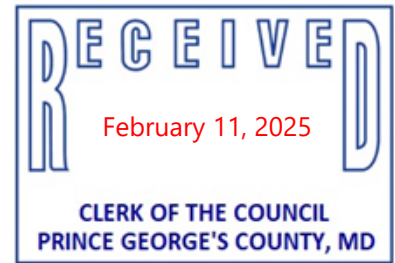




February 11, 2025



Arcland Property Company, LLC
1055 Thomas Jefferson Street, NW, Suite 250
Washington, DC 20007

Re: Notification of Planning Board Action on
Detailed Site Plan DSP-13008-02
Gilpin Property (Phase III)

Dear Applicant:

This is to advise you that, on **February 6, 2025**, 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 the Prince George's County Planning Board's Rules of Procedure, the Planning Board's decision will become effective 30 calendar days after the date of this notice (**February 11, 2025**) 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, 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,
Sherri Conner, Acting Chief
Development Review Division

By: Dexter E. Cefield
Reviewer

Attachment: PGCPB Resolution No. **2025-007**

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

PGCPB No. 2025-007

File No. DSP-13008-02

R E S O L U T I O N

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

WHEREAS, the applicant, Arcland Property Company, LLC, submitted an application for approval of a detailed site plan; and

WHEREAS, pursuant to Section 27-1704(b) of the Zoning Ordinance, development applications submitted and accepted as complete before April 1, 2022, but still pending final action as of that date, may be reviewed and decided in accordance with the Zoning Ordinance in existence at the time of submission and acceptance of the application; 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 January 16, 2025, regarding Detailed Site Plan DSP-13008-02 for Gilpin Property (Phase III), the Planning Board finds:

1. **Request:** This detailed site plan (DSP) requests to develop a four-story 115,364-square-foot consolidated storage facility with 1,103 units as Phase III of an existing facility.
2. **Development Data Summary:**

	Existing	Evaluated
Zone	I-1	I-1
Use(s)	Consolidated storage facility	Consolidated storage facility
Acreage	14.44*	14.44*
Gross Floor Area (sq. ft.)	157,570**	115,364(total 272,934)
Lots	2*	2*
Number of Storage Units	1,463	1,103 (total 2,566)

Notes: *As conditioned herein, the DSP needs to be revised to reflect the entire 14.44-acres development lot, which includes the entirety of record Lots 3 and 4. The area of improvements approved with this DSP amendment are limited to one new building at the southern end of Lot 4.

**Phase I of the consolidated storage facility, under DSP-13008, is approximately 65,170square feet and Phase II of the facility, under DSP-13008-01, is approximately 92,400 square feet. As such, the total square footage of the existing facilities is approximately 157,570 square feet, which is conditioned herein to correct General Note 9 on the coversheet.

Zoning Regulations

	Required	Provided
Green Area (percentage)	10	68

OTHER DEVELOPMENT DATA

Parking Spaces***

Consolidated Storage Facility–115,364 sq. ft.**	Required	Provided
1,103 units @ 1 per 50 units	23	24
Total Parking Spaces	23*	24*
Standard spaces (9.5 feet x 19 feet)		23
Handicap van-accessible		1

Notes: *Of which at least one shall be handicap-accessible, in accordance with Section 27-566(b) of the prior Zoning Ordinance. A handicap-accessible space is included in the total number of required and provided parking spaces.

**The approved building does not contain any office space, as it is an extension of the existing facility which has office space on Lot 3, and does not include a resident manager.

*** Section 27-568(a) provides that 1.0 parking spaces per 50 units having direct access only from within a building are required. No requirement is provided for units accessible from the exterior of the building. Per Section 27-571, for uses not specifically listed, the requirement of the most nearly similar use shall be applied. Accordingly, the same consolidated storage parking ratio is utilized for both interior and exterior accessed consolidated storage units. A condition is included herein requiring the parking schedule to be corrected.

Loading Spaces

	Required	Provided
2 loading spaces for up to 10,000 sq. ft. of gross floor area	2	-
1 loading space for each additional 40,000 sq. ft.	3	
Total (15 x 45 feet)	5	5

Bicycle Spaces

Bicycle parking spaces are not proposed for the consolidated storage building, but the internal drive aisles will allow bicycle circulation. The primary activity on-site will be by customers who

will gain access to storage units located at the building entrances on each floor of the building. Given the approved use and site topography, bicycle parking is not included in the approved DSP.

3. **Location:** The subject site is located in the southeast quadrant of the intersection of Southern Avenue and Wheeler Road, in Planning Area 76A and Council District 7. The site is zoned Industrial, Employment (IE), previously zoned Light Industrial (I-1). The property has a mailing address, which is 899 Southern Avenue, Oxon Hill. The property is also known as Lots 3 and 4 on Tax Map 87, Grid B3 and is located within the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity* (master plan).
4. **Surrounding Uses:** The subject property is bounded to the northwest by Southern Avenue and, beyond, are single-family attached dwelling units and multifamily buildings located in the District of Columbia. To the south is an existing liquor store in the Commercial, General and Office (CGO) Zone. The other sides of the property are bounded by wooded land in the CGO Zone, the Residential, Single-family-65 (RSF-65) Zone, and the Reserved Open Space (ROS) Zone.
5. **Previous Approvals:** According to the tax records, the primary structure on-site was constructed in 1961. DSP-13008 was approved by the Prince George's County Planning Board on July 25, 2013 (PGCPB Resolution No. 13-93), to convert the primary structure to consolidated storage use, subject to five conditions. The Prince George's County District Council elected to review the case and, on February 11, 2014, voted to remand the case to the Planning Board. On May 1, 2014, the Planning Board determined that they had no authority to reconsider the DSP and returned the matter to the District Council (PGCPB Resolution No. 14-35). The District Council did not elect to re-hear the case and the original Planning Board resolution was affirmed as a final decision.

Preliminary Plan of Subdivision (PPS) 4-15017 was approved by the Planning Board on December 10, 2015 (PGCPB Resolution No. 15-119), to approve subdivision of Lot 3 (consisting of 4.33 acres) and Lot 4 (consisting of 10.11 acres) for uses in the I-1 Zone.

DSP-13008-01 was approved by the Planning Board on January 7, 2016 (PGCPB Resolution No. 15-137), to add 98,832 square feet to the existing 58,430-square-foot consolidated storage facility, for a total of 157,262 square feet. On April 5, 2016, the District Council reviewed and approved DSP-13008-01.
6. **Design Features:** The site contains two existing consolidated storage buildings with a total of 157,570 square feet and 1,463 storage units. This DSP amendment proposes a third consolidated storage building consisting of four stories, 1,103 units, and 115,364 square feet to the south of the existing building. The site already has two vehicular access points from Southern Avenue, with access gates and fencing surrounding the site. This DSP includes 24 parking spaces, which surround the approved building, one of which is handicap-van accessible. On the eastern side are five 15-foot by 45-foot loading spaces.

Architecture

The applicant is proposing a modern architecture style for the building. With the subject of this project being the third storage building on this property, the building will have similar materials and a similar color scheme with the existing buildings. The building materials will consist of a combination of masonry and decorative metal siding. The building will include decorative canopies, colored wall panels, automatic sliding doors, and storage rollup doors in loading areas. The building will be four stories and 24.6 feet tall, as measured from the street grade at a point at the middle of the front of the building.

Signage

This DSP amendment approved one new building-mounted sign. The sign will be located on the side elevation facing Southern Ave and will be 78.75 square feet. The sign will include the logo with the words “Self Storage Plus” in white.

Lighting

This approved DSP provides building-mounted and pole-mounted lighting throughout the site to illuminate the driveways, parking areas, and open spaces on the site. A photometric plan was submitted with this application and reflects adequate lighting throughout the site, with minimal spillover, onto adjacent neighboring properties. The Planning Board finds the lighting to be adequate.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George’s County Zoning Ordinance:** The subject DSP has been reviewed for compliance with the requirements of the I-1 Zone and the site design guidelines of the Prince George’s County Zoning Ordinance.
 - a. This DSP is in conformance with the requirements of Section 27-473(b) of the Prince George’s County Zoning Ordinance, which governs uses in the I-1 Zone. The approved consolidated storage use is a permitted use in the I-1 Zone.
 - b. Section 27-474 of the Zoning Ordinance provides additional regulations for development in the I-1 Zone, including requirements for setbacks, net lot area, lot frontage, building coverage, and green area. The subject DSP meets all these requirements, as shown on the submitted plans, and as follows: a building setback of 54 feet from the street is provided; no minimum net lot area, lot frontage, or maximum building coverage is required; and a green area of 68 percent is provided.
 - c. The DSP is in conformance with the applicable site design guidelines, as required in Section 27-283 and contained in Section 27-274 of the prior Zoning Ordinance.

Section 27-274(a)

(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...**
- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians...**
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers...**

The overall site has one approved entry/exit point along Southern Avenue. Two truck turning exhibits were also provided to demonstrate the ability for large vehicles to maneuver through the site. Sidewalks are approved adjacent to all entrances. Given the topography of the site, sidewalks are not continuous and, given the unique characteristics of the site, it is not possible to provide a continuous pedestrian route along the approved building. All approved parking spaces are located along the perimeter of the building, allowing easy use for loading and unloading, while also alleviating the need for pedestrians to cross parking lanes.

(3) Lighting.

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

A detailed discussion about lighting has been addressed in Finding 6 above.

(4) Views.

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

The subject DSP provides landscapes and maintains existing vegetation along the perimeter of the subject site. Six-foot-high metal ornamental fence is installed along street frontage, to enhance screening from public areas.

(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.**

This subject DSP is approved to construct a consolidated storage facility. Approximately 68 percent of green area is provided.

(6) Site and streetscape amenities.

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site.**

The subject DSP includes landscapes to improve the Southern Avenue frontage, which has been discussed in Finding 11 below.

(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.**

The area grading for the approved development is extensive, due to the existing topography of the site. In addition, this DSP includes numerous retaining walls, in which the largest approved is over 30 feet high. The retaining walls allow for minimal disruption to the vegetation beyond.

(8) Service areas.

- (A) Service areas should be accessible, but unobtrusive.**

Services regarding loading and trash collection are not included in this DSP.

(9) Public spaces.

- (A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development.**

This requirement is not applicable to the subject DSP because it is not a large-scale commercial, mixed-use, or multifamily development.

(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.**
- (C) These guidelines may be modified in accordance with Section 27-277.**

The design of the approved consolidated storage facility is a modern style. The building footprint is rectangular, and the building is designed with a flat roof. The metal decorative canopy above doors indicates the locations of the entrances to the building. A detailed discussion regarding architecture has been addressed in Finding 6 above.

(11) Townhouses and Three-Story Dwellings.

This requirement is not applicable to the subject DSP because it does not include townhouses or three-story dwellings.

- d. The approved consolidated storage facility is a permitted use in the I-1 Zone, in accordance with Section 27-475.04 of the prior Zoning Ordinance. Specific requirements of Section 27-475.04(a) are as follows:

(1) Requirements.

- (A) No entrances to individual consolidated storage units shall be visible from a street or from adjoining land in any Residential or Commercial Zone (or land proposed to be used for residential or commercial purposes on an approved Basic Plan for a Comprehensive Design Zone, or any approved Conceptual or Detailed Site Plan).**

No entrances to individual consolidated storage units are visible from the surrounding streets or adjoining properties.

- (B) 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 individual consolidated storage units are internal to the approved building. The improved landscape and existing vegetation located in the perimeter of the subject site further enhance screening of the subject development from the surrounding streets or adjoining properties.

(C) The maximum height shall be thirty-six (36) feet.

The subject DSP complies with this requirement because the height of the approved building is 24.6 feet, as measured from the street grade at a point at the middle of the front of the building.

(D) Notwithstanding any other requirement of this Section, the expansion of an existing consolidated storage use within a building in the I-1 Zone after November 30, 2016, shall be limited to a maximum of fifty (50) additional individual units and may not be less than one-half mile from another consolidated storage use in the I-1 Zone. However, this Section shall not apply to a consolidated storage use expansion constructed pursuant to an approved preliminary plan, final plat, and detailed site plan, where the consolidated storage use is adequately buffered from view from any public right-of-way.

This DSP does not expand existing consolidated storage use within a building. The subject of this DSP is a new building. This requirement is not applicable to the subject DSP.

Section 27-475.04(c) of the prior Zoning Ordinance includes additional applicable requirements, as follows:

- (c) Unless otherwise exempted from the prescriptions of this Section, consolidated storage shall be a permitted use in the I-1 Zone, subject to the following additional requirements:**
 - (i) A detailed site plan is approved for the proposed development of the use, in accordance with Part 3, Division 9 of this Subtitle.**
 - (ii) 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; and**
 - (iii) The Planning Board and/or the District Council shall consider, in its review of a detailed site plan application pursuant to this Section, the**

inventory submitted to the administrative record in accordance with Subsection (b) of this Section, above, for purposes of finding conformance with the required findings of approval set forth in Part 3, Division 9 of this Subtitle.

The subject DSP was submitted in fulfillment of this requirement. Regarding the current countywide inventory of consolidated storage uses, per the below GIS data, there are no existing consolidated storage facilities located within 0.50 mile of the boundaries of the property. As such, this regulation is not applicable to the subject DSP.

8. **Preliminary Plan of Subdivision 4-15017:** The Planning Board approved PPS 4-15017 on December 10, 2015 (PGCPB Resolution No. 15-119), for two lots, Lot 3 (4.33 acres) and Lot 4 (10.11 acres), totaling 14.44 acres, for uses permitted in the I-1 Zone. The PPS was approved with 10 conditions. The conditions relevant to the revision of this DSP are listed below, in **bold** text. The Planning Board's analysis of the PPS conditions follows each one, in plain text:

2. **Development of this site shall be in conformance with Stormwater Management Concept 19266-2015 Plan and any subsequent revisions.**

This condition is no longer relevant as a new Stormwater Management (SWM) Concept Plan 38138-2024-SDC has been issued, which this DSP is in conformance with.

10. **Total development shall be limited to uses that would generate no more than 48 AM and 51 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The trips associated with the existing and approved consolidated storage square footage are 25 AM and 42 PM peak-hour trips, or an increase in 10 AM peak-hour trips and 17 PM peak-hour trips. The approved development is within the trip cap established under 4-15017.

9. **Detailed Site Plan DSP-13008:** DSP-13008 was originally approved by the Planning Board on July 25, 2013 (PGCPB Resolution No. 13-93), subject to five conditions. The District Council ultimately affirmed the Planning Board's decision. The conditions relevant to that approval are listed below in **bold** text, with the Planning Board's analysis following in plain text:

1. **Prior to certificate of approval of the detailed site plan (DSP), the following revisions shall be made, or information shall be provided:**

- c. **The location and square footage of the office shall be indicated on the detailed site plan.**

The office space is located at the eastern end of the existing building on-site and no office space is included in the subject building.

- e. **A note shall be provided stating that “blacked-out windows along Southern Avenue shall not be permitted.”**

The only approved windows are a clear window system, without “blacked-out windows,” located along the second floor of the building façade facing Southern Avenue. Therefore, this DSP is in compliance with this condition.

- g. **All information regarding a freestanding sign shall be removed from the DSP submission, including the architectural plans.**

This was completed prior to the original DSP certification and no new freestanding signage is approved with this application.

- i. **All chain-link fencing visible from Southern Avenue (with or without barbed wire) shall be removed, or replaced with a durable metal fence.**

This condition was complied with prior to certification of the original DSP, has been maintained by the site improvements, and is in compliance with the subject amendment.

- j. **The right-of-way width for Southern Avenue shall be shown on the plan, as well as the building’s setback from this right-of-way.**

This condition was complied with prior to certification of the original DSP and is also being met by the subject amendment.

- m. **The plan shall indicate that cut-off or shielded light fixtures are provided.**

This condition was complied with prior to certification of the original DSP and is also being met by the subject amendment through the provision of building-mounted, downward-facing floodlights.

5. **The applicant agrees to seek to have the parking lot’s remaining driveway apron along Southern Avenue removed. The District of Columbia’s Government has exclusive jurisdiction in this request.**

The District of Columbia’s Government approved the removal of the driveway. The driveway was removed with the original DSP.

10. **Detailed Site Plan DSP-13008-01:** DSP-13008-01 was approved by the Planning Board on January 7, 2016 (PGCPB Resolution No. 15-137) subject to three conditions. None of the conditions are applicable to this DSP amendment.
11. **2010 Prince George’s County Landscape Manual:** This DSP application is subject to the requirements of Section 4.2, Landscape Strips Along Streets; Section 4.3, Parking Lot

Requirements; Section 4.7, Buffering Incompatible Uses, and Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's County Landscape Manual*. The landscape and lighting plan provided with the subject DSP contains the required schedules, demonstrating conformance to these requirements.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the grandfathering provisions of the 2024 Woodland Conservation Ordinance (WCO) because the property had a tree conservation plan (TCP) that was accepted for review on or before June 30, 2024, and shall conform to the environmental regulations of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.

The overall site contains a total of 7.71 acres of woodland in the net tract and 0.50 acre of woodland in the floodplain. The site has a woodland conservation threshold of 15 percent or 2.09 acres. The approved project includes the clearing of 2.12 acres of woodland in the net tract, which generates a requirement of 2.62 acres of woodland conservation. This is approved to be met by 2.86 acres of on-site woodland conservation. The woodland conservation worksheet on the Type 2 tree conservation plan (TCP2) utilizes the worksheet for projects which are subject to the 2024 Woodland Conservation Ordinance under Council Bill CB-20-2024. As this project is utilizing the 2010 Woodland Conservation Ordinance, the worksheet should be revised to the 1990-2010 version for correct representation. A perpetual easement is recorded in the land records in Liber 3752 folio 748, which is identified as "woodland retained not – credited", runs the extent of the property. A woodland and wildlife habitat conservation easement (Liber 36197 folio 466) was recorded with TCP2-018-03, was amended with prior development applications, and will need to be vacated and restated prior to the certification of this DSP.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned IE are required to provide a minimum of 15 percent of the net tract area covered by tree canopy. The subject site is 13.94 net acres and the required TCC is 2.09 acres. The subject DSP provides the required schedule demonstrating conformance to this requirement through woodland conservation and the provision of new plantings on the subject property. However, the total property net acreage needs to be revised to reflect the entirety of Lots 3 and 4 as conditioned herein.

14. **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. **Historic Preservation and Archeological Review**—In a memorandum dated September 30, 2024 (Stabler, Smith, and Chisholm to Mitchum), it was noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources.

- b. **Subdivision**—In a memorandum dated December 27, 2024 (Bartlett to Cofield), it was noted that the DSP is found to be in conformance with the approved PPS. Conditions relating to the bearing and distances as well as technical corrections have been added as conditions herein.
- c. **Transportation**—In a memorandum dated December 5, 2024 (Patrick to Cofield), the following comments regarding this DSP are below:

Master Plan Recommendations

The subject site has frontage on Southern Avenue as a master-planned roadway in accordance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The entire right-of-way (ROW) for Southern Avenue is under the jurisdiction of the District of Columbia and is beyond the scope of this application.

Master Plan Pedestrian and Bike Facilities

There are no master plan pedestrian and bicycle recommendations for the subject site. There is an existing sidewalk along the property frontage of Southern Avenue to accommodate pedestrians. An internal sidewalk linking the public sidewalk along Southern Avenue with the building entrance and parking lot north of the subject site also exists. These facilities adequately accommodate pedestrian movement to and from the site. As previously mentioned, the entire ROW for Southern Avenue, including the sidewalk along the frontage of the subject site, is under the jurisdiction of the District of Columbia and is beyond the scope of this application.

The planned Barnaby Run Trail aligns to the south of the subject site. Consistent with previous findings for the subject site, this stream valley trail is more suitable in the residential communities to the south and east of the subject site where parkland has been acquired, not within the industrially zoned consolidated storage property. There are no additional master plan trail or sidewalk recommendations.

- d. **Environmental Planning**—In a memorandum dated December 18, 2024 (Kirchhof to Cofield), comments on the subject application are below:

Natural Resource Inventory/ Environmental Features

The application has an approved Natural Resources Inventory (NRI-029-13-01). The TCP2 and the DSP show all the required information correctly in conformance with the NRI. Two specimen trees are located on-site. Primary management area (PMA) is located on site to the south, with 100-year floodplain noted along the southern edge of the property line. The TCP2 does not provide the same specimen tree information as the NRI or the specimen tree variance. The TCP2 should be revised to be in conformance with the NRI.

Specimen, Champion, or Historic Trees

Section 25-122(b)(1)(G) of the Prince George's County Code 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 subject property contains five specimen trees on-site with two located towards the road frontage that are requested for removal with this application. The current design is approved to remove Specimen Trees ST-58 and ST-59, which are located toward the road frontage in the most suitable area for development. Both trees are rated from poor to fair and are determined by staff to be in poor condition with limited construction tolerances. The applicant requested a variance from Section 25-122(b)(1)(G) for the clearing of the two specimen trees on-site.

Given their location, condition, and construction tolerance, the Planning Board approves the request for removal of Specimen Trees ST-58 and ST-59. The text below in **bold**, labeled A-F, are the six variance criteria listed in Section 25-119(d)(1). Justification on how each criterion is met, follows each variance in plain text:

(A) Special conditions peculiar to the property have caused the unwarranted hardship.

The property features areas of steep slopes with PMA primarily located on the southern edge of the site. Extensive grading and large retaining walls are required in order to develop this site. The two specimen trees approved for removal are located towards the road frontage of Southern Avenue, and are approved for removal for site circulation and building construction. Both trees are in poor condition, with poor to medium-construction tolerances. The location of the building near the road frontage reduces the impacts to the PMA and the recorded woodland conservation areas. Locating the development along the road frontage is the most appropriate area for development to conserve regulated environmental features. The irregular shape of the property, steep slopes, and the desire for limited impacts to the PMA area along the southern edge of the site push development towards the road frontage.

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

Approval of a variance for removal of the specimen trees is necessary to ensure that the applicant is afforded the same rights commonly enjoyed by others in similar locations. A common right of the applicant is to develop a property in accordance with the Zoning Ordinance and other relevant state and County laws. Not granting the variance would prevent the approved project from grading and developing in a manner that is safe and efficient.

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

Approval of a variance will not confer on the applicant a special privilege that would be denied to other applicants. Due to the nature of the existing topography, and the necessity to construct large retaining walls, the applicant is required to conduct significant grading to establish the new building and for this development proposal. The trees approved for removal are located within the western portions of the site towards the road frontage, which is the most appropriate area for development given other areas of the site contain PMA. The remaining specimen trees on-site are not approved to be impacted and will be retained in woodland preservation.

The justifications given in the SOJ cite the soils and floodplain, which are not located in the vicinity of Specimen Trees ST-58 and ST-59. In addition, the justification that the area of the new development was always to be developed is not consistent with development approved with DSP-13008-01 and associated TCP2-018-13-02. However, due to the floodplain being located along the southern property line, the development is constrained to the road frontage, necessitating the removal of the two specimen trees. Analyzing the location of the two trees at the frontage of Southern Avenue significantly away from the REF, along with their poor condition and ranging from a medium to poor construction tolerance, the removal of the two trees can be supported. If other properties encounter trees in similar locations on a site, the same considerations would be provided 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 request for removal of the two specimen trees is a result of their location on the property, poor condition rating, and construction tolerance and not the result of actions by the applicant. Slope grading and other requirements are established by the County. Any development on this site would be subject to meeting the current requirements of the County. The removal of the two specimen trees is requested to achieve the application's development for the industrial use with associated infrastructure.

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

The request to remove the specimen trees does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.

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

Granting the variance for the removal of two specimen trees will not adversely affect water quality because the applicant is required to meet current SWM requirements on-site.

Regulated Environmental Features

The site contains regulated environmental features (REF) including streams, stream buffers, and steep slopes, which comprise the PMA.

Section 24-130(b)(5) of the Subdivision Ordinance states: “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

Impacts to REF should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property; or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines; road crossings for required street connections; and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to REF.

Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code. Impacts to REF must first be avoided and then minimized.

The approved stormwater concept letter shows that two stormwater outfalls are located outside of the PMA. Subsequent to the Subdivision Development Review Committee meeting, further review by other agencies such as the Prince George’s County Department of Permitting, Inspections, and Enforcement (DPIE) or the Prince George’s County Soil Conservation District (SCD) resulted in the consolidation of the outfalls from two outfalls to one outfall, which has been extended further into the PMA. A PMA statement of justification dated October 31, 2024, was submitted, which requests one PMA impact for a stormwater outfall.

Impact 1 – Stormwater Outfall

With DSP-13008-02, the applicant includes one PMA impact, totaling 1,245 square feet (0.03 acre), for a stormwater outfall to PMA consisting of steep slopes. This impact is shown on the TCP2 and is reflected on the revised approved SWM concept plan. The impact for a stormwater outfall is considered a necessary impact, and this impact is reflective of the approved SWM concept plan. The PMA impact for a stormwater outfall is supported as proposed.

PMA Impact Summary

The applicant includes one PMA impact for a stormwater outfall totaling 1,245 square feet (0.03 acre). This impact is reflective of the revised approved SWM concept plan and is supported as approved.

Stormwater Management

The applicant includes four micro-bioretenment facilities to treat stormwater for the entire project. The site has an approved SWM Concept Plan 38138-2024-SDC-R01. TCP2 is in conformance with the revised approved SWM concept plan. No additional information related to stormwater is required at this time.

Soils

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, are the Beltsville-Urban land complex, Christiana-Downer complex, Croom gravelly sandy loam, Grosstown-Urban land complex, Issue-Urban land complex, Potobac-Issue complex and Sassafras-Urban land complex. According to available information, Marlboro clay is not located on-site, but Christiana complexes are found to occur on this property. This information is provided for the applicant's benefit. The County may require a soils report, in conformance with CB-94-2004, during the building permit process review.

Christiana clay (Fat Clay, CH) is present according to the geotechnical report prepared by Hillis-Carnes Engineering Associates, Inc., and last updated December 16, 2024. Several retaining walls have been approved throughout the site. The retaining walls should be designed based on the geotechnical analysis and recommendations provided in the report. The site grading should be 5H:1V or flatter, unless slope stability analysis is performed and proves the stability of steeper slopes. The revised plans, submitted December 16, 2024, reflect the grading recommendations of the geotechnical report. The retaining wall design package including plans, drawings, calculations, geotechnical analyses, etc. shall be reviewed and approved by DPIE at the time of grading and building permit process.

- e. **Community Planning**—In a memorandum dated November 4, 2024 (Tariq to Mitchum), 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.

- f. **Washington Suburban Sanitary Commission (WSSC)**—WSSC provided a memorandum with comments directly to applicant. WSSC’s comments will be addressed through their own separate permitting process.
 - g. **Permit Review**—In a memorandum dated October 14, 2024 (Jacobs to Mitchum), technical comments have been addressed through plan revisions.
 - h. **Prince George’s County Fire/EMS Department**—In a memorandum dated September 30, 2024 (Reilly to Cofield), technical comments are provided based on the Subdivision and Development Review Committee meeting held on September 27, 2024. In an email dated December 9, 2024 (Reilly to Cofield), the Fire/EMS Department noted the previously provided technical comments are addressed is found to be in compliance.
 - i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated September 25, 2024 (de Guzman to Cofield), comments pertaining to approval of SWM and necessary information should be addressed in the permitting stage. DPIE found the DSP to be in conformance with approved Site Development Concept Plan 38138-2024-SDC, which will expire on August 2, 2027.
15. As required by Section 27-285(b) of the Zoning Ordinance, the DSP represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable cost and without detracting substantially from the utility of the approved development for its intended use.
16. Per Section 27-285(b)(4) of the Zoning Ordinance, 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.

The REF on the subject property have been preserved and/or restored, to the fullest extent possible, based on the limits of disturbance shown on the TCP2. One PMA impact, totaling 1,245 square feet (0.03 acre), for a stormwater outfall to steep slope PMA is shown on the approved SWM concept plan.

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 TCP2-018-13-02, and further APPROVED Detailed Site Plan DSP-13008-02 for the above-described land, subject to the following conditions:

- 1. Prior to certification, the applicant and the applicant’s heirs, successors, and/or assignees shall revise the detailed site plan (DSP), as follows:

- a. Revise the lot labels on the overall site plan sheet.
 - b. Revise the total acreage to include Lots 3 and 4 and subsequent data, including existing and proposed gross floor area, the number of the lots, and the existing and proposed total number of storage units.
 - c. Provide the net acreage on the cover sheet.
 - d. Provide the current zoning as IE (Industrial, Employment) Zone.
 - e. Revise the Tree Canopy Coverage schedule to reflect the entire 13.94 net acres development lot, including Lots 3 and 4.
 - f. On sheet DSP-4, revise the label of Lot 2 to read Lot 3.
 - g. On sheet DSP-4, correct the property line bearing and distance for the Lot 4 boundary with Lot 3 to be consistent with the record plat.
 - h. On sheet DSP-4, revise the overlapping text for bearings and distances for Lot property lines abutting Parcel A, Gilpin Property.
 - i. On sheet DSP-4, revise the gross floor area of Building A on Lot 3 to be 65,199 square feet.
 - j. Revise the parking schedule on Sheet DSP-1 to correct the total number of required and provided parking spaces.
2. Prior to certification of the detailed site plan (DSP), the Type 2 tree conservation plan (TCP2) shall be revised, as follows:
- a. Within the Environmental Planning Section approval block, provide the development review division (DRD) case number DSP-19017 along the -00 line and DSP-19017-01 along the -01 revision line on each sheet. Indicate the reason for revision as “Modifications to PMA Impacts” on each sheet.
 - b. Provide the Forest Conservation Act reporting table and colored feature capture plan.
 - c. The Woodland and Wildlife Habitat Conservation Easement recorded on-site shall be amended and restated and recorded in the Prince George’s County Land Records, prior to certification of the TCP2, with the recording Liber and folio added to the TCP2.
 - d. Revise the specimen tree table to be in conformance with the approved natural resources inventory plan.
 - e. Reduce the shading for the steep slopes, so the adjacent labels are legible.

- f. Correct the woodland conservation worksheet to utilize the 1990-2010 version as this application is grandfathered to the 2010 Woodland Conservation Ordinance.
- g. Correct Note 9 of the Type 2 Tree Conservation Plan Notes to reflect that the plan is grandfathered under CB-77-2024, Section 25-119(g), and is subject to the 2010 Woodland Conservation Ordinance.
- h. Revise the TCP2 general notes to be in conformance with the standard notes as provided with the 2018 Environmental Technical Manual.


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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Geraldo, and Shapiro voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, January 16, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of February 2025.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:DC:tr


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel
Dated 2/5/25