



April 23, 2024



Sagres Land Development LLC
3680 Wheeler Avenue, Suite 300
Alexandria, VA 22304

Re: Notification of Planning Board Action on
Detailed Site Plan DSP-22040
Walker Mill Business Park, Lots 6 & 7

Dear Applicant:

This is to advise you that, on **April 18, 2024**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-3605 of the Prince George's County Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice (**April 23, 2024**) of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-3301(c) of the Zoning Ordinance), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Clerk of the County Council, at 301-952-3600.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: Joshua Mitchum
Reviewer

Attachment: PGCPB Resolution No. **2024-020**

cc: Donna J. Brown, Clerk of the County Council
Persons of Record

PGCPB No. 2024-020

File No. DSP-22040

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, on January 23, 2024 the applicant, Sagres Land Development LLC, submitted an application for approval of a Detailed Site Plan for retention of the existing temporary structures on-site and construction of a new 4,900-square-foot contractor office building with both indoor and outdoor storage capabilities, as well as repair and maintenance of equipment at the subject property located on the west side of Walker Mill Road, approximately 650 feet north of its intersection with Rochelle Avenue; and

WHEREAS, the subject property is within the Industrial Employment (IE) Zone, but was located in the prior I-1 Zone, prior to April 1, 2022; and

WHEREAS, pursuant to Section 27-1900 of the Zoning Ordinance *et seq.* and Prince George's County Council Resolution CR-022-2024, until April 1, 2026, an applicant may submit a Detailed Site Plan for property in the IE Zone under the requirements of the Zoning Ordinance in effect prior to April 1, 2022 (prior Zoning Ordinance); and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the prior Zoning Ordinance and the subject property's prior I-1 zoning; and

WHEREAS, the application for approval of the Detailed Site Plan was presented to the Prince George's County Planning Board by the staff of the Commission on March 28, 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 March 28, 2024, regarding Detailed Site Plan DSP-22040 for Walker Mill Business Park, Lots 6 & 7, the Planning Board finds:

1. **Request:** This detailed site plan (DSP) approves retention of the existing temporary structures on-site and construction of a new 4,900-square-foot contractor office building, with both indoor and outdoor storage capabilities, as well as repair and maintenance of equipment.

2. **Development Data Summary:**

	EXISTING	EVALUATED
Zone(s)	IE (Prior: I-1)	I-1
Use(s)	Miscellaneous Industrial, related uses with indoor and outdoor storage of materials or equipment	Miscellaneous Industrial, related uses: Contractor's office (general) with indoor and outdoor storage of materials or equipment.
Acreage	3.68	3.68
Lots	2	2
Gross Floor Area (Total square footage)	5,310 sq. ft.	9,400 sq. ft. [4,500 sq. ft. (Existing to remain) + Proposed contractor office building: 4,900 sq. ft.]
• Shed 1	330 sq. ft.	0 sq. ft. (Existing to be removed)
• Shed 2	230 sq. ft.	0 sq. ft. (Existing to be removed)
• Shed 3	75 sq. ft.	0 sq. ft. (Existing to be removed)
• Shed 4	175 sq. ft.	0 sq. ft. (Existing to be removed)
• Shed 5	75 sq. ft.	75 sq. ft. (Existing to remain)
• Shed 6	1,485 sq. ft.	1,485 sq. ft. (Existing to remain)
• Shed 7	925 sq. ft.	925 sq. ft. (Existing to remain)
• Shed 8	650 sq. ft.	650 sq. ft. (Existing to remain)
• Shed 9	95 sq. ft.	95 sq. ft. (Existing to remain)
• Trailer 1	1,270 sq. ft.	1,270 sq. ft. (Existing to remain)

Other Development Data

Parking requirements per Section 27-568(a)(6) of the prior Zoning Ordinance.

	REQUIRED	EVALUATED
Parking: Office building or office building complex, 4,900 sq. ft.	1.0 spaces per 250 sq. ft. of the first 2,000 sq. ft. of GFA + 1.0 spaces per 400 sq. ft. of GFA above 2,000 sq. ft.	1.0 spaces per 250 sq. ft. of the first 2,000 sq. ft. of GFA + 1.0 spaces per 400 sq. ft. of GFA above 2,000 sq. ft.
Total Parking Spaces	8 spaces + 8 spaces = 16	25
Standard (19 x 9.5 feet)	16	19
Compact (16.5 x 8 feet)	Up to under 1/3 of total spaces, if any: 6 max.	4
ADA-Compliant	Up to 25 total required parking spaces: 1 min.	2
Loading: Office building or office building complex (45 x 12 feet)	5.0 spaces per 10,000 – 100,000 sq. ft.: 0	1

	REQUIRED	EVALUATED
Bicycle Spaces	-	4
Inverted U-shaped bicycle racks	-	2 (each rack accommodates 2 bikes)

3. **Location:** The subject site is located on the west side of Walker Mill Road, approximately 650 feet north of its intersection with Rochelle Avenue. Specifically, the address is 6541 and 6562 Prosperity Court, Capitol Heights, Maryland 20743, in Planning Area 75B and Council District 07.
4. **Surrounding Uses:** The subject property is bounded to the north by light industrial uses in the Industrial, Employment (IE) Zone (prior I-1); to the south by light industrial uses in the IE Zone (prior I-1) and Commercial, General and Office (CGO) Zone (prior Commercial Shopping Center, (C-S-C) Zone); to the east by commercial uses in the CGO Zone (prior C-S-C) Zone; and to the west by light industrial uses in the IE Zone (prior I-1).
5. **Previous Approvals:** The subject property consists of Lots 6 and 7, as shown on Tax Map 73 in Grid D4, recorded in Plat Book 141 (Plat 11).

On January 7, 1988, the Prince George’s County Planning Board approved Preliminary Plan of Subdivision (PPS) 4-87194 (PGCPB No. 88-6) on a larger 74.4-acre land area for Walker Mill Business Park.

On October 5, 2000, the Prince George’s County Planning Board approved DSP-00025 (PGCPB Resolution No. 00-187) for the development of a contractor’s storage yard on Lot 6 of the subject site.

On October 26, 2000, the Planning Board approved DSP-99018 (PGCPB Resolution No. 00-188) for construction of a 3,672-square-foot trucking facility on Lot 7 of the subject site.

6. **Design Features:** The subject property consists of several temporary construction structures such as trailers, sheds, and concrete pads. These structures are currently being used for a combination of uses (office and storage). There is also an existing access loop road with a gravel surface, which provides access to the existing parking stalls and storage points.

Architecture

The approved contractor office building is a two-story, pitched roof, 70-foot by 70-foot prefabricated structure, which contains a repair garage, storage facilities, lockers, three offices, a break room, and two bathrooms. The building is comprised of red painted metal material on all façades with off-white colored trim. The doors and garage doors will be white in color.

The approved building is 34 feet in height on all façades, except the southern façade, which has a height of 25 feet. The footprint of the proposed building is square, with a slight variation in mass. The primary entrance of the building will be along Walker Mill Road, and the building will also have three pedestrian entrances along the northern and southern façades.

Signage

There is no signage proposed with the application.

Lighting

A landscape plan has been provided that depicts six existing light poles that will remain. Two light poles are in the northern part of the site, covering the proposed parking areas. The four remaining light poles are located on the southern part of the site. The application does not propose any new lighting fixtures for the site. A photometric plan has been conditioned herein to demonstrate adequate illumination.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prior Prince George’s County Zoning Ordinance:** The approved DSP has been reviewed for compliance with the requirements of the I-1 Zone and the site design guidelines of the prior Prince George’s County Zoning Ordinance.

The approved DSP is in conformance with the requirements of Section 27-274, Section 27-465, Section 27-466.01, Section 27-469, and Section 27-473 of the prior Zoning Ordinance. The conditions relevant to the review of the subject application are listed below in **bold** text. The Planning Board’s analysis of conformance to the conditions follows below, in plain text.

Section 27-274 - Design guidelines.

Pursuant to Section 27-283(a), “The Detailed Site Plan shall be designed in accordance with the same guidelines as required for a Conceptual Site Plan (Section 27-274).” The subject DSP complies with Section 27-274 as follows:

(2) Parking, loading, and circulation.

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site...**

The approved development includes surface parking in the rear and side yards of the property. The surface parking is oriented in a way that allows employees and visitors convenient access to the proposed office building. The circulation pattern encourages free-flow traffic that disincentivizes high speeds through the site. A crosswalk is provided that allows pedestrians safe access to the proposed office building from the proposed curb and gutter beginning at Prosperity Court.

- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers...**

A crosswalk is provided that allows pedestrians safe access to the proposed office building from the proposed curb and gutter, beginning at Prosperity Court. Furthermore, the circulation pattern encourages free-flow traffic that disincentivizes high speeds through the site.

(3) Lighting.

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character.**

While no nighttime activities are proposed, the approved DSP will use the existing six light poles to properly illuminate the site. This is discussed further in Finding 6.

(4) Views.

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

The approved DSP ensures that the view of the site is harmonious with its surroundings and not disruptive towards other scenic views. The proposed office building will be centrally located on the subject site and will not cast any unnatural shadows on neighboring properties.

(5) Green area.

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use...**

The approved DSP proposes to preserve the existing green space to the northeast along the boundary line of Lot 7, extending onto Lot 6. The DSP is designed in a way that minimizes the removal of green space while still achieving the intended use of the proposed office building.

(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts...**

The approved DSP proposes a minor grading of the site, which is reflected in the submitted stormwater management and grading plan. There is no proposed extensive grading of hilltops or slopes.

(10) Architecture.

- (A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.**
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**

As stated in Finding 6, the approved contractor office building is a two-story, pitched roof, 70-foot by 70-foot prefabricated structure. The building is comprised of red painted metal material on all façades with off-white colored trim. The doors and garage doors will be white in color.

The above materials are consistent with neighboring buildings, which also serve light industrial uses.

Section 27-465 – Fences and walls.

- (a) Unless otherwise provided, fences and walls (including retaining walls) more than six (6) feet high shall not be located in any required yard, and shall meet the setback requirements for main buildings. (See Figure 42.)**
- (b) Walls and fences more than four (4) feet high (above the finished grade, measured from the top of the fence to grade on the side of the fence where the grade is the lowest) shall be considered structures requiring building permits.**
- (c) Except for land used for installation and operation of high-voltage equipment at substations for electrical generation, transmission, and distribution in connection with providing public utility service in the County by a regulated public utility, barbed wire shall be prohibited in the U-L-I Zone where visible from any street with a right-of-way width of at least eighty (80) feet, or land in a residential zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, any approved Conceptual or Detailed Site Plan, or M-U-TC Zone Development Plan).**

- (d) **Except for fences less than four (4) feet in height, fences not requiring a permit, and fences on land assessed as agricultural uses, all structural support (vertical posts and horizontal rails) shall face the interior or the subject lot. (See Figure 42.1)**

- (e) **Electric security fences more than six (6) feet high, but no more than ten (10) feet high, may be located in any required yard and shall not be required to meet the setback requirements for main buildings set forth in (a) above, if the electric security fence is located on the interior side of a non-electrical fence that is at least six (6) feet high. Any fence erected on a corner lot shall satisfy the provisions of Section 27-466. A voltage and shock hazard sign shall be attached to the electric security fence at intervals along the fence not exceeding thirty (30) feet. Any electric security fence exceeding twelve (12) volts shall require a variance from the Chief Electrical inspector or designee pursuant to Subtitle 9. Notwithstanding the above, an electrical security fence more than six (6) feet high, but not more than ten (10) feet high shall meet the setback requirement along any lot line shared with a property that is residentially or commercially zoned unless a variance is approved by the Board of Appeals.**

There is an existing wooden fence that surrounds the property. A condition has been added herein that requests that the height, material, and width of the fence's gate be added to the site plan, prior to certification. The subject application proposes a 4-foot-tall retaining wall in the southern part of the site. Therefore, this wall is in compliance, since no more than 6-foot-high wall/fence is allowed. The retaining wall is primarily in Lot 7, but also encroaches into Lot 6 as well.

Section 27-466.01 – Frontage.

Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

The subject site has frontage along Prosperity Court (a cul-de-sac). The frontage has direct vehicular access to a private street. Therefore, this DSP complies with the above section.

Section 27-469. - I-1 Zone (Light Industrial).

The subject application complies with the applicable requirements of Section 27-469 (I-1 Zone) of the prior Zoning Ordinance, which governs development in industrial zones. Requirements relevant to the subject application are analyzed below.

- (b) **Landscaping, screening, and buffering of development in the I-1 Zone shall be provided in accordance with the provisions of the Landscape Manual. In addition, the following applies:**

- (1) **At least ten percent (10%) of the net lot area shall be maintained as green area.**
- (2) **Any landscape strip adjacent to a public right-of-way required pursuant to the provisions of the Landscape Manual shall not be considered part of the required green area.**
- (3) **A vehicle towing station permitted in the I-1 Zone shall be screened by a wall or fence at least six (6) feet high, or by an evergreen screen, unless the adjoining property is used for a vehicle towing station or a vehicle salvage yard.**

Development in the I-1 Zone must have a minimum of 10 percent of the net lot area maintained as green space. The subject application provides for approximately 16,200 square feet of green space, exceeding the minimum requirement of 16,044 square feet.

(c) Outdoor Storage.

- (1) **Outdoor storage shall not be visible from a street.**

Outside storage on the subject site is not visible from a street, due to the existing opaque fencing around the property.

(d) Uses.

- (1) **The uses allowed in the I-1 Zone are as provided for in the Table of Uses (Division 3 of this Part).**

The proposed contractor's office building is a permitted use by right in the I-1 Zone.

Section 27-473 – Uses permitted.

- (a) **No use shall be allowed in the Industrial Zone, except as provided for in the Table of Uses or in Subsection (c) of this Section.**

The proposed use, a contractor's office, construction yard, shed, or storage building, is a permitted use by right in the I-1 Zone as indicated by the Table of Uses in this section.

Section 27-474. Regulations

(a) Regulations tables

- (1) **The following tables contain additional regulations for development in the Industrial Zones.**

(b) **TABLE 1 – SETBACKS (Minimum in Feet)**

USE	I-1 ZONE	EVALUATED (Proposed contractor office building)
From Street	25	80
Side Yard	31 1/3 feet	315 feet (total) consisting of 120 (Left side yard) and 195 (Right side yard)
Rear Yard	1-1/3 feet	70

Existing Sheds and Trailer

The application is approved to remove Sheds 1–4 and retain Sheds 5–9 and Trailer 1. Therefore, a condition has been included herein indicating that the remaining structures shall either be moved or removed, if applicable, in order to be in conformance with Section 27-474(a)(b) prior to certification.

8. **Detailed Site Plan DSP-00025:** DSP-00025 was approved by the Planning Board on October 5, 2000, subject to one condition with three sub-conditions. The condition relevant to the review of the subject application is listed below in **bold** text. Staff’s analysis of conformance to the condition follows below, in plain text:

- (1) **Prior to certificate approval, the following revisions shall be made to the Detailed Site Plan, or the specified information shall be supplied:**

- (a) **Provide a continuous six-foot-high, sight-tight wood fence with a sliding gate (solid wood fence in accordance with details shown on Attachment “A”) along property lines which have frontage on any public dedicated right-of-way within the subdivision. Metal security fencing, including chain-link, may be located behind and adjacent to the required wood fence if it is not visible from the street.**

The site has maintained a continuous 6-foot-high, sight-tight wood fence with a sliding gate along the property lines that share a frontage with public dedicated rights-of-way. The application has not proposed any modifications to the existing fence.

9. **Detailed Site Plan DSP-99018:** DSP-99018 was approved by the Planning Board on October 26, 2000 (PGCPB Resolution No. 00-188), subject to one condition with eight sub-conditions. The conditions relevant to the review of the subject application are listed below in **bold** text. Staff’s analysis of conformance to the conditions follows below, in plain text.

1. **Prior to certificate approval, the following modifications or revisions shall be made to the Detailed Site Plan, or the following information shall be provided:**

- f. **Provide a continuous six-foot-high, sight-tight wood fence with a sliding gate (solid wood fence in accordance with details shown on Attachment "A") along property lines which have frontage on any public dedicated right-of-way within the subdivision. Metal security fencing, including chain-link, may be located behind and adjacent to the required wood fence if it is not visible from the street.**

The site has maintained a continuous 6-foot-high, sight-tight wood fence with a sliding gate along the property lines that share a frontage with public dedicated rights-of-way. The application has not proposed any modifications to the existing fence.

10. **Preliminary Plan of Subdivision 4-87194:** PPS 4-87194 was approved by the Planning Board on January 7, 1988 (PGCPB Resolution No. 88-6), subject to 10 conditions. The conditions relevant to the review of the subject application are listed below in **bold** text. Staff's analysis of conformance to the conditions follows below, in plain text.

3. **Detailed site plans for individual lots shall be approved by the Planning Board prior to building permits. These site plan reviews shall address, but not be limited to, the items listed in the Area Planning Division's (N/SE) memorandum dated September 16, 1987.**

This condition also appears as Plat Note 1 in Plat Book NLP 141, plat 11, which was recorded on September 16, 1988, and includes Lots 6 and 7. This DSP application is being requested for Lots 6 and 7, in conformance with this condition.

Further analysis of the Area Planning Division's memorandum can be found below in Finding 11.

5. **Provision of a third exclusive lane on the eastbound leg of Maryland Route 458 (Silver Hill Road) at its intersection with Maryland Route 4 in accordance with State standards and shall provide for signal modification if deemed necessary.**
6. **Provision of a 300-foot dual left-turn lane on the northbound leg of Maryland Route 4 at its intersection with Maryland Route 458 (Silver Hill Road) in accordance with State standards prior to building permit to include minor modifications of existing traffic signals if deemed necessary.**
7. **Provision of an exclusive right-turn lane in accordance with the Department of Public Works and Transportation standards on Walker Mill Road at access roads to the site, County Road and Rochelle Avenue, prior to building permit.**
8. **Provision of an exclusive right-turn lane and a shared through and left-turning lane on the north leg of County Road and Rochelle Avenue at their approach to Walker Mill Road prior to building permit.**

9. Provision of a new traffic signal at the intersection of Walker Mill Road with County Road, when deemed necessary by the Department of Public Works and Transportation prior to the issuance of any building permits.

The above conditions (5 through 9) are related to transportation facilities and also appear as Plat Note 2(a) through (e), which are required to be provided prior to building permits, as noted in Plat Book NLP 141, plat 11. The Transportation Planning Section has noted that the above improvements have been made, with the exception of Condition 9. The intersection of Walker Mill Road and County Road is still unsignalized, but the Transportation Planning Section notes that the Prince George's County Department of Public Works and Transportation (DPW&T) must deem whether a signal is warranted at this time. Therefore, a Condition 1(i) had been included in the published technical staff report, prior to the Planning Board hearing held on March 28, 2024. The condition is replicated below:

i. Demonstrate satisfaction of Conditions 5–9 from Preliminary Plan of Subdivision 487194 and obtain approval from the Prince George's County Planning Department's transportation staff.

The applicant petitioned for the removal of Condition 1(i) in a memorandum titled "Applicant Exhibit 4," which was submitted prior to the noon deadline on March 26, 2024 and presented at the March 28, 2024 hearing.

Applicant Exhibit 4 requested that the above condition be removed entirely because the Planning Board had already deemed Conditions 5 through 9 of the PPS to be satisfied, as evidenced by DSPs for nearby properties which were subject to the same conditions (DSP-00004-01, DSP-13020 and DSP-14005).

The Board is in agreement with Applicant Exhibit 4, as it acknowledges that it would not be possible for the applicant to make the traffic-related enhancements to the site that the Board has already deemed completed. Therefore, Condition 1(i) shall not apply to the subject application.

11. Area Planning Division Memorandum: In a memorandum dated September 16, 1987 (Lord to Land Development Division), a series of legal requirements for site development were noted for PPS 4-87194. The conditions relevant to the review of the subject application are listed below in **bold** text. Staff's analysis of conformance to the conditions follows below, in plain text.

(a) All projects within this property shall be subject to site plan review by the Prince George's County Planning Board. The site plan shall contain a landscaping plan.

The proposed contractor office building is subject to review by the Planning Board, and the project's DSP has included a landscaping plan, thereby satisfying this requirement.

(b) The Planning Board shall review the development to assure its compliance with the following design guidelines:

- (1) **An effective visual buffer created by substantial berms and landscaping shall be provided along Walker Mill Road, Rollins Avenue, and Addison Road and along abutting areas which are planned or developed for residential purposes in order to maintain the residential character of surrounding properties.**
- (2) **The internal organization of the site shall address the following:**
 - (A) **Minimizing the views of parking, loading, storage, and service areas.**
 - (B) **Providing architectural elevations consistent in materials and treatment on all sides, and with all mechanical equipment closed or screened. Screening and enclosures shall be treated as integral elements of building design.**

The proposed prefabricated office building will adequately screen mechanical equipment used in the operation of the proposed repair garage. The proposed metal material for the building is consistent on all façades.

The application has demonstrated adequate buffering and screening through the prior approval DSP-99108. The subject application has satisfied screening requirements by maintaining the wooden fence surrounding the property.

- (C) **Signs shall not be placed above the roof or parapet line. No moving or flashing signs, or signs projecting significantly from a building, shall be permitted. Low ground-mounted and landscaped signs in keeping with the scale of the buildings and site shall be encouraged in lieu of building-mounted signs.**

The subject application does not propose any signage.

12. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of the 2010 *Prince George's County Landscape Manual* for Section 4.2, Landscape Strip Along Streets, and Section 4.9, Sustainable Landscaping Requirements. The required schedules have been provided, demonstrating conformance to the requirements.
13. **2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has an approved Natural Resources Inventory Equivalency Letter (NRI-217-2026-01), which is valid until March 4, 2026, as well as an approved standard letter of exemption from the Woodland Conservation Ordinance (S-073-2023), which is valid until April 28, 2025.
14. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3 of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit for more than 5,000 square feet of disturbance. The requirement for the I-1 Zone is 10 percent, which is 0.24 acre or 10,411 square feet for this

property. A TCC schedule has been included with the landscape plan, which shows that 10,588 square feet of TCC will be provided – exceeding the minimum requirement.

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

- a. **Historic Preservation**—In a memorandum dated February 14, 2024 (Smith, Chisholm, and Stabler to Mitchum), the Historic Preservation Section noted that a search of current and historical photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject site is low. A Phase I archeology survey is not recommended. Lastly, the subject site does not contain, and is not adjacent to, any Prince George’s County historic sites or resources.
- b. **Community Planning**—In a memorandum dated February 22, 2024 (Skibinski to Mitchum), the Community Planning Section noted that no major issues were identified with the application. The proposed use of a contractor office building is not consistent with the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* recommended land use (mixed-use residential); however, master plan conformance is not required for the subject site pursuant to Part 3, Division 9, Subdivision 3 of the prior Zoning Ordinance.
- c. **Transportation Planning**—In a memorandum dated February 23, 2024 (Smith to Mitchum), the Transportation Planning Section offered the following comments:

Master Plan Right of Way

The site is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment*. The subject property has frontage along Prosperity Court, a cul-de-sac, with no master plan right-of-way designation. There is no additional right-of-way required.

Although no new road frontages are proposed, the site has an existing sidewalk along its frontage of Prosperity Court. The site plan also includes a 5-foot-wide sidewalk and marked crosswalks on-site to facilitate a direct connection from Prosperity Court to the building entrance. The site plan also includes two inverted U-style bicycle racks near the building entrance, to accommodate multi-modal use to the subject property. Staff find that the proposed facilities and amenities meet the intent of the master plan.

- d. **Subdivision Review**—In a memorandum dated February 26, 2024 (Bartlett to Mitchum), the Subdivision Review Section offered a comment related to the general notes, which is conditioned is herein.
- e. **Environmental Planning**—In a memorandum dated February 16, 2024 (Kirchhof to Mitchum), the Environmental Planning Section offered the following comments:

“No regulated environmental features are located on site, and the site was previously improved and graded.”

Stormwater Management

A Stormwater Management (SWM) Concept Approval Plan (35163-2021-00) and associated letter (21640-2020-00) were submitted for this site. The approval letter was issued by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) on March 26, 2021, and is valid until March 26, 2024. The approved plan indicates that stormwater requirements will be processed by micro-bioretenion.

The Environmental Planning Section recommends approval of DSP-22040.

- f. **Permit Review**—In a memorandum dated February 26, 2024 (Jacobs to Mitchum), the Permit Review Section offered the following comments, and conditions are included herein:
 - “2. There is an existing fence shown on the site plan sheets. Fence and gates should be labeled with details of height, materials, and width (gate) on the site plan if they are remaining.
 - “3. Street connection width needs to be clear and added to the site plan.”
- g. **Maryland State Highway Administration (SHA)**—The Maryland State Highway Administration did not offer comments on this application.
- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated January 26, 2024 (Branch to Mitchum), DPIE offered comments pertaining to sewer and water services for the subject property. No further comments or objections were noted.
- i. **Prince George’s County Health Department**—The Health Department did not offer comments on this application.
- j. **Prince George’s County Department of Parks and Recreation (DPR)**—In an email dated February 2, 2024 (Holley to Mitchum), DPR stated that it has no comments to offer for this application as it is not adjacent to any Maryland-National Capital Park and Planning Commission-owned property and is not a residential use.
- k. **Prince George’s County Police Department**—The Police Department did not offer comments on this application.
- l. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comments on this application.
- m. **Prince George’s County Fire/EMS Department**—The Fire/EMS Department did not offer comments on this application.

- n. **Community Feedback**—Staff did not receive community feedback or input regarding this application.
- 16. As required by Section 27-285(b)(1), the DSP represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George’s County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
- 17. Section 27-285(b)(2) of the prior Zoning Ordinance does not apply to this DSP because the subject property is not subject to a conceptual site plan.
- 18. Section 27-285(b)(3) of the prior Zoning Ordinance does not apply to this DSP because it is not a DSP for infrastructure.
- 19. As required by Section 27-285(b)(4) of the prior Zoning Ordinance, for approval of a DSP, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Prince George’s County Subdivision Regulations.

No regulated environmental features are located on the subject site, and the site was previously graded and improved.

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 Detailed Site Plan DSP-22040 for the above-described land, subject to the following condition:

- 1. Prior to certification, the applicant shall revise the detailed site plan (DSP), as follows, or provide the specified documentation:
 - a. Include a general note listing Preliminary Plan of Subdivision 4-87194, DSP-00025, and DSP-99018 as prior approvals, applicable to the subject property.
 - b. Include approval sheets with both resolutions of Preliminary Plan of Subdivision 4-87194, DSP-00025, and DSP-99018 as a prior approval applicable to the subject property, and a blank approval sheet for the subject application.
 - c. Include an approval sheet with a completed Certificate of Landscape Maintenance for the landscaping plants on Lot 7.
 - d. Label fences and gates with details of height, materials, and width (for the gate) if they are to remain.
 - e. Label curb cut width dimension for street connection.

- f. Include a photometric plan which demonstrates that the property will be adequately illuminated.
- g. Label existing structures with numbers, and indicate which structures are to remain or be removed including square footage information.
- h. Include setbacks of the existing structures to remain, to ensure conformance to the setback regulations found in Section 27-474(b) of the prior Prince George's County Zoning Ordinance.


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 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, March 28, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of April 2024.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:JM:rpg



Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel