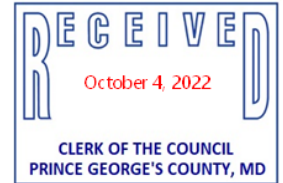


October 4, 2022



Wave Civil, LLC
5250 Cherokee Ave, Suite 290
Alexandria, VA 22312

Re: Notification of Planning Board Action on
Detailed Site Plan DSP-21014
4100 Laurel Road Property

Dear Applicant:

This is to advise you that, on **September 29, 2022**, 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 **October 4, 2022**, 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: 
Reviewer

Attachment: PGCPB Resolution No. **2022-94**

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

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

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

WHEREAS, the subject property is within the Industrial, Employment Zone (IE) Zone; and

WHEREAS, pursuant to Section 27-1903 (c) of the Zoning Ordinance, certain development applications may utilize the 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 Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on September 8, 2022, regarding Detailed Site Plan DSP-21014 for 4100 Laurel Road Property the Planning Board finds:

1. **Request:** This detailed site plan (DSP) requests the development of an industrial storage yard, with no buildings.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	IE (Prior I-1)	IE (Prior I-1)
Use(s)	Vacant	Industrial Storage Yard
Total Gross Acreage	0.896	0.896
Gross Floor Area (GFA)	246 sq. ft.	0 sq. ft.

3. **Location:** The subject site is located on the north end of Laurel Road, approximately 340 feet north of its intersection with Beech Road, in Planning Area 76A and Council District 07. The site is zoned Industrial, Employment (IE), previously zoned Light Industrial (I-1), and within the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*.

4. **Surrounding Uses:** The site is bounded to the north by Residential, Rural (RR)-zoned property, developed with single-family detached homes; to the south is IE-zoned property developed as a parking lot; to the east, by land in the IE Zone, being developed as a consolidated storage use; and to the west by additional RR-zoned property developed with one single-family detached home.

5. **Previous Approvals:** The subject property is known as Lot 39, Block 2 of Hidden Village recorded in Plat Book NLP 139 page 65 in June 1988. The property is located at 4100 Laurel Road on Map 88 Grid C4. The property has a Preliminary Plan of Subdivision (PPS) 4-87224, which was approved by the Prince George's County Planning Board in February 1988 (PGCPB Resolution No. 88-62). The PPS approved two lots including Lot 39 and one outlot for industrial development. This site was the subject of DSP-15043 for construction of a 246-square-foot office building and a 720-square-foot garage for maintenance, which was approved by the Planning Board on September 8, 2016, but never implemented. The development has an approved Stormwater Management (SWM) Concept Plan, 40687-2021-0.
6. **Design Features:** The proposed application is for construction of an industrial storage yard that will be accessed from Laurel Road via a 30-foot-wide entrance. The DSP proposes a 30-foot by 60-foot concrete pad in the southeast corner of the site to store gravel and sand, with a 15-foot-wide gravel access drive. There will be two 9-foot by 9-foot concrete pads to support two 8.5-foot diameter, 38-foot-high, portable silos, for the storage of cement, north of the larger concrete pad. The site will also contain a 10-foot by 10-foot clean out pit, a micro-bioretenion facility, will be enclosed by an existing 6-foot-high, chain-link fence, and will be unmanned. Therefore, no parking, signage, or lighting is required or being proposed as part of this DSP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prior Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the I-1 Zone and the site design guidelines of the prior Zoning Ordinance:
 - a. The subject application is in conformance with the requirements of Section 27-473 of the Zoning Ordinance, as an industrial storage yard is a permitted use in the I-1 Zone.
 - b. The DSP conforms with Section 27-469, Regulations for Industrial Use Zones, of the Zoning Ordinance, as it provides more than 10 percent green area, exclusive of the landscape strip along the right-of-way, and the outdoor storage will not be visible from the street through the provision of a fence and landscaping. Conditions have been included herein relative to technical revisions needed for these issues.
 - c. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance. The site has adequate truck circulation and complies with the green area requirement.
8. **Preliminary Plan of Subdivision 4-87224:** On February 25, 1988, the Planning Board approved PPS 4-87224, with four conditions (PGCPB Resolution No. 88-62). The relevant conditions and findings are discussed, as follows:

Condition 4. A limited site plan shall be approved by the Planning Board prior to the building permit. The site plan shall ensure that there is adequate buffering between the development and the adjacent residential uses.

The Planning Board reviewed the proposed landscape plan and determined that this condition has been satisfied. The site proposes a 40-foot-wide landscaped buffer along the adjacent residential uses. The site is providing a total of 354 planting units along the northern property line and 242 planting units along the western property line, which will consist of a combination of shrubs, shade, evergreen, and ornamental trees, providing an adequate buffer from the existing residential uses.

Finding 6. The development of this site should not significantly impact existing transportation facilities serving the development.

The Planning Board finds the applicant's proposal to be suitable for the purposes of a storage yard, which will not have employees or customers on-site. It is staff's assessment that the site will generate a nominal number of trips, most of which will be by heavy vehicles. The site is governed by the approved PPS 4-87224, which does not contain any findings related to trip cap information. The Board analyzed trips using rates closely related to an industrial site using both the "Transportation Review Guidelines, Part 1" (Guidelines) rates and the Institute of Transportation Engineers, Trip Generation Manual, 11th Edition. The trip generation information does not contain a land-use group for an unmanned contractor's storage yard. The Board concludes that the trips associated with the site are de minimus development, per the Guidelines, because the use generates fewer than five peak-hour trips. The Board finds that the proposed use and nominal number of trips to the site will not adversely impact circulation, either on-site or within the immediate vicinity of the subject site.

9. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of Section 4.2, Landscape Strips Along Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's County Landscape Manual*. The landscape plan provided with the subject DSP contains the required schedules demonstrating conformance to these requirements.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance (S-210-2021) because the site is less than 40,000 square feet in size and has no previous tree conservation plan approvals. A Natural Resources Inventory Equivalency Letter, NRI-251-2015-01, has been issued for the site. The NRI was issued based on the standard woodland conservation exemption and that no regulated environmental features will be impacted. A SWM Concept Plan, 40687-2021, is currently being reviewed by the Prince George's County Department of Permitting, Inspections and Enforcement.

11. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-128 of the Prince George's County Code requires a minimum percentage of tree canopy coverage on projects that propose more than 5,000 square feet of disturbance, such as this DSP. The landscape plan provides the required schedule demonstrating conformance to these requirements through new plantings on the subject property.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:
 - a. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated May 9, 2022 (Diaz-Campbell to Butler), in which the Subdivision Section noted that the DSP has been found to be in substantial conformance with the approved PPS and recorded plat. A new final plat will not be required following approval of this DSP. However, the applicant should consider filing one in order to dedicate the additional 5-foot-wide right-of-way proposed along the frontage with Laurel Road, as well as the relocated 10-foot-wide public utility easement along this public road frontage.
 - b. **Transportation**—The Planning Board has reviewed and adopts the memorandum dated May 18, 2022 (Ryan to Butler), in which the Transportation Planning Section determined that this plan is acceptable. Given the nature and use of the site as an unmanned facility, staff determined that the proposed development does not generate the need for the 2009 *Approved Countywide Master Plan of Transportation* bicycle facilities. No additional right-of-way is being sought with this application. The applicant has provided a truck turning plan for the site, which shows that the site will sufficiently allow safe truck turning maneuvers and access to the site.
 - c. **Environmental Planning**—The Planning Board has reviewed and adopts the email dated April 25, 2022 (Schneider to Butler), in which the Environmental Planning Section stated that there are no other environmental requirements for this DSP.
 - d. **Historic**—The Planning Board has reviewed and adopts the memorandum dated April 20, 2022 (Stabler/Smith to Butler), in which it was noted that the subject property will not impact any historic sites, historic resources, or known archeological sites.
 - e. **Permits**—The Planning Board has reviewed and adopts the memorandum dated May 20, 2022 (Shaffer to Butler), in which it was noted that the plan was acceptable, with conditions for technical revisions that have been included herein.
 - f. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated April 26, 2022 (Luckin to Butler), in which it was noted that, pursuant to Part 3, Division 9, Subdivision 3, of the prior Zoning Ordinance, master plan conformance is not required for this application.

- g. **Prince George’s County Fire/EMS Department**—At the time of the writing of this resolution, the Fire Department has not offered comments on the subject application.
 - h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this resolution, DPIE has not offered comments on the subject application.
 - i. **Prince George’s County Police Department**—At the time of the writing of this resolution, the Police Department has not offered comments on the subject application.
 - j. **Prince George’s County Health Department**—At the time of the writing of this resolution, the Health Department has not offered comments on the subject application.
13. As required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
14. Per Section 27-285(b)(4), which became effective on September 1, 2010, a required finding for approval of a DSP is, as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.**

Based on the level of design information submitted with this application, the regulated environmental features on the subject property have been preserved and/or restored, to the fullest extent possible, as no impacts are proposed with this DSP.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to prior 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-21014 for the above-described land, subject to the following condition:

- 1. Prior to certification, the detailed site plan shall be revised, or additional information shall be provided, as follows:
 - a. Provide a note to reflect the prior zone, in addition to the current zoning, and note that the site is being reviewed under the prior Prince George’s County Zoning Ordinance.
 - b. Provide a note demonstrating conformance with the 10 percent green area requirement.
 - c. Provide the height of the proposed cinderblock perimeter wall on the site plan.

- d. Provide details for all existing and proposed fencing on the property, which should be a minimum of six feet high and sight-tight.

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 Doerner, with Commissioners Washington, Doerner, and Shapiro voting in favor of the motion, and with Commissioners Bailey and Geraldo absent at its regular meeting held on Thursday, September 8, 2022, in Upper Marlboro, Maryland.

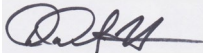
Adopted by the Prince George's County Planning Board this 29th day of September 2022.

Peter A. Shapiro
Chairman


By Jessica Jones
Planning Board Administrator

PAS:JJ:TB:jah

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: September 22, 2022