revised if the site layout and use are revised.

The property is the subject of a previous PPS, 4-03112, which covered 67.09 acres and approved three parcels. The subject PPS is required in order to increase the total number of parcels within the subdivision from three to four (by further subdividing Parcel F into Parcels G and H), and in order to obtain additional development entitlement.

3. **Setting**—The site is located on Tax Map 52, Grid E-1, and is within Planning Area 70. The east side of the site features floodplain and wetland areas along Hargrove Drive, while the south side of the site features an existing driveway running parallel to MD 704 which serves the building on Parcel D, immediately west of the site. There is also an existing pump house on the south side of the site, which serves that same building. The driveway and pump house are proposed to remain, and the new development will connect to the existing driveway.

To the west and north of the subject site is a complex of industrial buildings on Parcels D and E of the Hargrove Subdivision, in the I-1 Zone. To the east is Hargrove Drive, with the Bald Hill Branch stream beyond. Additional industrial uses zoned Heavy Industrial are east of the stream. A parcel known as Parcel II, owned by Hargrove Inc., lies between two branches of the Hargrove Drive right-of-way (ROW) near the drive’s intersection with MD 704. To the south of the property is the interchange of MD 704 and US 50 (John Hanson Highway), with single-family dwellings in the One-Family Detached Residential (R-80) Zone beyond.

4. **Development Data Summary**—The following information relates to the subject PPS and the proposed development.

	EXISTING	APPROVED
Zone	I-1	I-1
Use(s)	Vacant	Commercial/Industrial
Acreage	5.31	5.31
Gross Floor Area	0	10,577
Dwelling Units	0	0
Parcels	1	2
Lots	0	0
Outlots	0	0
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Prince George's County Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on May 28, 2021.

5. **Previous Approvals**—The site has been subject to platting activity going back to 1964. The site was previously part of Parcel A of Capitol Car Distributors Ltd. recorded in Plat Book WWW 50 p. 93, approved by the Prince George's County Planning Board in March 1964. This plat also dedicated the original ROW of Hargrove Drive (although it was then named Volkswagen Drive) and first showed denial of access to MD 704/US 50. Following approval of this plat, a portion of the existing industrial building west of the subject site was built, known historically as the Volkswagen Administrative Offices (see the Historic Preservation finding of this resolution). The previously mentioned driveway and pump house were also built on land which would eventually become part of the subject site.

Additional plats covering the site were recorded in June 1970 (Plat Book WWW 74 p. 71) and June 1982 (Plat Book NLP 113 p. 80). With these plats, the previous Capitol Car Distributors Ltd. Subdivision was superseded by the Volkswagen South Atlantic Distributor Inc. Subdivision. The Volkswagen Administrative Offices building was expanded to its current footprint sometime before 1977.

In August 1991, the Maryland State Highway Administration (SHA) Plat No. 53065 was recorded to support ROW changes associated with the construction of new ramps at the abutting interchange of MD 704 and US 50. As a result of this plat, the roadbed of Volkswagen Drive was realigned to the east, new ROW for the drive was established, and Parcel II was created and conveyed from SHA to Volkswagen of America, Inc. (Liber 8242 folio 717). Despite the new ROW established, however, the old ROW of Volkswagen Drive was never vacated, leading to the branching ROW configuration shown on the current PPS. Parcel II was later conveyed from Volkswagen of America Inc. to Hargrove Inc. in 1996 (Liber 11190 folio 273), along with the existing building and the rest of Volkswagen's property on and around the site. After this transfer, Volkswagen Drive was renamed to Hargrove Drive.

In November 2003, Hargrove Inc. filed PPS 4-03112, which was approved by the Planning Board in April 2004. This PPS approved three parcels to support 453,950 square feet of existing industrial development and 207,500 square feet of new industrial development. A plat was recorded in Plat Book REP 212 p. 48 in May 2006, in conformance with the PPS. The plat established a new subdivision in Hargrove's name, creating parcels A, B, and C of the Hargrove Subdivision. This subdivision superseded the previous Volkswagen South Atlantic Distributor Inc. Subdivision.

In March 2019, a plat was recorded in Plat Book ME 251 p. 62 for a lot line adjustment, which reestablished Parcels A, B, and C as Parcels D, E, and F of the Hargrove Subdivision, leading to the property boundaries currently in existence. The number of parcels within the subdivision remained at three. Following approval of this plat, three new industrial buildings totaling 400,100 of gross floor area were approved by right for construction on Parcel E. Multiple permits dating from 2019 and 2020 are associated with this construction. Though the total new

gross floor area built exceeds the 207,500 square feet approved with 4-03112, the new buildings were approved because they would not generate traffic exceeding the trip cap established by 4-03112, and no other Subtitle 24 adequacy findings were affected.

The new development now proposed on Parcel F will exceed the trip cap of 4-03112, and so a new PPS is required. The PPS is also required to further subdivide Parcel F into two new parcels.

6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and SMA are evaluated, as follows:

Plan 2035

This PPS is in the Established Communities area. The vision for Established Communities is that they are most appropriate for context-sensitive infill and low- to medium-density development (page 20).

Sector Plan

The Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and SMA recommends that development and redevelopment of commercial and employment areas occur within existing commercial and industrial zones (page 3). The SMA retained the I-1-zoning on the subject property. The existing zoning and proposed development are consistent with the sector plan recommendation.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this PPS conforms to the sector plan as evaluated within this finding and throughout this resolution.

7. **Stormwater Management**—An approved SWM Concept Letter (35712-2018) and associated plan for this site were submitted with the subject PPS. The approval was issued on May 4, 2021. The plan is consistent with the TCP1. A combination of one micro-bioretenion area and a submerged gravel wetland are proposed on-site to serve as on-site detention and quality control for stormwater associated with this PPS. A 100-year flood storage facility, in the form of a dry pond, is also proposed for compensation of floodwater offset by the development proposed in the floodplain for this site, which is further discussed in the environmental findings of this resolution. A floodplain waiver was obtained from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) for this facility. Submission of an approved SWM concept plan satisfies the requirements of Section 24-121(a)(15).

In accordance with Section 24-130 of the Subdivision Regulations, development of the site shall conform with the SWM concept approvals and any subsequent revisions to ensure no on-site or downstream flooding occurs.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the subject subdivision is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.

9. **Bicycle/Pedestrian**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and SMA to provide the appropriate bicycle and pedestrian transportation recommendations.

Previous Approvals

The subject site was previously a part of PPS 4-03112, which included the following condition of approval:

5. **The applicant, his heirs, successors and/or assignees shall construct an eight-foot-wide hiker/biker trail along the subject site’s entire road frontage of MD 704, if road frontage improvements are required, per the concurrence of SHA.**

The shared-use path required along MD 704 would help extend the existing Washington, Baltimore and Annapolis (WB&A) trail, one of the County’s listed priority pedestrian and bicycle facilities, and thereby fill in an existing gap between Washington DC and Anne Arundel County. The current terminus of the WB&A trail is approximately one mile from the subject site. This requirement shall be retained, unless modified by the SHA.

Review of Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to existing industrial uses to the west and north of the site, and residential uses further to the west and north. There are limited existing pedestrian connections to the existing industrial uses and no bicycle connections, and no connections of either kind to the residential uses. The site is also adjacent to additional industrial uses to the east, which are connected via existing sidewalk along MD 704. The new infrastructure required below will create new connections to the adjacent uses.

Review of Master Plan of Transportation Compliance

This development case is subject to the MPOT. The site fronts along the WB&A trail alignment along MD 704. The site is also adjacent to the planned Bald Hill Branch trail, which lies east of the site. However, the site is not directly impacted by the alignment of the Bald Hill Branch trail.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

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.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Sidewalk, crosswalks, and Americans with Disabilities Act (ADA) accessible curb ramps shall be provided throughout both lots to create continuous connections between future buildings on the subject property and the abutting industrial development to the west. The sidewalks are required within the subject site so that infrastructure will be available in case additional connections can be made from abutting Parcels D and E to proposed Parcels G and H with future applications. Pedestrian connections shall also be provided from Hargrove Drive to the entrances of future buildings on the subject site. These connections will provide multimodal access through the site and to the planned Bald Hill Branch trail and the planned WB&A trail. In addition, designated space for bicycle parking is required at a location convenient to the building entrances. These improvements fulfill the intent of the complete streets policies and master plan recommendations above.

At the Planning Board meeting on July 15, 2021, the Board requested the applicant's consideration to provide sidewalks at six feet wide, rather than the standard five feet wide. The applicant agreed and proffered to provide six-foot-wide sidewalks.

Review of Sector Plan Compliance

The Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and SMA includes the following recommendations regarding the accommodations of pedestrian and bicycle facilities (page 163):

Goal 3: Encourage alternative means of transportation within the sector plan area.

Policy 5: Create environments that are more conducive to nonmotorized travel.

Goal 4: Improve pedestrian safety throughout the area.

Policy 1: Develop a continuous network of safe routes (sidewalks and trails) for pedestrians, especially between neighborhoods and sector plan area destinations.

Required facilities such as sidewalks, crosswalks, ADA-accessible curb ramps, and bicycle parking on-site will encourage multimodal use, access to the subject site, and fulfill the intent of the goals included in the area sector plan.

Based on the preceding findings, adequate bicycle and pedestrian facilities will exist to serve the proposed subdivision, in accordance with Subtitle 24.

- 10. Transportation**—Transportation-related findings for adequacy are made with this PPS, along with any needed determinations related to dedication, access, and general subdivision layout.

Development Proposal

The subject PPS subdivides one parcel into two parcels. The applicant submitted a traffic impact study (TIS) last updated January 6, 2021, which included two options for development, as follows:

- Option 1: 6,077-square-foot convenience store, with 20 fueling positions and 4,500 square-foot fast food restaurant with drive-through option.
- Option 2: 120,000-square-foot light industrial space

For the purposes of this PPS, the trip generation and traffic analysis for Option 1 were evaluated. Option 1 will generate more trips than Option 2.

Previous Approvals

The subject site was previously a part of PPS 4-03112, which included the following condition of approval:

- 8. Industrial development consistent with I-1 zoning shall not have direct vehicular access onto Crandall Road, but shall receive access via cross easements or other legal means onto Hargrove Road.**

Access to the subject site is not via Crandall Road; therefore, this requirement has been met.

Vehicular Transportation Analysis

The applicant submitted a full traffic impact analysis at the request of staff. This study is used as the basis for a determination of adequacy.

The subject property is located within Transportation Service Area 2, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

- Links and Signalized Intersections: Level-of-Service D, with signalized intersections operating at a critical lane volume of 1,450 or better.

The table below summarizes trip generation in each peak hour that will be used in reviewing traffic and developing a trip cap for the site:

Trip Generation Summary: 4-19039 Hargrove Industries								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Convenience Market/ Gas Station	20 Fueling Stations/ 6,077	square feet	329	330	659	254	254	508
<i>Pass-by (76% AM & PM)</i>			-250	-251	-501	-193	-193	-386
Fast Food w/ Drive Through	4,500	square feet	92	89	181	76	71	147
<i>Pass-by (49% AM, 50% PM)</i>			-45	-44	-89	-38	-36	-74
Total Trip Cap Recommendation			126	124	250	99	96	195

The traffic generated by the PPS would impact the following intersections, interchanges, and links in the transportation system:

- MD 704/Whitfield Chapel Road (signalized)
- MD 704/US 50 eastbound ramps (signalized)
- MD 704/Hargrove Drive/US 50 westbound ramps (signalized)
- MD 704/Forbes Boulevard (signalized)

The following critical intersections, interchanges, and links identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 704/Whitfield Chapel Road	576	828	A	A
MD 704/US 50 EB Ramps	526	880	A	A
MD 704/Hargrove Drive/US 50 WB Ramps	890	1085	A	B
MD 704/Forbes Blvd	794	942	A	A

Improvements are planned at the intersection of MD 704 and Forbes Blvd and have been evaluated and included within the background traffic analysis. There are no additional critical intersections identified above that are programmed for improvements with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program.

The TIS identified two background developments whose impact would affect some or all of the study intersections. In addition, a growth of 1 percent over two years was also applied to the traffic volumes. A second analysis was done to evaluate the impact of the background developments. The analysis revealed the following results:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 704/Whitfield Chapel Road	601	872	A
MD 704/US 50 EB Ramps	561	947	A	A
MD 704/Hargrove Drive/US 50 WB Ramps	972	1251	A	C
MD 704/Forbes Blvd	811	922	A	A

The following critical intersections identified above, when analyzed with total future traffic as developed using the “Transportation Review Guidelines, Part 1” including the site trip generation as described above, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 704/Whitfield Chapel Road	615	883	A
MD 704/US 50 EB Ramps	601	977	A	A
MD 704/Hargrove Drive/US 50 WB Ramps	1275	1485	C	E
MD 704/Hargrove Drive/US 50 WB Ramps*	1013*	1211*	B*	C*
MD 704/Forbes Blvd	822	928	A	A
<i>*With improvements along SB Hargrove Drive</i>				

The total traffic conditions above include the analysis of improvements required at the intersection of MD 704/Hargrove Drive/US 50 westbound ramps, due to a failing level of service operations. The TIS recommends that the southbound approach on Hargrove Drive be restriped and widened to provide a right, shared through/left and left-turn lane. The improvements to the southbound approach will accommodate the trips generated by this PPS. The TIS also notes queuing concerns for the left-turn lane on eastbound MD 704 onto Hargrove Drive. However, any needed improvements in this area should be determined by the operating agency at time of permitting.

Master Plan Roads and Site Access

The subject site is along the master plan ROW of MD 704. However, there is no additional ROW required to be dedicated with this PPS. Access to this street shall continue to be denied, in accordance with prior plats, due to the site’s proximity to the interchange.

The plan shows access along Hargrove Drive, and the ROW of this street is accurately shown on the plan (see discussion in the Previous Approvals section of this resolution). A portion of the

existing driveway, which serves Parcel G, lies on Parcel II, and so the existing driveway may need to be reconfigured so that enough access width is provided within the public ROW. Any changes needed to the existing driveway entrance within the ROW of Hargrove Drive should be coordinated with DPIE at the permitting stage.

The proposed plan and circulation layout are acceptable pursuant to Section 24-123 of the Subdivision Regulations.

Based on the preceding findings, adequate transportation facilities will exist to serve the proposed subdivision, in accordance with Subtitle 24.

11. **Schools**—Pursuant to Section 24-122.02 of the Subdivision Regulations, this PPS is exempt from review for impact on school facilities because the proposal consists of nonresidential development.
12. **Public Facilities**—In accordance with Section 24-122.01, water and sewerage and police facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section, dated June 16, 2021, (Thompson to Diaz-Campbell), incorporated by reference herein.

Fire and Rescue

The subject property is served by the West Lanham Hills Fire/EMS Station 828 located at 7609 Annapolis Road, in New Carrollton. Per Section 24-122.01(d)(1)(A), a 5-minute total response time is recognized as the national standard for fire/EMS response times. The 5-minute total response time arises from the 2016 Edition of the National Fire Protection Association (NFPA) 1710 Standards for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. This standard is being applied to the review of nonresidential subdivision applications.

According to NFPA 1710, Chapter 3 Definitions, the total response time and travel time are defined, as follows:

3.3.53.6 Total Response Time. The time interval from the receipt of the alarm at the primary PSAP (Public Safety Answering Point) to when the first emergency response unit is initiating action or intervening to control the incident.

3.3.53.7 Travel Time. The time interval that begins when a unit is in route to the emergency incident and ends when the unit arrives at the scene.

According to NFPA 1710, Chapter 4 Organization:

4.1.2.1 The fire department shall establish the following objectives:

- (1) **Alarm handling time to be completed in accordance with 4.1.2.3.
(4.1.2.3.1 The fire department shall establish a performance objective of having an alarm answering time of not more than 15 seconds for at least 95 percent of the alarms received and not more than 40 seconds for at least 99 percent of the alarms received, as specified by NFPA 1221).**
- (2) **80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response.**
- (3) **240 seconds or less travel time for the arrival of the first arriving engine company at a fire suppression incident.**

Prince George's County Fire and EMS Department representative, James V. Reilly, stated in writing (via email) that as of June 15, 2021, the subject project did not pass the 4-minute travel test from the closest Prince George's County Fire/EMS station when applying the national standard, an associated total response time under 5 minutes from the closest Fire/EMS station, West Lanham Hills Fire/EMS Company 828. Prior to issuance of a use and occupancy permit, the applicant shall contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility; install and maintain automated external defibrillators (AEDs), in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05); and install and maintain hemorrhage kits next to fire extinguishers. In accordance with Section 24-122.01(e)(1)(C), the Department provided a statement that adequate equipment exists.

13. **Use Conversion**—As set forth in the PPS, the total development included in this PPS is 10,577 square feet of industrial/commercial development in the I-1 Zone. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval and reflected on the PPS, that revision of the mix of uses shall require approval of a new PPS, prior to approval of any building permits. If any residential development is proposed that proposal shall require approval of a new PPS, prior to approval of any building permits.
14. **Public Utility Easement**—In accordance with Section 24-122(a), when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents, recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The standard requirement for public utility easements (PUEs) is 10 feet wide along both sides of all public ROWs. The property abuts MD 704 to the south and Hargrove Drive to the east. As early as 1982, 10-foot-wide PUEs were previously provided along both these roads. The PUEs are shown on the subject PPS and will be rerecorded with the subsequent final plat of subdivision.

15. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources. The existing building just west of the property is documented on a Maryland Inventory of Historic Properties Form as the Volkswagen Administrative Offices (PG:70-095). The Volkswagen Administrative Offices building is significant for its connection to the automobile industry, specifically Volkswagen during the 1960s, and is also significant for its Modernist architectural style. This project does not include alteration of the documented building, as it is off-site to the subject PPS.
16. **Environmental**—The subject PPS 4-19039 and TCP1-073-03-01 were received on May 13, 2021. Verbal and written comments were provided in a SDRC meeting on May 28, 2021. Revised information was received on June 4, 2021.

The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site applicable to this case:

Development Review Case	Associated Tree Conservation Plan or Natural Resource Inventory	Authority	Status	Action Date	Resolution Number
4-03112	TCPI-073-03	Planning Board	Approved	04/01/2004	04-67
NA	NRI-143-2018	Staff	Approved	10/26/2018	NA
NA	TCP2-023-2018	Staff	Approved	03/14/2019	NA
4-19039	TCP1-073-03-01	Planning Board	Pending	Pending	Pending

Grandfathering

This project is not grandfathered with respect to the environmental regulations contained in Subtitles 24 and 27 of the Prince George’s County Code that came into effect on September 1, 2010 because the project is a new PPS. This project is subject to the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual.

REVIEW OF MASTER PLAN CONFORMANCE

Conformance with Plan Prince George's 2035 Approved General Plan

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 2035 and the Established Communities area of the General Plan Growth Policy Map.

Conformance with the 2010 Approved Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment

The site is located within the Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and SMA. The sector plan includes applicable goals, policies, and strategies. The following policies are applicable to the current project with regard to natural resources preservation, protection, and restoration. The text in **BOLD** is the text from the sector plan and the plain text provides comments on plan conformance.

Natural Resources/Environment Chapter Recommendations

Goal 1: Restore and enhance water quality in areas that have been degraded.

Policy 1: Decrease the amount of pollutants from both storm and non-storm events entering sector plan area wetlands and waterways.

The implementation of the approved SWM Concept Plan (35712-2018) will result in a decrease in the amount of pollutants from storm and non-storm events currently entering the sector plan area's wetlands and waterways untreated.

Policy 2: Preserve, enhance, or restore the vegetated buffers around wetlands and waterways.

The existing wetlands are proposed to be retained on-site. It is encouraged that this area be enhanced with additional suitable native species to increase the wildlife value of the regulated features on-site.

Goal 2: Prevent flooding associated with new and redevelopment.

Policy 1: Ensure stream corridors are clear of debris, both manmade and natural, in known flooding areas.

There are no stream corridors on-site. A floodplain waiver has been granted from DPIE for development within the 100-year floodplain. A floodplain compensatory storage area will be constructed on-site to prevent post development flooding.

Policy 2: Ensure that the quantity of stormwater discharged from a site post-development does not exceed predevelopment conditions.

Water quality will be addressed through the approval of the final SWM plan.

Goal 3: Preserve, enhance, and restore the existing tree canopy within the sector plan area.

Policy 1: Focus tree and forest preservation and restoration efforts in appropriate areas.

The TCP1 shows an area of 0.21 acre of woodland, not credited, along the southern portion of the site area. An area of credited woodland conservation exists just south of this uncredited area; this area was approved with the prior version of the TCPI (TCPI-073-03), which was approved alongside 4-03112. No new on-site woodland preservation is included with this PPS.

Policy 2: Encourage the application of urban forestry principles to landscaping and reforestation efforts, while increasing opportunities for incorporating tree planting into the existing landscape.

The PPS does not include any reforestation on-site. Landscaping requirements will be evaluated for conformance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual) at the time of detailed site plan (DSP), or at time of permitting, if a DSP is not required.

Policy 3: Ensure that no net loss of forest cover occurs within the boundaries of the sector plan area.

The site improvements may result in a net loss of forest cover within the boundary of the sector plan area if the off-site requirement is placed in a woodland conservation bank in a different location. In accordance with Section 25-122(a)(6) of the WCO, off-site woodland conservation credits are required to be considered as follows:

...within the same eight-digit sub-watershed, within the same watershed, within the same river basin, within the same growth policy tier, or within Prince George's County. Applicants shall demonstrate to the Planning Director or designee due diligence in seeking out opportunities for off-site woodland conservation locations following these priorities. All woodland conservation is required to be met within Prince George's County.

However, to ensure master plan conformance, the purchase of off-site woodland conservation credits shall first be sought within the sector plan area.

Goal 4: Utilize innovative stormwater management best practices to mitigate the negative impacts of stormwater runoff.

Policy 1: Require stormwater to be treated non-structurally to the maximum extent practicable.

SWM is discussed under Goal 1, Policy 1, above.

Goal 5: Address issues of energy conservation, light pollution, air pollution, and noise impacts within the sector plan area.

Policy 1: Increase opportunities for utilizing green building opportunities in the sector plan area.

Green building techniques and energy conservation techniques should be used, as appropriate.

Policy 2: Reduce light pollution and intrusion into residential communities and environmentally sensitive areas.

The minimization of light intrusion from developed areas of this site, located in the Developing Tier, onto the sensitive wetland area to remain on-site, as well as off-site environmentally sensitive areas surrounding the site, is of special concern. The use of alternative lighting technologies and the limiting of total light output should be demonstrated. Full cut-off optic light fixtures shall be used.

Conformance with the 2017 Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan

The 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George's Resource Conservation Plan* (Green Infrastructure Plan) was approved with the adoption of the *Approved Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017) on March 7, 2017. According to the approved Green Infrastructure Plan, there are regulated areas mapped on-site, which are associated with a 100-year floodplain located along the eastern and southern boundary lines of the site. Much of the remaining undeveloped areas of the site are mapped as evaluation areas.

The following policies and strategies in bold are applicable to the subject PPS. The text in **BOLD** is the text from the Green Infrastructure Plan and the plain text provides comments on plan conformance.

POLICY 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.

- 1.1 Ensure that areas of connectivity and ecological functions are maintained, restored and/or established by:**
- a. Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
 - b. Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**
 - c. Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
 - d. Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these landscapes.**
 - e. Coordinating implementation between County agencies, with adjoining jurisdictions and municipalities, and other regional green infrastructure efforts.**
 - f. Targeting land acquisition and ecological restoration activities within state-designated priority waterways such as stronghold watersheds and Tier II waters.**
- 1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.**
- a. Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**
 - b. Prioritize use of public funds to preserve, enhance, connect, restore, and protect critical ecological systems.**

The regulated area on-site is located within the Bald Hill Branch of the Patuxent River, which is both a stronghold and a Tier II watershed. A portion of the mapped regulated area has been previously impacted as a direct result of the prior use of the site.

No sensitive species project review areas or special conservation areas are located on or within the vicinity of the subject site.

POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.

- 2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping and/or street trees.**
- 2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**
- 2.6 Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.**

There are no network gaps located on-site; however, there is potential to add additional native landscaping adjacent to the retained wetland after the site is graded.

POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

- 3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**
 - a. Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced, or new roads are constructed.**
 - b. Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.**

The site is partially developed with an existing road on-site. No trails are proposed within the regulated environmental features or their associated buffers on-site. Any future trail system proposed through the regulated areas of the site should be evaluated with the TCP2 during the site planning process, at the time of DSP, or at time of permitting, as applicable. Trails through sensitive areas should be generally designed to minimize impacts.

POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.

- 4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

Conservation easements were approved with the prior TCPI (TCPI-073-03) which was approved alongside 4-03112. The existing conservation easements will be impacted by the proposed development and will need to have their boundaries adjusted and shown on a new final plat. No new on-site woodland preservation or afforestation/reforestation is included on-site with this PPS.

POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

- 5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**
- 5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

The SWM Concept Plan (35712-2018) approved by DPIE shows the implementation of a SWM system that utilizes a combination of a submerged gravel wetland and a micro-bioretenion area to improve the water quality of runoff that will discharge off-site. DPIE has determined that this stormwater concept plan is in conformance with the current code.

POLICY 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**
- 7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**

- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

Planting of native species is encouraged on-site.

Forest Canopy Strategies

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**
- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**
- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management. Green space should be encouraged within the proposed development, particularly within and around existing regulated areas onsite for expansion, restoration, and preservation of these regulated areas.**

Native landscape planting surrounding the existing wetland and along the southern portion of the site below the access way for Parcel D is encouraged.

ENVIRONMENTAL REVIEW

Natural Resources Inventory

The site has an approved Natural Resources Inventory Plan (NRI-143-2018), which shows the existing conditions of the overall site. The site contains 100-year floodplain, wetlands, and steep slopes that comprise the PMA. No regulated stream or associated buffers exist on-site. The forest stand delineation indicates that there are two forest stands labeled A and B, and 48 specimen trees identified on the site. No specimen trees are located on the property subject to this PPS.

The site is located within the Bald Hill Branch watershed, which is both a stronghold and a Tier II watershed. The site does not contain any known historic structures and is not considered an historic site. Much of the remaining property is developed. No additional information is required regarding the NRI.

Woodland Conservation

This property is subject to the provisions of the WCO because the gross tract area exceeds 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site.

Currently, this site has an approved TCPI-073-03 and TCP2-023-2018. The submitted PPS includes a revised TCP1 (-01 revision), which is subject to the current regulations because it is part of a new PPS.

The overall 67.07-acre property shown on the TCP1 contains a total of 37.97 acres of woodland outside the floodplain and 2.41 acres of woodland in the floodplain, according to the worksheet. The woodland conservation threshold is 9.75 acres. The overall property has cleared 24.13 acres of the existing 37.97 acres and will clear an additional 0.37 acre on the subject site for a total of 24.50 acres outside of the floodplain. Within the area of the subject site, 0.12 acre of the existing 2.41 acres of woodland in the floodplain have been cleared, and the plan will clear an additional 0.71 acre within the floodplain. The cumulative woodland conservation requirement is 16.71 acres. The TCP1 meets the overall requirement with 11.42 acres of woodland preservation, 3.56 acres of reforestation/afforestation, and 0.81 acre of off-site woodland conservation. For Parcel F alone, 0.81 acre of woodland conservation is required. This is being met by using the off-site woodland conservation.

Specimen Trees

In accordance with approved NRI-143-2018, no specimen, champion, or historic trees have been identified for this PPS. No further information is required regarding specimen, champion, or historic trees.

Preservation of Regulated Environmental Features/Primary Management Area

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5). The on-site regulated environmental features include streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and steep slopes.

Section 24-130(b)(5) states:

Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.

Impacts to the regulated environmental features should be limited to those that are necessary for development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by the County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities.

Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for development of a property should be the fewest necessary and sufficient to reasonably develop the site, in conformance with the County Code.

A letter of justification was received May 13, 2021 for the impacts to Parcel F. The PPS includes impacts to the PMA. The impacts are for installation of a submerged gravel wetland, floodplain compensatory storage, property access, and two water lines. The impacts total 1.25 acres. The 100-year floodplain on this site is a backwater condition caused by roadway construction, which occurred over 30 years ago, and is not associated with a stream or other waterway. In a letter dated April 15, 2021, DPIE granted a floodplain waiver for 38,616 cubic feet of fill and a cut of 38,823 cubic yards in the floodplain. This will lower the floodplain elevation by 0.12 feet and provide 100-year SWM quantity control on-site. During flood events, safe access will be provided from the south side access road.

The current letter of justification and associated exhibit reflect three impacts to regulated environmental features associated with the development totaling approximately 1.25 acres. The letter of justification states that all impacts are permanent.

The PMA impacts are considered necessary to the orderly development of the subject property. These impacts cannot be avoided because they are required by other provisions of the County and state codes. The plan shows the preservation, restoration, and enhancement of the remaining PMA.

Impact A—Installation of a Submerged Gravel Wetland and Water Lines

Impact A is for installation of a submerged gravel wetland to satisfy the SWM requirements. Two water lines are also part of this impact. This impact will occur in the 100-year floodplain and will impact 1,320 square feet of wetland buffer.

Impact B—Floodplain Compensatory Storage

Impact B is for compensatory storage in the form of a dry pond to serve as storage for the 100-year floodplain backwater that will be displaced by the development.

Impact C—Site Access

Two site access points are proposed, which will impact the floodplain. One access is located on Hargrove Drive and the other is located on the driveway leading to Parcel D. The existing access driveway already goes through the PMA, as does Hargrove Drive. Connecting to the existing road infrastructure will be required for development of the subject property. Two areas of the PMA will need to be graded to accomplish this.

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the TCP1, the impact exhibit, and the conditions of approval. The impacts are for installation of a submerged gravel wetland, floodplain compensatory storage, property access, and two water lines.

Erosion and Sediment Control

This site is within a Tier II catchment area. Tier II waters are high-quality waters within the state of Maryland, as designated by the Maryland Department of the Environment that are afforded special protection under Maryland's antidegradation policy. No streams are associated with this project. The Prince George's Soil Conservation District may require redundant erosion and sediment control measures for this site as part of their review and approval process. No further information is required at this time regarding erosion and sediment control.

Soils

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Christiana-Downer complex (5–10% slopes) and Russett-Christian-Urban Land complex (0–5% slopes). According to available information, no unsafe soils containing Marlboro clay exist on-site; however, unsafe soils containing Christiana complexes are mapped on this property. According to DPIE, when existing or proposed steep slopes exceed 20 percent on unsafe soils, government agencies should insist on submitting a full geotechnical report that includes a global stability analysis with the proposed (mitigated) 1.5 safety factor line determined and shown on the plans submitted for County review and approval. There are no slopes of significant concern identified within the area of this soil type and the applicant is proposing to cut and fill the site to a 1 percent grade for a buildable area. A geotechnical report was provided with the PPS which states that the site can be developed, as proposed. Further review of the geotechnical report may be required for review by the County with a future development application, in conformance with Prince George's County Council Bill CB-94-2004.

17. **Urban Design**—The development of 10,577 square feet of commercial/industrial floor area may be subject to DSP approval depending on the specific uses proposed.

Conformance with the Requirements of the Prince George's County Zoning Ordinance

A DSP is required for certain uses such as gas station uses, in accordance with Footnote 65, and restaurant uses with drive through, in accordance with Footnote 54, of Section 27-473, Uses permitted, of the Prince George's County Zoning Ordinance, in the industrial zones. If a use requires a DSP approval, the development will be required to demonstrate conformance with the applicable requirements of the Zoning Ordinance at the time of DSP review, including but not limited to, the following;

- Section 27-469, I-1 Zones,
- Section 27-473, Table of Permitted Uses for the I-1 Zone,
- Section 27-474, Regulations in the I-1 Zone,

- Part 11, Off-Street Parking and Loading, and
- Part 12, Signs.

Otherwise, the site's conformance with the above applicable regulations will be reviewed at time of permit.

Conformance with the 2010 Prince George's County Landscape Manual

This development will be subject to the requirements of the Landscape Manual. Specifically, the site is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements. Conformance with requirements of the Landscape Manual will be evaluated at the time of either DSP or permit review.

Conformance with the 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 zoned I-1 are required to provide a minimum of 10 percent of the gross tract area in TCC. Conformance with the TCC requirement will be evaluated at the time of either DSP or permit review.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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, July 15, 2021, in Upper Marlboro, Maryland.

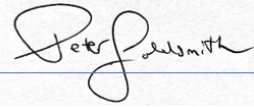
Adopted by the Prince George's County Planning Board this 29th day of July 2021.

Elizabeth M. Hewlett
Chairman

By *Jessica Jones*
Jessica Jones
Planning Board Administrator

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File No. 4-19039
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APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, appearing to read "Peter J. Smith", is written over a light gray rectangular background. The signature is cursive and fluid.

M-NCPPC Legal Department
Date: July 21, 2021