



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2023-32

File No. 4-22006

RESOLUTION

WHEREAS, Hyattsville Brightseat Road RE LLC is the owner of a 5.30-acre parcel of land known as Parcel 1, said property being in the 13th Election District of Prince George's County, Maryland, and being zoned Industrial, Employment (IE); and

WHEREAS, on January 17, 2023, Hyattsville Brightseat Road RE LLC, filed an application for approval of a Preliminary Plan of Subdivision for two parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-22006 for Hyattsville Brightseat Road 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 March 16, 2023; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 24-1900 of the Subdivision Regulations, subdivision applications submitted before April 1, 2024 may be reviewed and decided in accordance with the prior Subdivision; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

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

WHEREAS, on March 16, 2023, 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 TCP1-003-2023-01, and further APPROVED Preliminary Plan of Subdivision 4-22006, for two parcels with the following conditions:

1. Prior to signature approval, the preliminary plan of subdivision shall be revised to provide the following;
 - a. Show the stormwater management (SWM) facilities in accordance with the approved SWM Concept Plan, 3656-2021-00.

- b. The dimensions and area for the road dedication along Brightseat Road, ensuring a minimum of 40 feet from the centerline of Brightseat Road is provided.
 - c. The plan and notes section shall be updated to reflect the land area for the roadway dedication, and consequently, any necessary adjusted parcel areas.
 - d. Label the subdivision as Sandpiper Road Property and the proposed parcels as Parcels 2 and 3.
 - e. Revise General Note 4 to indicate that the total square footage of commercial use is 51,674 feet, and the proposed commercial use is 4,050 feet.
2. Development of the site shall be in conformance with the approved Stormwater Management Concept Plan, 3656-2021-00, and any subsequent revisions.
3. Prior to approval, the final plat of subdivision shall include:
 - a. The applicant and the applicant's heirs, successors, and/or assignees shall record an access easement agreement that shows the extent and location of the easement on the subject property, as shown on the approved preliminary plan of subdivision.
 - b. The dedication of 10-foot-wide public utility easements along the abutting public rights-of-way, as delineated on the approved preliminary plan of subdivision.
 - c. Right-of-way dedication of 40 feet from the centerline of Brightseat Road, as shown on the approved preliminary plan of subdivision.
4. Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Revise the soil boundaries on the TCP1 to be consistent with Natural Resources Inventory NRI-090-2015-01.
 - b. Depict the proposed property boundaries.
 - c. Correct the application type and number in Tree Conservation Plan Note 1 to PPS 4-22006.
 - d. Update the approval block with the approval information for TCP1-003-2023 when available.
 - e. Correct the Development Review Division application number in the -01 revision line of the approval block to "4-22006" instead of "DSP 4-22006", and correct the case number in the approval block to "TCP1-003-2023".

5. Any residential development on the subject property shall require approval of a new preliminary plan of subdivision, prior to issuance of any permits.
6. The following facilities shall be provided and shown on the site plan:
 - a. A marked bicycle lane along the subject property's frontage of Brightseat Road, unless modified by the operating agency with written correspondence.
 - b. A minimum 5.5-foot-wide sidewalk along the perimeter of all buildings.
 - c. Crosswalks and striping that provide pedestrian connections from the parking area to the building(s) on-site.

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 subject property is located at northeast quadrant of the intersection of Medical Center Drive and Brightseat Road and is 5.30 acres. The property is comprised of Parcel 1, recorded on a plat for the Sandpiper Property Subdivision, in the Prince George's County Land Records in Plat Book SJH 245 page 22 and is within the Industrial, Employment (IE) Zone. However, this PPS was reviewed in accordance with the prior Prince George's County Zoning Ordinance and prior Prince George's County Subdivision Regulations, pursuant to Section 24-1900 of the Subdivision Regulations. Under the prior Zoning Ordinance, the site was within the Planned Industrial/Employment Park (I-3) Zone, which was effective prior to April 1, 2022. The proposed project is also subject to the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (master plan), Subtitles 24 and 27 of the prior Prince George's County Code, and other applicable plans, as outlined herein.

This preliminary plan of subdivision (PPS) includes two parcels for the development of 51,674 square feet of commercial use, 47,624 square feet of which is currently an existing hotel. The property has been the subject of prior subdivision approvals which established a capacity for the site, which this project remains within, and this PPS is filed for the sole purpose of dividing the existing parcel. In accordance with Section 24-1904(c) of the Subdivision Regulations, this PPS is supported by and subject to approved Certificate of Adequacy ADQ-2022-037.

3. **Setting**—The property is located on Tax Map 67 in Grid D1 and is within Planning Area 72. The site is bounded to the north by a vacant parcel also within the IE Zone (formerly the I-3 Zone), to the east by the I-95/495 (Capital Beltway), to the south by Medical Center Drive, and to the west by Brightseat Road. The property to the east, beyond the Capital Beltway, consists of commercial development within the Regional Transit – Oriented, High – Intensity – Edge (RTO-H-E) Zone (formerly the Commercial Office (C-O) Zone). The property to the south, beyond Medical Center

Drive, consists of vacant land within the IE Zone (formerly the I-3 Zone). The property to the west, beyond Brightseat Road, consists of institutional development within the IE Zone (formerly the I-3 Zone).

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

	EXISTING	APPROVED
Zone	IE	IE
Use(s)	Commercial	Commercial
Acreage	5.30	5.30
Lots	0	0
Parcels	1	2
Dwelling Units	N/A	N/A
Gross Floor Area	47,624 sq. ft.	51,674 sq. ft.

Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on February 3, 2023.

The existing hotel will be located on one parcel, shown as Parcel 2 on the PPS, and the proposed 4,050 square feet of commercial development will be located on Parcel 1. Parcel 2 will have direct access to Brightseat Road; however, Parcel 1 will not have direct access, and instead will be accessed via the driveway on Parcel 2, via a shared access easement.

5. **Previous Approvals**—The subject property was originally platted as Parcel A of Brightseat Road Elementary School, recorded in Plat Book WWW 73 page 16, approved December 17, 1969.

Conceptual Site Plan CSP-87063-03 was approved by the Prince George's County Planning Board (PGPB Resolution No. 87-364) on June 13, 1991, for the development of 1,500,000 square feet of industrial use which included the subject property.

PPS 4-91067 was approved by the Planning Board on June 27, 1991 (PGCPB Resolution No. 91-230). This PPS approved 17 lots for 1,017,960 square feet of industrial development, which included the subject property. The subject property did not proceed to plat pursuant to PPS 4-91067, and therefore, the pre-1970 record plat continued to apply.

Detailed Site Plan DSP-15021 was approved by the Planning Board (PGCPB Resolution No. 16-21) on February 18, 2016. This DSP approved two 124-room hotels on the subject site. The second hotel was never built.

Final Plat of Resubdivision 5-15059 was approved by the Planning Board (PGCPB Resolution No. 16-26) on July 7, 2016. This plat of resubdivision was approved for commercial development of the site and included an analysis of two hotels, for the development of one 150-room hotel and a convenience store with 12 fueling stations. PPS 4-22006 is within the capacity established with

5-15059. However, the applicant proposed to subdivide the property into two parcels, requiring the subject PPS. Final Plat of Resubdivision 5-15059 is recorded as Parcel 1, Sandpiper Property Subdivision. The subject PPS shall follow the same naming convention, and number the parcels 2 and 3.

Special Exception SE-4845 was approved on June 26, 2022, by the Prince George's County District Council, to construct a gas station with a food or beverage store on the subject site.

CSP-21006 is associated with this PPS, which includes a 4,050-square-foot gas station and food and beverage store on a two-acre portion of existing Parcel 1 and was approved by the Planning Board on March 2, 2023 (PGCPB Resolution No. 2023-22).

6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035), and conformance with the master plan are evaluated, as follows:

Plan 2035

Plan 2035 places this PPS within the Employment Areas Growth Policy Area. Plan 2035 describes the designated employment areas as having the highest concentrations of economic activity in four targeted industry clusters: healthcare and life sciences; business services; information, communication, and electronics; and the Federal Government. Plan 2035 recommends continuing to support business growth in these geographic areas in particular, in the targeted industry clusters concentrating new business development near transit where possible, improving transportation access and connectivity, and creating opportunities for synergies (page 19, also refer to Map 1 page 18).

Master Plan Conformance

The master plan recommends industrial future land use for the subject property. The subject property is in the Landover Metro Center Industrial Area (page 121) and is affected by the following goals:

- **Implement zoning and land use guidelines that ensure neighboring uses complement, and not conflict, with the planned physical environment of each living and industrial area (page 123).**
- **Implement initiatives and provide incentives for commercial and industrial businesses to relocate within Prince George's County (page 123).**
- **Establish a priority for industrial users to locate adjacent to major thoroughfares, improving the competitive advantage in Subregion 4 (page 123).**

The subject PPS conforms to the above goals as the proposed use does not conflict with the planned physical environment of the living and industrial areas, provides commercial development, and is adjacent to major thoroughfares. The proposed use is considered a

commercial use and not an industrial use. However, commercial uses are permitted within the I-3 Zone.

In addition, Chapter 5, Living Areas and Industrial Centers, Proposed Industrial Use Development Pattern, recommends the following policies relevant to the property:

Policy 1: Preserve and enhance existing industrial uses wherever possible along the northern and eastern perimeter of the subregion (page 123).

Policy 2: The plan also recommends improving the relationship between viable industrial and non-industrial areas by enhancing buffers (page 124).

The subject site is improved with a commercial use and no existing industrial uses are present. The subject site is flanked by roadways to the east, south, and west. The abutting property to the north is within the I-3 Zone, but is vacant. However, 0.60 acre of woodland conservation area is provided along the northern property boundary, which will provide a buffer from future development to the north.

Pursuant to Section 24-121(a)(5) of the prior Subdivision Regulations, this PPS conforms to the land use recommendation of the master plan.

7. **Stormwater Management**—An application for a major subdivision must include an approved stormwater management (SWM) concept plan, or an indication that an application for such approval has been filed with the appropriate agency or the municipality having approval authority. An approved SWM concept plan and approval letter (3656-2021-00) were submitted, which show four micro-bioretenention facilities to treat stormwater for the entire project site.

Development of the site, in conformance with the SWM concept approval and any subsequent revisions, to ensure that no on-site or downstream flooding occurs, satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of the prior Subdivision Regulations, the subject PPS is exempt from the mandatory dedication of parkland requirement because it consists of nonresidential development.
9. **Transportation (pedestrian, bicycle, and vehicular)**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the master plan to provide the appropriate transportation facilities.

Master Plan Right of Way

The subject property has frontage on Brightseat Road (C-412). Per the MPOT and the master plan, the portion of Brightseat Road that fronts the subject property is designated as a four-lane collector roadway, with an ultimate right-of-way of 80 feet. The PPS depicts the existing configuration of Brightseat Road, along the property's frontage, with a variable width right-of-way which exceeds 80 feet, along the majority of the property's frontage. However, a

small area along the southwest corner of the site will need additional dedication to meet the master plan(s) recommendations and to facilitate future sidewalk connections, as shown on the plan sheets. The PPS does not show the measurements and does not specify the total acreage for the area to be dedicated. The PPS shall be modified to include the extent and limits of the area to be dedicated for right-of-way, demonstrating a minimum of 40 feet from the centerline of Brightseat Road is provided along the entire property frontage, and include the associated land area of dedication in the notes section of the plan, prior to signature approval.

The MPOT recommends a bicycle lane along the site's frontage of Brightseat Road. The bicycle lane is reflected on the PPS and the existing and recommended right-of-way is consistent with the master plan recommendations, and is sufficient to accommodate the recommended bike lane.

The subject property also has frontage on Medical Center Drive (A-30). Per the MPOT, the portion of Medical Center Drive that fronts the subject property is designated as a six-lane collector roadway, with an ultimate right-of-way of 120–150 feet. The master plan does not contain any recommendations regarding right-of-way width or lane configuration for this portion of Medical Center Drive. The PPS displays the existing configuration of Medical Center Drive as a variable width right-of-way with six lanes of travel, which is consistent with MPOT recommendations. This portion of Medical Center Drive has already been constructed, and as such, no additional right-of-way dedication is being pursued with this PPS.

Master Plan Pedestrian and Bike Facilities

This development case is subject to the MPOT, which recommends the following facilities:

- **Planned Bicycle Lane: Brightseat Road**

The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, pages 9–10):

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*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The PPS displays a sidewalk and a bicycle lane along the site's frontage of Brightseat Road. A sidewalk has already been constructed along the south side of the site access driveway, which provides a pedestrian connection from Brightseat Road to the existing hotel on-site. Details

displaying the bicycle lane along the subject property's frontage of Brightseat Road, as well as all on-site sidewalks and crosswalks, in accordance with the recommendations of the MPOT, shall be provided on the DSP. In addition, a minimum 5.5-foot-wide sidewalk along the perimeter of all buildings, in accordance with the conditions of CSP-21006, shall be provided.

While the subject property is not located within Living Area C (Zone 1) of the master plan, due to its location abutting the below referenced rights-of-way, the property is impacted by the following recommended transportation policies and strategies in Living Area C (Zone 1):

Policy 1: Develop bicycle-friendly roadways to improve connectivity throughout Zone 1.

Strategies: Mid-Term

- **Brightseat Road: Install bike lanes from Central Avenue to Redskins Road (page 85).**

Strategies: Long-Term

- **Bishop Peebles Drive/Arena Drive: Implement bike lanes/sidepath from FedEx Way to the Capital Beltway (page 85).**

The PPS provides sufficient right-of-way dedication to support the facilities, referenced in the above strategies, along Brightseat Road and Arena Drive (now Medical Center Drive). The master plan recommendations have been met, as there is an existing sidepath on the opposite side of Medical Center Drive which pedestrians and cyclists can use, that is a part of a continuous network traveling from east to west.

Policy 2: Improve pedestrian connectivity throughout Zone 1 by installing sidewalks and pedestrian amenities (page 86).

Strategies: Mid-Term

- **Brightseat Road: Install continuous sidewalks on both sides of the roadway from Redskins Road to Central Avenue (page 86).**

Sidewalks are present along the frontage of Brightseat Road. Details of on-site sidewalks and crosswalks connecting pedestrians to the parcels and Brightseat Road will be required at the time of DSP.

Transportation Planning Review and Site Access

The submitted plans depict vehicular movement to the site along Brightseat Road, via a shared access easement, which is the only point of vehicular access for the subject site. The site access to the proposed development is sufficient. In addition, the internal driveway is confined only to the

site, thereby ensuring that no cut-through traffic will take place from any neighboring developments.

Access to the site via easement is permitted by Section 24-128(b)(9) of the prior Subdivision Regulations, which states:

Where vehicular access to an individual lot fronting on a public street should be denied due to a potentially hazardous or dangerous traffic situation, a private easement may be approved in accordance with the driveway standards in Part 11 of Subtitle 27, in order to provide vehicular access, when deemed appropriate by the Planning Board.

Given that the vehicular access at the northwest corner of the site is existing, as well as the presence of the abutting arterial and freeway classifications roadways, the use of an access easement is appropriate. Creating an additional access point on Brightseat Road could be potentially hazardous. An access easement agreement shall be recorded which shows the extent and location of the easement, and ensures perpetual access to both parcels, prior to approval of the final plat.

Based on the preceding findings, the transportation facilities will be in conformance with the MPOT, the master plan, and the Subdivision Regulations.

10. **Public Facilities**—This PPS was reviewed for conformance to the master plan, in accordance with Section 24-121(a)(5). The master plan contains a Public Facilities chapter (Chapter 9, page 253). The following goals are taken from this chapter:

Public Safety:

- **Locate police and fire and rescue facilities and services that meet the size and location needs of the community to minimize response time.**
- **Provide fire and rescue facilities that meet the needs of the community based upon established county standards and able to accommodate modern vehicles and equipment.**

The proposed development will not impede achievement of any of the above-referenced goals. This PPS is further supported by an approved Certificate of Adequacy (ADQ-2022-037), which ensures adequate public facilities to support the proposed land use.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities, none of which affect the subject site.

11. **Public Utility Easement**—Section 24-122(a) of the prior Subdivision Regulations requires that 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 rights-of-way. The subject site has frontage along the existing public rights-of-way Brightseat Road, Medical Center Drive, and the Capital Beltway. The PPS depicts the 10-foot-wide PUE along all public rights-of-way.

12. **Historic**—A Phase I archeology survey was completed on the subject property, in 1995. One archeological site was identified, 18PR507, a prehistoric lithic scatter. No further investigations were requested on the site. No additional archeological investigations are necessary on the subject property. The master plan contains goals and policies related to historic preservation (pages 287-296). However, these are not specific to the subject site, or applicable to the proposed development. The subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources.
13. **Environmental**—PPS 4-20039 was accepted for review on January 17, 2023. Comments were provided in an SDRC meeting on February 3, 2023. Revised information was received on February 8, 2023. The following applications and associated plans have been reviewed for the subject site:

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
DSP-87063-03	N/A	Planning Board	Approved	6/13/1991	91-210
4-91067	TCPI-044-91	Planning Board	Approved	6/27/1991	91-230
NRI-090-2015	N/A	Staff	Approved	7/7/2015	N/A
DSP-15021	TCP2-026-2015	Planning Board	Approved	2/18/2016	16-21
SE-4845	TCP2-026-2015-01	Zoning Hearing Examiner	Approved	7/26/2022	N/A
NRI-90-2015-01	N/A	Staff	Approved	10/05/2022	N/A
CSP-21006	TCP1-003-2023	Planning Board	Approved	3/2/2023	2023-22
4-22006	TCP1-003-2023-01	Planning Board	Approved	3/16/2023	2023-32

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 because this is a new PPS.

Site Description

This overall site was graded as part of the grading permit associated with DSP-15021, and in conformance with Type 2 Tree Conservation Plan TCP2-026-2015. There are 0.60 acre of existing woodland along the northern boundary of the property. No regulated environmental features (REF) are located on-site. The site is located within the Southwest Branch, which is a portion of the Western Branch watershed of the Patuxent River basin. According to the Sensitive Species Project Review Area map prepared by the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. The 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan) shows that the parcel is entirely within an evaluation area. The site is located within Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map, as designated by Plan 2035.

Master Plan Conformance

In the master plan, the Environmental Infrastructure section contains goals, policies, and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan, and the plain text provides comments on plan conformance.

Policy 1: Protect, preserve, and enhance the green infrastructure network in Subregion 4.

The Green Infrastructure Plan identifies the entire project area as being in an evaluation area; however, there are no REF on-site to protect, preserve, or enhance.

Policy 2: Minimize the impacts of development on the green infrastructure network and SCA's.

The site has an evaluation area which covers the entire project area. No special conservation areas have been identified on-site. There are no REF on-site that will be impacted by development.

Policy 3: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

An approved SWM Concept Plan (3656-2021-00) and approval letter were submitted which show four micro-bioretenment facilities to treat stormwater for the entire project site.

Policy 4: Improve the base information needed for the county to undertake and support stream restoration and mitigation projects.

The site has an approved natural resources inventory (NRI) that details existing conditions of the site. No streams were identified on-site.

Policy 5: Require on-site management of stormwater through the use of environmentally sensitive stormwater management techniques (i.e., fully implement the requirements of ESD) for all development and redevelopment projects.

An approved SWM Concept Plan (3656-2021-00) and approval letter were submitted which show four micro-bioretenention facilities to treat stormwater for the entire project site.

Policy 6: Assure that adequate stream buffers are maintained and enhanced and utilized design measures to protect water quality.

The site has an approved NRI that details existing conditions of the site. No streams were identified on-site.

Policy 7: Reduce air pollution to support public health and wellness by placing a high priority on transit-oriented development and transportation demand management (TDM) projects and programs.

Air quality is a regional issue that is currently being addressed by the Metropolitan Washington Council of Governments.

Policy 8: Reduce adverse noise impacts so that the State of Maryland's noise standards are met.

Development of the site is proposed for a non-residential use, which is not regulated for noise impacts to the site, in accordance with the Subdivision Regulations. Noise generated by a site is further reviewed by the Prince George's County Department of Permitting, Inspections and Enforcement, in accordance with the Prince George's County Code requirements contained in Subtitle 19.

Policy 9: Implement environmentally sensitive building techniques that reduce overall energy consumption.

The development applications for the subject property, which require architectural approval, should incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy consumption. The use of green building techniques and energy conservation techniques should be encouraged and implemented to the greatest extent possible.

Policy 10: Implement land use policies that encourage infill and support TOD and walkable neighborhoods.

The current zoning for this site is IE; however, the applicant opted to apply the zoning standards to this PPS that were in effect prior to April 1, 2022. The prior zone for this site was I-3 and is not within a Transit-Oriented Development.

Policy 12: Ensure that the Chesapeake Bay Critical Area is protected to the maximum extent possible through the implementation of water quality and other related measures.

The subject property is not located in the Chesapeake Bay Critical Area.

Policy 13: Preserve, restore, and enhance the exiting tree canopy.

Policy 14: Improve the county's capacity to support increases in the tree canopy.

Compliance with the Tree Canopy Cover Ordinance (Subtitle 25, Division 3) must be addressed at the time of DSP review and shown on the landscape plan.

Green Infrastructure Plan Conformance

According to the Green Infrastructure Plan, the entire property is within the designated evaluation area. While the green infrastructure elements mapped on the subject site will be impacted, there are no REF on-site. The design of the site meets the zoning requirements and the intent of the growth pattern established in Plan 2035.

Environmental Review

Natural Resources Inventory

NRI-090-2015-01 was provided with this PPS. This NRI was approved on October 5, 2022. The site does not contain REF. The soil boundaries on the Type 1 tree conservation plan (TCP1) plan differ from NRI-090-2015-01. Prior to signature approval of the PPS, the soil boundaries on the TCP1 shall be revised to be consistent with NRI-090-2015-01.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because it has a previously approved tree conservation plan. TCP1-003-2023-01 was submitted with the PPS. No additional clearing is proposed as part of this TCP1. The TCP1 worksheet reflects the previously approved TCP2-026-2015-01 worksheet. The site is 5.30 acres, has a woodland conservation threshold of 0.80 acre (15 percent), and a total requirement of 2.09 acres. TCP2-026-2015-01 approved 4.60 acres of woodland clearing and 0.60 acre of woodland on-site, designated as woodland preservation area not credited (WP-NC). The 0.60-acre WP-NC is less than 50 feet wide in several places, and therefore, it could not be used to meet woodland conservation requirements. The woodland conservation requirement was met with 2.09 acres of off-site woodland conservation (Liber 39536 Folio 334), which was acquired with the implementation of permits in conformance with the TCP2.

Specimen Trees

The site does not contain any specimen, champion, or historic trees.

Regulated Environmental Features

Section 24-130(b)(5) of the prior Subdivision Regulations requires the following finding:

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.

No REF exist on-site; therefore, none will be impacted by the proposed development. No preservation or restoration of REF, in accordance with the requirement of Section 24-130(b)(5), is needed.

Soils

The predominant soils found to occur, per the United States Department of Agriculture Natural Resources Conservation Services Web Soil Survey, are Collington-Wist, Collington-Wist-Urban land, Udorthents highway, Urban land-Collington-Wist and Widewater, and Issue soils. According to available information, Marlboro clay and Christiana complex are not identified on the property.

14. **Urban Design**—The subject PPS was evaluated for conformance with the applicable plans and requirements, as follows:

Conformance with the Zoning Ordinance

The I-3 Zone standards specifically applicable to this site will be reviewed for conformance at the time of DSP. Conformance with these development standards is required for the proposed development, including but not limited to the following design elements:

- General Site Standards and Guidelines
- Industrial Screening and Buffering Standards and Guidelines
- Building Envelope Standards and Guidelines
- Architectural Standards and Guidelines
- Signage Standards and Guidelines

- Landscape Standards and Guidelines
- Parking and Loading Standards and Guidelines

Conformance with the 2010 Prince George's County Landscape Manual

The proposed development is subject to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Conformance with the following requirements of the Landscape Manual will be reviewed at the time of DSP: 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 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-3 are required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The subject site is 5.3 acres in size and the required TCC is 0.53 acre. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of DSP.

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.

* * * * *

PGCPB No. 2023-32


File No. 4-22006

Page 16


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 Doerner, seconded by Commissioner Geraldo, with Commissioners Doerner, Geraldo, Bailey, and Shapiro voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, March 16, 2023, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of April 2023.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:AH:jah


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel
Dated 3/28/23