

PGCPB No. 2024-013

File No. DET-2023-002

## R E S O L U T I O N

WHEREAS, pursuant to Section 27-3302(3)(A) of the Zoning Ordinance (Subtitle 27, Prince George's County Code), the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission (Commission) has the authority to review and decide Detailed Site Plans; and

WHEREAS, the applicant, Temple Hills Storage, LLC, submitted an application for approval, Detailed Site Plan DET-2023-002 for Temple Hills Storage for a 119,000-square-foot building consisting of a 117,500-square-foot consolidated storage facility and a 1,500-square-foot community office/meeting space on the 2.76-acre property located on the southwest corner of the intersection of MD 5 (Branch Avenue) and Beech Road (subject property); and

WHEREAS, the subject property is within the Commercial General and Office (CGO) Zone; and

WHEREAS, the application for approval of the Detailed Site Plan was presented to the Planning Board by the staff of the Commission at a public hearing on February 29, 2024; and

WHEREAS, the staff of the Commission recommended the Planning Board APPROVE the Detailed Site Plan with conditions; and

WHEREAS, in consideration of evidence presented at a public hearing on February 29, 2024, regarding the Detailed Site Plan 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 (DET) 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) proposes the construction of a 119,000-square-foot building consisting of a 117,500 consolidated storage facility, and a 1,500-square-foot community office/meeting space.

**B. Development Data Summary:**

|                        | <b>EXISTING</b> | <b>EVALUATED</b>   |
|------------------------|-----------------|--|
| Zone(s)                | CGO             | CGO  |
| Use                    | Vacant          | Consolidated Storage with community office/meeting space |
| Total Gross Acreage    | 2.76            | 2.76   |
| Floodplain             | 0.00            | 0.00   |
| Total Net Acreage      | 2.76            | 2.76   |
| Gross Floor Area (GFA) | 0               | 119,000 sq. ft.  |

**C. Location:** The subject property is located on the vacant southwest corner of the intersection of Branch Avenue (MD 5) and Beech Road, in Planning Area 76A and Council District 7. The subject property is bounded to the north by the public right-of-way of MD 5; to the east by the public right-of-way of Beech Road with a Commercial, General and Office (CGO)-zoned property, developing as a gas station beyond; to the west by a single family detached home in the Residential, Single Family-Attached (RSF-A) Zone; and to the south by an undeveloped property in the CGO Zone.

**D. Approved Uses:** The subject DET approves a consolidated storage use. A consolidated storage use is not permitted in the CGO Zone, pursuant to County Council Bill CB-11-2023. However, CB-11-2023 provided a transition period to allow a DET to be approved for a consolidated storage use in a non-industrial zone inside the Capital Beltway, which has: 1) completed a Pre-Application Conference pursuant to Section 27-3401 before April 1, 2023; 2) provides Community Nonprofit Space; and 3) is adjacent to an existing consolidated storage use. The subject application meets these requirements as: 1) it is located inside the Capital Beltway; 2) its Pre-Application Conference was held March 10, 2023; 3) it provides a community non-profit space on the first floor; and 4) it is adjacent to an existing consolidated storage facility located at 5335 Beech Road.

In addition, Use Specific Standards for consolidated storage uses are contained in Section 27-5102(f)(4)(A). To issue a use and occupancy permit for a consolidated storage use, the Department of Permitting, Inspections, and Enforcement (DPIE) 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.**

The approved use fronts on and will have its sole access to/from Beech Road, a 70-foot-wide industrial roadway with adequate capacity to handle the vehicular trips generated by the approved uses.

- (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 exterior and architectural façade of the approved building is compatible with another consolidated storage facility architecture on the south side, across Beech Road, with various color and material changes, and the residentially zoned property to the west of the subject property.

- (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.**

The approved building does not contain any entrances to individual storage units that are visible from a street or from adjoining land. All storage units are located inside the storage building and will be internally accessed.

- (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 entrances to the individual consolidated storage units are located inside the building and completely screened from view using architectural panels and fake windows.

- (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.**

The approved consolidated storage facility does not contain any entrances with direct access to areas outside 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 property is zoned CGO; therefore, this standard does not apply.

- (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 approved building contains 1,500 square feet of community nonprofit space on the first floor in the front of the building. The space includes signage so the public can identify the location of the space. The space has a separate entrance with storefront glass. The interior of the space includes its own restroom facilities as well as a kitchen space. The applicant understands that an agreement will be entered into with a Community Nonprofit organization prior to issuance of a Use and Occupancy Permit.

**(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 property is zoned CGO; therefore, this standard does not apply.

**E. Previous Approvals:** The property is subject to Preliminary Plan of Subdivision (PPS) 4-73173, approved in 1973 for property zoned prior Commercial Office (C-O). The resolution of approval and other documents from the approval of PPS 4-73173 are no longer available. The final plat of subdivision does not have any conditions of approval attached to it. The development proposal would not represent a substantial revision to the mix of uses that affect Subtitle 24 adequacy findings. The development remains commercial and does not result in any change to the adequacy analysis required for a commercial development, which would have been conducted at the time of subdivision approval. A new PPS is, therefore, not required at this time. The site has an automatic certificate of adequacy (ADQ) associated with 4-73173, pursuant to Section 24-4503(a)(1) of the Prince George's County Subdivision Regulations, effective April 1, 2022. The ADQ is valid until April 1, 2034, unless it expires in accordance with the provisions of Section 24-4503(c).

**F. Design Features:**

**1. Architecture.** The building will include high-quality materials to create variations in façades to break up the overall building mass. Approved materials include exterior masonry walls and an energy-efficient, textured metal-insulated sandwich panel system. To facilitate façade variations and create visual interest, contrasting colors have been utilized in both the masonry and the metal panels. The roofline also has height, material, and color variations to continue the visual effect of breaking up the building's massing. Storefront glazed windows are provided at various locations along various façades.

2. **Signage.** The approved gateway sign will be appropriately landscaped at the base of the sign. Said sign also conforms to the above location, number, area, height, and materials requirements/standards as follows:

Location – Southeast portion of the site  
Sign Area – 45.3 SF  
Height – 7'-0" to the top of the sign  
Materials – Aluminum, vinyl, low maintenance and durable

In addition, six building wall signs are approved (2: Extra Space Storage, 1: Office, 2: Loading, and 1: Community Space), which follow sign regulations.

3. **Lighting.** Photometric plans and lighting details have been provided for the site. Freestanding light poles are provided along the entrance drive and within the parking lot, and wall-mounted lights are provided on all sides of the building.

### 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 Commercial General and Office (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 Zone Intensity and Dimensional Standards**

The DET is in conformance with the applicable CGO Zone intensity and dimensional standards of the Zoning Ordinance. The subject application proposes 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.

However, the applicant has submitted a waiver requesting relief from Sections 27-6206(e)(2)(C), 27-6207(b)(2) and 27-6208(b)(3) of the Zoning Ordinance, which contains requirements for vehicular cross-access, pedestrian cross-access, and bicycle cross-access (respectively). The Planning Board has examined providing cross-access to neighboring developments and does not support the implementation of this requirement for the subject site. The property to the south of the subject site (Maryland Tax I.D. 0550616), where cross-access would conceivably be placed, is an unimproved parcel of land. There are no internal roadways, sidewalks, or bicycle facilities in place to tie into. In addition, the property to the west of the subject site (Maryland Tax I.D. 0569012) is an existing single-family dwelling. The subject property has been evaluated for site access, circulation, and parking, and has been found to operate adequately with a single vehicle access point along Beech Road. An additional point of vehicle entry through cross-access could negatively impact vehicular and pedestrian safety. In addition, if cross-access is provided, the likelihood of cut through traffic from the neighboring development to the south could impact site circulation and vehicle stacking, which was analyzed using only one point of access. As such, the Board does not support providing cross-access to adjacent sites.

The Planning Board approves that vehicular cross-access to adjoining sites be waived, per Section 27-6206(e)(2)(C); that pedestrian cross-access to adjoining sites be waived, per Section 27-6207(b)(2); and that bicycle cross-access to adjoining sites be waived, per Section 27-6208(b)(3), due to safety factors.

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.

Per Section 27-6305(c), Mixed-Use Developments and Shared



Parking, developments consisting of a mix of uses, such as this one, shall provide parking based on their potential to share parking between uses, and thus reduce the overall parking footprint that would result from each individual use meeting minimum standards. The applicant must use the methodology outlined in this section to determine the minimum parking requirement.

|                      | <b>Required Number of Spaces</b>  | <b>APPROVED<br/>Number of Spaces</b> |
|----------------------|---|--------------------------------------|
| Consolidated Storage | 1.0 spaces per 4,000 sq. ft. of 84,000 total sq. ft. of rentable storage space                  | 16                                   |
| Community Space      | 4.0 spaces per 1,000 sq. ft. of community space   | 6                                    |
| <b>Total</b>         | <b>21*</b>  | <b>22</b>                            |
| Bicycle Parking      | 2.0 spaces/10 parking spaces + 1.0 space/<br>additional 10 pkg spaces = 4 spaces<br>(or 2 rack) | 4                                    |

**Note:** \*Based on the community space provided, per Section 27-6305(c) (1) of the Zoning Ordinance, mixed-use parking is applicable. Detailed analysis is provided herein.

Pursuant to Section 27-6305(c)(2)(d)(i), “[f]or any shared parking that includes an industrial use, the highest sum shall be greater than or equal to the minimum parking requirement for the use with the largest gross floor area. If the highest sum is less than the minimum parking requirement for the largest use, then the minimum parking requirement of the use with the largest gross floor area shall be required.” Accordingly, the shared parking calculation would require a minimum of 21 spaces which is the minimum parking required for the consolidated storage use. The applicant proposes 22 spaces. The Planning Board finds the applicant’s submission to be suitable and in conformance with shared parking requirements as set forth in Section 27-6305(c).

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 three loading bays internal to the building that are 12 feet wide by 45 feet long.

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

These regulations have been met as 5 percent of the site is being preserved as a tree protection area. This meets the 5 percent open space set aside area required for industrial uses, such as consolidated storage, in Nonresidential Base Zones.

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 (required 18 shade trees and 89 shrubs, and the same number of shade trees and shrubs are provided); Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses (Buffer B area provided a 6-foot opaque fence and comply using reduced set back as 25 feet from 50 feet); Section 4.8, Building Frontage Landscape Requirements; Section 4.9, Sustainable Landscaping Requirements (no invasive species are approved and no planting on slope greater than 3:1); and Section 4.11, Requirements for Nonresidential and Mixed-Use Development (6 shade trees are required and the same number of shade trees are provided).

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

The approved development contains fencing and retaining walls that conform to these requirements. No fences are within a utility easement. The maximum height of the approved retaining walls is 4 feet high, and the approved fence is 4 feet high.

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

The DET, which includes a photometric plan, is in conformance with the applicable standards in Section 27-6700, including maximum illumination measured in foot-candles, at ground-level, at the lot lines. The approved consolidated storage use will be accessible 24 hours per day. Notwithstanding, only the necessary exterior lighting will remain illuminated after the hours of 11 p.m. No exterior lighting will be directed towards any adjacent residentially-zoned land. All approved lighting will use the required full cut-off optics.

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

The approved Natural Resources Inventory, NRI-049-2023, was submitted with the application per Section 27-6802. The site contains no primary management areas (PMA); only a nontidal wetland buffer from an off-site isolated wetland system. No floodplain exists on the property. The NRI indicates the presence of two forest stands, labeled as Stand A and Stand B, with ten specimen trees identified on site. The Type 2 tree conservation plan (TCP2) and the DET show all required information correctly in conformance with the NRI.

In accordance with Section 27-6803, this DET conforms to Subtitle 25 of the County Code. See Section IV below.

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 TCP2 must reflect the ultimate limits of disturbance (LOD), not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure, including erosion and sediment control measures. Prior to certification of the TCP2, 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 TCP2.

In accordance with Section 27-6806, approved Concept Plan 15849-2023 was submitted with this DET, showing the use of three micro-bioretenion facilities and existing stormdrain systems.

Section 27-6808 incorporates the standards of Section 24-4300 of the Subdivision Regulations for regulated environmental features. Section 24-4303(D)(5) states: "Where land is located outside the Chesapeake Bay Critical Area Overlay (CBCAO) zones, the preliminary plan of subdivision (minor or major) and all plans associated with the application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state, to the fullest extent possible, consistent with the Environmental Technical Manual established in accordance with Subtitle 25: Trees and Vegetation, of the County Code. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required in accordance with Subtitle 27: Zoning Ordinance, of the County

Code, for the reasonable development of the lot outside the regulated feature.” This site does not contain REFs; however, the buffer to an off-site nontidal wetland is required to be preserved and/or restored to the fullest extent possible under Section 27-6808 of the Zoning Ordinance. This proposal fully preserves the buffer to the off-site nontidal wetland.

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 include Croom-Marr complex and Croom-Marr-Urban land complex. Marlboro and Christiana clays are not found to occur on this property.

Sections 27-6804, 27-6807 and 27-6810 do not apply to this application.

**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 building orientation, entrances, location of off-street parking and loading areas, building façade materials, and articulation as shown on the consolidated storage architectural elevations.

**i. Section 27-61200 — Neighborhood Compatibility Standards**

Per Section 27-61203(a)(1), “[s]etbacks of buildings shall be consistent with other buildings on the block face to maintain a consistent plane or edge of buildings along public frontages.” The approved development will be the only building (upon construction) on the block face along the west side of Beech Road and will be constructed in such a way to maintain the setback requirements if any future buildings are constructed adjacent to the development.

The approved development meets the height restrictions contained in Section 27-61203(a)(2). Due to significant topographical conditions on the property, the approved building has a 2.5-story height (25 feet, 10 inches) for the portion within the 50- to 150-foot transitional area, adjacent to the single-family home to the east. Beyond this area, the falling topography of the

property allows the building height to climb to 4 stories (47 feet), once beyond the 200-foot transitional area.

In accordance with Section 27-61203(b), the approved building is oriented toward Beech Drive, the street from which the approved building derives its street address. Beech Drive is also the public road with the greatest frontage along the property and the street from which vehicular access is provided.

The approved building meets the design standards contained in Section 27-61203(c), as shown on the architectural elevations. The western elevation has a residential design with the following: Mansard and Gabled asphalt roofs, hardi-plank siding, colors that are compatible with adjacent single-family detached units, and faux windows with shutters designed to mimic residential windows and shutters.

Per Section 27-61203(d), “Building façades facing single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone, shall comply with the standards in Table 27-61203(d)(1), Transparency Standards.” Due to the site configuration and building embedment into the grade, the third and fourth floors of the approved building will face the abutting single-family homes. The table in Section-27-61203(d) indicates that 20 percent transparency is required for the third floor or higher. Accordingly, the applicant proposes a cumulative window area that is 21 percent of the eastern façade wall area (adjacent to the residential zone). This complies with the requirements of Section 27-61203(d).

The approved off-street parking will be in the form of a surface lot along the property’s Beech Road frontage and adjacent to the nonresidential development along said roadway. As such, the approved surface parking is located away from the adjoining residentially zoned land and is also effectively screened from adjoining residentially zoned land by the approved building. The approved off-street parking area is beyond 200 feet from the adjacent single-family detached dwelling. Thus, the approved development is in accordance with Section 27-61203(f).

Section 27-61203(g) provides compatibility standards for: (1) loading, service, recycling collection, and refuse collection areas; (2) signage; (3) lighting; and (4) open space. Therefore, the approved development is in accordance with Section 27-61203(g), as follows:

- The loading, service, recycling collection, and refuse collection areas are located at least 50 feet from the abutting residential development. The loading area is located to the sides of buildings, away from the adjacent single-family detached building.
- All signage is away from the single-family detached buildings.
- The approved lighting will meet the requirements of Section 27-61203(g)(3) as shown on the photometric plan included with this DET.
- The required open space, which is provided in the form of a woodland conservation area, is located such that it buffers the single-family zoned properties to the east and south from the approved storage 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, or 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 approved building signage meets all the distance requirements in these regulations/standards. No signage is approved facing the residential uses west of the property. No signage is within 100 feet of lot lines shared by a single family detached dwelling, two-family dwelling, townhouse, or vacant lands in a single-family residential zone.

The approved development will not have any external light source directed toward any sign and will not cast direct light or create glare upon adjacent lands or streets, nor will it use animated sign illumination.

The approved signs also will be reviewed in detail for compliance with Section 27-61500, at the time of sign permit.

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

The approved development meets the minimum Green Building score requirement of 4.0 points for new nonresidential development, as follows:

| <b><u>Table 27-61603(b): Green Building Point System</u></b>   | <b><u>Point Earned</u></b> |
|--|----------------------------|
| <u>The use of environmental site design, including but not limited to grass buffers and swales, bioretention (rain garden or porous landscape detention, sand filters, and permeable pavement systems), to meet stormwater managements requirements of the County Code</u> | <u>1.0</u>                 |
| <u>Provide rain gardens or other appropriate stormwater infiltration system(s) that accommodate a minimum of 25% of the runoff</u>   | <u>1.0</u>                 |
| <u>Retain at least 20% of existing pre-development natural vegetation</u>  | <u>0.75</u>                |
| <u>Provide a minimum of 5% of required automobile parking spaces that are signed and reserved for carpool/vanpool/hybrid/electric/low-energy vehicles in preferred locations near the primary building entrance</u>  | <u>0.25</u>                |
| <u>All lavatory faucets flow rate is 1.5 GPM or less at 60 PSI</u>   | <u>0.50</u>                |
| <u>All toilets are 1.28 GPF or less</u>  | <u>0.50</u>                |
| <b><i>Total</i></b>  | <b><u>4.0</u></b>          |

Based on the analysis herein, in addition to the evidence filed in conjunction with this application, the Planning Board finds that DET-2023-002 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 approved development for the intended uses.

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

This DET is not subject to any prior conditions of approval in any development approval or permit.

- (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 does not contain any regulated environmental features. However, the on-site buffer to an off-site nontidal wetland is required to be preserved and/or restored to the fullest extent possible under Section 27-6808 of the Zoning Ordinance. This proposal fully preserves the buffer to the off-site nontidal wetland.

- (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 approved development is not located in a planned development zone; therefore, this criterion is inapplicable.

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

The DET has a companion TCP2-051-2023, which the Planning Board approves 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 conforms to the relevant goals, policies, and strategies of the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (sector plan) and is consistent with the General Plan.

**General Plan:** This application is located in the Established Communities Growth Policy Area of the *Plan Prince George's 2035 Approved General Plan* (Plan 2035). "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 needs of existing residents are met". (page 20). "Established Communities make up the County's heart." (page 106) Plan 2035 includes policies and strategies for Established Communities. The following policies and strategies most relevant to this application focus on forest and tree canopy, noise mitigation and urban design, including:



## **Natural Environment**

### ***Forests and Tree Canopy***

**Policy 5 - Preserve and enhance existing forest and tree canopy coverage levels. (page 176)**

### ***Noise***

**Policy 7 - Provide adequate protection and screening from noise to ensure that the State of Maryland noise standards are met through the provision of earthen berms, plant materials, fencing, and the establishment of a building restriction line. (page 177)**

### ***Urban Design***

**“Urban design is equally relevant to the planning and design of urban and suburban Established Communities as it is to rural areas. Problems such as encroaching sprawl, lack of architectural quality, loss of natural and rural landscapes, crime-prone areas, and unsafe pedestrian and bicycle conditions can be mitigated, or even solved, through forward thinking and context-sensitive urban design” (page 196).**

**Policy 9 - Use urban design to guide development, promote community health, protect our natural, historic, and cultural resources and quality of life, and enhance mobility. (page 214)**

### **Strategies:**

**HD9.7- Identify and prioritize areas for street tree installation. (page 215)**

**HD 9.9 Implement urban design solutions to ensure appropriate transitions between higher intensity and density development and surrounding lower-density residential neighborhoods. (page 215)**

**Analysis:** The subject property is a vacant lot located near the intersection of MD 5 (Branch Avenue) and Beech Road. To the west of the property is a two-story single-family home in the RSF-A Zone. To the east is a property in the CGO Zone developing as a gas station. This property and all properties along the northwest side of Beech Road right of way are zoned C-G-O and all properties along the southeast side of the Beech Road right of way are zoned I-E. Diagonally across Beech Road from the subject property is a consolidated storage facility.

The approved DET application is consistent with Plan 2035 policies and strategies because:

- The approved consolidated storage facility is a context-sensitive infill, low-density development with negligible impact on existing public services and facilities.
- The inclusion of a 1,500 square-foot office/meeting space for the community that includes restrooms, and a kitchen area is a neighborhood serving amenity that enhances adjacent neighborhoods.
- The location of the approved building leverages the change in grade to create an earthen noise buffer and supports the creation of a façade that is in scale with the adjacent residential properties.
- The existing tree canopy on 0.8 acre of the site is preserved.
- Using masonry walls and textured metal-insulated panels, contrasting colors, varying roof heights and colors, and other techniques, the building façade provides visual interest and harmony with the residential neighborhood to the northwest of the site as well as the commercial uses along Beech Road
- The application includes plantings along streets, parking lot perimeters, and within the parking lot as well as a 5-foot-wide sidewalk separated from the roadway by a 6-foot-wide green panel. These features contribute to pedestrian safety and comfort while supporting County efforts to preserve and enhance its tree canopy.

**Master Plan:** The 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* recommends Commercial - Office land uses on the subject property (See Map 17, St. Barnabas Land Use Plan, page 66). In addition, the sector plan identifies six focus areas. The property is located within the Beech Road Focus Area, specifically the St. Barnabas Road commercial corridor. The sector plan “proposes that the Beech Road industrial area be retained as a center for employment focusing on small professional and commercial services, such as production, storage, and repair businesses” (page65).

**Analysis:** This DSP application conforms with the relevant goals, policies, and strategies of the sector plan because the sector plan recommends Commercial-Office future land use for the subject site. Commercial future land use is described as “a broad category that includes a wide array of commercial uses including retail, services, repair, and office uses” (page 64). The sector plan specifies storage as one of several uses to be retained in the Beech Road

industrial area (page 65). The approved use conforms with the recommended land use.

The sector plan recommends the following goal to help advance the intent and purpose of the plan:

**Reduce the visual clutter through screening of unsightly conditions with improved streetscapes including tree plantings, low walls or hedges or other landscape treatments, the greening of utility strips along the curb line, and pedestrian lighting. (page 67)**

**Analysis:** Through the use of design and materials, the approved development applies the recommendations set forth in the sector plan, reduces the visual clutter through screening of unsightly conditions, and meets site design recommendations (page 114) by:

- Locating the approved building to leverage the change in grade to create an earthen screen of a portion of the building adjacent to residential properties. (See Schematic Sections provided by applicant).
- Preserving existing tree canopy on 0.8 acre of the site, providing screening to the south of the loading zone and docks.
- Locating the loading zone and docks in the interior of the site, minimizing views of the loading zone and docks from adjacent residential properties and roadways (see Detailed Site Plan and Side Elevation – South provided by applicant).
- Planting canopy trees and shrubs on the slope in front of retaining walls along perimeter of the parking area adjacent to Beech Road, between the building and sidewalk adjacent to Old Branch Avenue, and in front of the west side of the building adjacent to a single-family residence.
- Planting canopy trees in the green strip between the sidewalk and curb adjacent to Beech Road and Old Branch Avenue.

The sector plan includes recommendations for designing for safety (page 113), site design (page 114), building design (page 116), connectivity and circulation (page 118), and open space (page 119) that apply to the approved development.

***Design for Safety***

- **Natural Access Control – Guide people to and from the proper entrances using walkways, proper lighting, signage, and fences to**

**direct the flow of people while decreasing the opportunity for crime. Ensure clear sightlines along sidewalks and provide low-level lighting along sidewalks, pathways, service entrances/areas, parking lots, and alleys. Install traffic-calming techniques that limit streets as fast getaway routes and reduce on-street criminal activity.**  
(pages 113–114).

- **Territorial Reinforcement – to allow property owners to protect their territory and respect the territory of others. Encourage low walls, fences, visually permeable screening methods, elevated ground floors of residential dwellings to establish a clear delineation between public and private space and to foster a sense of ownership and territoriality.** (page 114)

**Analysis:** The approved development conforms with recommendations for designing for safety (page 113) by using low retaining walls topped with fencing to establish a clear delineation between public and private space, and provides natural access control to the building, which increases safety in the plan area.

#### *Site Design*

- **Provide low screen walls, hedges, or both at those places where surface parking can be viewed from the street.** (page 115)
- **Use landscaping to beautify the street and public spaces, to buffer incompatible uses, and to screen unsightly views. Locate loading areas away from public views. Where this is not feasible, these areas should be properly screened.** (page 115)

**Analysis:** Through the use of design and materials, the approved development reduces the visual clutter through screening of unsightly conditions, and meets site design recommendations (page 114) by:

- Locating the approved building to leverage the change in grade to create an earthen screen of a portion of the building adjacent to residential properties. (See Schematic Sections provided by applicant).
- Preserving existing tree canopy on .8 acres of the site providing screening to the South of the loading zone and docks.
- Locating the loading zone and docks in the interior of the site minimizing views of the loading zone and docks from adjacent residential properties and roadways (see Detailed Site Plan and Side Elevation – South provided by applicant).

- Planting canopy trees and shrubs on the slope in front of retaining walls along perimeter of the parking area adjacent to Beech Road, between the building and sidewalk adjacent to Old Branch Avenue, and in front of the west side of the building adjacent to a single-family residence.
- Planting canopy trees in the green strip between the sidewalk and curb adjacent to Beech Road and Old Branch Avenue.

### ***Building Design***

- **Design all buildings with high-quality materials and treatments. Exterior building walls should be constructed with brick, stone, precast concrete, and other high-quality materials compatible materials. Reflective and tinted glass should not be used on the ground floor of any building, and ribbons or bands of glass should not be used for windows.** (page 116)
- **Provide architectural elements and proportion that relate to a pedestrian scale in building facades. Large expanses of identical building walls should be avoided. Façades that provide a regular and frequent pattern of architectural variety through modulation of wall plane, detailing, color, texture, material, and the incorporation of art and ornament are encouraged.** (page 116)

**Analysis:** The approved development conforms with recommendations for building design (page 116), by using masonry walls and textured metal-insulated panels, contrasting colors, varying roof heights and colors, and other techniques to create a building façade that provides visual interest and compatibility with the residential neighborhood to the northwest of the site, as well as the commercial uses along Beech Road.

### ***Connectivity and Circulation and Open Space***

- **Limit direct vehicular access off major roadways, including highways and principal arterial streets.** (page 118)
- **Provide sidewalks throughout the sector plan area. Use special paving in high pedestrian areas to provide a visible connecting element that reinforces the pedestrian system. Seek opportunities to connect sidewalks to the trail network.** (page 118)
- **Create pedestrian comfort by incorporating street and site amenities in plazas, storefront walkways, wide sidewalks, parks, and open spaces.** (page 119)

**Analysis:** The approved development conforms with recommendations for connectivity and circulation (page 118) by limiting vehicular access to the building to one access point on Beech Road, a 70-foot-wide industrial roadway. The inclusion of a 5-foot-wide sidewalk adjacent to Old Branch Avenue and Beech Road promotes connectivity to adjacent properties and contributes to pedestrian safety and comfort.

- (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**

The approved development is not an infrastructure plan. Therefore, this criterion is inapplicable.

- (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.**

The approved development does not include a place of worship. Therefore, this criterion is inapplicable.

#### **IV. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE 2010 PRINCE GEORGE’S COUNTY WOODLAND AND WILDLIFE HABITAT CONSERVATION ORDINANCE**

This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual because the application is for a new DET. TCP2-051-2023 was submitted with this application and requires minor revisions to be found in conformance with the WCO.

The woodland conservation threshold (WCT) for this 2.76-acre property is 15 percent of the net tract area or 0.41 acre. The total woodland conservation requirement, based on the amount of clearing approved, is 0.80 acre. The woodland conservation requirement is approved to be satisfied with 0.80 acre of on-site woodland preservation. Prior to the certification of the TCP2 for this site, documents for the required woodland and wildlife habitat conservation easements shall be prepared and submitted to the Environmental Planning Section of the Prince George’s

County Planning Department for review by the Office of Law and recorded in the Land Records office.

Technical revisions to the TCP2 are required and included in the conditions listed at the end of this staff report.

**Review of Subtitle 25 Variance Request**

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the [Environmental] Technical Manual.” The code, however, is not inflexible.

The authorizing legislation of Prince George’s County’s WCO is the Maryland Forest Conservation Act, which is codified under Title 5, Subtitle 16 of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria in Prince George’s County’s WCO are set forth in Section 25-119(d). Section 25-119(d)(4) clarifies that variances granted under Subtitle 25 are not considered zoning variances.

A Subtitle 25 Variance application and a statement of justification (SOJ) dated October 18, 2023, was submitted in support of the variance request. Section 25-119(d)(1) of the WCO contains six required findings to be made before a variance can be granted. The SOJ submitted seeks to address the required findings for the removal of the four specimen trees, and details specific to individual trees have been provided in the following chart. The site contains a total of 10 on-site specimen trees.

**SPECIMEN TREE SCHEDULE SUMMARY - REMOVED**

| <b>ST #</b> | <b>COMMON NAME</b> | <b>Diameter at Breast Height - DBH (In inches)</b> | <b>CONDITION</b> | <b>Retain/Remove</b> |
|-------------|--------------------|--|------------------|----------------------|
| ST-37       | Tulip poplar       | 31   | Fair             | Remove               |
| ST-38       | Red maple          | 35   | Poor             | Remove               |
| ST-39       | Tulip poplar       | 34   | Good             | Remove               |
| ST-44       | Sweet gum          | 35   | Poor             | Remove               |

A variance from Section 25-122(b)(1)(G) is requested for the removal of the four on-site specimen trees. The text below in bold, labeled A-F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria:

**A. Special conditions peculiar to the property have caused the unwarranted hardship;**

In relation to other properties in the area, special conditions peculiar to the property would cause an unwarranted hardship if the applicant were required to retain the four

specimen trees identified as Specimen Trees ST-37, ST-38, ST-39, and ST-44. The property is partially wooded with open areas fronting Old Branch Avenue, and there are no existing structures. To develop the site, woodland clearing and grading are required. The 10 on-site specimen trees are scattered throughout the site. While the applicant proposes to remove four specimen trees, six specimen trees will remain. Those six specimen trees are located within the approved woodland preservation area in the southwest section of the property. The four specimen trees requested for removal are in the central and southeastern portion of the property on which grading for stormwater management and construction of the approved building and site access will occur.

The site slopes to the north and on-site grading is required to provide adequate slope to direct the stormwater. The four specimen trees approved for removal are located in the area of the site where this grading must occur. Specifically, the approved grading will impact the trees' critical root zones such that they cannot be saved and would be a hazard if they were allowed to remain.

In addition, three of the four specimen trees to be removed are located in the area of the site where the access drive will be constructed. The site is bounded to the north by Old Branch Avenue, included as part of the master-planned arterial, which limits direct access pursuant to Section 27-6206(d) of the Zoning Ordinance. Accordingly, the applicant proposes to access the property via Beech Road. All three trees will have their critical root zones impacted by grading to an extent that they would die if left in place.

The fourth specimen tree to be removed is located along Old Branch Ave within the building area, well within its critical root zone. This tree cannot be saved because it would be a hazard if left to remain.

In sum, the approved consolidated storage use is a significant and reasonable use for the subject site, and it cannot be accomplished elsewhere on the site, without additional variances. The specimen trees approved for removal need to be removed because if left they would be a hazard due to impacts to their critical root zones attributable to grading for stormwater management and the location of the building and site access. Therefore, requiring the applicant to retain these four specimen trees on the site would limit the area of the site available for development and would cause the applicant an unwarranted hardship.

**B. Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.**

Enforcement of the requirement that all specimen trees be preserved, along with an appropriate percentage of their critical root zone (CRZ), would deprive the applicant of rights commonly enjoyed by others in similar areas. All variance applications for the removal of specimen trees are evaluated in accordance with the requirements of Subtitle 25 and the Environmental Technical Manual for site-specific conditions. Specimen trees grow to such a large size because they were left undisturbed on a site for sufficient time to grow; however, the species, size, construction tolerance, and location



on a site are unique for each site. The four trees are requested for removal to provide an acceptable area for a commercial design, site access, and on-site grading required to provide adequate slope to drain the stormwater. Based on the location and species of the specimen trees approved for removal, retaining the trees and avoiding disturbance to the CRZ would have a considerable impact on the development potential of the property. If similar trees were encountered on other sites, they would be evaluated under the same criteria.

**C. Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.**

Not granting the variance would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. If other similar commercial developments contained specimen trees in locations required for access and grading for stormwater management, it would be given the same considerations during the review of the required variance application.

**D. The request is not based on conditions or circumstances which are the result of actions by the applicant.**

The applicant has taken no actions leading to the conditions or circumstances that are the subject of the variance request. The request to remove the four trees is solely based on the trees' locations on the site and their condition. These trees are requested for removal to achieve optimal conditions for commercial development, to provide site access, and to provide adequate slope to drain the stormwater.

**E. The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and**

There are no existing conditions, existing land, or building uses on the site, or on neighboring properties that have any impact on the location or size of the four specimen trees. The trees identified as Specimen Trees ST-37, ST-38, ST-39, and ST 44 have grown to specimen tree size based on natural conditions and have not been impacted by any neighboring land or building uses.

**F. Granting of the variance will not adversely affect water quality.**

The removal of four specimen trees will not adversely affect water quality. Requirements regarding stormwater management (SWM) will be reviewed and approved by DPIE. Erosion and sediment control requirements are reviewed and approved by the Soil Conservation District (SCD). Both SWM and sediment and erosion control requirements are to be met, in conformance with state and local laws, to ensure that the quality of water leaving the site meets the state's standards. State standards are set to ensure that no degradation occurs.

The required findings of Section 25-119(d) have been adequately addressed for the removal of four specimen trees ST-37, ST-38, ST-39, and ST-44. The Planning Board finds that the required findings of Section 25-119(d) were adequately addressed for the removal of the four specimen trees and approves the variance request. No additional specimen trees are approved for removal with DET-2023-002.

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

The Prince George's County Tree Canopy Coverage Ordinance, Subtitle 25 Division 3, requires the preservation, maintenance, enhancement, and restoration of tree canopy coverage (TCC) on developed and developing sites for the benefit of County residents and future generations. Properties that are zoned CGO are required to provide a minimum of 10 percent of the gross tract area in TCC. As provided on the DET, the TCC schedule indicates that 0.95 acre (or 33 percent of the site area) is being provided in on-site woodland conservation. However, this does not match the acreage shown on the TCP2, which is 0.80 acre. Therefore, a condition is included herein requiring the applicant to revise the TCC schedule to reflect the correct acreage of on-site woodland conservation. Once this is done, the DET will still meet the 10 percent requirement.

**VI. REFERRAL COMMENTS**

The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference, and major findings are summarized, as follows:

- A. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated February 13, 2024 (Ramirez-Blust to Garland). The Community Planning Division indicated that the approved DET application is consistent with Plan 2035 policies and in conformance with the sector plan.
- B. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated January 29, 2024 (Diaz-Campbell to Garland). The Subdivision Section provided a review of conditions attached to prior approvals and noted a new final plat application will not be required following approval of the DET.
- C. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated January 24, 2024 (Ryan to Garland). The Transportation Planning staff stated that the application is acceptable and supports three waivers.
- D. **Prince George's County Department of Parks and Recreation**—DPR did not offer comments on the subject application.
- E. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated February 1, 2024 (Schneider to Garland). The Environmental Planning Section included a discussion of relevant conditions of approval, which have been incorporated into the findings and demonstrated conformance with the sector plan.

and applicable sections of the Zoning Ordinance. The Board recommends approval of the DET and TCP2, subject to conditions that have been included herein.

- F. **Prince George’s County Health Department**—The Health Department did not offer comments on the subject application.
- G. **Prince George’s County Fire/EMS Department**—The Fire/EMS Department did not offer comments on the subject application.
- H. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated January 9, 2024 (Smith, Chisholm and Stabler to Garland). The Historic Preservation Section indicated that the subject property does not contain, and is not adjacent to, any designated Prince George’s County historic sites or resources.
- I. **Permit Review**—The Planning Board has reviewed and adopts the memorandum dated January 22, 2024 (Jacobs to Garland). The Permit Section provided no comments.
- J. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated January 26, 2024 (Giles to Garland). DPIE offered numerous comments that were provided to the applicant and will be addressed in their separate permitting process. In addition, they stated that DET-2023-002 meets the intent of the Site Development Concept Plan Number 15849 2023-0, which has been approved by DPIE, with an expiration date of October 20, 2026.
- K. **Washington Suburban Sanitary Commission**—WSSC did not offer comments on the subject application.
- L. **Community Feedback**—The Prince George’s County Planning Department has not received any written correspondence from the community regarding the subject application.

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 2 Tree Conservation Plan TCP2-051-2023, APPROVED a variance from Section 25-122(b)(1)(G) of the Woodland and Wildlife Habitat Conservation Ordinance, and further APPROVED Detailed Site Plan DET-2023-002 for the above-described land, subject to the following conditions:

- 1. Prior to certification of the detailed site plan (DET), the applicant, and the applicant’s heirs, successors, and/or assignees shall:
  - a. Revise General Note 1 to state that the existing property is Lot 2 instead of Lot 21.
  - b. Add Type 2 tree conservation plan, TCP2-051-2023, to the Environmental Planning Section approval block.

- c. Revise the Tree Canopy Coverage schedule to reflect the correct acreage of on-site woodland conservation (from 0.95 to 0.80).
2. Prior to the certification of the Type 2 tree conservation plan for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Prince George's County Planning Department, Environmental Planning Section, for review by the Office of Law, and submission to the Prince George's County Land Records office for recordation. The following note shall be added to the standard Type 2 tree conservation plan notes on the plan, as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber \_\_\_\_\_ Folio \_\_\_\_\_. Revisions to this TCP2 may require a revision to the recorded easement.”

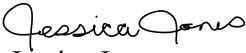
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

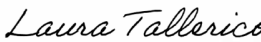
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, January 29, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of March 2024.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:HG:rpg



Approved for Legal Sufficiency  
M-NCPPC Office of General  
Counsel