

PGCPB No. 2024-001

File No. DET-2022-017

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the applicant, GP Upper Marlboro, LLC, submitted an application for approval of a detailed site plan; and

WHEREAS, in consideration of evidence presented at a public hearing on January 4, 2024, regarding Detailed Site Plan DET-2022-017 for Upper Marlboro Self Storage, the Planning Board finds:

I. EVALUATION CRITERIA

A. Prince George's County Zoning Ordinance. Detailed site plans (DETs) are reviewed and decided by the Prince George's County Planning Board. Pursuant to Section 27-3605(e) of the Prince George's County Zoning Ordinance, a DET may only be approved upon a finding that all of the following standards are met (See III. A.):

1. The proposed development represents a reasonable alternative for satisfying the applicable standards of this Subtitle, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use;
2. The proposed development complies with all conditions of approval in any development approvals and permits to which the detailed site plan is subject;
3. The proposed development demonstrates the preservation and/or restoration of the regulated environmental features in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-4303(D)(5) of Subtitle 24: Subdivision Regulations;
4. Proposed development located within a Planned Development (PD) zone shall be in conformance with the PD Basic Plan and PD Conditions of Approval that apply to that development;
5. The proposed development conforms to an approved Tree Conservation Plan, if applicable;
6. The development in the detailed site plan (minor and major) shall be consistent with the General Plan and shall conform to the relevant goals, policies, and strategies of the Area Master Plan or Sector Plan, applicable Functional Master Plans, and the Growth Policy Map as it relates to centers in the 2014 General Plan, *Plan Prince George's 2035*, for the subject property and its surrounding area (unless the subject property has been rezoned pursuant to a Zoning Map Amendment subsequent to the adoption of the relevant Area Master Plan, Sector Plan, or Functional Master Plan);

7. The development proposed in a detailed site plan for infrastructure complies with applicable regulations of PART 27-6: Development Standards, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge; and
8. Places of worship located on a lot between one (1) and two (2) acres in size shall also meet the following standards:
 - a. The minimum setback for all buildings shall be twenty-five (25) feet from each lot line;
 - b. When possible, there should be no parking or loading spaces located in the front yard; and
 - c. The maximum allowable lot coverage for the zone in which the use is proposed shall not be increased.

- B. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.** Pursuant to Section 25-119(a)(2)(B) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, applications for a detailed site plan shall include a Type 2 tree conservation plan (TCP2) or a standard letter of exemption. If a site requires approval of a TCP2, with an associated DET application, the TCP2 is reviewed simultaneously with the associated plan (See IV).
- C. Prince George's County Tree Canopy Coverage Ordinance.** The site is subject to the requirements of the Prince George's County Tree Canopy Coverage Ordinance (See V.).

II. BACKGROUND

- A. Request:** The subject detailed site plan (DET) is for development of a 157,500-square-foot consolidated storage facility. The application also included alternative compliance from the requirements of Section 4.9, Sustainable Landscaping Requirements, of the 2018 *Prince George's County Landscape Manual* (Landscape Manual).

B. Development Data Summary:

	EXISTING	EVALUATED
Zone(s)	CGO	CGO
Use	Place of Worship/ Vacant Land	Consolidated Storage
Total Gross Acreage	10.72	10.72
Limit of Detailed Site Plan	-	5.56 acres*
Parcel(s)	1	1
Gross Floor Area (GFA)	-	157,500 sq. ft.

Note: *The approved development consists of a single building located on the vacant portion of Parcel C (Condominium Plat – Phase East Unit Two), with the remainder of Parcel C to retain its current use as a place of worship.

C. Location: The subject DET is located in the northeast quadrant of the intersection of US 301 (Robert Crain Highway) and MD 4 (Pennsylvania Avenue). The subject property is 10.71 acres and is located on Tax Map 102 in Grids B1 and B2. The property consists of one parcel, known as Parcel C, recorded in the Prince George’s County Land Records in Plat Book REP 193, Plat 70, approved on March 7, 2002. Parcel C consists of two land condominium units. The submitted site plan shows the condominium plat boundary line, denoting the area subject to this DET as Condominium Plat – Phase East Unit Two. The site is also within the 2013 *Approved Subregion 6 Master Plan* (master plan) and *Sectional Map Amendment* (SMA).

D. Proposed Uses: The subject DET approves development to serve a consolidated storage use. Consolidated storage uses are not permitted in the CGO Zone. Pursuant to County Council Bill CB-11-2023, however, the Council provided a transition period to allow such uses in the CGO Zone subject to compliance with certain use specific standards.

Use Specific Standards for Consolidated storage uses are contained in Section 27-5102(f)(4)(A). In order to issue a use and occupancy permit for a consolidated storage use, the Department of Permitting, Inspections, and Enforcement will be required to find the following;

1. **Use Specific Standards for Consolidated Storage as a Permitted Principal Use**

The DET is in conformance with the use specific standards for consolidated storage in Section 27-5102(f)(4)(A) of the Zoning Ordinance. The following discussion is offered:

- (i) **The subject property shall front on and have direct vehicular access to an existing street with sufficient capacity to accommodate the type and amount of traffic expected to be generated by the use.**

Access to the facility is approved from Chevy Drive, a dedicated public street with a right-of-way (ROW) width of 70 feet. The applicant will construct an extension of Chevy Drive, in order to provide access to the site.

The approved PPS for Parcel C included the calculation of a trip cap, based on the use of an automobile dealership. It was established that the site would generate 36 AM and 46 PM vehicular trips. Since the PPS approval, the automobile dealership was repurposed into a place of worship use that is currently operational.

This DET approval allows construction of a consolidated storage facility that will generate 14 AM and 24 PM peak-hour vehicular trips. Therefore, the existing church and approved storage facility combined will generate a total of 35 AM and 45 PM vehicular trips and would not exceed the trip cap established with the prior approval.

- (ii) The exterior and architectural façade of the building shall be compatible with the prevailing architecture and appearance of other development in the surrounding neighborhood.**

The approved architecture of the consolidated storage building is consistent with the existing architecture of nearby development, including the neighboring place of worship (The Sanctuary at Kingdom Square), and other commercial/industrial uses across US 301. The architecture will include a muted color palette with a mix of brick, glass, and masonry paneling.

- (iii) No entrances to individual consolidated storage units shall be visible from a street or from adjoining land in any Rural and Agricultural or Residential base zone, Transit-Oriented/Activity Center base or PD zone, or the CN, CS, or CGO zones, or from land approved for a residential or commercial use.**

Entrances to all consolidated storage units are located within the building and will not be visible from a street or any adjoining developments.

- (iv) Entrances to individual consolidated storage units shall be either oriented toward the interior of the development or completely screened from view by a solid wall, with landscaping along the outside thereof.**

All storage units will be located within the approved building. Entrances to the individual storage units will not be visible from outside of the building.

- (v) For consolidated storage units having direct access to areas outside the building, there shall be provided driveways and areas between buildings for vehicular access, loading, and unloading. Sufficient width shall be provided to permit a moving vehicle to safely and efficiently pass a vehicle parked adjacent to an individual consolidated storage unit. In no case shall a width of more than 25 feet be required.**

All storage units will be located within the approved building, with no direct access to areas outside of the building.

- (vi) In the IE Zone, the expansion of an existing consolidated storage use within a building shall be limited to a maximum of 50 additional individual units and shall not be located within one-half mile of another consolidated storage use in the IE Zone. However, this Subsection shall not apply to a consolidated storage use expansion constructed pursuant to an approved preliminary plan of subdivision, final plat, and detailed site plan, where the consolidated storage use is buffered from view from any public right-of-way. The required Technical Staff Report prepared and submitted to the administrative record for the detailed site plan application shall include a current, countywide inventory of the locations, dates of approval, and any conditions of approval for consolidated storage uses located on property within one-half mile of the boundaries of the property on which the proposed consolidated storage use will be located.**

The subject property is not located within the IE Zone; therefore, this finding is not applicable.

- (vii) In the CGO Zone, the property owner shall set aside of minimum of 1,500 square feet of gross floor area of commercial/retail/office space at ground level or above ground level at zero base rent to be leased as a business incubator or Community Non-Profit Space, as defined in Section 27-2500 of this Code, subject to the following:**

- (aa) If the Community Non-Profit Space is located above ground level, the property owner shall ensure that space is handicapped accessible, and shall provide adequate signage so that the public can locate the space.**

- (bb) Occupancy and use of the Community Non-Profit Space shall be subject to a Community Benefit Agreement executed by the property owner and Community Non-Profit Organization, as approved by the District Council. Said**

Community Benefit Agreement shall be binding on all successors, heirs, and assigns of the property.

The DET shows the location of a 1,500-square-foot community non-profit/business incubator space to be located on the ground floor.

(viii) Property in the IE Zone that was rezoned from the I-3 Zone, and that is adjacent to land in the RE Zone, shall not develop with Consolidated Storage uses.

(aa) The property owner shall ensure that the Community Non-Profit tenant access to at least one (1) large storage unit on the property.

The subject property is not located within the IE Zone; therefore, this finding is not applicable.

- E. Surrounding Uses:** The site is bounded to the north by Chevy Drive and undeveloped land beyond in the Commercial, Service (CS) Zone; to the south by MD 4 and commercial/industrial uses beyond in the CS Zone; to the east by undeveloped land in the CS Zone; and to the west by a place of worship and US 301 with commercial/industrial uses beyond in the Industrial, Heavy (IH) Zone.
- F. Previous Approvals:** The property is subject to Preliminary Plan of Subdivision (PPS) 4-01023, which was approved on July 12, 2001, and the resolution was adopted on September 6, 2001 (PGCPB Resolution No. 01-140). The application was for the consolidation of Parcel A, Parcel 9, and Parcel 56 into one parcel (known as Parcel C) for the development of a 13,725-square-foot addition to an existing car dealership, for a total site gross floor area (GFA) of 49,835 square feet. This total site GFA has since been increased, through various building permit approvals, to its current GFA of 55,510 square feet and has been used as a place of worship since 2017.

The property received an automatic certificate of adequacy (ADQ) associated with PPS 4-01023, pursuant to Section 24-4503(a)(1) of the Prince George's County Subdivision Regulations, which became effective April 1, 2022, and is valid for twelve years from that date, subject to the expiration provisions of Section 24-4503(c).

Prior to 2013, Condominium Plat – Phase East Unit Two, the subject of this DET, was zoned Light Industrial (I-1), while Condominium Plat – Phase West Unit One was zoned Commercial Miscellaneous (C-M). Pursuant to the SMA, all of Parcel C was rezoned to the Commercial Shopping Center (C-S-C) Zone. The rezoning appears as SMA Change Number 24 (page 238).

On November 29, 2021, the Prince George's County District Council approved Council Resolution CR-136-2021, the Countywide Sectional Map Amendment, which reclassified the subject property from the C-S-C Zone to the CGO Zone, effective April 1, 2022.

On March 28, 2023, the District Council adopted Council Bill CB-011-2023 for the purpose of prohibiting consolidated storage in certain Non-Residential and Transit-Oriented/Activity Center Base Zones of Prince George's County; providing a limited transition period, subject to additional development requirements; defining community non-profit space; and specifying that existing uses shall not be deemed nonconforming. The Council Bill also noted, in Section 3, that any proposed development of a consolidated storage use located outside I-95/495 (Capital Beltway) that has completed a pre-application neighborhood meeting for a special exception or DET pursuant to Section 27-3402 of the Zoning Ordinance, prior to April 1, 2023, may be reviewed and decided in accordance with the use regulations in effect prior to the effective date of this Ordinance. Prior to the effective date of the council bill, a consolidated storage use was permitted by right in the CGO Zone. The applicant held a pre-application neighborhood meeting for a DET on December 19, 2022.

The site is also the subject of an approved Stormwater Management (SWM) Concept Plan (36928-2022-00), which shows the use of a submerged gravel wetland. The SWM concept plan was approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on August 7, 2023, and expires on August 7, 2026.

- G. Design Features:** Parcel C contains two condominium plats, noted as Condominium Plat – Phase West Unit One and Condominium Plat – Phase East Unit Two. Phase West Unit One is 5.16 acres and contains an existing place of worship building and associated parking. The approved development will be located on Phase East Unit Two, which contains 5.56 acres. A 6-foot-high board fence and landscaping was approved to separate the two uses.

The application approves construction of a three-story, 157,500-square-foot, consolidated storage facility. The building will be 38 feet high and will include approximately 1,350 individual storage units of varying sizes. All units will be accessed from inside the building. Access to the facility will be from Chevy Drive. A 30-foot-wide drive aisle connects Chevy Drive to the parking area. Visitors will access the parking/loading area by continuing through a mechanized gate. Entry will only be granted by entering a security code into a keypad. Further south, along Chevy Drive, there will be a second gated entrance that will provide access to the SWM facility only.

- 1. Architecture.** The DET shows the approved 38-foot high, flat-roofed building, located in the northern quadrant of Parcel C. The building will be constructed of red brick, concrete masonry, glass panels, and Exterior Insulation and Finish System paneling in multiple shades of red, brown, black, and tan. Additional contrast is provided through roofline height variations in the northeast and southwest corners of the building. Parapets and mullions are additional examples of architectural details included on all façades of the building. The north and east building elevations (facing Chevy Drive) and the parking area feature multiple storefront windows and door system sections. There will be seven entry doors located along the east building elevation. The primary entrances are identified by

door systems with storefront windows, between two brick columns. A red awning is also provided over these two entry doorways. The other entry doors are conveniently placed near parking spaces. The south and west building elevations, facing the neighboring existing place of worship and MD 4, features additional transparent glass treatment. Behind the glass will be colored wall panels in lighted display boxes. These panels will create the appearance of individual storage units and are for display purposes only. They will not provide access to an individual unit.

2. **Parking.** A surface parking lot will be located on the north side of the consolidated storage building. There is one vehicular access point approved off Chevy Drive. Three U-style bicycle racks will be placed near the first building entrance. The required and approved parking for the development project has been provided.
3. **Signage.** The application approves a total of four signs, to include four wall-mounted signs, to be located on each building façade.
4. **Lighting.** The applicant will provide lighting throughout the surface parking lot and on all sides of the approved consolidated storage building. A photometric plan and lighting details have been provided.

III. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ZONING ORDINANCE

A. Detailed Site Plan Decision Standards (Section 27-3605(e))

- (1) **The proposed development represents a reasonable alternative for satisfying the applicable standards of this Subtitle, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use;**

The applicable standards of this subtitle consist of standards applicable in the CGO Zone – Intensity and Dimensional Standards (Section 27-4203(d)(2)); and applicable Development Standards (Part 27-6).

1. **Standards Applicable in Commercial, General, and Office Zones Intensity and Dimensional Standards**

The DET is in conformance with the applicable commercial, general, and office intensity and dimensional standards of the Zoning Ordinance. The subject application includes an industrial use that falls within the “Other Uses” category of the CGO Zone. Therefore, there are either no intensity and dimensional standards or the requirement is zero. There is no requirement for maximum density, net lot area, lot width, maximum lot coverage, and maximum building height. There is a requirement of zero for the minimum front, side, and rear yard depths.

2. **Applicable Development Standards**

The DET is consistent with the applicable standards in Part 27-6 of the Zoning Ordinance. The following discussion is offered:

a. **Section 27-6200 Roadway Access, Mobility, and Circulation**

The DET is in conformance with the applicable standards in Section 27-6200 of the Zoning Ordinance. The DET demonstrates sufficient vehicular, pedestrian, and bicycle access and circulation.

The site is subject to the 2009 *Countywide Master Plan of Transportation* (MPOT). Access and circulation systems associated with this development have been designed to provide access to available travel modes including pedestrian, bicycle, and vehicular. Access is provided from Chevy Drive, an existing road with a 70-foot ROW that terminates with a cul-de-sac. Chevy Drive provides access to US 301. The other access point, along Chevy Drive, is to access the SWM facility. The portion of the site that fronts Chevy Drive will have a 5-foot-wide concrete sidewalk, within the ROW, which will connect to the site's interior sidewalk system. The internal pedestrian circulation system is designed to allow pedestrian walkway access to the development's building and parking areas. The Chevy Drive Road frontage will be marked with a shared bicyclist roadway or an unseparated bike lane. In addition, bicycle racks are provided near the main entrances.

The 31-foot-wide access driveway connecting with the public street as well as the parking lot, drive aisles, and circulation associated with parking, are designed to accommodate appropriate circulation of emergency vehicles, garbage trucks, delivery vehicles, service vehicles, and passenger motor vehicles within the development. The drive aisles separating the parking areas will be a minimum of 22 feet wide.

b. **Section 27-6300 Off-Street Parking and Loading**

The DET is in conformance with the applicable standards in Section 27-6300 of the Zoning Ordinance, including parking and bicycle parking requirements and standards.

The parking requirements for a consolidated storage use is one space per 3,000 square feet of rentable storage area, four spaces

per 1,000 square feet of office space, and two spaces per resident manager. A total number of 51 parking spaces is required for the development. A total of six bicycle spaces will also be provided. The bicycle racks will be installed on a paved surface and located in a visible, well-lit area, conveniently accessible to the primary entrances of the building. The three U-style bicycle racks will be located less than 50 feet from the two main entrance doors.

Loading spaces are not required for consolidated storage uses. Pursuant to Section 27-5101 of the Zoning Ordinance, a consolidated storage use is categorized within the warehouse and freight movement uses, principal use category. In Table 27-6310(a), under Warehouse and Freight Movement Uses, consolidated storage is listed as an exemption, which indicates there is no loading space requirement. However, the applicant has provided five spaces that are labeled as loading spaces. These spaces cannot be considered conventional loading spaces, as the dimensions provided do not meet the minimum loading berth size requirements of 12 feet wide by 45 feet long, as specified in Section 276310(b). The facility will be utilized primarily by individuals, families, or businesses with single vehicles, and smaller berths will not make the operation of the use detrimental, nor impede the continued operation of any of the surrounding uses. The loading spaces shown will be removed from the site plan, prior to certification.

c. **Section 27-6400 Open Space Set-Asides**

The DET is in conformance with the applicable standards in Section 27-6400 of the Zoning Ordinance. The DET shows 1.4 acres of open space set-aside, exceeding the required five percent (0.28 acre). The woodland conservation area is being used to meet this requirement, as shown on the submitted tree conservation plan.

d. **Section 27-6500 Landscaping**

The DET is in conformance with the applicable standards in the Landscape Manual, including Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; Section 4.8, Building Frontage Landscape Requirements; Section 4.9, Sustainable Landscaping Requirements; and Section 4.11, Requirements for Nonresidential and Mixed-Use Development.

The required schedules have been provided and technical corrections are included as conditions herein. However, for portions of Section 4.9, the applicant requested an alternative compliance, which was approved and is discussed in further detail in Finding III, B.

e. **Section 27-6600 Fences and Walls**

The DET is in conformance with the applicable standards in Section 27-6600 of the Zoning Ordinance, including fence and wall heights, locations, and appearance.

f. **Section 27-6700 Exterior Lighting**

The DET submission includes a photometric plan and is in conformance with the applicable standards in Section 27-6700 of the Zoning Ordinance, including the maximum illumination measured in foot-candles at ground-level at the lot lines.

g. **Section 27-6800 Environmental Protection and Noise Controls**

An approved Natural Resources Inventory Equivalency Letter (NRI-222-2022) was submitted with the application. An equivalency letter was approved for this project because the site has an approved and implemented Type II Tree Conservation Plan (TCPII-137-01), and the approved site plan does not result in significant changes to the previously approved limits of disturbance shown on the TCPII.

Section 27-6805 requires an approved grading, erosion, and sediment control plan. Subtitle 32, Division 2, of the Prince George's County Code also requires the approval of an erosion and sediment control plan. The TCPII must reflect the ultimate limits of disturbance (LOD). The LOD should not only include the installation of permanent site infrastructure but also the installation of all temporary infrastructure, including erosion and sediment control measures. Prior to certification of the TCPII, a copy of the erosion and sediment control technical plan must be submitted so that the ultimate LOD for the project can be verified and shown on the TCPII.

Section 27-6809 requires all applications to conform to the requirements pertaining to unsafe land in Subtitle 24, Section 24-4300, of the Prince George's County Code

Subdivision Regulations. According to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, soils present within the project area include Galestown-Urban land complex, Collington-Wist complex, and Udorthents, highway. Marlboro clays are present on the eastern portion of the site; however, it does not appear that the Marlboro clay would impact the slope stability due to the approved site design.

h. Section 27-61100 Industrial Form and Design Standards

The DET is in conformance with the applicable standards in Section 27-61100 of the Zoning Ordinance for the consolidated storage building, including the location of off-street parking areas, building façade materials, and articulation as shown on the consolidated storage architectural elevations. The front elevation, facing Chevy Drive, has been designed to mimic a front building façade and includes design features such as large storefront windows, colored wall panels with lighted display boxes, masonry columns, and an awning for further articulation.

i. Section 27-61200 Neighborhood Compatibility Standards

The subject application is exempt from this section as it does not fit the criteria outlined in Section 27-61202(a)(1), which states the following:

(1) Unless exempted as provided in Section 27-61202(b), Exemptions, below, these standards apply to:

- (A) Any new townhouse, multifamily, nonresidential, or mixed-use development when located on land adjacent to, or across a street or alley from, existing single-family detached dwellings, two-family dwellings, or vacant lands in the RE, RR, RSF-95, and RSF-65 zones (single-family residential zones);**
- (B) Any new multifamily, nonresidential, or mixed-use development when located on land adjacent to, or across a street or alley from, existing townhouse dwellings;**
- (C) Any expansion of an existing townhouse, multifamily, nonresidential, or mixed-use building located on land abutting or across a**

street or alley from existing single-family detached dwellings, two-family dwellings, or vacant lands in a single-family residential zone, where the expansion increases the building's gross floor area by 50 percent or more; and

- (D) Any expansion of an existing multifamily, nonresidential, or mixed-use building located on land abutting or across a street or alley from existing townhouse dwellings where the expansion increases the building's gross floor area by 50 percent or more.**

The development is not located adjacent to or across a street/alley from any existing residential dwellings, or vacant land zoned for single-family residential. The development also does not include the expansion of an existing building.

j. Section 27-61300 Agricultural Compatibility Standards

The subject application is exempt from this section because it is not adjacent to an ongoing agricultural use or activity in the Reserved Open Space, Agriculture and Preservation, and Agricultural-Residential base zones.

k. Section 27-61400 Urban Agriculture Compatibility Standards

The subject application is exempt from this section because it is not adjacent to on-going urban agriculture use.

l. Section 27-61500 Signage

The application includes a total of four wall-mounted signs, to be located on each building façade. The wall mounted signs will range in size from 101 square feet to 130 square feet. Sign A will be approximately 4.6 feet high by 22 feet wide, Sign B will be approximately 4 feet high by 25.9 feet wide, Sign C will be approximately 4.6 feet high by 22 feet wide, and Sign D will be approximately 3.6 feet high by 36 feet wide. All four wall mounted signs will feature lettering of the tenant's name and be internally illuminated.

m. **Section 27-61600 Green Building Standards**

The applicant provided in their statement of justification that the following green building best practices were integrated throughout the development:

- 1) Support walkable areas in appropriate places
- 2) Support multiple modes of mobility
- 3) Conserve energy
- 4) Conserve water resources
- 5) Protect water quality
- 6) Promote a healthy landscape

Additional details were not provided on how the development will achieve the stated green building best practices. The statement of justification referenced a green building standards table located on the cover sheet of the DET. This table was not provided.

A development of more than 75,000 square feet of nonresidential development requires the provision of four points from the Green Building Point System in Table 27-61603(b). A condition has been included herein, requiring the applicant to provide a table demonstrating conformance with this standard.

Based on the analysis herein, the approved development, if revised as conditioned, will represent a reasonable alternative for satisfying the applicable standards of Subtitle 27, without requiring unreasonable costs and without detracting substantially from the utility of the approved development for its intended use.

(2) The proposed development complies with all conditions of approval in any development approvals and permits to which the detailed site plan is subject;

PPS 4-01023 contains conditions that must be satisfied at the time of DET approval and certification. If the application is revised as conditioned herein, the conditions of approval in PPS 4-01023 will be satisfied.

PPS 4-01023 included a trip cap of 36 AM and 46 PM peak-hour vehicular trips (Transportation Finding 7) for the entirety of Parcel C. A trip generation memo (TRIS-DET-2022-017) was provided by the applicant that included all existing and approved development on Parcel C. At the time of PPS analysis, the resolution included the calculation of a trip cap based on the use of an automobile dealership and established that the site would generate 36 AM and 46 PM vehicular trips.

Since the approval, the building housing the automobile dealership has been repurposed for a place of worship use that is currently operational. Based on the most recent Institute of Transportation Engineers – Trip Generation Manual, a place of worship of this square footage is estimated to generate 21 AM and PM weekday peak-hour trips and 561 total trips on Sundays.

The subject application approves construction of a consolidated storage facility that will generate 14 AM and 24 PM peak-hour vehicular trips. Therefore, the existing church and approved storage facility combined will generate a total of 35 AM and 45 PM vehicular trips and would not exceed the trip cap established with the prior approval.

1. **Preliminary Plan of Subdivision 4-01023**

The site is the subject of PPS 4-01023 which was approved on July 12, 2001 (PGCPB Resolution No. 01140), for the consolidation of Parcel A, Parcel 9, and Parcel 56, into one parcel known as Parcel C. The approved development consisted of a 13,725-square-foot addition to an existing car dealership, for a total site GFA of 49,835 square feet. The total site GFA has since been increased through various building permit approvals to its current GFA of 55,510 square feet. The property has been used as a place of worship since 2017. The subject DET approves development of a single consolidated storage building, on an approximately 5.56-acre vacant portion of Parcel C.

PPS 4-01023 was approved with seven conditions. The conditions relevant to the review of this DET are listed below in bold text. The Planning Board’s analysis of the project’s conformance to the conditions follows each one, in plain text:

PPS 1. Prior to issuance of building permits, the applicant shall conduct a signal warrant study to be reviewed by the State Highway Administration at the intersection of US 301 and Chevy Drive. If the signal is deemed to be warranted and approved by the SHA, it shall be installed at the applicant’s expense.

Signalization at this intersection has been provided and currently exists. Chevy Drive connects to US 301 at a four-way, signalized, intersection.

PPS 2. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept approval 8329131-2000-00.

The previous SWM Concept Plan approval 8239131-2000-00 did not require any additional SWM features for the development associated with PPS 4-01023.

A new SWM Concept Plan (36928-2022-00) has been approved, to account for the additional impervious surface resulting from the approved consolidated storage facility on Phase East Unit Two.

PPS 4. All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

The applicant has included this condition as General Note 11 on the DET. This condition will be further reviewed at the time of the building permit.

PPS 6. Prior to the approval of building permits, the site shall be connected to the public sewer system unless alternative timing is approved by the Health Department.

This DET shows a public sewer connection for the development, in conformance with this condition.

PPS 7. The property shall connect to the public water supply system upon availability. At that time, the applicant shall determine the disposition of the existing well on site and provide that information to the Health Department.

This DET shows a public water connection for the development, in conformance with this condition.

(3) The proposed development demonstrates the preservation and/or restoration of the regulated environmental features in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-4303(D)(5) of Subtitle 24: Subdivision Regulations;

This site contains regulated environmental features (REF) that are required to be preserved and/or restored to the fullest extent possible. The on-site REF includes areas of 100-year floodplain which are depicted on the TCPII. The entirety of the 100-year floodplain is located on Phase West Unit One of Parcel C, which will not be revised with this DET. The existing building, located on Phase West Unit One, was built in 1970 and expanded in the early 2000s. This portion of the property was not subject to current floodplain and SWM requirements.

Phase East Unit Two does not contain floodplain; however, the TCPII depicts the LOD within floodplain located along Chevy Drive. The approved work within the floodplain for Chevy Drive, depicted on TCPII-137-01-01, is consistent with the previously approved floodplain impacts approved with 4-01023, TCPI-016-01, and TCPII-137-01. Technical requirements related to the floodplain within the ROW for Chevy Drive will be approved by DPIE, which will also determine if a floodplain waiver is required.

Based on the design information currently available and the LOD shown on the TCPII, the regulated environmental features on the subject property have been found to be preserved and/or restored to the fullest extent possible.

- (4) Proposed development located within a Planned Development (PD) zone shall be in conformance with the PD Basic Plan and PD Conditions of Approval that apply to that development;**

The DET is not within a Planned Development Zone; therefore, this finding is not applicable.

- (5) The proposed development conforms to an approved Tree Conservation Plan, if applicable;**

The DET has a companion TCPII-137-01-01, which was approved with conditions, as included herein.

- (6) The development in the detailed site plan (minor and major) shall be consistent with the General Plan and shall conform to the relevant goals, policies, and strategies of the Area Master Plan or Sector Plan, applicable Functional Master Plans, and the Growth Policy Map as it relates to centers in the 2014 General Plan, *Plan Prince George's 2035*, for the subject property and its surrounding area (unless the subject property has been rezoned pursuant to a Zoning Map Amendment subsequent to the adoption of the relevant Area Master Plan, Sector Plan, or Functional Master Plan);**

This DET is consistent with the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035), and conforms to the relevant goals, policies, and strategies of the master plan.

This application is in the Established Communities Growth Policy Area. "Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the

need of the existing residents are met” (page 20). The approved consolidated storage facility is consistent with Plan 2035 because the scale and intensity of the use is similar to the commercial character of the surrounding uses and also the lack of residential uses in the immediate vicinity of the subject property.

This DET application is also consistent with the master plan. Prior to 2013, Condominium Plat – Phase East Unit Two Condominium Plat – Phase East Unit Two, the subject of this DET, was zoned I-1. Pursuant to the master plan’s SMA, all of Parcel C was rezoned to the C-S-C Zone. The rezoning appears as SMA Change Number 24 (page 238). The future land use map within the master plan recommends commercial land use for the subject site. Commercial future land use is described as “retail and business areas, including employment uses such as office and service uses” (page 40). The development proposal promotes the goals and strategies of the master plan and will not substantially impair any of the recommendations of the master plan.

- (7) **The development proposed in a detailed site plan for infrastructure complies with applicable regulations of PART 27-6: Development Standards, prevents offsite property damage, and prevents environmental degradation to safeguard the public’s health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge; and**

This application is not a DET for infrastructure; therefore, this finding is not applicable.

- (8) **Places of worship located on a lot between one (1) and two (2) acres in size shall also meet the following standards:**
- (A) **The minimum setback for all buildings shall be twenty-five (25) feet from each lot line;**
 - (B) **When possible, there should be no parking or loading spaces located in the front yard; and**
 - (C) **The maximum allowable lot coverage for the zone in which the use is proposed shall not be increased.**

The DET does not include a place of worship. Therefore, this finding is not applicable.

B. Request for Alternative Compliance from the 2018 *Prince George’s County Landscape Manual*.

Alternative compliance was approved from the Landscape Manual, Section 4.9, Sustainable Landscaping Requirements.

Location

The 10.71-acre property is located at the northeast quadrant of US 301 and MD 4 and is identified as Parcel C. The site is also subject to a land condominium plat that created Condominium Plat – Phase West Unit One and Condominium Plat – Phase East Unit Two. Phase West Unit One contains an existing building that was built in 1970 and expanded in the early 2000s. Condominium Plat – Phase East Unit Two contains a grass area, formerly used as a vehicle storage area, and 2.27 acres of woodland.

The property is located within the geography previously designated as the Developing Tier of Plan 2035, as found in Prince George’s County Planning Board Resolution No. 14-10 (Prince George’s County Council Resolution CR 26 2014).

Background

DET-2022-017 approves construction of a 157,500-square-foot consolidated storage facility on Phase East Unit Two. Alternative compliance from Section 4.9 is detailed as follows:

Section 4.9, Sustainable Landscaping Requirements

Justification of Recommendation

Alternative compliance was approved from the requirements of Section 4.9(e)(6), which requires that trees proposed in fulfillment of the requirements of the Landscape Manual not be planted on slopes steeper than 3:1.

The approved development is on sloped land and requires grading to accommodate the development. Approximately three trees will be planted on 2:1 slopes south of the consolidated storage building, in fulfillment of Section 4.2, Requirements for Landscape Strips Along Streets. Approximately eight trees are approved to be planted on 2:1 slopes east of the parking area, in fulfillment of Section 4.11, Requirements for Nonresidential and Mixed-Use Development.

Under normal compliance with Section 4.9(e)(6), these 11 trees would not be permitted to be counted towards Landscape Manual requirements. The applicant’s proposal is to allow these trees to be counted, as they will create a more effective Section 4.2 buffer. The approved trees will be planted at a higher elevation than MD 4 and would provide a more effective Section 4.2 screening of the consolidated storage building from the road. Full compliance with the Landscape Manual requirements for Section 4.11 plantings would require additional clearing of woodland to reduce the steepness of the slope. By providing plantings on 2:1 slopes, the applicant is proposing to meet the intent of Section 4.11 and to preserve existing woodland.

The majority of the 2:1 slopes are only four linear feet in width, which is less impactful to tree health, compared to a prolonged slope. The applicant has included alternative planting techniques, specific to steep slopes, which are provided in a detail on the landscape plans. American sycamore (*platanus occidentalis*) and willow oak (*quercus*

phellos) are approved to be planted in these areas. As stated in Condition 1, the Alternative Compliance Committee finds that trees planted in these areas must be specifically adapted to steep slopes. After addressing Condition 1, the Alternative Compliance Committee finds the applicant's proposal to be equally effective as normal compliance with Section 4.9 due to the more effective Section 4.2 buffer and the preservation of existing woodland.

Recommendation

The Alternative Compliance Committee recommended approval of Alternative Compliance ACL-2023-008 from the 2018 *Prince George's County Landscape Manual* for Section 4.9, Sustainable Landscaping Requirements, with the following condition, which has been included herein:

1. Replace the tree species for 2:1 slope planting areas with one designated as having a slope habitat as found in the National Park Service, U.S. Fish & Wildlife Service publication *Native Plants for Wildlife Habitat and Conservation Landscaping: Chesapeake Bay Watershed* (as updated periodically) *or* provide further justification that American sycamore and willow oak are appropriate species for these areas.

IV. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE 1993 PRINCE GEORGE'S COUNTY WOODLAND AND WILDLIFE HABITAT CONSERVATION ORDINANCE

This property is subject to the provisions of the 1993 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO). The woodland conservation threshold (WCT) for this 10.71-acre property is 15 percent of the net tract area, or 1.29 acres. The total woodland conservation requirement, based on the amount of clearing approved, is 1.39 acres. The woodland conservation requirement will be satisfied with 1.40 acres of on-site woodland preservation. A revision to the approved TCPII-137-01 was submitted with this DET and requires minor revisions to be found in conformance with the WCO.

Approved NRI-222-2022 was also submitted with this DET application. An equivalency letter was approved for this project because the site has an approved and implemented TCPII-137-01, and the approved site plan does not result in significant changes to the LOD of the previously approved TCPII. No revisions are required for conformance to the NRI.

V. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE PRINCE GEORGE'S COUNTY TREE CANOPY COVERAGE ORDINANCE

The site is subject to the requirements of the Prince George's County Tree Canopy Coverage Ordinance. Section 25-128 of the Prince George's County Code requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading permit. Properties zoned CGO are required to provide a minimum of ten percent of the gross tract area in TCC. The overall legal lot has a gross tract area of 10.71 acres and, as such, a TCC of 1.07 acres, or 46,609 square feet, is required. The submitted landscape plan does not include a TCC worksheet. A condition has been included herein, requiring this prior to certification of the DET.

VI. REFERRAL COMMENTS

The subject application was referred to the concerned agencies and divisions. The Planning Board has reviewed and adopts referral comments that are incorporated herein by reference and are summarized, as follows:

- A. **Community Planning**—In a memorandum dated November 27, 2023 (Lutz to Lockhart), it was indicated that master plan conformance is required for this application. Pursuant to Section 27-3605(e)(6) of the Zoning Ordinance, this DET application is consistent with Plan 2035 and conforms to the relevant goals, policies, and strategies of the master plan. A summary of the analysis of Plan 2035 and the master plan is found in Finding III. A.
- B. **Transportation Planning**—In a memorandum dated December 4, 2023 (Daniels to Lockhart), a review of conditions attached to prior approvals, compliance with the MPOT, and review of the applicable Part 27-6 development standards was provided and incorporated into the findings above. There are no master plan facilities that impact the subject site. The MPOT's Complete Streets element reinforces the need for multimodal transportation. It was determined that the vehicular, pedestrian, and bicycle access and circulation for this plan is acceptable and consistent with the site design guidelines, pursuant to Subtitle 27.
- C. **Environmental Planning**—In a memorandum dated December 4, 2023 (Meoli to Lockhart), a discussion was included regarding relevant previous conditions of approval and demonstrated conformance with the master plan and applicable sections of the Zoning Ordinance.

Approved NRI-222-2022 was submitted with the application. An equivalency letter was approved for this project because the site has an approved and implemented TCPII-137-01. In addition, the approved site plan does not result in significant changes to the limits of disturbance as shown on the previously approved TCPII.

This site contains REF that are required to be preserved and/or restored to the fullest extent possible under Section 27-6808 of the Zoning Ordinance. The on-site REF includes areas of 100-year floodplain, which are depicted on the TCPII plan. The entirety of the 100-year floodplain is located on Phase West Unit One, which will not be revised with this DET.

Approved SWM Concept Plan 36928-2022-00 was submitted with the DET material, which shows the use of a submerged gravel wetland. The SWM concept plan was approved by DPIE on August 7, 2023, and expires on August 7, 2026.

- D. **Subdivision**—In a memorandum dated December 4, 2023 (Bartlett to Lockhart), a review of conditions attached to prior approvals and noted technical revisions to the general notes on the DET coversheet was provided, which have been included as conditions herein.
- E. **Historic Preservation**—In a memorandum dated December 4, 2023 (Stabler to Lockhart), it was indicated that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites, indicates the probability of archeological sites within the subject property is low. A Phase I archeology survey was not recommended. The subject property does not contain, and is not adjacent to, any designated Prince George’s County historic sites or resources.
- F. **Permit Review**—In a memorandum dated December 4, 2023 (Jacobs to Lockhart), it was indicated that one technical correction needed to the DET, which has been included as a condition herein.
- G. **Prince George’s County Department of Parks and Recreation (DPR)**—In an email dated October 19, 2023 (Thompson to Lockhart), it was indicated that the approved development will have no impact to existing or future Maryland-National Capital Park and Planning Commission (M-NCPPC) owned parkland.
- H. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated November 17, 2023 (Giles to Lockhart), numerous comments were provided and will be addressed in DPIE’s separate permitting process.
- I. **Washington Suburban Sanitary Commission (WSSC)**—In comments dated November 13, 2023 (Wright to Lockhart), numerous comments were provided and will be addressed in WSSC’s separate permitting process.
- J. **Prince George’s County Health Department**—In a memorandum dated October 25, 2023 (Adepoju to Lockhart), it was indicated that a desktop health impact assessment review of the DET and the alternative compliance was completed. Comments were provided regarding the Aquia aquifer recharge area, pedestrian circulation, noise impacts, and minimizing dust during the demolition and construction phases of the project.
- K. **Prince George’s County Fire/EMS Department**—In an email dated November 13, 2023 (Reilly to Lockhart), it was indicated that the location of the fire department connection (FDC) and fire hydrants should be shown. The FDC must be on the front, address side, of the building within 200 feet of a fire hydrant as hose is laid by the fire department. Hydrants must be provided within 500 feet of the most remote portion of the building as hose is laid by the fire department. The applicant provided a revised site plan dated November 22, 2023, addressing the comments.

- L. **Citizen Input**—At the time of the writing of this resolution, the Prince George’s County Planning Department has not received any written correspondence from citizens for this subject application.
- M **Public Hearing**—At the public hearing held on January 4, 2024, the Planning Board heard testimony on the subject application. No members of the public signed up to speak. There was also testimony regarding Applicant Exhibit No. 1, which included seven revised conditions. The Planning Board was in agreement with the changes proposed to the conditions, as outlined.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type II Tree Conservation Plan TCPII-137-01-01 and APPROVED Alternative Compliance ACL-2023-008, and further APPROVED Detailed Site Plan DET-2022-017 for the above-described land, subject to the following conditions:

1. Prior to certification of this detailed site plan, the applicant shall:
 - a. Revise General Note 1 to read, as follows:

“This Detailed Site Plan is for development of 5300 Crain Land Condo, Phase East Unit Two, as recorded in Plat Book SJH 243, Plat 60; Land Unit Two is part of a recorded lot known as Parcel C, Plat Book REP 193, Plat 70. Include the acreage for Parcel C.”
 - b. Revise General Note 18 to state that public utility easements are shown, as per Plat Book REP 193 Plat 70.
 - c. Add a note on the Property Exhibit sheet that the “Phase West Unit One” condominium unit is not included in DET-2022-017.
 - d. Show the existing 10-foot-wide public utility easement along MD 4 (Pennsylvania Avenue) in accordance with Plat Book REP 193 Plat 70.
 - e. Remove General Note 9 as no loading spaces are required.
 - f. Correct the signage detail sheet to note the correct code section for Sign Area Reduction, as 27-2200(j)(2).
 - g. Provide a Green Building Point System table demonstrating conformance with Section 27-61603 of the Prince George’s County Zoning Ordinance.

- h. Revise the landscape plan, as follows:
 - (1) Replace the tree species for 2:1 slope planting areas with one designated as having a slope habitat as found in the National Park Service, U.S. Fish & Wildlife Service publication Native Plants for Wildlife Habitat and Conservation Landscaping: Chesapeake Bay Watershed (as updated periodically) *or* provide further justification that American sycamore and willow oak are appropriate species for these areas.
- 2. Prior to certification of this detailed site plan, the Type II tree conservation plan shall be revised as follows:
 - a. Revise General Note 9 to include that this project is subject to the 1993 Woodland Conservation and Tree Preservation Ordinance.
 - b. Revise the 38-foot contour line along the southeastern corner of the parking lot to be consistent with the approved stormwater management concept plan.
- 3. Prior to certification of Type II Tree Conservation Plan TCPII-137-01-01, a copy of the erosion and sediment control technical plan must be submitted so that the ultimate limits of disturbance for the project can be verified and shown on the TCPII.

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


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PGCPB No. 2024-001
File No. DET-2022-017
Page 25

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Geraldo, and Shapiro voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, January 4, 2024, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of January 2024.

Peter A. Shapiro
Chairman


By Jessica Jones
Planning Board Administrator

PAS:JJ:DL:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Wamer
M-NCPPC Legal Department
Date: January 16, 2024