



The Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530

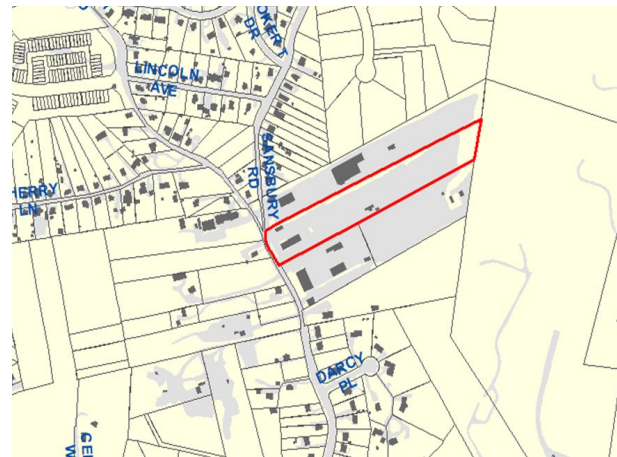
# Detailed Site Plan

# DSP-20035

## Waste Management Capitol Facility

REQUEST	STAFF RECOMMENDATION
Construction of a 25,106-square-foot building for a Trash Maintenance Services with Private Fueling Station use.	APPROVAL with conditions

<b>Location:</b> On the east side of the intersection of D'Arcy Road and Sansbury Road.	
Gross Acreage:	7.77
Zone:	I-1/I-2/M-I-O
Dwelling Units:	N/A
Gross Floor Area:	25,659 sq. ft.
Planning Area:	78
Council District:	06
Election District:	15
Municipality:	N/A
200-Scale Base Map:	204SE08
<b>Applicant/Address:</b> Waste Management of Maryland, Inc. 6994 Columbia Gateway Drive, Suite 200 Columbia, MD 21046	
<b>Staff Reviewer:</b> Jeremy Hurlbutt <b>Phone Number:</b> 301-952-4277 <b>Email:</b> Jeremy.Hurlbutt@ppd.mncppc.org	



Planning Board Date:	01/28/2021
Planning Board Action Limit:	02/14/2021
Staff Report Date:	01/12/2021
Date Accepted:	10/14/2020
Informational Mailing:	07/14/2020
Acceptance Mailing:	10/01/2020
Sign Posting Deadline:	12/29/2020

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/](http://www.mncppcapps.org/planning/Person_of_Record/). Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-20035  
Type 2 Tree Conservation Plan TCP2-035-2020  
Waste Management Capitol Facility

The Urban Design staff has completed the review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

**EVALUATION**

The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance for the Light Industrial (I-1), Heavy Industrial (I-2), and Military Installation Overlay (M-I-O) Zones and site design guidelines;
- b. The requirements of the 2010 *Prince George's County Landscape Manual*;
- c. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- d. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- e. Referral comments.

**FINDINGS**

Based upon the evaluation and analysis of the subject application, the Urban Design Section recommends the following findings:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) to raze the existing 5,628-square-foot building and construct a 25,106-square-foot administrative building with an eight bay, drive-through, commercial fleet service and shop area for a Trash Maintenance Services with Private Fueling Station use.

**2. Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	I-1, I-2, M-I-O	I-1, I-2, M-I-O
Use	Community Trailer, Fleet Maintained Recycled Metal Scrap Yard	Community Trailer, Trash Maintenance Services with Private Fueling Station
Total Acreage	7.77	7.77
Green Area (10 percent required)		3.20 acres/42 percent
Parcels	1	1
Total Gross Floor Area (sq. ft.)	6,181	25,659
Community Trailer (sq. ft.)	553	553
Industrial/Office (sq. ft.)	5,628 (to be razed)	25,106

**OTHER DEVELOPMENT DATA**

<b>Use</b>	<b>No. of Spaces Required</b>	<b>No. of Spaces Provided</b>
Office Space –10,396 sq. ft. @ 1 space/250 sq. ft. for first 2,000 sq. ft.	8	8
8,396 sq. ft. additional @ 1 space per 400 sq. ft.	21	21
Vehicle Repair and Service Station – 8 service bays @ 3 spaces per bay	24	24
<b>Total Parking Spaces</b>	<b>53</b>	<b>96</b>
Handicapped-Accessible	3	4
CNG Fueling Spaces		93*
<b>Total Loading Spaces</b>	<b>2</b>	<b>2**</b>
Industrial @ 1 space per 2,000 to 25,000 sq. ft.	1	1
10,396 sq. ft. of Office @ 1 space/10,000 to 100,000 sq. ft.	1	1

**Notes:** \*Compressed natural gas system (CNG) fueling spaces allow for refueling of trucks and overnight storage, but do not count towards required parking.

\*\*An additional loading space is required per Section 27-582 of the Zoning Ordinance and has been conditioned in the Recommendation section.

**3. Location:** The subject property is located on the east side of the intersection of D’Arcy Road and Sansbury Road in Planning Area 78, Council District 6. The subject property is a single parcel, located on Tax Map 82 in Grids D-3 and E-3, and identified as Parcel 202, described by deed recorded in Liber 17657 at folio 670. The property is in the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). More specifically, the site is located at 9304 D’Arcy Road.

**4. Surrounding Uses:** The site is bounded by industrial uses to the north and south in the Light Industrial (I-1) and Heavy Industrial (I-2) Zones. D’Arcy Road is to the west and beyond are residential uses in the Rural Residential Zone. An active gravel mine is located to the east in the Residential-Agricultural Zone.



5. **Previous Approvals:** The property is subject to Preliminary Plan of Subdivision (PPS) 4-19035, which was approved by the Prince George's County Planning Board on May 14, 2020 (PGCPB Resolution No. 2020-79(C)) subject to 14 conditions. The PPS approved one parcel for 25,659 square feet of industrial/institutional use.

On November 17, 2020, Prince George's County Council Bill CB-63-2020 was adopted for the purpose of amending the Prince George's County Zoning Ordinance to provide a definition for a new use, "Trash Maintenance Services with Private Fueling Station," and permitting the use in the I-1 and I-2 Zones under certain circumstances. The effective date of CB-63-2020 was January 4, 2021, and this DSP is proposing this new use.

A Stormwater Management (SWM) Concept Approval Letter (25803-2019-01) and associated plan were submitted with the application for this site. The approval was issued on May 14, 2020 for this project from the Prince George County Department of Permitting, Inspections and Enforcement (DPIE). The plan proposes to construct 24 micro-bioretenion ponds, a submerged gravel wetland, and an undetained pervious area. No SWM fee for on-site attenuation/quality control measures is required.

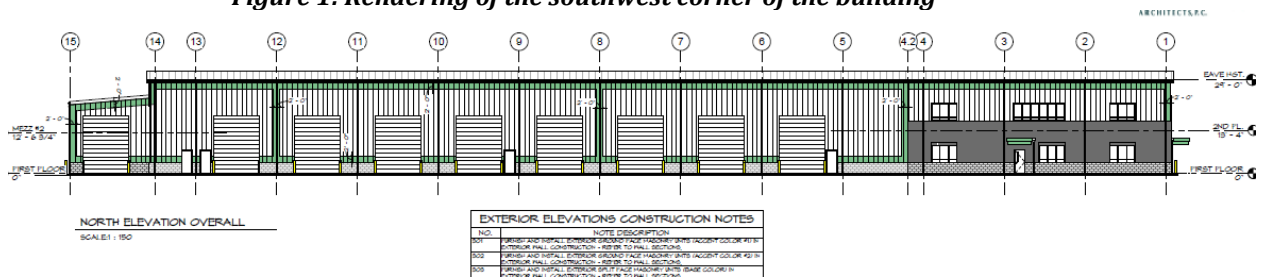
6. **Design Features:** The site will have dual access points from D'Arcy Road, with three bays of surface parking for employees, in front of the proposed building. The front of the building will be 10,396 square feet of office with eight drive-through maintenance bays in the rear. Behind the building are 1 loading space and 93 compressed natural gas system fueling spaces for fleet vehicles, which will also serve as overnight fleet storage. Two large landscape islands will define circulation in the fleet area and house SWM facilities. Mechanical equipment and natural gas storage tanks will be located near the northern property line in the middle of the property. A diesel fuel tank will be located at the eastern end of the fleet parking area and will allow two trucks to fuel at a time with a bypass lane. The far east end of the property will be impervious area with a stormwater pond and woodland conservation areas. A 553-square-foot community trailer will be retained on the site in the northwest corner of the property.

#### **Architecture**

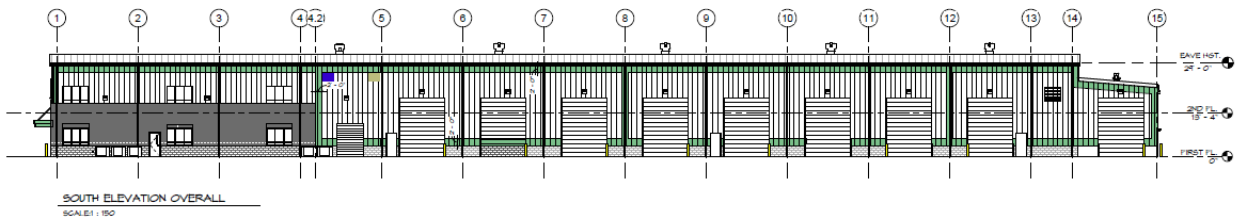
The 29-foot-high steel industrial clear span building is generally rectangular and includes a low gable roof. The building will have brick veneer on three sides of the front two stories where the office will be located. Masonry wainscot, steel siding, and standing seam metal roof will be used to complete the façade. The applicant proposes earth tones with a green band of color that runs along the top of the brick water table, corners of the building, roof line, and metal entrance canopies. The rest of the building will be painted an off-white color. Windows on the two-story office section and overhead garage doors will break up the sides and rear of the building.



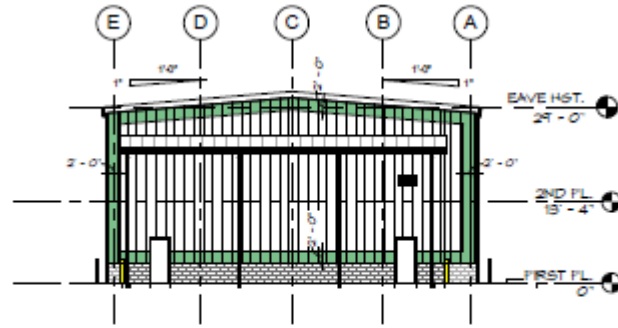
**Figure 1: Rendering of the southwest corner of the building**



**Figure 2: Proposed north elevation**



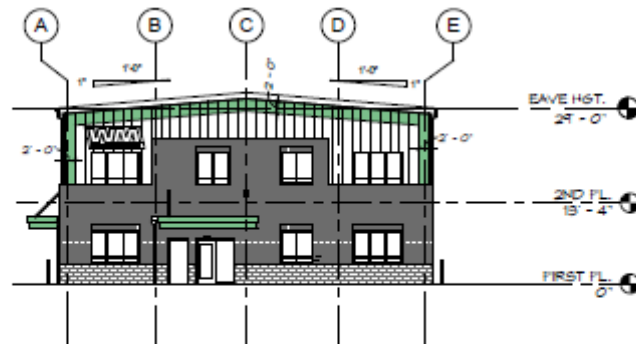
**Figure 3: Proposed south elevation**



**EAST ELEVATION OVERALL**

SCALE: 1 : 150

**Figure 4: Proposed east elevation**



**WEST ELEVATION OVERALL**

SCALE: 1 : 150

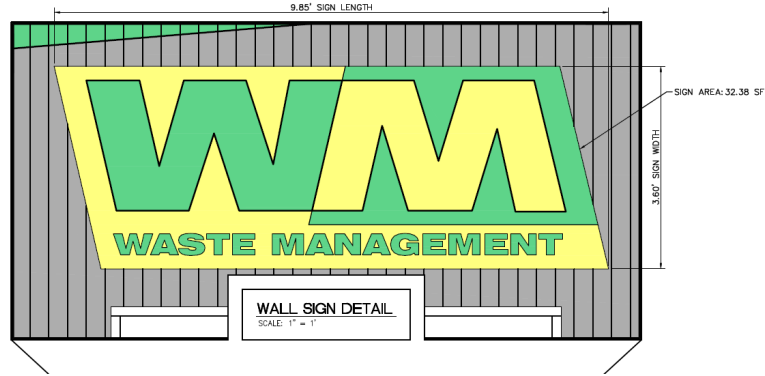
**Figure 5: Proposed west elevation**

### Lighting

This DSP proposes light-emitting diode lighting on the building and within the parking area to illuminate the building, parking areas, pedestrian walkways, and loading spaces on the site. The site plans show pole-mounted lighting in the parking area and a variety of building-mounted lighting to provide a balanced lighting pattern on the property. Lighting has been placed to highlight building entrances and to provide employees with a bright and safe atmosphere, while not causing a glare onto adjoining properties, as referenced in the photometric plan that was submitted with this application. It is noted that the details of the lighting types and models have been shown, but the application does not specify the height or detail for the proposed pole.

### Signage

One building-mounted sign and one freestanding sign are proposed, which are in conformance with Sections 27-613 and 27-614 of the Zoning Ordinance. The 32.38-square-foot building-mounted sign, which includes letters and logo in green and yellow advertising the company name, will be located on the upper story of the west façade facing D'Arcy Road. A 49-square-foot freestanding sign is proposed. The location of the freestanding sign and materials and illumination have not been provided and a condition has been added to the Recommendation section requiring the applicant to provide this information.



**Figure 6: Proposed building-mounted signage**

**COMPLIANCE WITH EVALUATION CRITERIA**

- 7. **Prince George’s County Zoning Ordinance:** This application has been reviewed for compliance with the requirements of the Zoning Ordinance in the I-1 Zone and the site plan design guidelines.
  - a. This DSP is in general conformance with the requirements of Section 27-473(b) of the Zoning Ordinance, which governs uses in industrial zones. A Trash Maintenance Services with Private Fueling Station use, as is proposed, is defined as a business involving the maintenance, dispatch, and storage of trucks and dumpsters for the purpose of trash removal and contains an on-site private fueling station. The use does not include any retail sale of gasoline or compressed natural gas.

In the I-1 and I-2 Zones, this use is permitted subject to Footnote 76, which requires conformance to Section 27-475.06.10(a) of the Zoning Ordinance, which lists the following requirements:

**(1) Requirements.**

- (A) Trash collected by this business shall not be brought to or stored upon the property;**

The applicant has stated that trash will not be stored on-site, and the property will be for fleet storage, maintenance, and fueling only.

- (B) The use is located on property with a preliminary plan of subdivision approved prior to September 1, 2020;**

PPS 4-19035 was approved by the Planning Board on May 14, 2020.

- (C) The applicable Master Plan or Sector Plan recommends an industrial zone and/or use for the property;**

The Westphalia Sector Plan and SMA recommends industrial land uses on the subject property.

**(D) The use is located on property within the M-I-O Zone;**

This application is located within the Imaginary Surface E (Conical Surface) of the Military Installation Overlay Zone. Pursuant to Section 27-548.54, Requirements for Height, of the Zoning Ordinance, the maximum height for structures in this area is 495 feet. The proposed building conforms to this requirement.

**(E) The use is located on property with a land area greater than seven (7) acres;**

The property is located on a parcel of land that is 7.77 acres in size.

**(F) The use is located on property with frontage on a roadway with a functional transportation classification of collector; and**

The subject property has frontage on D'Arcy Road, which is a master-planned collector right-of-way.

**(G) The property abuts at least one parcel of land located, wholly or in part, in the I-2 Zone.**

The property is split-zoned, with the center portion being located in the I-2 Zone and remainder in the I-1 Zone. The adjacent properties to the north and south are also zoned I-2 in part.

**(2) Site Plan.**

**(A) A Detailed Site Plan shall be approved for the use, in accordance with Part 3, Division 9, of this Subtitle, to ensure compliance with the provisions of this Section.**

The subject DSP was filed in compliance with this requirement.

**(B) In addition to the requirements of Part 3, Division 9, the following requirements shall be complied with:**

**(i) The applicant shall comply with the Prince George's County Landscape Manual; and**

*2010 Prince George's County Landscape Manual* (Landscape Manual) conformance is discussed in Finding 9 below.

**(ii) The fueling equipment and fuel storage maintains a minimum setback of twenty (20) feet from all property lines.**

This setback is demonstrated on the site plan.

- (iii) **The use shall conform with the requirements of Section 27-358(a)(2) and (c) of this Subtitle, more specifically, that upon the abandonment of the Trash Maintenance Services with Private Fueling Station, the Private Fueling Station shall terminate and all structures exclusively used for the Private Fueling Station (including underground storage tanks), except buildings, shall be removed by the owner of the property. For the purpose of this Subsection, the term "abandonment" shall mean nonoperation as a gas station for a period of fourteen (14) months after the retail services cease.**

This requirement will be applied upon abandonment of the use.

- (iv) **Fueling equipment associated with the use shall not be located less than one hundred(100) feet from the primary ingress/egress of the property.**

This setback is demonstrated on the site plan.

- b. The DSP is consistent with those regulations in the I-1 and I-2 Zones, including Sections 27-469(a) and 27-470(a) of the Zoning Ordinance, regarding purposes; Sections 27-469(b) and 27-470(b) regarding landscaping and amount of green area on-site; and Section 27-474, of the Zoning Ordinance, regarding regulations in the industrial zones.
- c. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For example, vehicular and pedestrian circulation is designed to be safe, efficient, and convenient for both pedestrians and drivers; pedestrian access is provided to the site from the public right-of-way; the architecture proposed for the building is constructed of durable, low-maintenance materials; and the new green area incorporates a significant amount of landscaping that greatly improves the site conditions.

- 8. **Preliminary Plan of Subdivision 4-19035:** PPS 4-19035 was approved by the Planning Board on May 14, 2020 (PGCPB Resolution No. 2020-79(C)), subject to 14 conditions. The PPS approved one parcel for 25,659 square feet of industrial/institutional use. Of the 14 conditions of approval of PPS 4-19035, 7 are applicable to the subject DSP, as follows:

- 2. **A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision prior to issuance of any permits.**

The DSP proposal regarding land use is consistent with the approved PPS. The proposed industrial use was identified as a use for Parcel 1 during the PPS review process. Conformance with this condition has been demonstrated.

3. **Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions. Prior to approval, the final plat shall note the stormwater concept approval number.**

The applicant submitted a copy of approved SWM Concept Plan 25803-2019-01, which shows conceptual SWM for the proposed development. This condition will be met at the time of final plat.

4. **Prior to approval of a final plat:**

- a. **The final plat shall include the grant of a 10-foot-wide public utility easement along the public right-of-way.**

A 10-foot-wide public utility easement (PUE) is delineated on the DSP along only one portion of the proposed right-of-way of D'Arcy Road. The PUE is incorrectly shown extending into the existing public road right-of-way.

The applicant has stated that the County intends to abandon a portion, measuring 540 square feet in area, of existing public right-of-way for D'Arcy Road, which was previously dedicated from existing Parcel 202 by deed. This 540 square foot area is part of a previously conveyed 4,618-square-foot right-of-way to Prince George's County via deed recorded in the County Courts in Liber 24843 at folio 756, dated April 11, 2006. The process of abandonment of public land and conveyance to private property will occur independent of the permitted development of this property. Since the ultimate right-of-way line for D'Arcy Road is expected to change after inclusion of the conveyed acreage into the subject property, the applicant does not intend to show PUE dedication along the existing property line segments labeled as "L4" and "C2" on the DSP. The applicant intends to submit a variation from Section 24-122(a) of the Prince George's County Subdivision Regulations, at the time of final plat, from providing a 10-foot-wide PUE along this portion of the property fronting D'Arcy Road. The location of PUE's and the variation will be further evaluated at the final plat stage.

- b. **The final plat shall include the necessary dedication of right-of-way for D'Arcy Road as determined by the Department of Permitting, Inspections and Enforcement.**

In May 2020, per correspondence between Ms. Rodgers of Lawson Design Group and Mr. Mariwan Abdullah of DPIE, DPIE expressed agreement with the applicant's proposal, which showed a 32-foot right-of-way width from the proposed roadway centerline of D'Arcy Road. D'Arcy Road is planned to be straightened along the frontage of the subject property, and the DSP shows the proposed centerline of the re-aligned road and the 32-foot right-of-way width as agreed by DPIE. In addition, a proposed public right-of-way dedication for 1,012 square feet along D'Arcy Road is shown on the DSP.

8. **Prior to acceptance of a detailed site plan submission, an invasive species management plan shall be included as part of the application on the Type 2 tree conservation plan.**

An invasive species management plan is included in Type 2 Tree Conservation Plan TCP2-035-2020.

9. **In conformance with the 2009 Approved Countywide Master Plan of Transportation, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

- a. **A shared-lane marking (sharrow) on D'Arcy Road, along the frontage of the subject site, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement with written correspondence.**
- b. **Two inverted-U style bicycle racks at a location that is convenient to the entrance of the building.**

The applicant's submission displays a shared-lane marking (sharrow) on D'Arcy Road, as well as two bicycle racks located at the entrance of the facility. Staff recommends the applicant include a detail sheet displaying the bicycle rack as an inverted U-style, or a similar style that will provide two points of contact to support and secure a parked bicycle, with specifications and dimensions provided.

12. **Total development within the subject property shall be limited to uses which generate no more than 44 AM peak-hour trips and 46 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The site plan proposes a building with the same mix of uses with a slightly smaller gross floor area than the facility on which the PPS was approved. Staff therefore concludes that the development represented by this plan will not generate more traffic than was anticipated in the PPS, consequently, the trip cap established in Condition 12 of the approved PPS will not be exceeded.

9. **2010 Prince George's County Landscape Manual:** The application is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The required plantings and schedules are provided, in conformance with the Landscape Manual, with the exception of Section 4.2. Initially, the applicant requested alternative compliance (AC) from Section 4.2, Requirements for Landscape Strips Along Streets, along D'Arcy Road. However, the applicant was providing extra wide driveways in the front parking lot. Staff recommends that the parking lot be revised so the AC request is not required, as conditioned herein.



- 10. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has previously approved TCPs. TCP2-035-2020 was submitted with the DSP application.

According to the worksheet shown on the TCP2 as submitted, the site is 7.77 acres split-zoned between the I-1 (5.12 acres) and I-2 (2.65 acres) Zones. A total of 0.38 acre of existing woodland is on the net tract, and has a woodland conservation threshold of 1.17 acres, or 15 percent of the net tract, as tabulated. The Woodland Conservation Worksheet proposes the removal of 0.02 acre in the net tract area, for a woodland conservation requirement of 1.19 acres. The TCP2 shows this requirement will be met by providing 0.36 acre of woodland preservation on-site, 0.37 acre of on-site reforestation, 0.13 acre of natural regeneration on-site, and 0.33 acre of off-site woodland conservation credits.

The TCP2 requires additional technical corrections to be in conformance with the WCO. These revisions are specified in the recommended conditions below.

- 11. 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 for 5,000 square feet or greater. Properties that are within the I-1 and I-2 Zones are required to provide a minimum of 10 percent of the gross tract area in TCC. This project has 7.77 acres that results in a required TCC of 0.78 acre for the site, or 33,803 square feet. Staff notes that the plans propose more than what is required and meet the requirements of the Tree Canopy Coverage Ordinance.

- 12. Referral Comments:** The subject application was referred to the appropriate County agencies and divisions. The referral comments are summarized, as follows:

- a. **Historic Preservation**—In a memorandum dated October 19, 2020 (Stabler to Bishop), incorporated herein by reference, the Historic Preservation Section noted that in a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George’s County Historic Sites or resources.
- b. **Community Planning**—In a memorandum dated November 5, 2020 (Gravitz to Hurlbutt), incorporated herein by reference, the Community Planning Division indicated that, pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this DSP.
- c. **Subdivision**—In a memorandum dated December 23, 2020 (Gupta to Hurlbutt), incorporated herein by reference, the Subdivision Section provided an evaluation of the application that is incorporated into Finding 8 and found the application acceptable.
- d. **Trails**—In a memorandum dated December 8, 2020 (Ryan to Hurlbutt), incorporated herein by reference, the Trails planner provided an evaluation for conformance with the applicable conditions of the PPS, in order to implement

planned bikeways and pedestrian improvements. Staff found the pedestrian and bicycle transportation site access and circulation acceptable.

- e. **Transportation Planning**—In a memorandum dated December 5, 2020 (Burton to Hurlbutt), incorporated herein by reference, the Transportation Planning Section noted that the site was reviewed for conformance with previous conditions of approval. The subject application is proposing two access points on D’Arcy Road, a master-planned collector road (C-627) within 80 feet of right-of-way. The site plan is showing additional right-of-way to be dedicated, that is consistent with the master plan requirement. Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP.
  - f. **Environmental Planning**—In a memorandum dated December 28, 2020 (Rea to Hurlbutt), incorporated herein by reference, the Environmental Planning Section provided an analysis of the previous conditions of approval and the application. The Environmental Planning Section noted the site has an approved Natural Resources Inventory Plan NRI-077-2019. The site is the subject to SWM Concept Approval Letter 25803-2019, that proposes to construct 24 micro-bioretenion ponds, a submerged gravel wetland, and an undetained pervious area. There are no regulated environmental features located on the subject site or the adjacent parcels; however, the Soil Conservation District may require additional or redundant erosion and sediment control devices.
  - g. **Prince George’s County Fire/EMS Department**—As of the writing of this staff report, the Prince George’s County Fire/EMS did not offer any comments on the subject application.
  - h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—As of the writing of this staff report, DPIE did not offer any comments on the subject application.
  - i. **Prince George’s County Police Department**—In a memorandum dated October 29, 2020 (Contic to Hurlbutt), incorporated herein by reference, the Police Department indicated that upon review of these site plans, they have no comments at this time.
  - j. **Prince George’s County Health Department**—As of the writing of this staff report, the Health Department did not offer any comments; however, standard conditions have been included in the Recommendation section of this report to require noise and dust control during the demolition and construction phases of the development.
  - k. **Washington Suburban Sanitary Commission (WSSC)**—As of the writing of this staff report, WSSC did not offer any comments on subject application.
13. As required by Section 27-285(b)(1) of the Zoning Ordinance, this DSP, if approved with the recommended conditions, 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 costs, and without detracting substantially from the utility of the proposed development for its intended use.

14. As required by Section 27-285(b)(4), the Planning Board must also find that the regulated environmental features on a site have been preserved and/or restored in as natural a state as possible, in accordance with the requirements of Subtitle 24-130(b)(5) of the Subdivision Regulations. The site does not contain any regulated environmental features that are required to be protected. Therefore, this finding is not applicable to this DSP.

## RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Prince George's County Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-20035 and Type 2 Tree Conservation Plan TCP2-035-2020 for Waste Management Capitol Facility, subject to the following conditions:

1. Prior to certification of the detailed site plan, the following revisions shall be made to the plans:
  - a. Correct the gross floor area for proposed Parcel 1 after excluding the 540 square feet of previously conveyed public right-of-way.
  - b. Correct the proposed 10-foot-wide public utility easement along D'Arcy Road to end at the property line.
  - c. Provide the square footage of the green space in the table on the cover sheet.
  - d. Correct the required parking to 53 spaces.
  - e. Reduce parking lot driveways from 24 to 22 feet and enlarge the Section 4.2 landscape strip along D'Arcy Road.
  - f. Modify the notes and parking calculations to show the nine drive-through bays.
  - g. Label the height of the clearance provided in the drive through opening on the architectural elevations.
  - h. Provide the location, square footage, lighting, and materials of the freestanding sign on the plans, in conformance with Section 27-614 of the Prince George's County Zoning Ordinance.
  - i. Indicate the lighting and materials of the building-mounted sign on the plans.
  - j. Correct adjacent property information on the landscape plan to show that the properties to the north and south are in the Light Industrial and Heavy Industrial Zones, and that the property to the east is zoned Residential-Agricultural.
  - k. Provide one additional loading space, in conformance with Section 27-582 of the Prince George's County Zoning Ordinance.

- l. Add the following general notes:
  - (1) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Conformance to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, is required.
  - (2) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Conformance to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code, is required.
  
- m. Revise the Type 2 tree conservation plan (TCP2), as follows:
  - (1) Add TCP2-035-2020 to all approval blocks on the TCP2.
  - (2) Remove the part of the note in the Invasive Species Management Plan regarding qualifying for additional woodland conservation credit for the reduction of invasive species in the herbaceous layer.
  - (3) Change the title block on all pages to reflect this as a TCP2 plan not a TCP1 plan.
  - (4) Add TCP2-035-2020 to the project name of the Invasive Species Management Plan.
  
2. Prior to the certification of the Type 2 tree conservation plan (TCP2) for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submission to the Prince George's County Land Records or recordation. The following note shall be added to the standard TCP2 notes on the plan, as follows:

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

ITEM: 6

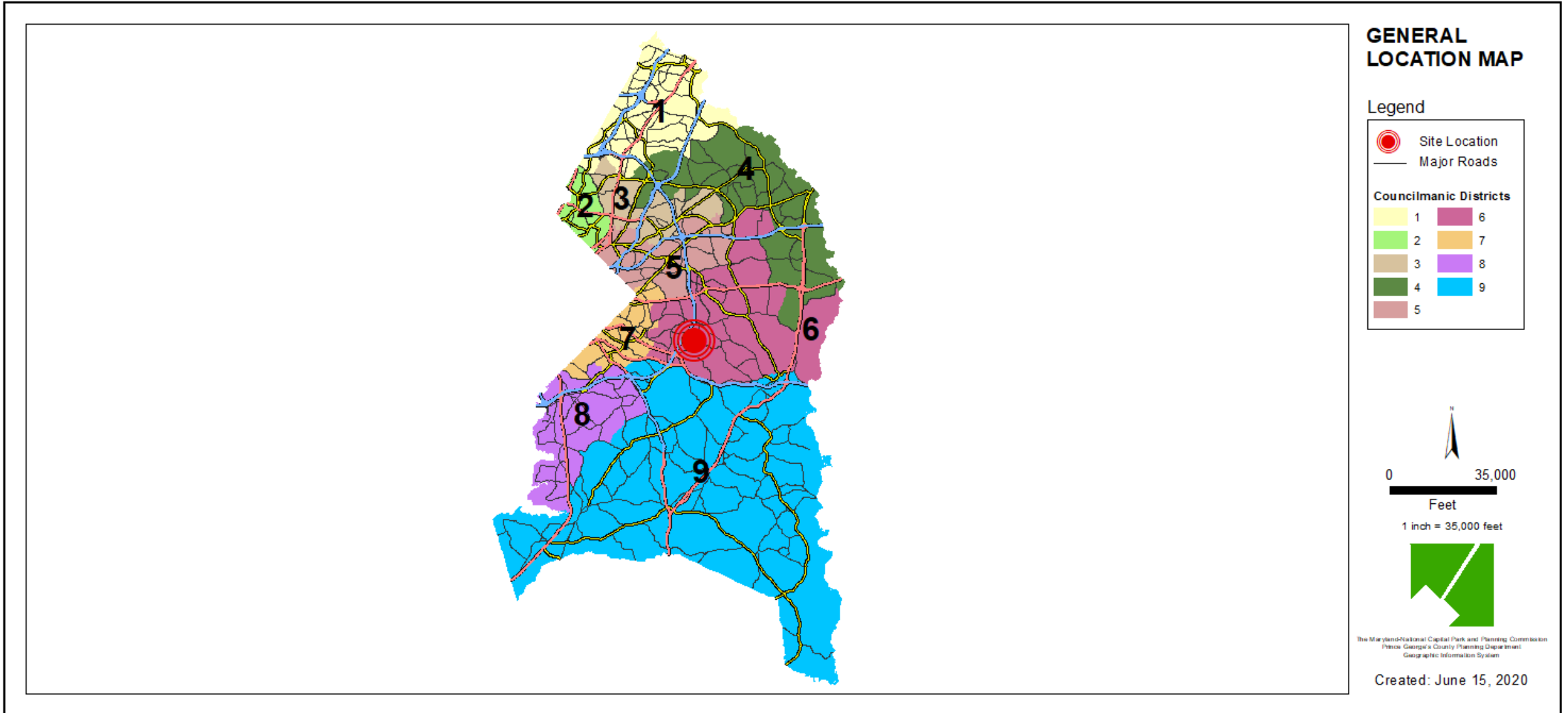
CASE: DSP-20035

# WASTE MANAGEMENT CAPITOL FACILITY

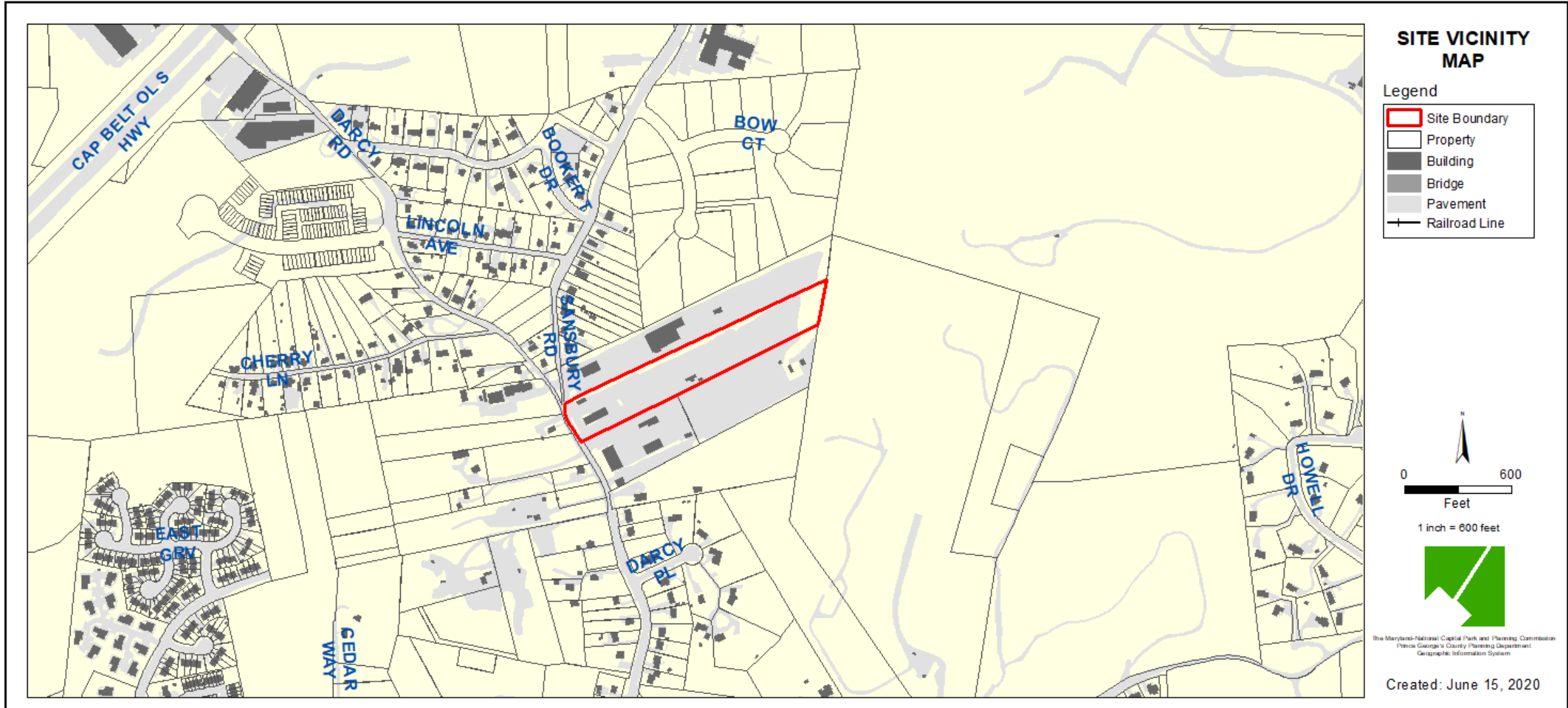
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



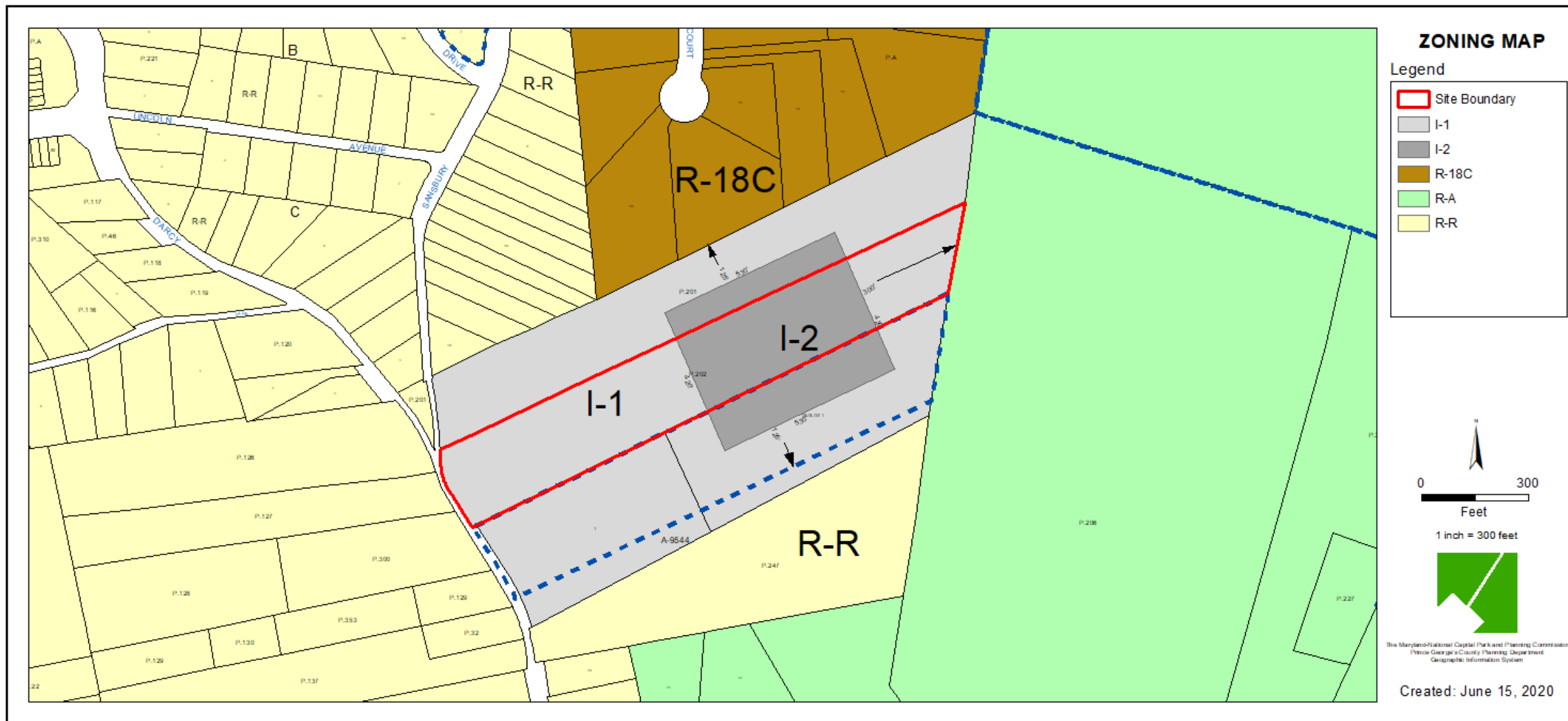
# GENERAL LOCATION MAP



# SITE VICINITY



# ZONING MAP





# OVERLAY MAP



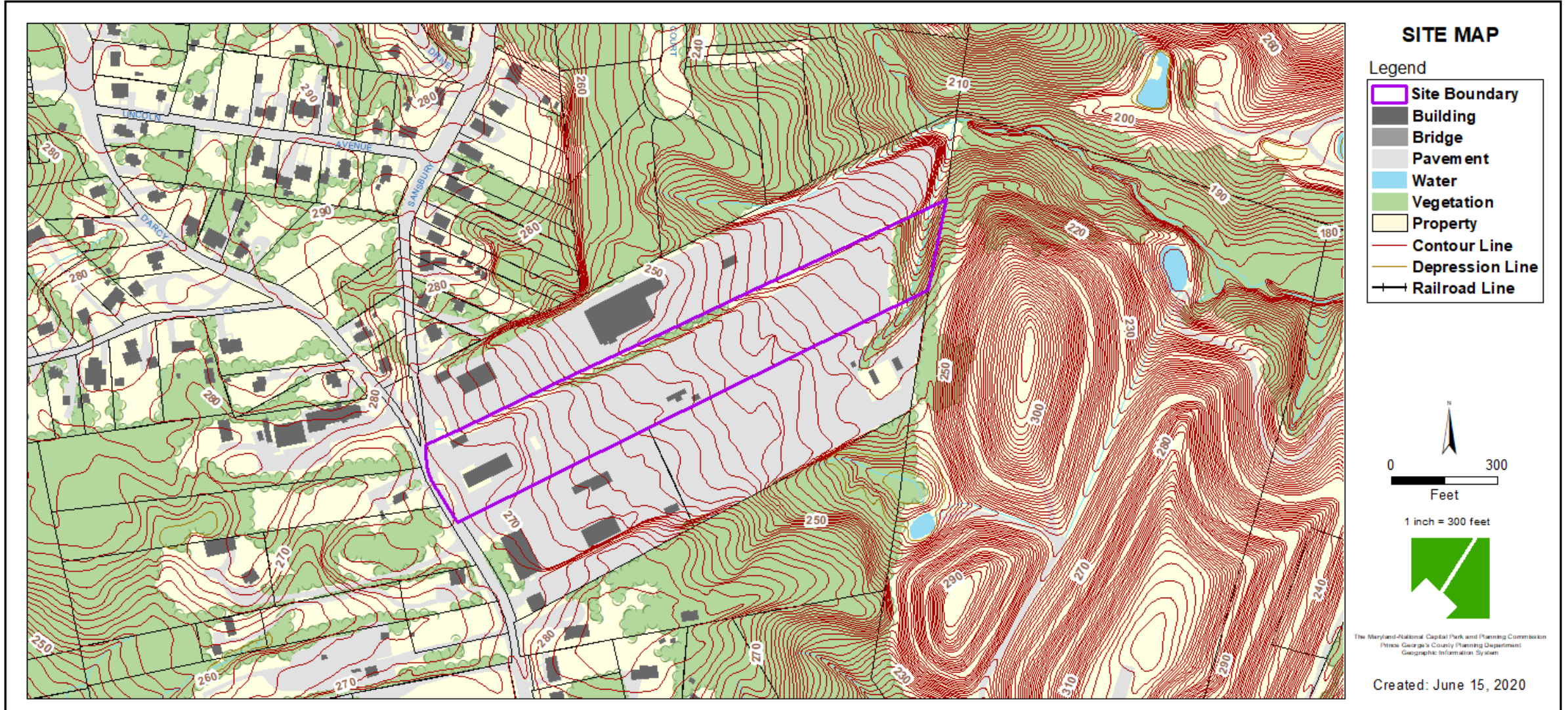


# AERIAL MAP





# SITE MAP



# MASTER PLAN RIGHT-OF-WAY MAP



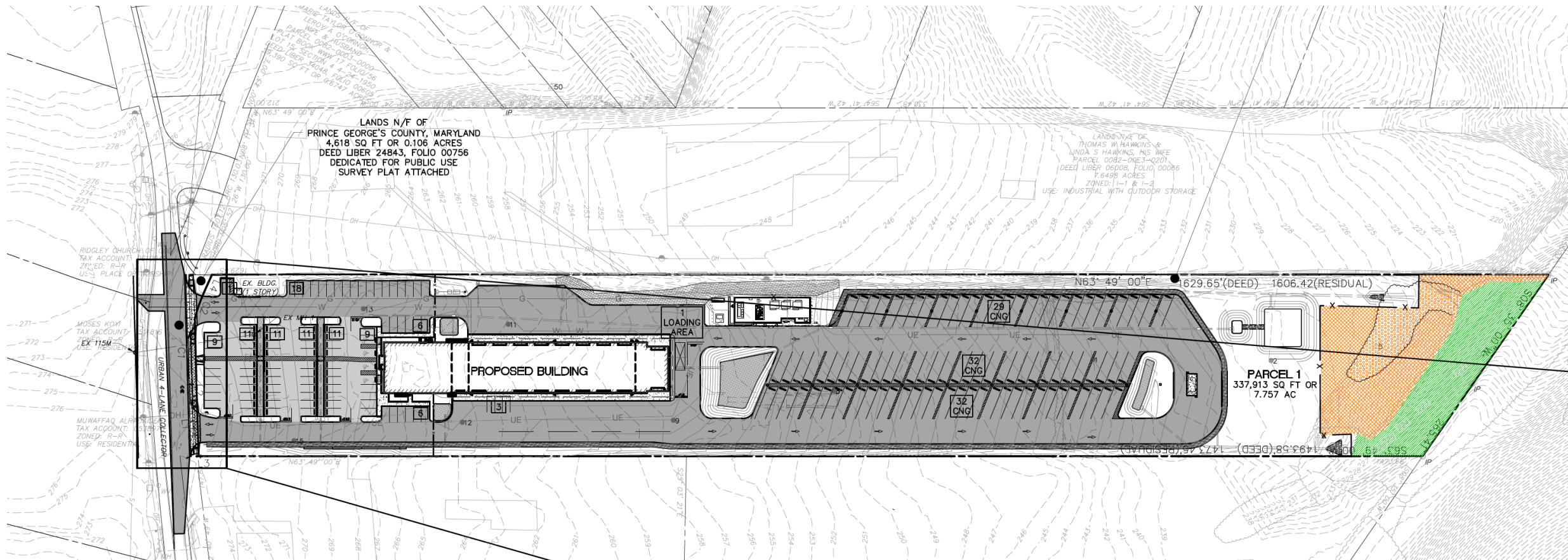


# BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED

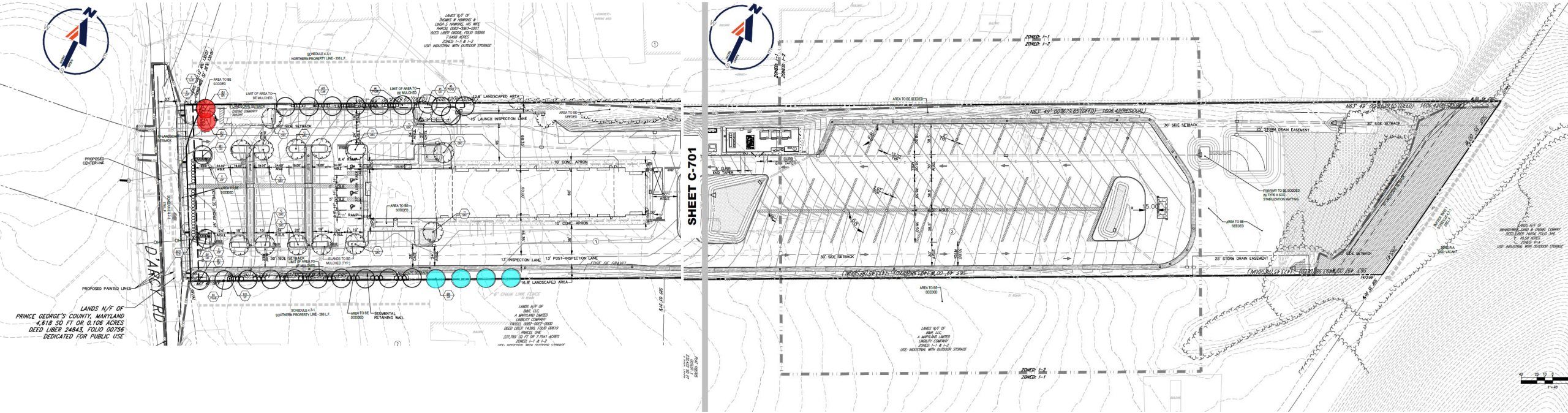




# SITE PLAN

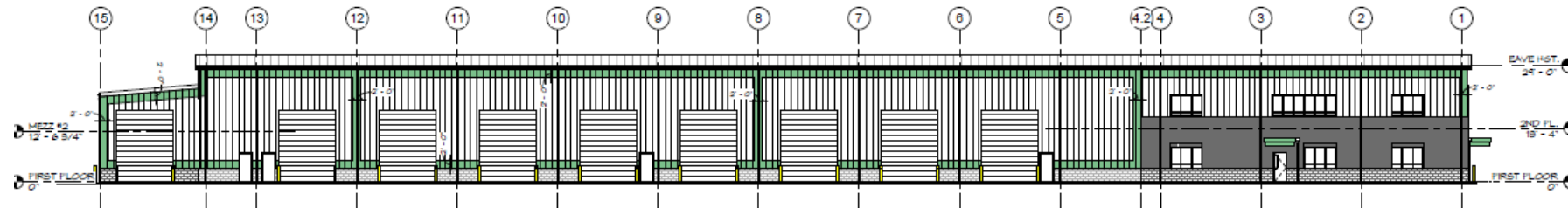


# LANDSCAPE PLAN



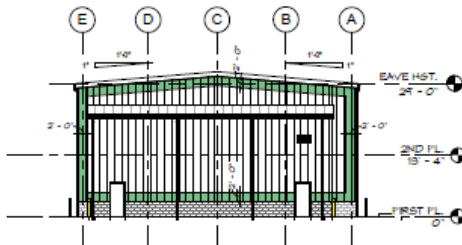


# ARCHITECTURE



**NORTH ELEVATION OVERALL**

SCALE: 1/150

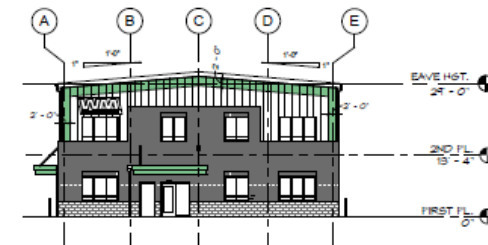


**EAST ELEVATION OVERALL**

SCALE: 1/150

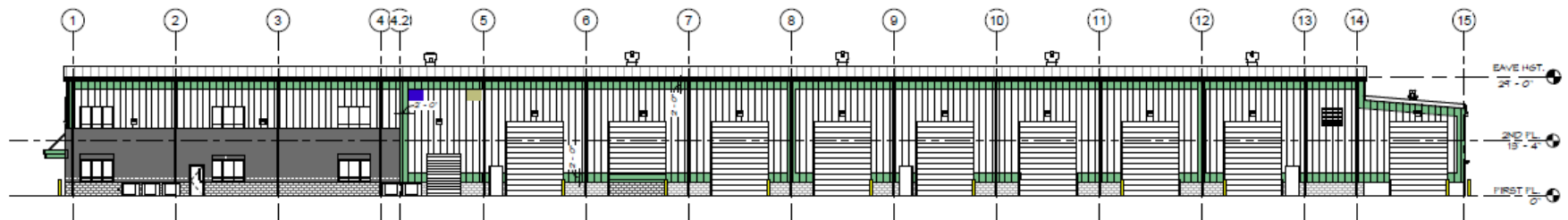
**EXTERIOR ELEVATIONS CONSTRUCTION NOTES**

NO.	NOTE DESCRIPTION
001	FINISH AND INSTALL EXTERIOR GROUND FLOOR TERRAZZO FINISH FACILITY COLOR #1 IN EXTERIOR WALL CONSTRUCTION - REFER TO WALL SECTIONS.
002	FINISH AND INSTALL EXTERIOR GROUND FLOOR FACILITY UNITS (ACCENT COLOR #2) IN EXTERIOR WALL CONSTRUCTION - REFER TO WALL SECTIONS.
003	FINISH AND INSTALL EXTERIOR GROUND FLOOR FACILITY UNITS (BASE COLOR) IN EXTERIOR WALL CONSTRUCTION - REFER TO WALL SECTIONS.
004	FINISH AND INSTALL EXTERIOR PRE-ENGINEERED METAL BUILDING METAL SIDING (BASE COLOR) IN WALL CONSTRUCTION - REFER TO WALL SECTIONS.
005	FINISH AND INSTALL EXTERIOR PRE-ENGINEERED METAL BUILDING METAL SIDING (ACCENT #1) IN WALL CONSTRUCTION - REFER TO WALL SECTIONS.
006	FINISH AND INSTALL EXTERIOR PREFINISHED ALUMINUM DOOR, PREFINISHED ALUMINUM DOOR FRAME AND DOOR HARDWARE, REFER TO DOOR SCHEDULE ON DRAWING A4.1.
007	FINISH AND INSTALL EXTERIOR PREFINISHED ALUMINUM WINDOW UNIT WITH 1" THICK INSULATED GLASS.
008	FINISH AND INSTALL EXTERIOR PREFINISHED ALUMINUM WINDOW UNIT WITH 1" THICK INSULATED TRANSPARENT GLASS.
009	FINISH AND INSTALL EXTERIOR PAINTED INSULATED HOLLOW METAL DOOR, NEW DOOR FRAME AND NEW DOOR HARDWARE, REFER TO DOOR SCHEDULE ON DRAWING A4.1.
010	FINISH AND INSTALL EXTERIOR BUILDING SIGNAGE ON NEW PRE-ENGINEERED METAL BUILDING METAL SIDING.
011	FINISH AND INSTALL FIRE DEPARTMENT DOOR BOX.
012	FINISH AND INSTALL 4" HIGH BUILDING ADDRESS IDENTIFICATION.
013	FINISH AND INSTALL LAMP RECEPT.
014	FINISH AND INSTALL NEW ROLLING DOOR - REFER TO DOOR SCHEDULE ON DRAWING A4.1.
015	LANDSCAPE FACILITY ENTRANCE SIGNAGE AS PER DOOR.
016	FINISH AND INSTALL EXTERIOR PRE-ENGINEERED METAL BUILDING PREFINISHED GUTTER AND DOWNSPOUTS.
017	FINISH AND INSTALL PREFINISHED FORMER METAL SIGN SHAWES.
018	FINISH AND INSTALL ROOF CANOPY SYSTEM.
019	FINISH AND INSTALL EXTERIOR METAL PANEL SYSTEM AT THE PERIMETER OF THE NEW ROOF CANOPY.
020	WALL MOUNTED LIGHT FIXTURE - REFER TO ELECTRICAL DRAWINGS.
021	EXTERIOR DISCONNECT SWITCH MOUNTED TO THE EXTERIOR PRE-ENGINEERED METAL BUILDING METAL SIDING WALL SYSTEM - REFER TO ELECTRICAL DRAWINGS.
022	FINISH AND INSTALL EXTERIOR PRE-ENGINEERED METAL BUILDING STANDING SEAM ROOF SYSTEM.
023	FINISH AND INSTALL EXTERIOR PRE-ENGINEERED METAL BUILDING STANDING SEAM ROOF EAVE TRIM.
024	FINISH AND INSTALL EXTERIOR PRE-ENGINEERED METAL BUILDING STANDING SEAM ROOF RAKE TRIM.
025	FINISH AND INSTALL EXTERIOR PREFINISHED METAL LOWER - REFER TO MECHANICAL DRAWINGS.
026	FINISH LOWER PRE-ENGINEERED METAL BUILDING ROOF INTO VERTICAL PRE-ENGINEERED METAL BUILDING WALL SYSTEM.
027	FINISH AND INSTALL PAINTED 2" DIAMETER x 4'-0" HIGH GALVANIZED STEEL, CONCRETE-FILLED PIPE SULLAGE - REFER TO STRUCTURAL DRAWINGS.
028	FINISH AND INSTALL ROOF EDGEMET FAST - REFER TO MECHANICAL DRAWINGS.
029	FINISH AND INSTALL NEW EXTERIOR SIGNAGE - TRADE MANAGED-ENT - REFER TO DRAWING A4.4.
030	FINISH AND INSTALL NEW UTILITY DRINK VENDER (NOMINAL 4' x 12').
031	MASONRY CONTROL JOINT.



**WEST ELEVATION OVERALL**

SCALE: 1/150



**SOUTH ELEVATION OVERALL**

SCALE: 1/150





# ARCHITECTURE



# SIGNAGE



SERVICE PROVIDED	
WALL SIGN	30.00 SF
GROUND SIGN	



Friday, December 18, 2020  
 DESIGNER: [Signature]  
 PROJECT: WASTE MANAGEMENT CAPITAL FACILITY  
 DRAWING: SIGNAGE  
 DATE: 12/18/2020

FOR OFFICIAL USE ONLY  
 OR shall remain that this plan  
 cannot be used for any other purpose  
 without the written consent of the  
 ENGINEER. APPROVED BY THE BOARD  
 OF PROFESSIONAL ENGINEERS  
 OF THE STATE OF MARYLAND  
 PROJECT NAME: WASTE MANAGEMENT CAPITAL FACILITY  
 PROJECT NUMBER: 200-20035  
 For Conditions of Approval see Site Plan Cover Sheet or  
 Approval Sheet and/or other documents that may be attached.

WASTE MANAGEMENT CAPITAL FACILITY  
 9304 Darcy Rd., Upper Marlboro, MD 20744  
 (410) 553-7771  
 www.waste-management.com

NOTE: THE PROPOSED SIGNS WILL NOT BE ILLUMINATED.



## I. INTRODUCTION

Waste Management of Maryland, Inc. (hereinafter the “**Applicant**”), by and through its attorneys, Lerch, Early & Brewer, Chtd., submits this Detailed Site Plan (hereinafter the “**DSP**”) Justification Statement (hereinafter the “**Statement**”) to demonstrate that the proposed industrial and institutional development on the subject property is in compliance with the applicable provisions of Subtitle 27 of the Prince George’s County Code (hereinafter the “**Zoning Ordinance**”), the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (the “**Sector Plan**”), relevant conditions of approval for Preliminary Plan of Subdivision 4-19035 (the “**PPS**”) and other applicable review requirements and criteria. The subject property consists of approximately 7.77 acres and is located on the east side of D’Arcy Road, south of the confluence of D’Arcy Road and Sansbury Road at 9304 D’Arcy Road in Upper Marlboro, Maryland (the “**Property**”). The Property is currently split zoned in the Light Industrial (I-1), Heavy Industrial (I-2), and Military Installation Overlay (M-I-O) Zones and is subject to the recommendations of the Sector Plan. This Application is intended for a permitted use in the I-1, I-2, and M-I-O (Conical Surface E) Zones. Staff has interpreted this use to be Trash Removal Services. Sec. 27-475.06 of the Zoning Ordinance requires a DSP for Trash Removal Services.

As described in detail herein and reflected on DSP-20035, the Applicant proposes to redevelop and modernize the Property with a new ±25,106 square foot expanded office/administrative building that will also house an eight (8) bay drive-through service and shop area for the routine maintenance of the Applicant’s commercial vehicle fleet (the “**Project**”). The proposed building will house both administrative and fleet maintenance uses, implementing an innovative and aesthetically pleasing design with various green features to improve the overall character of the Property and maximize compatibility with its surrounding uses. Importantly, the Project will create employment opportunities for the local economy while increasing sustainability and visually integrating industrial uses at the site

into the proximate area. Accordingly, the Applicant respectfully requests Planning Board approval of the subject DSP.

**II. PROPERTY DATA**

<i>Location:</i>	9304 D’Arcy Road, Upper Marlboro, MD.
<i>Tax Map #:</i>	82, Grids D-3 and E-3.
<i>Frontage:</i>	D’Arcy Road – to the west.
<i>Election District:</i>	15.
<i>Legislative District:</i>	21.
<i>Councilmanic District:</i>	6.
<i>Acreage:</i>	±7.77 acres.
<i>Zoning:</i>	I-1 / I-2 / M-I-O.
<i>Planning Area:</i>	78.
<i>Subdivision:</i>	4-19035.
<i>Existing Water Category:</i>	W-3.
<i>Existing Sewer Category:</i>	S-3 / S-4.
<i>Historic:</i>	N/A.
<i>Aviation Policy Area:</i>	N/A.
<i>Master Plan:</i>	<i>Approved Westphalia Sector Plan and Sectional Map Amendment.</i>
<i>General Plan:</i>	<i>Plan Prince George’s 2035.</i>

### III. EXISTING CONDITIONS AND SURROUNDING AREA

The Property is currently improved with three uses: (1) the administrative office building, (2) a community use trailer, and (3) a scale and scale house for a recycled scrap metal yard. Constructed in 1962, the main structure on the Property is located approximately 60-feet east of D'Arcy Road and is used for administrative offices and vehicle fleet maintenance. The community trailer is located on the northwest corner of the Property, approximately 65-feet east of D'Arcy Road.<sup>1</sup> The scrap metal yard is located at the eastern end of the Property.

The Property is primarily surrounded by industrial and residential uses and is bounded by industrial uses within the Light Industrial (I-1) and Heavy Industrial (I-2) Zones to the north and south. Residential uses in the Rural Residential (R-R) Zone confront the Property to the west, across D'Arcy Road. The Property abuts an active gravel mine located in the Residential-Agricultural (R-A) Zone directly to the east. The site is generally located southeast of the confluence of D'Arcy Road and Sansbury Road.

### IV. PROPOSED DEVELOPMENT

#### A. Overview

The Applicant proposes to redevelop the Property with the construction of a ±25,106 square foot building. The new facility will house expanded office/administrative space and an eight (8) bay drive-through service and shop area for the routine maintenance of the commercial truck fleet. Once the new building is constructed and occupied, the existing administrative office/maintenance building will be razed to accommodate employee parking. Three (3) parallel bays of employee parking, separated by landscaped islands, will be located between D'Arcy Road and the new building. Fleet fueling will continue at the Property throughout redevelopment. Specifically, the Project will also include the installation of a

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<sup>1</sup> The Westphalia Community Association uses the trailer for community meetings.

compressed natural gas system (“CNG”) to facilitate conversion of the commercial vehicle fleet from diesel fuel to cleaner burning natural gas. The new fueling installation will also double as an overnight fleet parking area.

In addition to providing more sustainable energy at the site, the Project will also improve the overall character of the Property by reducing its industrial appearance. Moreover, the Project will provide significant aesthetic improvements to visually integrate the Property into its surrounding residential uses and advance objectives of the Sector Plan.

## **B. Architecture**

The Project features architectural design elements to assimilate the Property into the surrounding community and mitigate its existing industrial character. The Project will incorporate brick veneer on three sides of the administration area of the façade, as viewed from D’Arcy Road. Additionally, veneer enhancement will be completed with masonry wainscot, steel siding, and standing seam metal roof materials proposed in earth tone colors. In accordance with Condition 4.b of the PPS, the new building will be located approximately 240-feet from the east curb line on D’Arcy Road with a new right-of-way realignment. Trees and shrubs will be installed in accordance with the 2010 *Prince George’s County Landscape Manual* (the “**Landscape Manual**”) and vastly improve public view of the Property. Fleet parking at the Facility is located behind new separation fencing, gates, and the proposed building at a minimum distance of 700-feet from D’Arcy Road. Existing roll-off container storage will be removed from the site and stored at another Waste Management facility. In all, the Project will aesthetically integrate the Property into adjacent uses, reduce the Property’s existing industrial character and modernize the industrial infrastructure on site.

### C. Traffic and Pedestrian Circulation

The Project is appropriately designed to accommodate multiple forms of transportation and efficient circulation. There are currently two types of trucks operating out of the facility: fleet vehicles, which are used by the Applicant, and other large trucks (non-fleet vehicles), which will no longer operate on the Property.

Currently, the two existing site access points along D'Arcy Road operate without any movement restrictions. As part of the Project, fleet vehicles will be rerouted so that they must enter at the South Access and exit at the North Access in order to circulate the building in a counter-clockwise manner and better facilitate the flow of traffic on D'Arcy Road.

Additionally, two U-shaped bike racks have been incorporated on the southwest corner of the building within 35-feet of the public entrance. ADA compliant sidewalks, circulation, and parking is provided directly in front of the new facility at the employee parking area. New entrance driveways, sidewalks, curbs, and gutters will be constructed within the D'Arcy Road right-of-way and property frontage in conjunction with the realignment work.

## V. LAND USE & INFRASTRUCTURE OVERVIEW: 2007 APPROVED WESTPHALIA SECTOR PLAN AND SECTIONAL MAP AMENDMENT

### A. Sector Plan Background

The Property is located within the boundaries of the Sector Plan. The Sector Plan covers the area bounded to the north and east by Ritchie Marlboro Road, to the west by the Capital Beltway, and to the south by Pennsylvania Avenue.

The Planning Board determined the approved PPS associated with this DSP application conforms to the goals and policies of the Sector Plan. The sections below identify and address relevant policies within the Sector Plan that are applicable to the Property and highlighted by the proposed development.

## **B. Recommended Development Pattern Goals & Policies**

The Sector Plan outlines several goals and policies related to development patterns that provide a framework for future development and redevelopment of property within the Sector Plan area. The Project satisfies the following policies and goals:

### **1. Policy 6 – Industrial Area Strategies**

- *Separate industrial areas by use of buffering designed and placed to minimize sight, sound and dust*

Comment: The Project design employs a series of buffering techniques to minimize sight and sound on the Property that meet and exceed the separation goals for industrial areas outlined in the Sector Plan. In addition to new separation fencing and gates on each side of the building, trees and shrubs will be installed in accordance with the Landscape Manual to improve public view of the Property. Moreover, landscape implementation will reduce the site's existing industrial character. Front parking planter areas and landscape strips, located on the property's frontage and between rows of employee parking, provide sight, sound, and dust buffering from the roadway and adjacent properties. Side yard landscape areas are located on the full length of the north and south property lines – between the subject property and adjacent industrially zoned properties – for buffering and separation purposes. Additionally, many existing trees and vegetation currently located on the side yard property lines will be maintained. Supplementary proposed landscaping along the parking lot perimeter will also contribute toward buffering on-site.

New separation fencing and entry gates will consist of six-foot high chain link fencing and motorized sliding cantilever gates that incorporate vision slats into the fence fabric. Installation of vinyl vision slats will conceal the line of sight to the maintenance operations located beyond the administration parking area. The separation fencing and gates are located on the north and south sides of the building and extend to the existing side yard chain link fencing. The new fencing and gates with vision slats are located approximately 310-feet east of D'Arcy Road.



- *Provide screening for outdoor storage areas and truck parking or loading areas for industrial properties bordering roads.*

Comment: Fleet parking is located behind the new facility a minimum of 700-feet from D'Arcy Road and screened by new chain-link entry fencing with motorized gates. Entry fencing located on the north and south sides of the new building extends to the existing side yard fencing. New separation fencing will incorporate vinyl vision slats for sight line buffering from the roadway. The proposed loading zone for the building is located behind the southern entry fencing to minimize sight lines from D'Arcy Road. Truck fleet parking is strategically located to mitigate the industrial character of the site. Due to the natural fall of the site in the west to east direction, the grade at the first row of fleet parking is 17-feet below the public roadway grade, while the easternmost row of fleet parking will be 40-feet below the public roadway grade. A majority of the fleet parking will be blocked by the 29-foot eave height of the building. The 10-foot high, above grade storage tank located east of the fleet parking is centered on the new building and drops 38-feet below the D'Arcy Road elevation. The fueling tank will not be visible from the public roadway. Additional facility storage areas will be located within the enclosed maintenance shop area.

- *Design access roads to industrial areas to border or pass around, not through, residential neighborhoods.*

Comment: D'Arcy Road represents the main public access road to the Property. However, both D'Arcy Road and Sansbury Road effectively serve as borders for separate land uses along the Property. D'Arcy Road, to the west, and Sansbury Road, to the north, directly buffer low-density residential zones from the Property and its adjacent light-industrial zones.

- *Provide access to industrial sites by means of pedestrian trails and public transit, as well as public roads.*

Comment: The Property fronts D'Arcy Road and is located southeast of the confluence of D'Arcy Road and Sansbury Road. Both public roads are identified as

collectors in the Sector Plan, providing access to the Property from proximate arterials and freeways in the Sector Plan area. Furthermore, the Property is proximately located to two pedestrian trails highlighted in the Sector Plan. The site sits just west of a hiker/biker trail in the adjacent Turkey Run wildlife corridor and is located roughly one mile north of the Melwood Legacy Trail, which begins at the intersection of Westphalia Road and D'Arcy Road. The Property is also accessible to pedestrians via five-foot-wide sidewalks along its frontage with D'Arcy Road.

- *Enclose, buffer, or otherwise modify business activities to reduce noise, traffic, or unattractive views.*

Comment: The Project utilizes enclosures, buffers, screening, landscaping, and other design techniques to improve the overall appearance of the Property and reduce its industrial character. In combination with strategic setbacks and architectural interventions, these design techniques will allow the Property to blend into the surrounding area without adversely impacting the character of neighboring properties. Moreover, fleet maintenance operations will be conducted within an enclosed maintenance shop to reduce noise and views of industrial business activities. Operational access ways to the repair bays, parking, and fueling will be visually shielded behind new separation fencing and entry gates.

## 2. Land Use Goals

- *Maintain low-to-medium-density land uses for the Sector Plan area, except in the Westphalia town center core.*

Comment: The Sector Plan and SMA retained the Property in the I-1 and I-2 Zones and recommends industrial land uses on the subject site. The Property is outside of the Westphalia town center core and the Project will maintain the existing low-density industrial land uses on site.

C. Environmental Infrastructure Policies

- *Protect, preserve, and enhance the identified green infrastructure network within the Westphalia sector planning area*

Comment: The Project protects, preserves, or enhances all pertinent, regulated areas within the Green Infrastructure Network to the fullest extent possible. The Property sits at the western edge of a secondary corridor identified as Turkey Run wildlife corridor in the Sector Plan. The Project prioritizes these green elements through a combination of on-site woodland preservation, reforestation/afforestation, and natural regeneration.

- *Restore and enhance water quality of receiving streams that have been degraded and preserve water quality and quantity in areas not degraded.*

Comment: The Project's stormwater management system ("SWM") will preserve and improve water quality of runoff using twenty-five (25) micro-bioretenion facilities and one (1) submerged gravel wetland. The natural drainage pattern is maintained, which preserves water quantity. The proposed impervious areas on-site either drain directly into a micro-bioretenion facility or into the submerged gravel wetland. These environmental site design measures then filter the stormwater through media, preserving and enhancing water quality. Improved runoff from the system will discharge off-site.

- *Reduce overall energy consumption and implement environmentally sensitive building techniques.*

Comment: The Project includes the installation of a CNG system to facilitate the Applicant's transition from a diesel fleet to a clean burning, natural gas fleet. Utilization of natural gas reduces on-site emissions while decreasing fossil fuel consumption.

The new building is designed to meet the 2018 International Conservation Code which represents the most rigorous values for building envelope insulation. The

mechanical systems are designed to the 2018 International Mechanical Code, incorporating an energy efficient split system heat pump for the Administration areas and a gas boiler with a heated floor slab system for the Maintenance Shop areas. All building lighting is specified as LED fixtures to reduce electrical energy consumption. The building structure is primarily a pre-engineered metal building with metal stud partitions and siding, which are recyclable materials that align with green building techniques upon decommissioning. Brick veneer provides an opportunity for future removal and material repurposing, and the concrete and block masonry portions of the building are responsive to crushing techniques. Moreover, these materials can be repurposed for a road or parking lot base, in lieu of going to the landfill. The asphalt paving on-site also lends itself to milling, recycling, and repurposing for future construction projects in the local area.

- *Use low-impact development (LID) techniques such as green roofs, rain gardens, innovative stormwater outfalls, underground stormwater management, green streets, cisterns, rain barrels, grass swales, and stream restoration to the fullest extent possible during the development review process with a focus on the core areas for use of bioretention and underground stormwater facilities under parking structures and parking lots.*

Comment: The Project employs LID techniques for on-site stormwater management. Utilizing a combination of twenty-five (25) micro-bioretention facilities and one (1) submerged gravel wetland, all of the Project's impervious area is filtered through media. Accordingly, the SWM improves the water quality of runoff that will discharge off-site.

## VI. ANALYSIS

### A. I-1 (Light Industrial) Zone

#### 1. Sec. 27-469

(1) *The purposes of the I-1 Zone are:*

*(A) To attract a variety of labor-intensive light industrial uses;*

Comment: The Project will house both administrative and fleet maintenance uses on-site. The proposed fleet maintenance portion of the Project includes building a fleet vehicle lubrication, tune-up, and maintenance facility with all installation operations conducted within the enclosed maintenance shop. The administrative/office portion of the Project will include driver locker facilities and other staff offices for administrative personnel as a means of enhancing vehicle maintenance and fleet driver supervision/training. Expanded office space and modernized facilities for routine vehicle maintenance and natural gas fueling are representative of labor-intensive light industrial use intended in the I-1 Zone.

*(B) To apply site-development standards which will result in attractive, conventional light industrial environment;*

Comment: The proposed design applies modernized, aesthetically harmonious light industrial site-development standards. The architectural design for the facility was updated to seamlessly integrate the facility into the surrounding residential area. The result of the architectural update is an attractive, light industrial environment with a structure that fits into the non-industrial uses in the character area.

*(C) To create a distinct light industrial character, setting it apart from both more intense Industrial Zones and the high-traffic-generating Commercial Zones;*

Comment: The Project's design is intended to modernize and mitigate the industrial character of the site. Architectural features, buffers, enclosures, setbacks, and landscaping on-site all work towards achieving a distinct, light industrial character. Furthermore, removal of scrap metal collection and processing – the most intense industrial use on the Property – will reduce non-fleet vehicle traffic on the site. As mentioned above, the architectural design for the facility was updated to produce a

structure that seamlessly integrates into the surrounding character area. The design of the facility fosters a light industrial character that more closely resembles a residential environment than a more intense, industrial property.

*(D) To provide for a land use mix which is designed to sustain a light industrial character.*

Comment: Institutional, administrative, and fleet maintenance uses will be located on-site. The mixture of these uses contributes toward a light industrial character on the Property.

*(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.*

Comment: The site complies with the Landscape Manual regarding landscaping, screening, and buffering. Approximately 40% of the net lot area will be maintained as green area when factoring in the Woodland Conservation Easement on-site.

*(C) Outdoor Storage*

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

Comment: As noted above, there are currently no exterior storage areas proposed for the site, as maintenance equipment and materials will be stored in the new building. The above grade storage tank (AST), located on the east end of the site, will not be visible from the public roadway. The existing diesel fueling area is positioned 38-feet below the grade of D'Arcy Road – shielded behind the new building and located approximately 1,200-feet east of the public roadway.

The perimeter of the fuel tank is lined with bollards to provide required protection. Fuel dispensers are located on each side of the tank and will be offset from each end of the tank to accommodate fleet vehicles that fuel on the left and right sides

of the vehicle. Concealing the tank in an enclosure would be inefficient and ineffective at the site, as it would inhibit vehicle and personnel access to the dispensers. Moreover, the tank's fill port is also located adjacent to the dispenser at the end of the tank, and requires clear access for fuel companies to fill the tank.

**B. I-2 (Heavy Industrial) Zone**

**1. Sec. 27-470**

*(b) Purposes.*

*(1) The purposes of the I-2 Zone are:*

*(A) To accommodate a mix of intense industrial uses which require larger tracts of land;*

Comment: The Project will include institutional, administrative, and fleet maintenance uses on-site. The proposed fleet maintenance portion of the Project includes building a fleet vehicle lubrication, tune-up, and maintenance facility with all installation operations conducted within an enclosed maintenance shop. The administrative/office portion of the Project will include driver locker facilities and other staff offices for administrative personnel as a means of enhancing fleet driver supervision and training. Expanded office space and modernized facilities for routine vehicle maintenance and natural gas fueling are permitted in the I-2 Zone.

*(c) Landscaping, screening, and buffering of development in the I-2 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.*

Comment: The site complies with the Landscape Manual regarding landscaping, screening, and buffering. Factoring in the Woodland Conservation Easement on-site, approximately 40% of the net lot area will be maintained as green area.

(d) *Outdoor Storage*

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

Comment: As noted above, there are currently no exterior storage areas proposed for the site. All necessary maintenance equipment and materials will be stored in the new building. The AST will not be visible from the public roadway. Additionally, the existing diesel fueling area is positioned 38-feet below the grade of D'Arcy Road – shielded behind the new building and located approximately 1,200-feet east of the public roadway.

C. M-I-O (Military Installation Overlay) Zone

1. **Sec. 27, Part 10 (C)**

- a. *The purposes of the Military Installation Overlay Zone are to regulate the development and use of structures and property in order to promote land uses compatible with operations at Joint Base Andrews; to protect the safety and welfare of individuals in the area from the adverse impacts associated with high levels of noise from flight operations and the potential for aircraft accidents associated with proximity to Joint Base Andrews operations. The intent of the regulations is to recognize the rights of individual property owners while reducing interference with the military operations at Joint Base Andrews.*

Comment: The Property is located within the Imaginary Surface E (Conical Surface) of the M-I-O Zone. The Project is compliant with the relevant M-I-O Zone regulations.

2. **Sec. 27-548.54 – Requirements for Height**

- a. *No development, structure, or alteration of the land shall exceed the height established by the Impact Map for Height.*



Comment: The Property is located within the Imaginary Surface E (Conical Surface) of the M-I-O Zone. Pursuant to Sec. 27-548.54(e)(2)(d) of the Zoning Ordinance, the maximum height for structures within this area is 495-feet. The Project is compliant with the relevant height regulations, as no structures exceed 34-feet in height.

#### **D. Requirements for Detailed Site Plans**

##### **1. Sec. 27-285(b) – Required Findings**

- a. The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.*

Comment: The subject DSP satisfies the goals and recommendations outlined in the Sector Plan.

- b. The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).*

Comment: This provision is not applicable. No Conceptual Site Plan was required.

- c. The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.*

Comment: This provision is not applicable. The subject application is not a DSP for Infrastructure.

- d. *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 in accordance with the requirement of Subtitle 24-130(b)(5).*

Comment: The Project will preserve and/or restore the regulated environmental features to the fullest extent possible.

## **E. Use Analysis**

### **1. The Applicant's Proposed Use is Permitted in the I-1 and I-2 Zones**

Fleet maintenance, administrative, and institutional uses are permitted in the I-1 and I-2 Zones. The proposed fleet maintenance portion of the facility will conduct vehicle lubrication, tune-up, and regular maintenance with all installation operations conducted within the enclosed maintenance shop. The administrative portions of the new facility will support and enhance fleet maintenance and driver supervision/training. This area of the facility will also include driver locker facilities and staff offices for administrative office personnel. The abovementioned primary uses on the Property are permitted by right within both the I-1 and I-2 Zones under Sec. 27-473(b).

Additionally, the CNG fueling area on-site will serve as an accessory use to fleet maintenance activities, functioning as both a vehicle fueling and overnight parking space for the fleet. CNG fueling qualifies as an accessory use to the aforementioned primary uses under Sec. 27-107.01(A)(245), as fueling and parking are incidental to fleet maintenance conducted on-site.

The fleet vehicles will be regularly serviced, repaired, and parked on the Property. Accordingly, fleet vehicles will depart the site in the early morning and return at the end of the day. All fleet vehicles located on the Property will be empty of refuse and will return to the Property only for regular fleet maintenance purposes.

## 2. Alternative Use Interpretations

It is possible to characterize the set of uses as “trash removal services.” Trash removal service is defined under Sec. 27-107.01(a)(243.2) as “a business involving the dispatching and storage of trucks or dumpsters for the purpose of trash removal.”

Although trash removal services are permitted in the I-2 Zone, the Property is split zoned. Pursuant to Sec. 27-475.06, trash removal services are permitted in the I-1 Zone, subject to certain conditions.<sup>2</sup> The Property’s proximity to R-18C and R-R zoned property to the north and south, as well as the R-A zone to the east, create issues in the I-1 Zone. Specifically, on-site trash removal services do not comply with the required 1,000-foot residential zone condition.<sup>3</sup>

## 3. The Applicant is Not Conducting Trash Removal Services on the Property

The purpose of the Applicant’s on-site operations is fleet vehicle maintenance and administration. Trash removal services are defined under Subtitle 27 as “a business involving the dispatching and storage of trucks or dumpsters for the purpose of trash removal.”<sup>4</sup> The Property is not used for dispatching trucks. The industry definition of “dispatching” refers to the act of instructing drivers on their respective routes. While fleet vehicles depart from the Property in the morning and return later in the day, “dispatching” is not conducted on-site. A facility in Columbia, Maryland

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<sup>2</sup> “Trash removal services permitted (P) in the Table of Uses in the I-1 Zone shall be subject to the following: (1) Requirements: (a) Trash collected by this business shall not be brought to or stored upon the property; (2) The subject property shall be more than one thousand (1,000) feet from any land in a Residential Zone, or that is used for residential purposes or proposed to be used for residential purposes on an approved Basic Plan, Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan; (c) The subject property shall not be adjacent to, or across an industrial right-of-way from, an office building consisting of at least ten thousand (10,000) square feet, and which is occupied by at least three (3) unrelated tenants. §27-475.06 (a)(1).

<sup>3</sup> The Property is located approximately 310-feet from R-R and R-A zoned property to the south and approximately 200 feet from R-R and R-18C zoned property to the north. The R-R Zone directly confronts the property across D’Arcy Road to the west, and a sand and gravel mine located in the R-A Zone is immediately adjacent to the east.

<sup>4</sup> Sec. 27-107.01(a)(243.2).

dispatches the Applicant's fleet vehicles, communicating instructions to drivers regarding their routes and services via tablet once they have left the Property. Consequently, no dispatching is conducted on the Property.

Moreover, the Applicant's fleet vehicles do not contain refuse when entering, leaving, or parking on the Property. Fleet vehicles return to the Property for routine servicing and maintenance in order to carry out waste hauling on different properties. Accordingly, "trash removal services" is not applicable to uses on-site, as none of the vehicles on the Property are actively removing or storing trash.

#### 4. Variance Analysis

If it is determined that the use is a "trash removal service," the Applicant respectfully requests a variance. Pursuant to Sec. 27-230, the Planning Board may grant a variance if it finds that:

- i. **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary conditions;**

At approximately 1,625-feet in length and 230-feet in width, the Property is exceptionally narrow. The subject parcel is an irregular, elongated rectangle – featuring a curved front lot line along D'Arcy Road and a slanted rear lot line abutting the adjacent sand/gravel mine. Moreover, the neighborhood in which the Property is located is characterized by exceptionally narrow lots. Were the lots in the neighborhood wider, the proposed "trash removal service" could be located beyond the required 1,000-feet from residential uses and residentially zoned property. Additionally, the abutting properties to north, east, and south are also occupied by industrial uses. These adjacent industrial properties to the north, south, and east lie between the Property and residential uses.<sup>5</sup> The north and south adjacent industrial

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<sup>5</sup> The abutting uses to the north, south, and east of the Property are more intense industrial uses than the Applicant's proposed use. The northern adjacent use features a traffic control equipment/road construction company. The southern adjacent use involves crane rental and storage. The eastern adjacent use includes sand and gravel mining. Each of

properties are also exceptionally narrow, as both are approximately 300 and 200 feet wide, respectively.

- ii. The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and**

Strict application will result in undue hardship upon the Applicant and their operations on the Property. The Property has been used in a manner similar to the present use since the 1960s – decades before the “trash removal service” use was defined in the 1991 Zoning Ordinance. Furthermore, the Property has been zoned for industrial use since at least 1973.<sup>6</sup> Without relief in the form of a variance, the Applicant will be forced to move its operations elsewhere. When considering the extensive history of this use on-site – in combination with redevelopment plans that ensure improved compatibility with the surrounding community – the Applicant is undoubtedly subject to undue hardship with strict application of the 1,000-foot prohibition in the I-1 Zone.

- iii. The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.**

In approving the related PPS, the Planning Board found that the combination of uses on the Property that make up the proposed “trash removal services” conforms to the Master Plan recommendations. Additionally, the Planning Board found the Project conformed to recommendations and application of the General Plan’s Established Communities Growth Policy Area, meeting goals calling for “context-sensitive infill and low-to-medium density development.”

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these abutting uses is more intense than institutional, administrative, and vehicle fleet maintenance uses on the Property.

<sup>6</sup> The Property is split zoned commercial and I-1 industrial in the 1973 Adopted & Approved Master Plan for Subregion VI.

The Project will improve the compatibility of the Property with the surrounding residential area. Although the Master Plan calls for the redevelopment of incompatible industrial uses, redevelopment here amounts to compliance with the goals of the Master Plan. The Project's light industrial character and design undoubtedly produce a more compatible land use than the existing property. Accordingly, redevelopment does not substantially impair the intent, purpose, or integrity of the Master Plan, but instead advances its goal of inducing more highly compatible land uses.

## VII. PREVIOUS CONDITIONS OF APPROVAL

Below find an analysis of the Resolution of Approval for PPS 4-19035:

1. *Prior to signature approval of the preliminary plan of subdivision, the plans shall be revised, as follows:*
  - a. *Label the 10-foot-wide public utility easement along D'Arcy Road.*

Comment: This condition will be satisfied prior to signature approval of the PPS.

- b. *Indicate the revised development square footage, as confirmed by email dated April 21, 2020 (Hatcher to Conner).*

Comment: This condition will be satisfied prior to signature approval of the PPS.

2. *A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision prior to issuance of any permits.*

Comment: This DSP does not propose to alter the mix of uses.

3. *Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions. Prior to approval, the final plat shall note the stormwater concept approval number.*

Comment: This DSP is proposed in conformance with the approved Stormwater Management Concept Plan.

4. *Prior to approval of a final plat:*
  - a. *The final plat shall include the necessary dedication of right-of-way for D'Arcy Road as determined by the Department of Permitting, Inspections and Enforcement.*

Comment: This condition will be satisfied at the time of final plat.

- b. *The final plat shall include the dedication of 40 feet of right-of-way from the centerline of D'Arcy Road, in accordance with this approved preliminary [plan] of subdivision.*

Comment: This condition will be satisfied at the time of final plat.

5. *Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised to meet all the requirements of Subtitle 25 of the Prince George's County Code. Required revisions include but are not limited to:*
  - a. *Identify the location of all proposed stormwater easements and all existing stormwater easements to remain on site.*

Comment: This condition will be satisfied prior to signature approval of the PPS.

- b. *Show all existing and proposed easement areas (with the exception of surface drainage easements) that overlap existing woodlands to remain, as being woodland retained counted as cleared on the plan; not as woodland preservation, afforestation/reforestation, or natural regeneration.*

Comment: This condition will be satisfied prior to signature approval of the PPS.

- c. *Add the TCP1 number to the approval block (TCP1-007-2019) on each sheet of the TCP1.*

Comment: This condition will be satisfied prior to signature approval of the PPS.

- d. *Update the TCP worksheet, as necessary once the above changes have been made.*

Comment: This condition will be satisfied prior to signature approval of the PPS.

- e. *Have the qualified professional sign and date the TCP worksheet, as required.*

Comment: This condition will be satisfied prior to signature approval of the PPS.

6. *Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-007-2019). The following note shall be placed on the final plat of subdivision:*

*“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-007-2019), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George’s County Planning Department.”*

Comment: This condition will be satisfied at the time of final plat.



7. *Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:*

*“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”*

Comment: This condition will be satisfied at the time of final plat.

8. *Prior to acceptance of a detailed site plan submission, an invasive species management plan shall be included as part of the application on the Type 2 tree conservation plan.*

Comment: An Invasive Species Management Plan is included in the TCP-2 Conservation plan submittal.

9. *In conformance with the 2009 Approved Countywide Master Plan of Transportation, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following:*
  - a. *A shared-lane marking (sharrow) on D’Arcy Road, along the frontage of the subject site, unless modified by the Prince George’s County Department of Permitting, Inspections, and Enforcement with written correspondence.*

Comment: One (1) shared-lane marking (sharrow) is proposed on D’Arcy Road along the frontage of the property.

- b. *Two inverted-U style bicycle racks at a location that is convenient to the entrance of the building.*

Comment: Two U-shaped bicycle racks will be provided on the southwest corner of the building, adjacent to the entry sidewalk, within 35 feet of the public entrance.

10. *Prior to approval of a building permit, the applicant and applicant’s heirs, successors, and/or assignees shall provide a \$420.00 bikeway signage fee to the Prince George’s County*

*Department of Permitting, Inspections, and Enforcement for a "Share the Road" bikeway signage assembly to be installed along D'Arcy Road at the subject site.*

Comment: Acknowledged. This condition will be satisfied at the time of the issuance of building permits.

11. *Prior to construction, the applicant shall contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility; install and maintain hemorrhage kits next to fire extinguishers. This requirement shall be noted on the final plat and permit site plans.*

Comment: Acknowledged.

12. *Total development within the subject property shall be limited to uses which generate no more than 44 AM peak-hour trips and 46 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.*

Comment: Acknowledged.

13. *Prior to issuance of each building permit, the applicant and the Applicant's heirs, successor, and/or assignees shall, pursuant to the provisions of the Prince George's County Council Resolution CR-66-2010 and the MD 4/Westphalia Road Public Facilities Financing and Implementation Program, pay to Prince George's County (or its designee) a fee of \$7.00 (in 2010 dollars) per square foot, pursuant to the Memorandum of Understanding (MOU) required by CR-66-2010. The MOU shall be recorded in the Prince George's County Land Records. These unit costs will be adjusted based on an inflation cost index factor to be determined by the Prince George's County Department of Permitting, Inspections, and Enforcement at the time of issuance of each permit.*

Comment: Acknowledged. This condition will be satisfied at the time of the issuance of building permits.

14. *Prior to approval of any final plat for this project, pursuant to Prince George's County Council Resolution CR-66-2010, the owner/developer and its heirs, successors, and/or assignees shall execute a Memorandum of Understanding (MOU) with the*

*County that sets forth the terms and conditions for the payment of fees by the Owner/Developer and its heirs, successors, and/or assignees, pursuant to the Public Facilities Financing and Implementation Program. The MOU shall be executed and recorded among the Prince George's County Land Records, and the Liber/folio noted on the final plat of subdivision.*

Comment: Acknowledged. This condition will be satisfied at the time of final plat.

## VIII. CONCLUSION

The Applicant respectfully requests that the Planning Board grant approval of DSP-20035 for the proposed development. As discussed throughout this Statement, the proposed facility will implement an innovative and aesthetically pleasing design with various green features to ensure compatibility with the surrounding community. In sum, the Project presents an important opportunity for the local economy, additional on-site sustainability, and aesthetic improvements to the benefit of the community. The above analysis and submitted plans establish that the DSP satisfies the required findings that the Planning Board must make to approve a DSP application in accordance with the Zoning Ordinance.

Respectfully submitted,  
**LERCH, EARLY & BREWER**

By:



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(301)986-1300  
Attorney for Applicant

**DSP-20035 LEGISLATIVE**  
**SUPPLEMENT**

**ADDENDUM**

## **EXHIBIT LIST**

**Exhibit A:** CB-63-2020.

**Exhibit B:** Prince George's County Planning Board Resolution of Approval No. 2020-79.

**Exhibit C:** Sector Plan Excerpts.

**Exhibit D:** M-I-O Zone Context Map.

**Exhibit E:** Subject Property Zoning Map.

**Exhibit F:** Compliance with Requirements of Section 27-358(a)(2).

**Exhibit F.1:** Distance from School Property.

**Exhibit F.2:** Distance from Outdoor Playground.

**Exhibit F.3:** Distance from Library.

**Exhibit F.4:** Distance from Hospital.

**Exhibit G:** Compliance with Applicable Setback Requirements.

**EXHIBIT A**  
**CB-63-2020**

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**SITTING AS THE DISTRICT COUNCIL**  
**2020 Legislative Session**

Bill No. CB-63-2020  
Chapter No. 49  
Proposed and Presented by Council Member Davis  
Introduced by Council Members Davis, Harrison and Franklin  
Co-Sponsors \_\_\_\_\_  
Date of Introduction October 13, 2020

**ZONING BILL**

1 AN ORDINANCE concerning  
2           Trash Maintenance Services with Private Fueling Station – I-1 and I-2 Zones  
3 For the purpose of amending the Zoning Ordinance to provide a definition for a new use, "Trash  
4 Maintenance Services and Private Fueling Station," and permitting the use in the I-1 (Light  
5 Industrial) and I-2 (Heavy Industrial) Zones of Prince George's County, under certain  
6 circumstances.  
7 BY repealing and reenacting with amendments:  
8                               Sections 27-107.01 and 27-473,  
9                               The Zoning Ordinance of Prince George's County, Maryland,  
10                              being also  
11                              SUBTITLE 27. ZONING.  
12                              The Prince George's County Code  
13                              (2019 Edition).  
14 BY adding:  
15                              Section 27-475.06.10,  
16                              The Zoning Ordinance of Prince George's County, Maryland,  
17                              Being also  
18                              SUBTITLE 27. ZONING.  
19                              The Prince George's County Code  
20                              (2019 Edition).

1 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
2 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
3 District in Prince George's County, Maryland, that Sections 27-107.01 and 27-473 of the Zoning  
4 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's  
5 County Code, be and the same are hereby repealed and reenacted with the following  
6 amendments:

7 **SUBTITLE 27. ZONING.**

8 **PART 2. GENERAL.**

9 **DIVISION 1. DEFINITIONS.**

10 **Sec. 27-107.01. Definitions.**

11 (a) Terms in the Zoning Ordinance are defined as follows:

12 \* \* \* \* \*

13 (243.2.1) **Trash Maintenance Services with Private Fueling Station:** A business  
14 involving the maintenance, dispatch and storage of trucks and dumpsters for the purpose of trash  
15 removal and contains an on-site private fueling station. The use does not include any retail sale  
16 of gasoline or compressed natural gas.

17 \* \* \* \* \*



**PART 7. INDUSTRIAL ZONES.  
DIVISION 3. USES PERMITTED.**

**Sec. 27-473. Uses permitted.**

**(b) TABLE OF USES.**

USE	ZONE				
	I-1 <sup>33</sup>	I-2 <sup>33</sup>	I-3	I-4	U-L-I
<b>(2) INDUSTRIAL:</b>					
* * * * *	*	*	*	*	*
<b>(F) Miscellaneous Industrial, Manufacturing, and Related Uses:</b>					
* * * * *	*	*	*	*	*
<u>Trash Maintenance Services with Private Fueling Station</u>	<u>P<sup>75</sup></u>	<u>P<sup>75</sup></u>	<u>X</u>	<u>X</u>	<u>X</u>
* * * * *	*	*	*	*	*

\* \* \* \* \*

**75** Permitted use, subject to the provisions of Section 27-475.06.10 of this Subtitle.

1 SECTION 2. BE IT FURTHER ENACTED that provisions of Section 27-475.06.10 be and  
2 the same are hereby added:

3 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

4 **Sec. 27-475.06.10. Trash Maintenance Services with Private Fueling Station.**

5 (a) Trash maintenance services with private fueling stations uses are permitted (P) in the  
6 Industrial Table of Uses in the I-1 and I-2 Zones, subject to the following requirements:

7 (1) Requirements.

8 (A) Trash collected by this business shall not be brought to or stored upon the  
9 property;

10 (B) The use is located on property with a preliminary plan of subdivision  
11 approved prior to September 1, 2020;

12 (C) The applicable Master Plan or Sector Plan recommends an industrial zone  
13 and/or use for the property;

14 (D) The use is located on property within the M-I-O Zone;

15 (E) The use is located on property with a land area greater than seven (7)  
16 acres;

17 (F) The use is located on property with frontage on a roadway with a  
18 functional transportation classification of collector; and

19 (G) The property abuts at least one parcel of land located, wholly or in part, in  
20 the I-2 Zone.

21 (2) Site Plan.

22 (A) A Detailed Site Plan shall be approved for the use, in accordance with  
23 Part 3, Division 9, of this Subtitle, to insure compliance with the  
24 provisions of this Section.

25 (B) In addition to the requirements of Part 3, Division 9, the following  
26 requirements shall be complied with:

27 (i) The applicant shall comply with the Prince George's County  
28 Landscape Manual; and

29 (ii) The fueling equipment and fuel storage maintains a minimum  
30 setback of twenty (20) feet from all property lines.

1                    (iii) The use shall conform with the requirements of Section 27-358(a)(2)  
2 and (c) of this Subtitle, more specifically, that upon the abandonment of the Trash Maintenance  
3 Services with Private Fueling Station, the Private Fueling Station shall terminate and all  
4 structures exclusively used for the Private Fueling Station (including underground storage tanks),  
5 except buildings, shall be removed by the owner of the property. For the purpose of this  
6 Subsection, the term "abandonment" shall mean nonoperation as a gas station for a period of  
7 fourteen (14) months after the retail services cease.

8                    (iv) Fueling equipment associated with the use shall not be located less than  
9 one hundred (100) feet from the primary ingress/egress of the property.

10            SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five  
11 (45) calendar days after its adoption.

Adopted this 17th day of November, 2020.

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

BY: \_\_\_\_\_  
Todd M. Turner  
Council Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.

**EXHIBIT B**  
**PGCPB No. 2020-79**

R E S O L U T I O N

WHEREAS, Waste Management Capitol Facility is the owner of a 7.77-acre parcel of land known as Liber 17657, said property being in the 15th Election District of Prince George’s County, Maryland, and being zoned Light Industrial (I-1), Heavy Industrial (I-2), and Military Installation Overlay (M-I-O); and

WHEREAS, on March 13, 2020, Waste Management of Maryland, Inc. filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-19035 for Waste Management Capitol Facility was presented to the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on May 14, 2020, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George’s County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on May 14, 2020, the Prince George’s County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George’s County Code, the Prince George’s County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-007-2019, and further APPROVED Preliminary Plan of Subdivision 4-19035 for 1 parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plans shall be revised, as follows:
  - a. Label the 10-foot-wide public utility easement along D’Arcy Road.
  - b. Indicate the revised development square footage, as confirmed by email dated April 21, 2020 (Hatcher to Conner).
2. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision prior to issuance of any permits.

3. Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions. Prior to approval, the final plat shall note the stormwater concept approval number.
4. Prior to approval of a final plat:
  - a. The final plat shall include the grant of a 10-foot-wide public utility easement along the public right-of-way.
  - b. The final plat shall include the necessary dedication of right-of-way for D'Arcy Road as determined by the Department of Permitting, Inspections and Enforcement.
5. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised to meet all the requirements of Subtitle 25 of the Prince George's County Code. Required revisions include but are not limited to:
  - a. Identify the location of all proposed stormwater easements and all existing stormwater easements to remain on-site.
  - b. Show all existing and proposed easement areas (with the exception of surface drainage easements) that overlap existing woodlands to remain, as being woodland retained counted as cleared on the plan; not as woodland preservation, afforestation/reforestation, or natural regeneration.
  - c. Add the TCP number to the approval block (TCP1-007-2019) on each sheet of the TCP1.
  - d. Update the TCP worksheet, as necessary once the above changes have been made.
  - e. Have the qualified professional sign and date the TCP worksheet, as required.
6. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-007-2019). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-007-2019 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department.”



7. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”
8. Prior to acceptance of a detailed site plan submission, an invasive species management plan shall be included as part of the application on the Type 2 tree conservation plan.
9. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following:
  - a. A shared-lane marking (sharrow) on D’Arcy Road, along the frontage of the subject site, unless modified by the Prince George’s County Department of Permitting, Inspections, and Enforcement with written correspondence.
  - b. Two inverted-U style bicycle racks at a location that is convenient to the entrance of the building.
10. Prior to approval of a building permit, the applicant and the applicant’s heirs, successors, and/or assignees shall provide a \$420.00 bikeway signage fee to the Prince George’s County Department of Permitting, Inspections, and Enforcement for a “Share the Road” bikeway signage assembly to be installed along D’Arcy Road at the subject site.
11. Prior to construction, the applicant shall contact the Prince George’s County Fire/EMS Department to request a pre-incident emergency plan for the facility; install and maintain automated external defibrillators, in accordance with COMAR, install and maintain hemorrhage kits next to fire extinguishers. This requirement shall be noted on the final plat and permit site plans.
12. Total development within the subject property shall be limited to uses which generate no more than 44 AM peak-hour trips and 46 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
13. Prior to issuance of each building permit, the applicant and the applicant’s heirs, successors, and/or assignees shall, pursuant to the provisions of Prince George’s County Council Resolution CR-66-2010 and the MD 4/Westphalia Road Public Facilities Financing and Implementation Program, pay to Prince George’s County (or its designee) a fee of \$7.00 (in 2010 dollars) per square foot, pursuant to the Memorandum of Understanding (MOU) required by CR-66-2010. The MOU shall be recorded in the Prince George’s County Land Records. These unit costs will be adjusted based on an inflation cost index factor to be determined by the Prince George’s County Department of Permitting, Inspections, and Enforcement at the time of issuance of each permit.

14. Prior to approval of any final plat for this project, pursuant to Prince George's County Council Resolution CR-66-2010, the owner/developer and its heirs, successors, and/or assignees shall execute a Memorandum of Understanding (MOU) with the County that sets forth the terms and conditions for the payment of fees by the Owner/Developer and its heirs, successors, and/or assignees, pursuant to the Public Facilities Financing and Implementation Program. The MOU shall be executed and recorded among the Prince George's County Land Records, and the Liber/folio noted on the final plat of subdivision.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**— The subject site consists of one existing parcel totaling approximately 7.77 acres, recorded in the Prince George's County Land Records in Liber 17657 at folio 670. The Maryland State Department Assessments and Taxation identifies the site as Parcel 202. The site is located along the east side of D'Arcy Road, at the confluence of D'Arcy Road and Sansbury Road, and is within the Light Industrial (I-1), Heavy Industrial (I-2), and Military Installation Overlay (M-I-O) Zones.

The subject site is currently improved with an existing office and vehicle maintenance building totaling 5,628 square feet, which is to be razed; a community building totaling 553 square feet, which is to remain; and associated parking areas. The subject application includes one parcel for a total of 25,659 square feet of industrial and institutional development.

3. **Setting**— The site is located on Tax Map 82, Grids D-3 and E-3, and is within Planning Area 78. The subject site is bounded to the west by D'Arcy Road, with vacant and residential uses in the Rural Residential Zone beyond, to the north and south by industrial uses in the I-1 and I-2 Zones, and to the east by Residential-Agricultural (R-A) zoned property.
4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	<b>EXISTING</b>	<b>APPROVED</b>
Zones	I-1 (5.12 acres) I-2 (2.65 acres) M-I-O (7.77 acres)	I-1 (5.12 acres) I-2 (2.65 acres) M-I-O (7.77 acres)
Use(s)	Industrial/Institutional	Industrial/Institutional
Acreage	7.77	7.77
Gross Floor Area	6,181 square feet	25,659 square feet
Dwelling Units	0	0
Parcels	1	1
Lots	0	0
Outlots	0	0
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee meeting on April 3, 2020.

5. **Previous Approvals**—No prior development applications apply to the subject site. A PPS is required in order to develop more than 5,000 square feet of gross floor area on the subject site, in accordance with Section 24-107 of the Prince George’s County Subdivision Regulations.
6. **Community Planning**—The subject site is within the area of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA), which retained the property in the I-1 Zone. Conformance with Plan 2035 and the sector plan are evaluated, as follows:

**Plan 2035**

This application is in an Established Communities Growth Policy area. According to Plan 2035, “Established Communities are most appropriate for context-sensitive infill and low-to-medium density development” (page 20).

**Sector Plan**

The Westphalia Sector Plan and SMA retained the subject property in the I-1 Zone and recommends industrial land uses on the site. In addition, the Sector Plan also recommends the following strategies for the subject property:

**Policy 6 – Industrial Areas Strategies (Pg. 32)**

- **Separate industrial areas from residential areas by use of buffering designed and placed to minimize sight, sound and dust.**
- **Provide screening for outdoor storage areas and truck parking or loading areas for industrial properties bordering roads.**

- **Design access roads to industrial areas to border or pass around, not through, residential neighborhoods.**
- **Provide access to industrial sites by means of pedestrian trails and public transit, as well as public roads.**
- **Redevelop existing industrial uses located within residential communities with redesigned or new uses that are highly compatible with a residential living environment:**
  - **Enclose, buffer, or otherwise modify business activities to reduce noise, traffic, or unattractive views.**
  - **Redevelop incompatible industrial uses with more compatible types of business land use.**
  - **Rezone incompatible industrial areas to allow for redevelopment with compatible nonindustrial land uses.**

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application conforms to the Sector Plan.

This application is located within the Imaginary Surface E (Conical Surface) of the M-I-O Zone. Pursuant to Section 27-548.54 of the Prince George’s County Zoning Ordinance, requirements for height, the maximum height for structures in this area is 495 feet.

7. **Stormwater Management**—Pursuant to Section 24-130 of the Subdivision Regulations, a Stormwater Management (SWM) Concept Plan (25803-2019) currently under review by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) was submitted with this application. According to the SWM concept plan, the private system will utilize a combination of three micro-bioretenion facilities and one submerged gravel wetland, to improve the water quality of runoff that will discharge off-site via an existing engineered ephemeral swale that discharges to the north, flowing eventually into an existing stormwater easement located on Parcel A. No further information is required at this time.

Development of the site shall conform with the approved SWM concept plan and any subsequent revisions to ensure no on-site or downstream flooding occurs.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of Subdivision Regulations, the subject subdivision is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.

9. **Trails**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Westphalia Sector Plan and SMA to provide the appropriate pedestrian and bicycle transportation recommendations.

**Existing Conditions, Sidewalks and Bike Infrastructure**

The subject property is located on D’Arcy Road, which is a planned MPOT shared roadway. The subject property features an existing 5-foot-wide sidewalk along its frontage within a landscape median, which will remain in place. There are no bike lanes fronting the subject property.

**Review of Master Plan Compliance**

This development case is subject to the MPOT, which recommends the following facilities:

- Planned bicycle lane along D’Arcy Road
- Planned shared roadway along D’Arcy Road and Sansbury Road

The planned bicycle lane along D’Arcy Road and shared roadways along Sansbury Road are beyond the scope of this development.

The MPOT designation of D’Arcy Road changes from a shared roadway to a planned bike lane, approximately 0.45 miles northwest of the subject property. The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling, as follows:

**POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

**POLICY 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO Guide for the Development of Bicycle Facilities.**

The applicant’s submission features an existing sidewalk along D’Arcy Road. The applicant shall provide a “Share the Road with a Bike” bikeway signage assembly along the frontage of the subject site and a shared lane marking (sharrow) on D’Arcy Road, along the frontage of the subject site. Bicycle parking is an important component of a bicycle-friendly roadway network and the applicant shall provide bicycle parking at a location convenient to the building entrance.

The Transportation Systems Section of the Westphalia Sector Plan and SMA makes the following recommendations:

**Install bicycle signage and safety improvements along designated shared-use roadways when development occurs, or roadways are upgraded. Bikeway improvements may include paved shoulders, painted bike lanes, and bike signage.**

(page 121)

The applicant shall provide a “Share the Road” bikeway signage assembly, along the frontage of the subject site and a shared lane marking (sharrow) on D’Arcy Road, along the frontage of the subject site.

10. **Transportation**—Transportation-related findings for adequacy are made with this application, along with any needed determinations related to dedication, access, and general subdivision layout. The findings outlined below are based upon a review of the transportation analysis and traffic counts submitted by the applicant, and analyses conducted consistent with the “Transportation Review Guidelines, Part 1,” (Guidelines).

The subject property is located within Transportation Service Area 2, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

**Links and Signalized Intersections:** Level of Service D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation per Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier, subject to meeting the geographical criteria in the Guidelines.

**Unsignalized Intersections:** The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections:

- (a) Vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections.
- (b) Vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

### **Analysis of Traffic Impacts**

The application is a PPS for a building where various uses will be accommodated. At the time of conducting the traffic study, the size of the proposed new development was 24,676 square feet. Subsequently, the size of the proposed new development was slightly increased to 25,106 square feet during the review of this PPS. This change does not substantially impact the outcome of the traffic impact study (TIS) or the conditions of this approval. For consistency in this analysis, the square footage and associated generated trips provided in the traffic analysis prepared by the applicant were used. The table below summarizes trip generation in each peak hour that will be used in reviewing traffic and developing a trip cap for the site:



Trip Generation Summary							
Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Tot	
Auto Car Center (ITE-942) - 14,280 sq. ft.	21	11	32	21	23	44	339
<i>Less Internal Trip Capture per ITE</i>	-6	-3	-9	-8	-9	-17	-112
General Office (county) – 10,396 sq. ft.	19	2	21	4	15	19	146
<b>Total trip</b>	<b>34</b>	<b>10</b>	<b>44</b>	<b>17</b>	<b>29</b>	<b>46</b>	<b>373</b>

There is a building on the site that currently hosts community-based activities. This use is likely to continue under the new proposal. However, these functions will continue to occur outside the normal peak-hour periods, consequently, these uses were not considered in preparing the trip analyses.

Using traffic data collected less than 12 months ago, the following represents peak-hour analyses under existing, background, and total conditions:

EXISTING CONDITIONS		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
Westphalia Road and MD 4	<b>E/1489</b>	D/1310
D’Arcy Road and Site Access north*	0.3 seconds	10.6 seconds
D’Arcy Road and Site Access south*	9.6 seconds	14.2 seconds
Westphalia Road and D’Arcy Road*	22.3 seconds	23.3 seconds
Sansbury Road and D’Arcy Road*	13.4 seconds	13.9 seconds
Sansbury Road and Ritchie Marlboro Road	B/1078	A/996
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

In evaluating the effect of background traffic, background developments in the area were included. Based on the regional growth, a second analysis was done. The table below shows the results:

<b>BACKGROUND CONDITIONS</b>		
<b>Intersection</b>	<b>AM</b>	<b>PM</b>
	LOS/CLV	LOS/CLV
Westphalia Road and MD 4	<b>F/2087</b>	<b>F/2112</b>
D'Arcy Road and Site Access north*	5.0 seconds	10.6 seconds
D'Arcy Road and Site Access south*	9.7 seconds	14.2 seconds
Westphalia Road and D'Arcy Road* <i>Tier 3 - CLV Test</i>	<b>85.9 seconds</b> B/1091	<b>&gt;300 seconds</b> A/777
Sansbury Road and D'Arcy Road*	16.4 seconds	18.3 seconds
Sansbury Road and Ritchie Marlboro Road	B/1084	D/1441
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Total traffic analysis indicates the following results:

<b>TOTAL CONDITIONS</b>		
<b>Intersection</b>	<b>AM</b>	<b>PM</b>
	LOS/CLV	LOS/CLV
Westphalia Road and MD 4	<b>F/2103</b>	<b>F/2120</b>
D'Arcy Road and Site Access north*	5.7 seconds	12.6 seconds
D'Arcy Road and Site Access south*	9.9 seconds	14.9 seconds
Westphalia Road and D'Arcy Road* <i>Tier 3 - CLV Test</i>	<b>85.9 seconds</b> B/1096	<b>&gt;300 seconds</b> A/777
Sansbury Road and D'Arcy Road*	16.4 seconds	18.3 seconds
Sansbury Road and Ritchie Marlboro Road	B/1087	D/1448
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Results from the total traffic revealed the following:

- The Westphalia Road/D'Arcy Road unsignalized intersection will operate adequately when analyzed under the Tier 3 CLV test. This intersection will operate with a CLV in

each peak hour that is below the 1,150 threshold. Pursuant to the Guidelines, no further action will be required.

- The intersection of MD 4 (Pennsylvania Avenue) and Westphalia Road was found to be operating inadequately at all phases of the adequacy evaluations. This intersection has a previously approved Public Facilities Financing and Implementation Program (PFFIP) funding mechanism in place that will ultimately provide for an upgrade to a grade separated interchange, with interim improvements occurring until that point. It is recommended in the TIS that a condition be approved allowing the applicant to contribute funds to the PFFIP in lieu of off-site improvements at this intersection. This issue will be discussed further.

### **Westphalia Public Facilities Financing and Implementation Program (PFFIP)**

Given the inadequate levels of service calculated for the intersection of MD 4 and Westphalia Road-Old Marlboro Pike, the applicant shall provide a monetary contribution towards the construction of the planned interchange at the MD 4/ Westphalia Road intersection. With this contribution, the development meets the requirements for transportation adequacy, pursuant to Subtitle 24 of the County Code.

On October 26, 2010, the Prince George's County Council approved CR-66-2010, establishing a PFFIP district for the financing and construction of the MD 4/Westphalia Road interchange. Pursuant to CR-66-2010 (Sections 6, 7, and 8), a cost allocation table was prepared that allocates the estimated \$79,990,000 cost of the interchange to all the properties within the PFFIP district. CR-66-2010 also established \$79,990,000 as the maximum cost on which the allocation can be based. The allocation for each development is based on the proportion of average daily trips (ADT) contributed by each development passing through the intersection, to the total ADT contributed by all developments in the district passing through the same intersection. The ratio between the two sets of ADT becomes the basis on which each development's share of the overall cost is computed.

Using data from the *Trip Generation Manual, 10th edition* (Institute of Transportation Engineers), this development is projected to generate 373 ADTs. Based on turning movement counts taken at the north and south entrances to the site, it has been determined that 46 percent of the site traffic is oriented to and from the south of D'Arcy Road. Consequently, in applying the same distribution to the future operation on-site, it has been determined that the total ADT that will pass through the MD 4/Westphalia intersection will be  $373 \times 0.46 = 172$ . Based on 172 daily trips, this site's contribution for PFFIP was computed as \$172,654.18 (2010 dollars). Given the total area of the proposed building(s) as 24,676 square feet, the unit cost computes as approximately \$7.00 per square foot. A spreadsheet provides greater detail of this computation, which is incorporated by reference herein.

### **Master Plan and Site Access**

The property is in an area where the development policies are governed by the Westphalia Sector Plan and SMA, as well as the MPOT. The subject property currently fronts on D'Arcy Road, which is designated as a master plan collector (C-627) road within an 80-foot right-of-way.

The section of D’Arcy Road on which the property fronts is currently built with two travel lanes, within right-of-way that is less than 80 feet wide. Consequently, the applicant will be required to dedicate 40 feet from the centerline of D’Arcy Road, along the property frontage, unless a lesser dedication is required in accordance with the recommendation of Department of Permitting, Inspections and Enforcement in accordance with Section 24-123(a)(4). All other aspects of the site regarding access and layout are deemed to be acceptable.

Based on the findings presented in this section, adequate transportation facilities will exist to serve the subdivision, as required under Section 24-124.

11. **Schools**—Pursuant to Section 24-122.02 of the Subdivision Regulations, this PPS is exempt from review for impact on school facilities because the proposal consists of nonresidential development.
12. **Public Facilities**—In accordance with Section 24-122.01, water and sewerage, and police facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section dated April 7, 2020 (Thompson to Diaz-Campbell), incorporated by reference herein. An analysis of fire and rescue facilities revealed response time inadequacies as follows:

**Fire and Rescue**

The subject property is served by Forestville Fire/EMS Co. 823, located at 8321 Old Marlboro Pike, in Upper Marlboro. Per Section 24-122.01(d)(1)(A), a 5-minute total response time is recognized as the national standard for Fire/EMS response times. The 5-minute total response time arises from the 2016 Edition of the National Fire Protection Association (NFPA) 1710 Standards for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. This standard is being applied to the review of nonresidential subdivision applications.

According to NFPA 1710, Chapter 3 Definitions, the total response time and travel time are defined, as follows:

**3.3.53.6 Total Response Time. The time interval from the receipt of the alarm at the primary PSAP (Public Safety Answering Point) to when the first emergency response unit is initiating action or intervening to control the incident.**

**3.3.53.7 Travel Time. The time interval that begins when a unit is in route to the emergency incident and ends when the unit arrives at the scene.**

According to NFPA 1710, Chapter 4 Organization:

4.1.2.1 The fire department shall establish the following objectives:

(1) **Alarm handling time to be completed in accordance with 4.1.2.3.**

**(4.1.2.3.1 The fire department shall establish a performance objective of having an alarm answering time of not more than 15 seconds for at least 95 percent of the alarms received and not more than 40 seconds for at least 99 percent of the alarms received, as specified by NFPA 1221).**

(2) **80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response.**

(3) **240 seconds or less travel time for the arrival of the first arriving engine company at a fire suppression incident.**

Prince George’s County Fire and EMS Department representative, James V. Reilly, stated in writing (via email) that as of March 31, 2020, the project fails the four-minute travel test from the closest Prince George’s County Fire/EMS Station when applying the national standard, an associated total response time under five-minutes from the closest Fire/EMS Station Forestville Fire/EMS Co. 823. While mitigation is not required, it is recommended that sprinklers are installed, or other fire suppression methods are installed in any future commercial development. Prior to construction, the applicant shall contact the Prince George’s County Fire/EMS Department to request a pre-incident emergency plan for the facility; install and maintain automated external defibrillators, in accordance with COMAR, and install and maintain hemorrhage kits next to fire extinguishers. In accordance with Section 24-122.01(e)(1)(C), the Fire Department provided a statement that adequate equipment exists.

13. **Use Conversion**—The total development included in this PPS is proposed to be 25,659 square feet of industrial and institutional development in the I-1, I-2, and M-I-O Zones. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval and reflected on the PPS, that revision of the mix of uses or any residential development shall require approval of a new PPS, prior to approval of any building permits.

14. **Public Utility Easement (PUE)**—Section 24-122(a) requires that when utility easements are required by a public company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The subject site fronts on a public right-of-way, D’Arcy Road, to the west. The required PUE along the public street is delineated on the PPS and shall be labeled.

15. **Historic**—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 Prince George’s County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase 1 archeology survey is not required.
16. **Environmental**—The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site applicable to this case:

Development Review Case	Associated Tree Conservation Plan or Natural Resources Inventory	Authority	Status	Action Date	Resolution Number
--	E-050-03	Staff	Expired	8/25/2005	N/A
--	E-050-03-01	Staff	Expired	8/05/2011	N/A
--	E-050-03-02	Staff	Superseded	3/13/2020	N/A
--	NRI-077-2019	Staff	Approved	7/16/2019	N/A
4-19035	TCP1-007-2019	Planning Board	Approved	5/14/2020	2020-79

A Natural Resources Inventory (NRI) was approved on July 16, 2019. The previous numbered letter of exemption is superseded with this Type 1 tree conservation plan (TCP1) application.

**Proposed Activity**

The current application is for one parcel for industrial development.

**Grandfathering**

This project is not grandfathered with respect to the environmental regulations contained in Subtitles 24 and 27 that came into effect on September 1, 2010 because the application is for a new PPS. This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual.

**Master Plan Conformance**

**Plan 2035**

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan 2035, the Established Communities area of the General Plan Growth Policy.

### **Westphalia Sector Plan**

The site is located in the area of the Westphalia Sector Plan and SMA. The sector plan includes applicable goals, policies, and strategies. The following policies are applicable to the current project with regard to natural resources preservation, protection, and restoration. The text in **BOLD** is the text from the Sector Plan and the plain text provides comments on plan conformance.

#### **Environmental Infrastructure Section Recommendations:**

##### **Policy 1: Green Infrastructure. Protect, preserve, and enhance the identified green infrastructure network within the Westphalia sector planning area.**

The eastern site edge is mapped as being part of the Regulated Area within the Westphalia sector planning areas Green Infrastructure network. It is also mapped as being at the western edge of a secondary corridor known as the Turkey Run wildlife corridor. Priority for conservation and restoration of habitat along this eastern property edge is a priority. The green elements of the site are proposed to be protected and enhanced through a combination of woodland preservation, reforestation/afforestation, and natural regeneration.

##### **Policy 2: Water Quality and Quantity: Restore and enhance water quality of receiving streams that have been degraded and preserve water quality and quantity in areas not degraded.**

Implementing conservation landscaping techniques that reduce water consumption and the need for fertilizers or chemical applications is encouraged. The capture and reuse of stormwater for grey water should be considered with the site's final design, to the fullest extent possible.

The SWM Concept Plan (25803-2019) uses a combination of three micro-bioretenion facilities and one submerged gravel wetland to improve the water quality of runoff that will discharge off-site.

##### **Policy 3: Energy Consumption: Reduce overall energy consumption and implement environmentally-sensitive building techniques.**

The use of green building techniques and energy conservation techniques are encouraged, as appropriate. The use of alternative energy sources such as solar, wind, and hydrogen power are also encouraged.

#### ***Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan (May 2017)***

According to the 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan* (Green Infrastructure Plan), the majority of the subject property is not within the network. Only the easternmost wooded portion of this site is within



designated regulated and evaluation areas of the network. However, no regulated environmental features exist on-site.

All regulated areas within the Green Infrastructure Plan are to be protected or enhanced with this application. There are also portions of evaluation areas that have direct links to the preserved regulated areas that are also shown for preservation and enhancement. This PPS and Type 1 tree conservation plan (TCP1) focuses on preservation and expansion through woodland preservation, reforestation/afforestation, and natural regeneration along the regulated network areas, in conformance with the objectives of the Green Infrastructure Plan.

## **Environmental Review**

### **Existing Conditions/Natural Resources Inventory**

The site has an approved Natural Resources Inventory Plan (NRI-077-2019), which correctly shows the existing conditions of the property. No specimen or historic trees are associated with this development. No regulated environmental features such as streams, wetlands, 100-year floodplain, associated buffers, and PMA are located on-site. There are two forest stands that exist on-site according to the forest stand delineation totaling 0.38 acre, both of which are heavily dominated by invasive species and considered low quality. The existing conditions are correctly shown on the TCP1 and PPS.

### **Woodland Conservation**

This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet and contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-007-2019) has been submitted for review that covers the area of this PPS.

According to the worksheet shown on the TCP1 as submitted, the site split-zoned I-1 (5.12 acres) and I-2 (2.65 acres), for a total of 7.77 acres. A total of 0.38 acre of existing woodlands are on the net tract. The site has a woodland conservation threshold of 1.17 acres, or 15 percent of the net tract, as tabulated. A total of 0.02 acre of on-site clearing and no off-site clearing are proposed on the plan. The TCP1 shows a total woodland conservation requirement of 1.19 acres. The TCP1 shows this requirement will be met by providing 0.36 acre of on-site woodland preservation, 0.46 acre afforestation/ reforestation, 0.16 acre of natural regeneration, and 0.21 acre of off-site credits on another property.

Due to the poor quality of the existing woodlands on-site, an invasive species management plan will be required at time of TCP2 review.

### **Soils**

The predominant soils found to occur on-site, according to the US Department of Agriculture Natural Resource Conservation Service Web Soil Survey, include Beltsville silt loam (2-5 percent slopes); Udorthents, refuse substratum (0-50 percent slopes); Udorthents-Urban land complex (0-5 percent slopes); and Widewater and Issue soils frequently flooded.

According to available information, no unsafe soils containing Marlboro clay or Christiana complexes are mapped on this property.

No further action is needed as it relates to this application. A soils report may be required by DPIE in future phases of development.

17. **Urban Design**—Based on the submitted plans, the applicant is proposing construction of a new 20,391-square-foot building with industrial uses; however, in an email dated April 21, 2020 (Hatcher to Conner), the development proposal was confirmed to be 25,106 square feet for industrial uses (vehicle maintenance shop and administrative office) and 553 square feet of existing institutional use (community building). Many industrial uses could be permitted on this property per Section 27-473(b) of the Zoning Ordinance. Some of these uses require detailed site plan (DSP) approval and others are allowed by right with a permit approval.

**Conformance with the Requirements of the Prince George’s County Zoning Ordinance**  
Conformance with the following Zoning Ordinance regulations is required for the proposed development at the time of either DSP or permit plan review, including but not limited to, the following:

- Section 27-469 of the Zoning Ordinance, I-1 Zone;
- Section 27- 470 of the Zoning Ordinance, I-2 Zone;
- Section 27-473(b) regarding the Table of Uses for the I-1 and I-2 Zones;
- Section 27-474 of the Zoning Ordinance, regarding regulations in the I-1 and I-2 Zones;
- Part 10 C of the Zoning Ordinance (Subtitle 27), regarding the M-I-O Zone; and
- Part 11, Off Street Parking and Loading, and Part 12 of the Zoning Ordinance (Subtitle 27), Signs, respectively.

It is noted that while a vehicle maintenance shop (for trash trucks) could be permitted, a trash removal service within 1,000 feet of residentially zoned property is not permitted in the I-1 Zone, in accordance with Section 27-475.06. A trash removal service is defined in Subtitle 27 as a business involving the dispatching and storage of trucks or dumpsters for the purpose of trash removal.

In a correspondence dated April 8, 2020, the applicant has submitted information indicating that trash trucks will be parked on the property which depart the site early in the morning and return throughout the day. The applicant has also put forth information indicating why their trash hauling operation should not be considered a trash removal service at this location, including that no trash is brought to or stored on the site and that dispatching is the instructing of vehicles (per their interpretation) which is conducted off-site via electronic communication.

Although conformance with permitted use requirements are to be demonstrated at the time of DSP or permitting, it is noted that a trash removal service does not allow trash to be brought to the site pursuant to Section 27-475.06 of the Subdivision Regulations, and so this would not be a determining factor regarding use as a trash removal service. In addition, the applicant seems to set forth that dispatching comes from a dispatcher located off-site. However, the definition of a trash removal service only indicates dispatching of trucks and makes no reference to a dispatcher's location. Notwithstanding the information provided regarding the proposed uses, the determination of uses to be ultimately permitted for the site is not made with this application. Any proposed uses must be within the capacity analysis established with this PPS.

**Conformance with the 2010 Prince George's County Landscape Manual**

The proposed development is subject to the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Specifically, Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements, apply to this site. Conformance with the applicable landscaping requirements will be determined at the time of future site plan review.

**Conformance with the Tree Canopy Coverage Ordinance**

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and require a grading permit. Properties in all commercial zones are required to provide a minimum of 10 percent of the gross tract area, which equals to approximately 0.78 acre, to be covered by tree canopy. Compliance with this requirement will be evaluated at the time of future site plan review.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, May 14, 2020, in Upper Marlboro, Maryland.

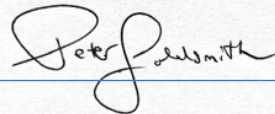
Adopted by the Prince George's County Planning Board this 4th day of June 2020.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

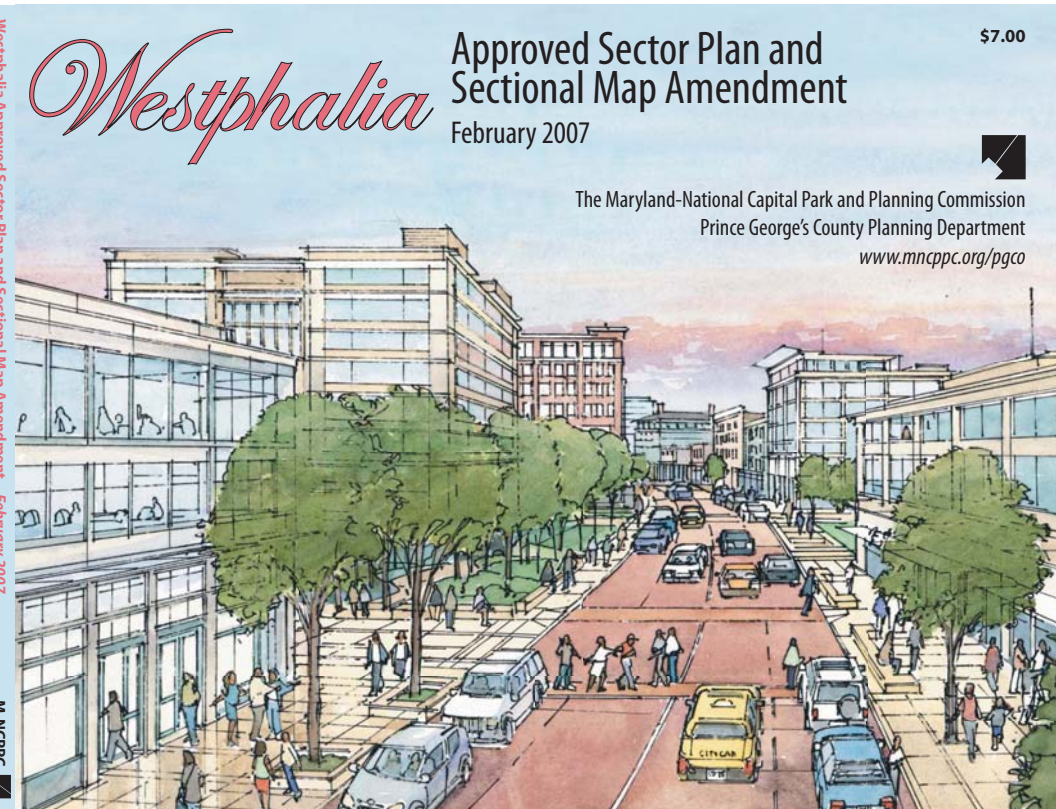
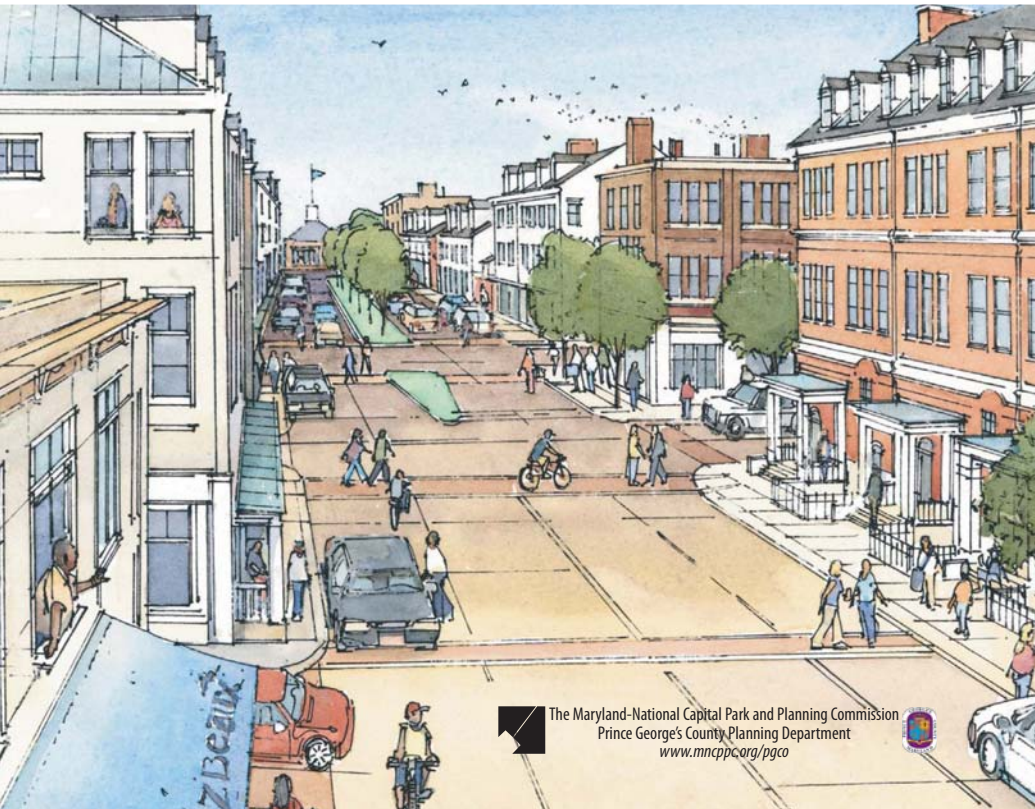
EMH:JJ:EDC:nz

APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, appearing to read "Peter Feltsmith", is written over a horizontal blue line.



















M-NCPPC Legal Department  
Date: May 18, 2020

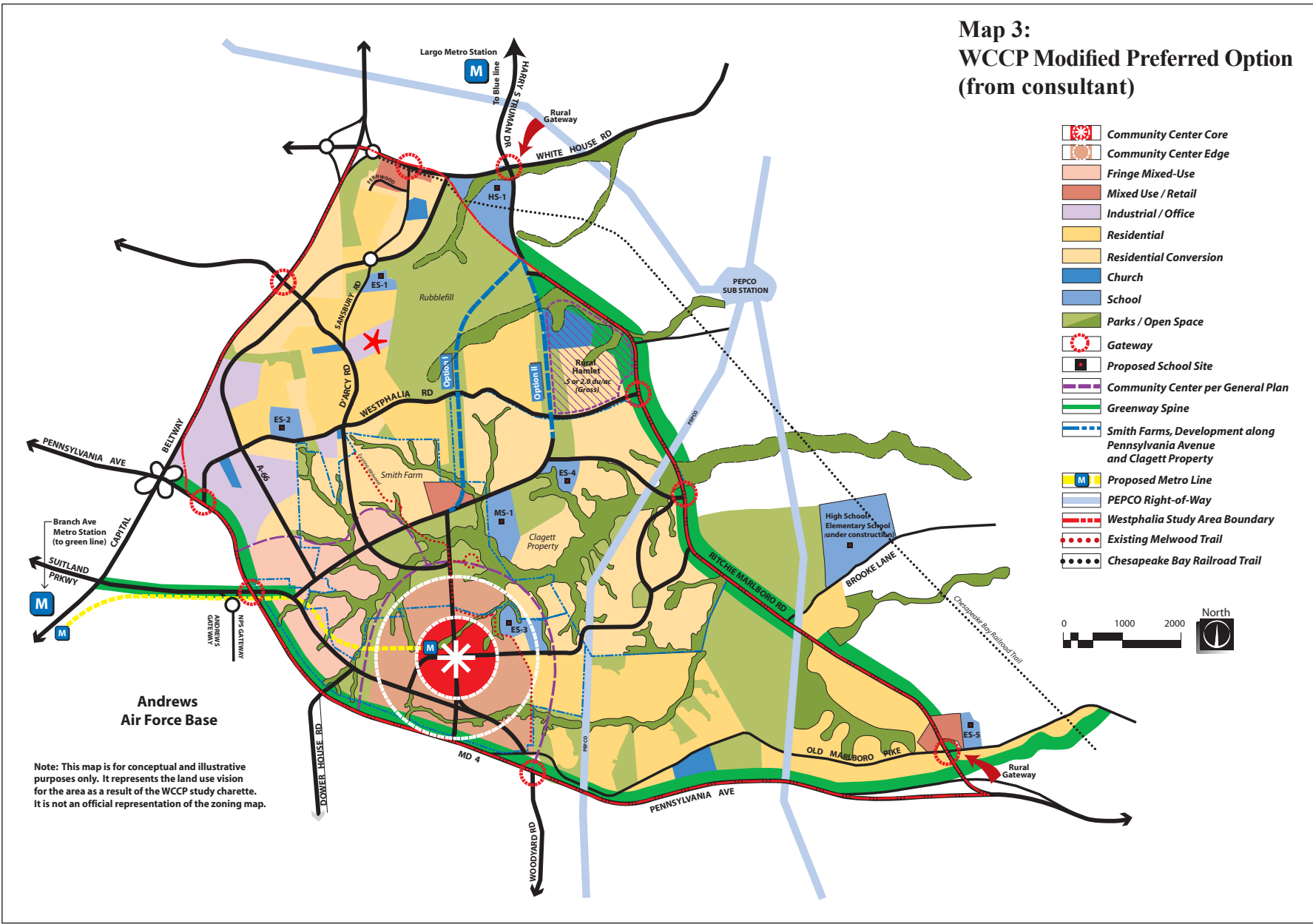
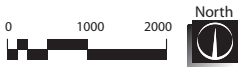
**EXHIBIT C**  
**Sector Plan Excerpts**





**Map 3:  
WCCP Modified Preferred Option  
(from consultant)**

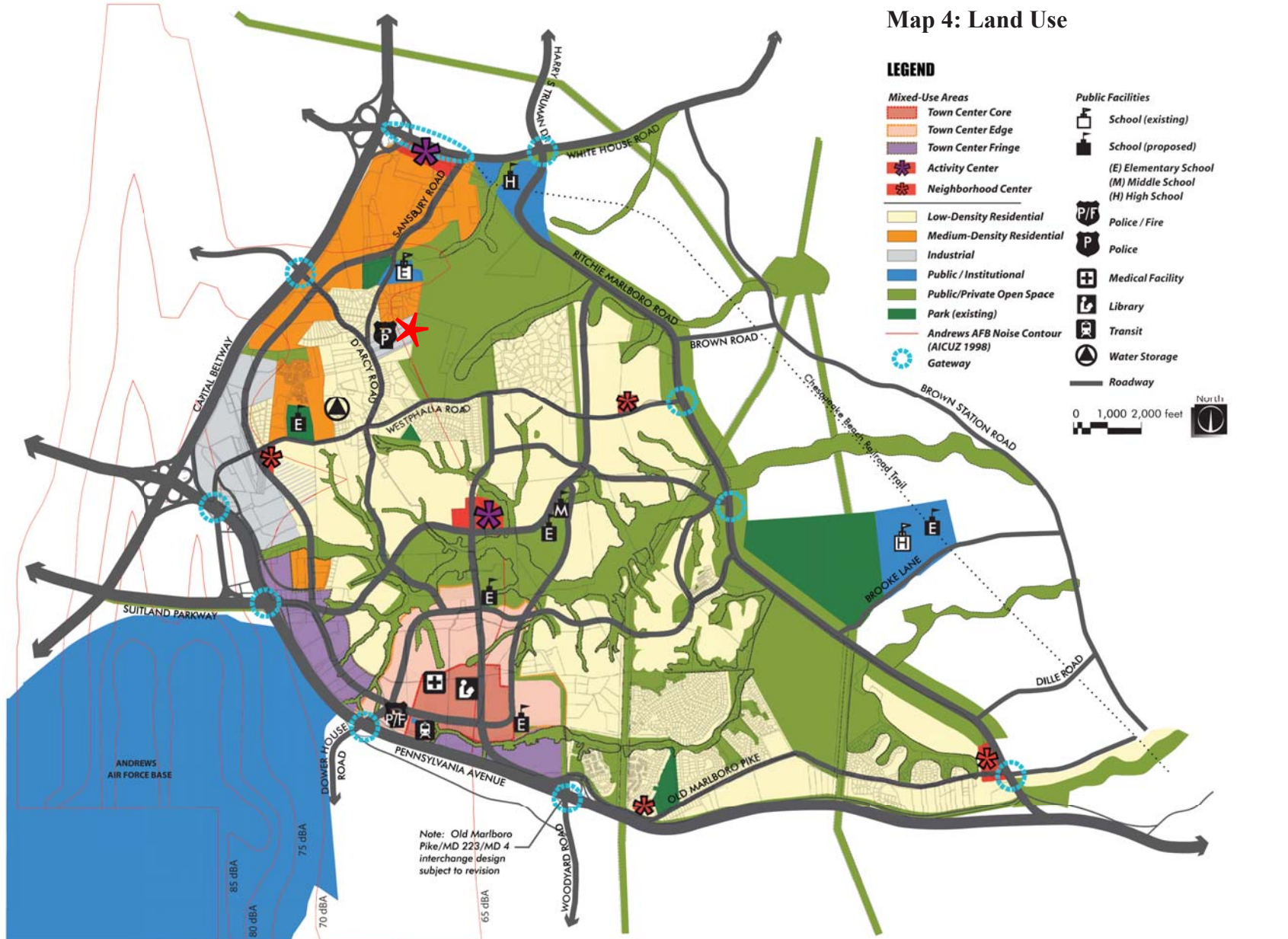
-  Community Center Core
-  Community Center Edge
-  Fringe Mixed-Use
-  Mixed Use / Retail
-  Industrial / Office
-  Residential
-  Residential Conversion
-  Church
-  School
-  Parks / Open Space
-  Gateway
-  Proposed School Site
-  Community Center per General Plan
-  Greenway Spine
-  Smith Farms, Development along Pennsylvania Avenue and Claggett Property
-  Proposed Metro Line
-  PEPCO Right-of-Way
-  Westphalia Study Area Boundary
-  Existing Melwood Trail
-  Chesapeake Bay Railroad Trail



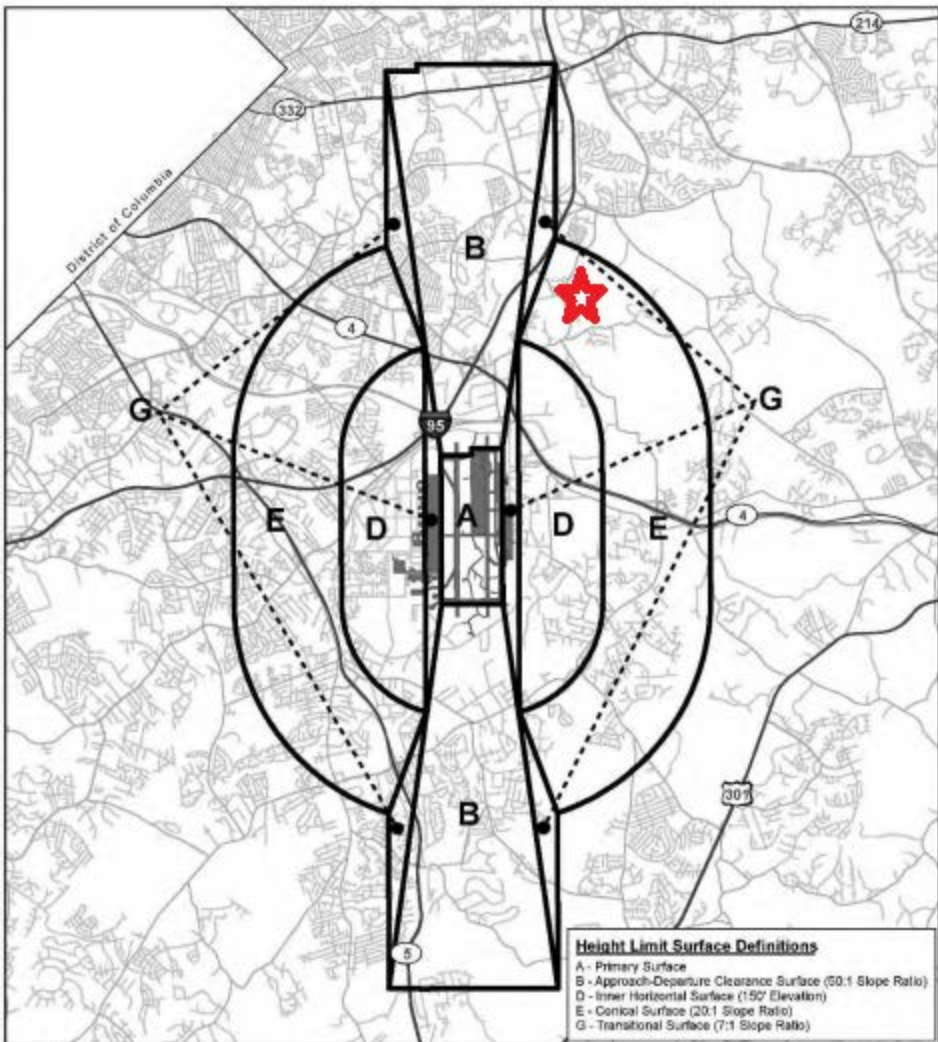
Note: This map is for conceptual and illustrative purposes only. It represents the land use vision for the area as a result of the WCCP study charrette. It is not an official representation of the zoning map.



Map 4: Land Use



**EXHIBIT D**  
**M-I-O Zone Context Map**



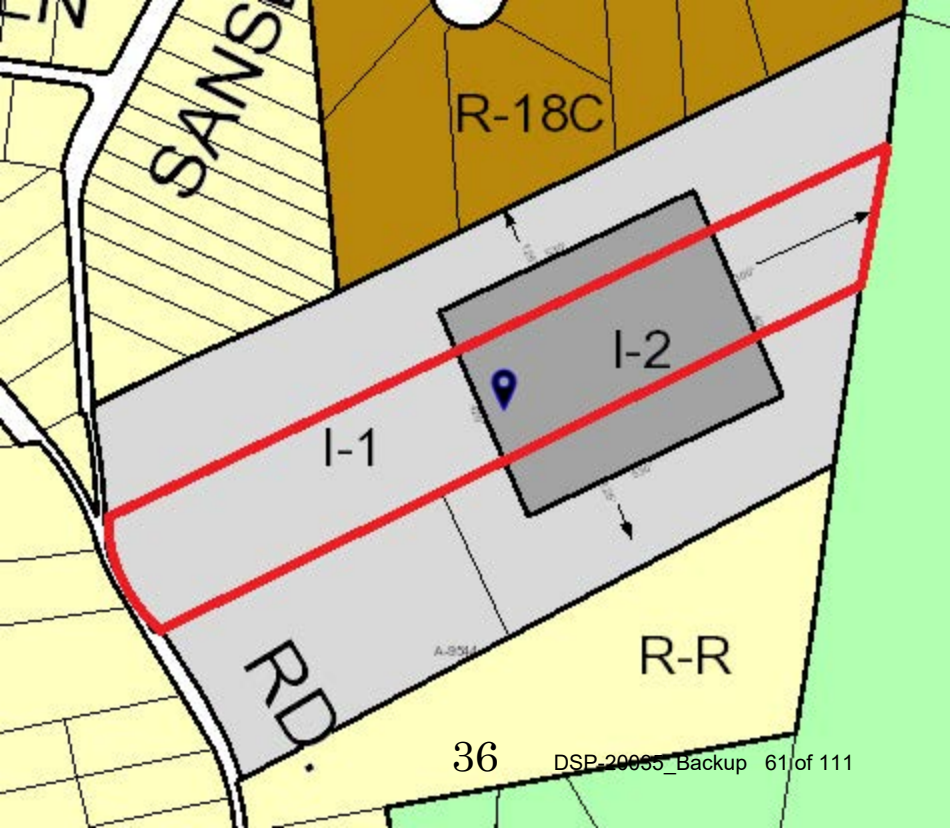
**Height Limit Surface Definitions**

- A - Primary Surface
- B - Approach-Departure Clearance Surface (50:1 Slope Ratio)
- D - Inner Horizontal Surface (15' Elevation)
- E - Conical Surface (20:1 Slope Ratio)
- G - Transitional Surface (7:1 Slope Ratio)

**Military Installation Overlay Zone  
Height Limit Surfaces**



**EXHIBIT E**  
**Subject Property Zoning Map**

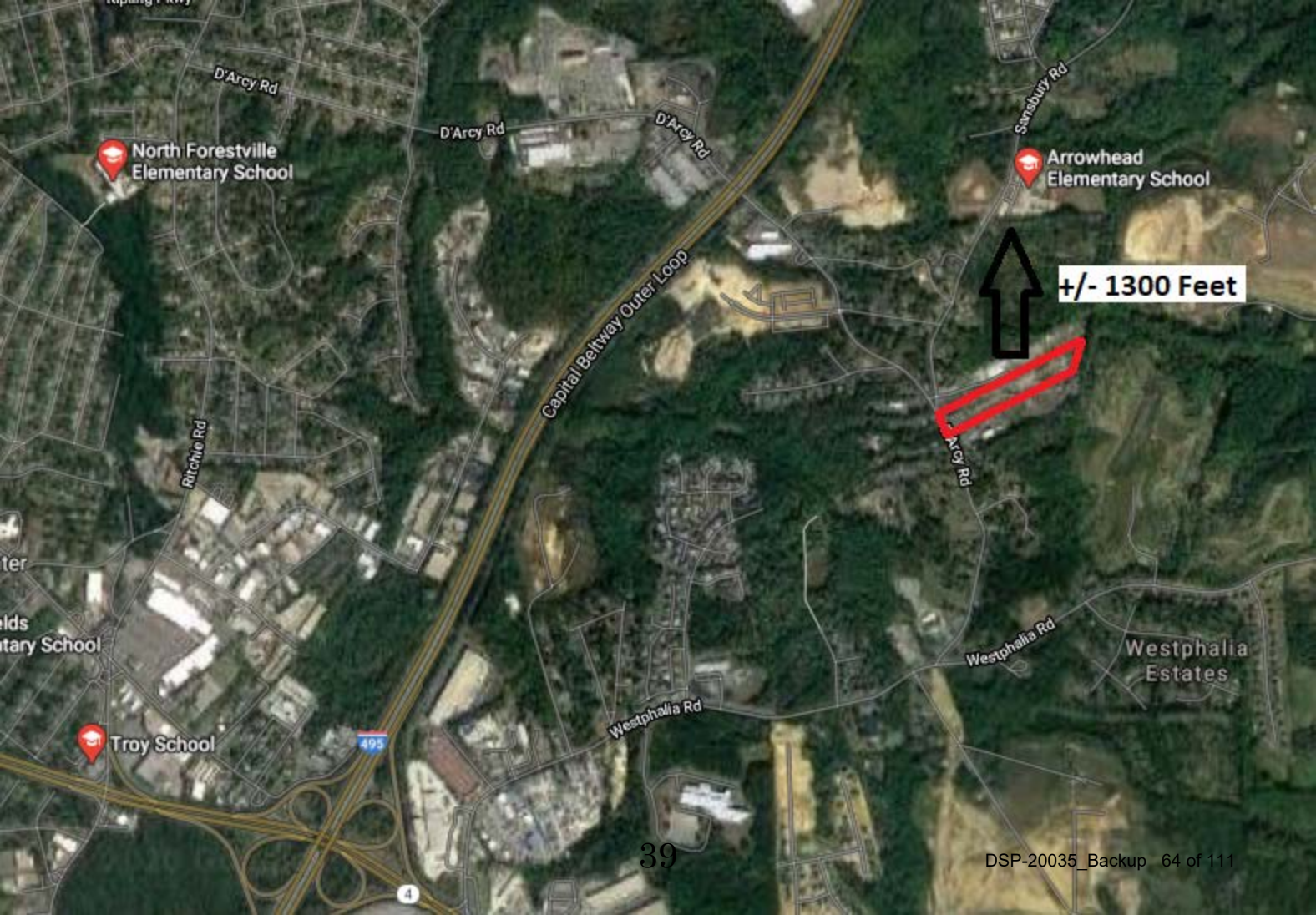


# **EXHIBIT F**

## **Compliance with Requirements of Section 27-358(a)(2)**

**EXHIBIT F.1**  
**Distance from School Property**





North Forestville Elementary School

Arrowhead Elementary School

**+/- 1300 Feet**

D'Arcy Rd

Capital Beltway Outer Loop

D'Arcy Rd

D'Arcy Rd

D'Arcy Rd

Sarahbury Rd

Ritchie Rd

ter  
lds  
ary School

Troy School

495

Westphalia Rd

Westphalia Rd

Westphalia Estates

# **EXHIBIT F.2**

## **Distance from Outdoor Playground**



Little Washington  
Neighborhood Park

+/- 1550 Feet



**EXHIBIT F.3**  
**Distance from Library**



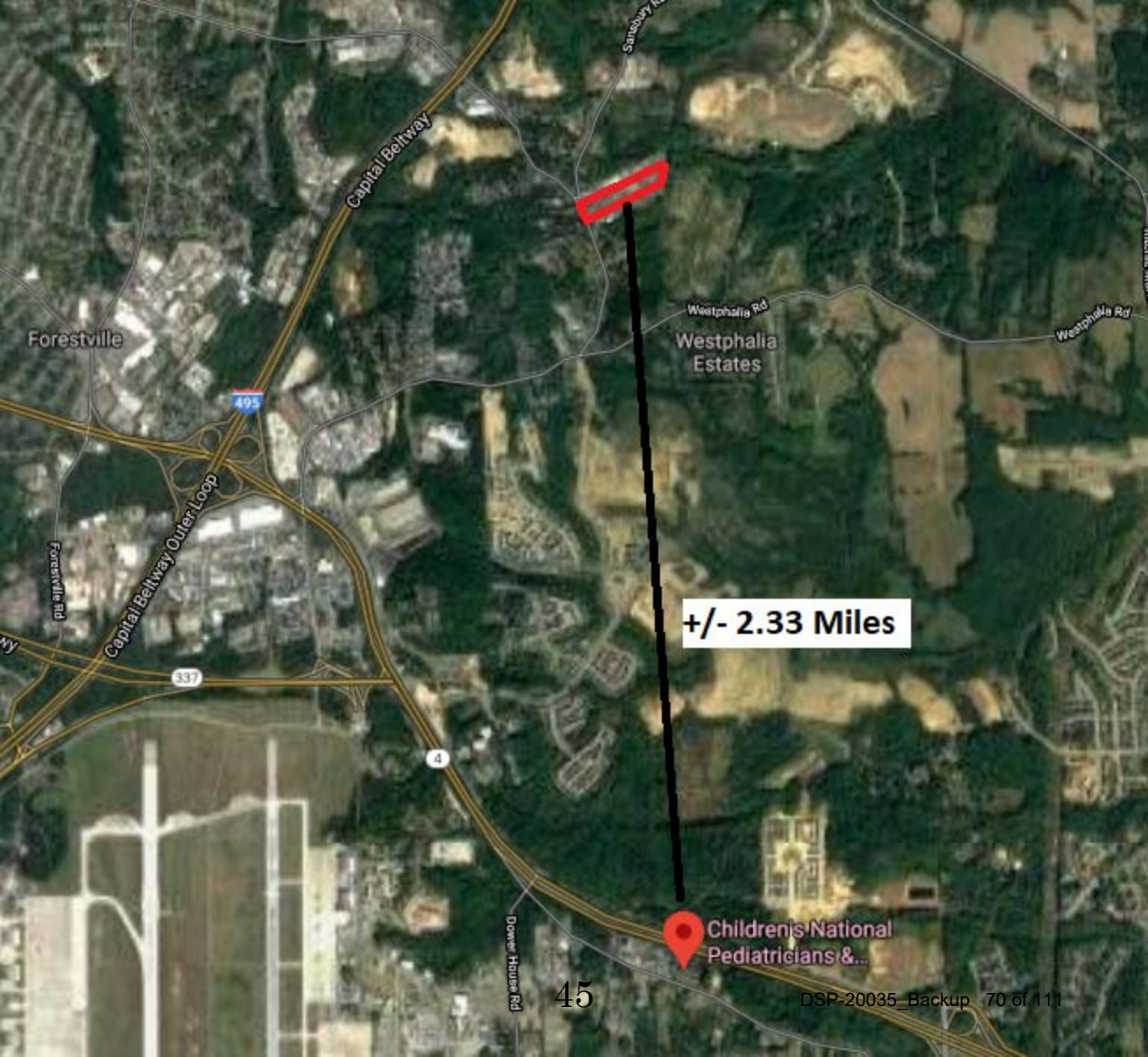
**+/- 3.23 Miles**

Spauldings Branch Library - open for...

Forestville

Westphalia Estates

**EXHIBIT F.4**  
**Distance from Hospital**



Capital Beltway

Sunnyside Rd

Forestville

495

Westphalia Rd  
Westphalia Estates

Westphalia Rd

Forestville Rd

Capital Beltway Outer Loop

537

45

Boomer House Rd

+/- 2.33 Miles



Children's National  
Pediatricians &...

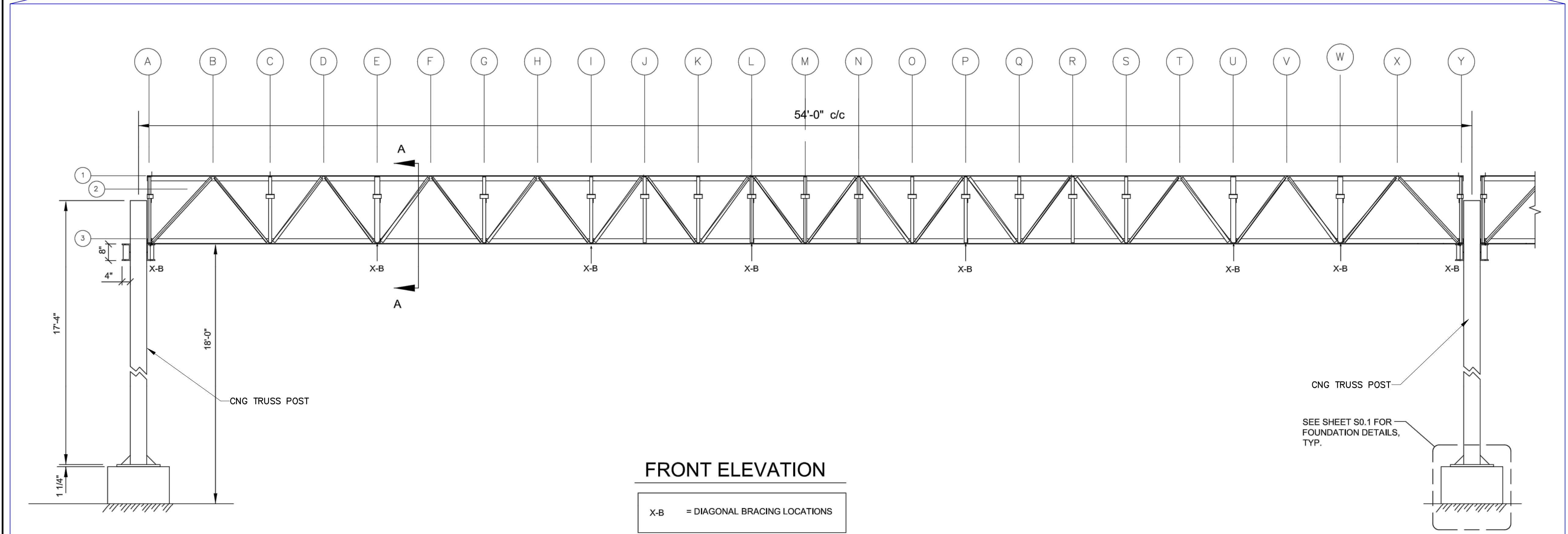
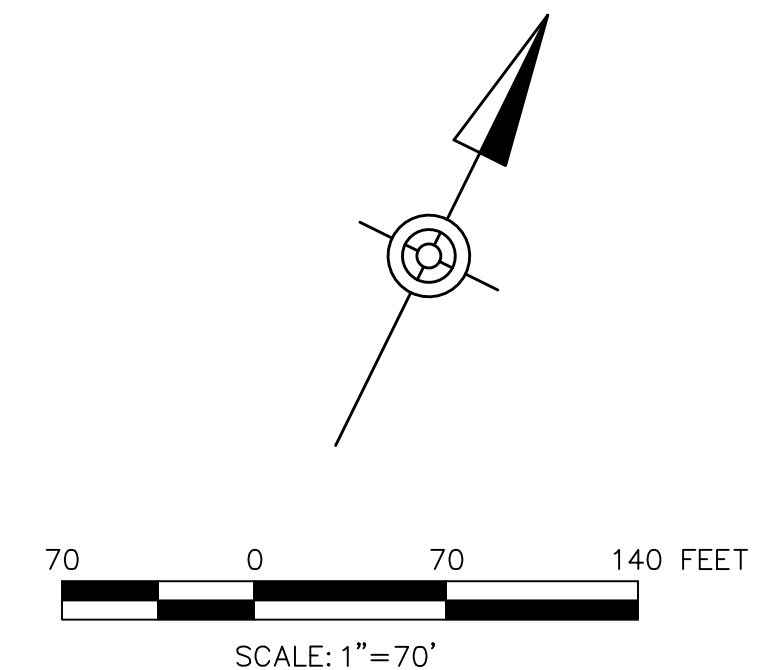
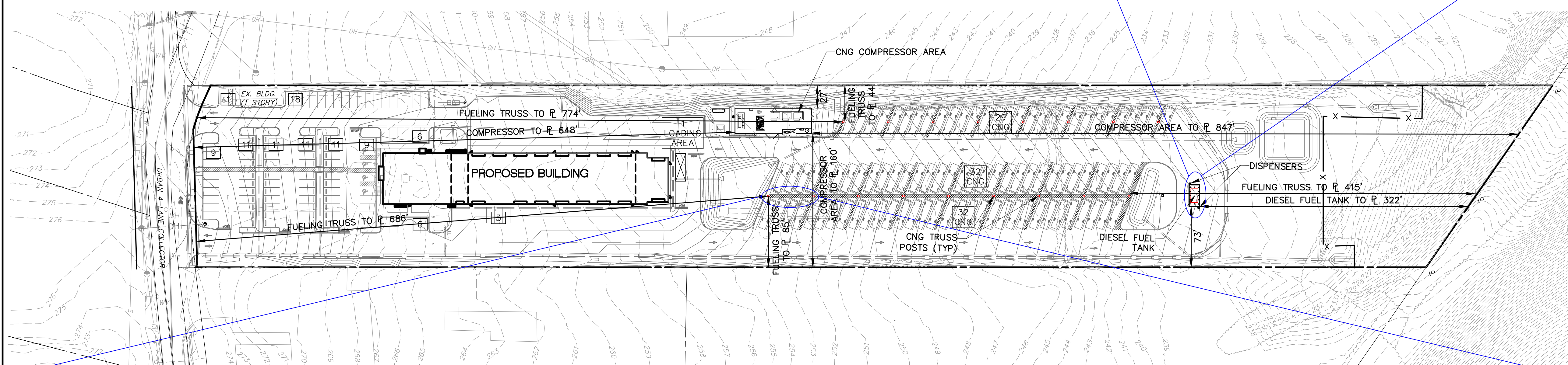
45

**EXHIBIT G**  
**Compliance with Applicable  
Setback Requirements**





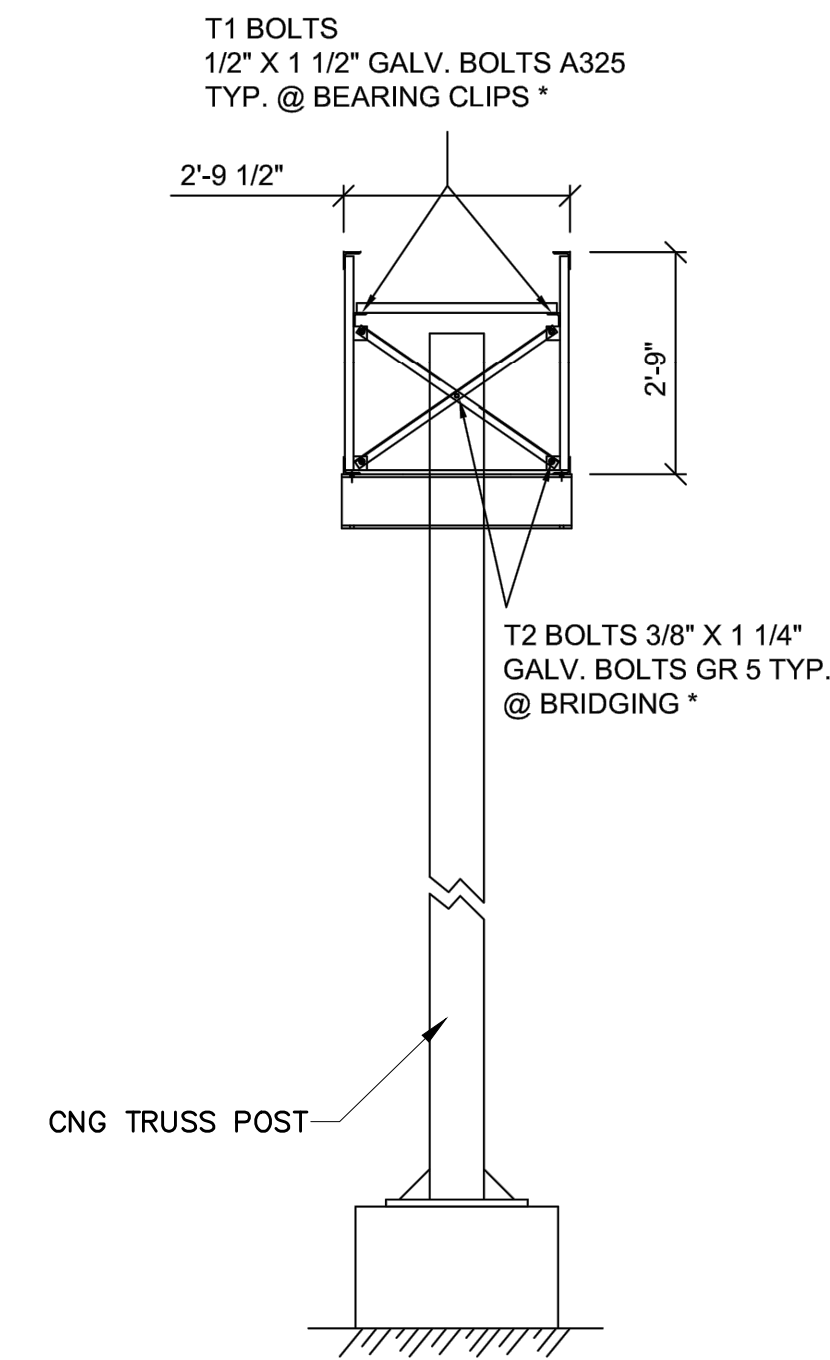
DIESEL FUEL TANK EXAMPLE



FRONT ELEVATION

X-B = DIAGONAL BRACING LOCATIONS

CNG TRUSS DETAIL



SIDE ELEVATION  
CNG TRUSS DETAIL

PROVIDE 6" Ø STEEL BOLLARD IN FRONT OF COLUMNS FOR PROTECTION.  
PAINT BOLLARD AND BASE OF COLUMN TO 4'-0" A.F.F. "OSHA YELLOW"

It is a violation of the law for any person, unless acting under the direction of a licensed Architect, Engineer or Land Surveyor, to alter an item in any way. Plans, maps, specifications, studies, and reports not containing a red ink seal imprint on the cover sheet accompanied by an original signature by the licensed professional may have been fraudulently altered and shall not be considered an original copy. Copyright Protected 2020, Larson Design Group.

NO.	DATE	COMMENTS	ISSUE / REVISIONS
1	12/1/2020	SDRC REVIEW COMMENT REVISIONS	JAR CCG
0	6/20/2019	INITIAL SDCP SUBMISSION	JAR CCG
			BY CHKD



**DSP FUELING EXHIBIT**  
**DETAILED SITE PLAN #DSP20035**  
**WASTE MANAGEMENT CAPITOL FACILITY**  
 UPPER MARLBORO, PRINCE GEORGES COUNTY, MARYLAND

Larson Design Group • Architects Engineers Surveyors  
 1000 Commerce Park Drive • Suite 201  
 Williamsport, PA 17701  
 PHONE 570.323.6603 TOLL FREE 877.323.6603  
 FAX 570.323.9902 • www.larsondesigngroup.com

Waste Management of Maryland, Inc.  
 11220 Assett Loop  
 Manassas, VA 20109  
 PHONE 410.309.4597

SHEET NO.:  
**EX-1**

PROJECT NO.:  
10144-017



November 30, 2020  
Via Federal Express

M-NCPPC  
Development Review Division  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

Attention: Jeremy Hurlbutt

Re: Alternative Compliance  
DSP# 20035  
Waste Management Capitol Facility  
9304 D'Arcy Road  
Upper Marlboro, MD  
MDL203009

To: Mr. Hurlbutt:

We are formally requesting an alternative compliance for the proposed revitalization of a Waste Management Facility in Upper Marlboro, Maryland. The site is located at 9304 D'Arcy Road in an Industrial Use Zone. The site is a revitalization of the existing waste management facility. The proposed conditions would include eighty-eight (88) parking spaces, five (5) ADA parking spaces, and eighty-three (83) truck spaces in the rear of the building. The site includes seven (7) micro-bioretenion Stormwater Management Facilities throughout the site and one submerged gravel wetlands facility in the rear. Proposed site amenities include two entrances, a bike lane, large ADA compliant sidewalk along D'Arcy Road, a dumpster required for typical site development, and forest retention.

The requested relief, per the landscape plan submitted with this application, is for Section 4.2-1 Landscape Strips Along Streets. The subject site is located within the Developing Tier and is subject to option 1 of section 4.2-1 which requires a 10-foot-wide landscape strip. This 10-foot landscape strip is to be located outside of the public utility easement as stated in 4.2-3(B)(i). The proposed parking along D'Arcy Road is adjacent to the PUE which creates an encroaches into the proposed 10-foot landscape setback. This encroachment is a deficiency according to Section 4.2-1.

Per the Prince George's County Landscape Manual, Section 1.3 - Alternative Compliance, (2) *Space limitations, unusually shaped lots, prevailing practices in the surrounding neighborhood, in-fill sites, and improvements and redevelopment in older communities.* and section 1.3 (5) *An alternative compliance proposal is equal or better than normal compliance in its ability to fulfill the design criteria in Section 3, Landscape Elements and Design Criteria,* our proposal meets these requirements and should therefore be considered for the above-mentioned relief.


This is currently an irregular shaped lot that is being straightened out along D'Arcy Road. This site is also an update for an existing site user. A new larger structure is proposed along with an expanded parking area necessary for employees. The construction of a larger building was necessary for proper site function, the site must be brought into current compliance for stormwater management. To incorporate the required amount of stormwater treatment and taking into consideration the current drainage pattern,

the site development needed to be pushed forward toward D'Arcy Road. The deficiency mentioned above, which we are seeking relief, resulted from road and frontage improvements in conjunction with site and program requirements.

We have been able to locate 3 of the 5 shade trees within the buffer with the other two less than five feet outside of the 10' bufferyard and the 49 required shrubs are located within 10' of the buffer, with 25 within the PUE and 5 in islands adjacent to the 10' bufferyard. As mitigation for the parking area encroaching into the 10-foot landscape setback, we propose to add an additional four (4) shade trees elsewhere on site in addition to the requirement, in accordance with section 1.3. (5). The additional four (4) shade trees will be a greater than normal compliance in its ability to fulfill the design criteria. All additional and relocated material will be placed along the paved area; this material will provide an improved aesthetic and extend the amount of shade provided to the overall site impervious area.

We ask that this proposal be accepted as satisfying the criteria of the alternative compliance requirements. Please do not hesitate to call us with any questions.

Sincerely,  
**Bohler Engineering VA, LLC**



Eric McWilliams P.L.A.  
*Sr. Landscape Architect*

H:\20\MDL203009\Administrative\Letters\201130 - Landscape Alternative Compliance Request.doc



July 21, 2020

Waste Management of Maryland, Inc.  
11220 Assett Loop  
Manassas, VA 20109

Re: Notification of Planning Board Action on  
**Preliminary Section - 4-19035**  
**Waste Management Capitol Facility**

Dear Applicant:

Enclosed please find a Corrected Resolution for the above referenced case. The purpose of this Corrected Resolution is to correct a minor administrative error in the subject decision. The mail out of this Corrected Resolution does not change the action of the Planning Board, nor does it affect notice and appellate rights.

Please direct any future communication or inquiries regarding this matter to the Development Review Division at (301) 952-3530.

Very truly yours,

Retha Pompey-Green  
Development Review Division

Enclosure: PGCPB No. **2020-79 (C)**

cc: Persons of Record

C O R R E C T E D R E S O L U T I O N

WHEREAS, Waste Management Capitol Facility is the owner of a 7.77-acre parcel of land known as Liber 17657, said property being in the 15th Election District of Prince George’s County, Maryland, and being zoned Light Industrial (I-1), Heavy Industrial (I-2), and Military Installation Overlay (M-I-O); and

WHEREAS, on March 13, 2020, Waste Management of Maryland, Inc. filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-19035 for Waste Management Capitol Facility was presented to the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on May 14, 2020, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George’s County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on May 14, 2020, the Prince George’s County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George’s County Code, the Prince George’s County Planning Board APPROVED Type 1 Tree Conservation Plan \*~~[TCP1-007-2019]~~ TCP1-007-2020, and further APPROVED Preliminary Plan of Subdivision 4-19035 for 1 parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plans shall be revised, as follows:
  - a. Label the 10-foot-wide public utility easement along D’Arcy Road.
  - b. Indicate the revised development square footage, as confirmed by email dated April 21, 2020 (Hatcher to Conner).
2. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision prior to issuance of any permits.

\*Denotes Correction  
Underlining indicates new language  
[Brackets] and strikethrough indicate deleted language



3. Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions. Prior to approval, the final plat shall note the stormwater concept approval number.
4. Prior to approval of a final plat:
  - a. The final plat shall include the grant of a 10-foot-wide public utility easement along the public right-of-way.
  - b. The final plat shall include the necessary dedication of right-of-way for D'Arcy Road as determined by the Department of Permitting, Inspections and Enforcement.
5. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised to meet all the requirements of Subtitle 25 of the Prince George's County Code. Required revisions include but are not limited to:
  - a. Identify the location of all proposed stormwater easements and all existing stormwater easements to remain on-site.
  - b. Show all existing and proposed easement areas (with the exception of surface drainage easements) that overlap existing woodlands to remain, as being woodland retained counted as cleared on the plan; not as woodland preservation, afforestation/reforestation, or natural regeneration.
  - c. Add the TCP number to the approval block \*([~~TCP1-007-2019~~] TCP1-007-2020) on each sheet of the TCP1.
  - d. Update the TCP worksheet, as necessary once the above changes have been made.
  - e. Have the qualified professional sign and date the TCP worksheet, as required.
6. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (\*[~~TCP1-007-2019~~] TCP1-007-2020). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-007-2019 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject

\*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department."

7. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

"This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved."
8. Prior to acceptance of a detailed site plan submission, an invasive species management plan shall be included as part of the application on the Type 2 tree conservation plan.
9. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
  - a. A shared-lane marking (sharrow) on D'Arcy Road, along the frontage of the subject site, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement with written correspondence.
  - b. Two inverted-U style bicycle racks at a location that is convenient to the entrance of the building.
10. Prior to approval of a building permit, the applicant and the applicant's heirs, successors, and/or assignees shall provide a \$420.00 bikeway signage fee to the Prince George's County Department of Permitting, Inspections, and Enforcement for a "Share the Road" bikeway signage assembly to be installed along D'Arcy Road at the subject site.
11. Prior to construction, the applicant shall contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility; install and maintain automated external defibrillators, in accordance with COMAR, install and maintain hemorrhage kits next to fire extinguishers. This requirement shall be noted on the final plat and permit site plans.
12. Total development within the subject property shall be limited to uses which generate no more than 44 AM peak-hour trips and 46 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
13. Prior to issuance of each building permit, the applicant and the applicant's heirs, successors, and/or assignees shall, pursuant to the provisions of Prince George's County Council Resolution CR-66-2010 and the MD 4/Westphalia Road Public Facilities Financing and Implementation Program, pay to Prince George's County (or its designee) a fee of \$7.00 (in 2010 dollars)

per square foot, pursuant to the Memorandum of Understanding (MOU) required by CR-66-2010. The MOU shall be recorded in the Prince George's County Land Records. These unit costs will be adjusted based on an inflation cost index factor to be determined by the Prince George's County Department of Permitting, Inspections, and Enforcement at the time of issuance of each permit.

14. Prior to approval of any final plat for this project, pursuant to Prince George's County Council Resolution CR-66-2010, the owner/developer and its heirs, successors, and/or assignees shall execute a Memorandum of Understanding (MOU) with the County that sets forth the terms and conditions for the payment of fees by the Owner/Developer and its heirs, successors, and/or assignees, pursuant to the Public Facilities Financing and Implementation Program. The MOU shall be executed and recorded among the Prince George's County Land Records, and the Liber/folio noted on the final plat of subdivision.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**— The subject site consists of one existing parcel totaling approximately 7.77 acres, recorded in the Prince George's County Land Records in Liber 17657 at folio 670. The Maryland State Department Assessments and Taxation identifies the site as Parcel 202. The site is located along the east side of D'Arcy Road, at the confluence of D'Arcy Road and Sansbury Road, and is within the Light Industrial (I-1), Heavy Industrial (I-2), and Military Installation Overlay (M-I-O) Zones.

The subject site is currently improved with an existing office and vehicle maintenance building totaling 5,628 square feet, which is to be razed; a community building totaling 553 square feet, which is to remain; and associated parking areas. The subject application includes one parcel for a total of 25,659 square feet of industrial and institutional development.

3. **Setting**— The site is located on Tax Map 82, Grids D-3 and E-3, and is within Planning Area 78. The subject site is bounded to the west by D'Arcy Road, with vacant and residential uses in the Rural Residential Zone beyond, to the north and south by industrial uses in the I-1 and I-2 Zones, and to the east by Residential-Agricultural (R-A) zoned property.
4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.



	<b>EXISTING</b>	<b>APPROVED</b>
Zones	I-1 (5.12 acres) I-2 (2.65 acres) M-I-O (7.77 acres)	I-1 (5.12 acres) I-2 (2.65 acres) M-I-O (7.77 acres)
Use(s)	Industrial/Institutional	Industrial/Institutional
Acreage	7.77	7.77
Gross Floor Area	6,181 square feet	25,659 square feet
Dwelling Units	0	0
Parcels	1	1
Lots	0	0
Outlots	0	0
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee meeting on April 3, 2020.

5. **Previous Approvals**—No prior development applications apply to the subject site. A PPS is required in order to develop more than 5,000 square feet of gross floor area on the subject site, in accordance with Section 24-107 of the Prince George’s County Subdivision Regulations.
6. **Community Planning**—The subject site is within the area of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA), which retained the property in the I-1 Zone. Conformance with Plan 2035 and the sector plan are evaluated, as follows:

**Plan 2035**

This application is in an Established Communities Growth Policy area. According to Plan 2035, “Established Communities are most appropriate for context-sensitive infill and low-to-medium density development” (page 20).

**Sector Plan**

The Westphalia Sector Plan and SMA retained the subject property in the I-1 Zone and recommends industrial land uses on the site. In addition, the Sector Plan also recommends the following strategies for the subject property:

**Policy 6 – Industrial Areas Strategies (Pg. 32)**

- **Separate industrial areas from residential areas by use of buffering designed and placed to minimize sight, sound and dust.**
- **Provide screening for outdoor storage areas and truck parking or loading areas for industrial properties bordering roads.**

- **Design access roads to industrial areas to border or pass around, not through, residential neighborhoods.**
- **Provide access to industrial sites by means of pedestrian trails and public transit, as well as public roads.**
- **Redevelop existing industrial uses located within residential communities with redesigned or new uses that are highly compatible with a residential living environment:**
  - **Enclose, buffer, or otherwise modify business activities to reduce noise, traffic, or unattractive views.**
  - **Redevelop incompatible industrial uses with more compatible types of business land use.**
  - **Rezone incompatible industrial areas to allow for redevelopment with compatible nonindustrial land uses.**

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application conforms to the Sector Plan.

This application is located within the Imaginary Surface E (Conical Surface) of the M-I-O Zone. Pursuant to Section 27-548.54 of the Prince George's County Zoning Ordinance, requirements for height, the maximum height for structures in this area is 495 feet.

7. **Stormwater Management**—Pursuant to Section 24-130 of the Subdivision Regulations, a Stormwater Management (SWM) Concept Plan (25803-2019) currently under review by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) was submitted with this application. According to the SWM concept plan, the private system will utilize a combination of three micro-bioretention facilities and one submerged gravel wetland, to improve the water quality of runoff that will discharge off-site via an existing engineered ephemeral swale that discharges to the north, flowing eventually into an existing stormwater easement located on Parcel A. No further information is required at this time.

Development of the site shall conform with the approved SWM concept plan and any subsequent revisions to ensure no on-site or downstream flooding occurs.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of Subdivision Regulations, the subject subdivision is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.

9. **Trails**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Westphalia Sector Plan and SMA to provide the appropriate pedestrian and bicycle transportation recommendations.

**Existing Conditions, Sidewalks and Bike Infrastructure**

The subject property is located on D’Arcy Road, which is a planned MPOT shared roadway. The subject property features an existing 5-foot-wide sidewalk along its frontage within a landscape median, which will remain in place. There are no bike lanes fronting the subject property.

**Review of Master Plan Compliance**

This development case is subject to the MPOT, which recommends the following facilities:

- Planned bicycle lane along D’Arcy Road
- Planned shared roadway along D’Arcy Road and Sansbury Road

The planned bicycle lane along D’Arcy Road and shared roadways along Sansbury Road are beyond the scope of this development.

The MPOT designation of D’Arcy Road changes from a shared roadway to a planned bike lane, approximately 0.45 miles northwest of the subject property. The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling, as follows:

**POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

**POLICY 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO Guide for the Development of Bicycle Facilities.**

The applicant’s submission features an existing sidewalk along D’Arcy Road. The applicant shall provide a “Share the Road with a Bike” bikeway signage assembly along the frontage of the subject site and a shared lane marking (sharrow) on D’Arcy Road, along the frontage of the subject site. Bicycle parking is an important component of a bicycle-friendly roadway network and the applicant shall provide bicycle parking at a location convenient to the building entrance.

The Transportation Systems Section of the Westphalia Sector Plan and SMA makes the following recommendations:



**Install bicycle signage and safety improvements along designated shared-use roadways when development occurs, or roadways are upgraded. Bikeway improvements may include paved shoulders, painted bike lanes, and bike signage.**  
(page 121)

The applicant shall provide a “Share the Road” bikeway signage assembly, along the frontage of the subject site and a shared lane marking (sharrow) on D’Arcy Road, along the frontage of the subject site.

10. **Transportation**—Transportation-related findings for adequacy are made with this application, along with any needed determinations related to dedication, access, and general subdivision layout. The findings outlined below are based upon a review of the transportation analysis and traffic counts submitted by the applicant, and analyses conducted consistent with the “Transportation Review Guidelines, Part 1,” (Guidelines).

The subject property is located within Transportation Service Area 2, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

**Links and Signalized Intersections:** Level of Service D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation per Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier, subject to meeting the geographical criteria in the Guidelines.

**Unsignalized Intersections:** The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections:

- (a) Vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections.
- (b) Vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

**Analysis of Traffic Impacts**

The application is a PPS for a building where various uses will be accommodated. At the time of conducting the traffic study, the size of the proposed new development was 24,676 square feet. Subsequently, the size of the proposed new development was slightly increased to 25,106 square feet during the review of this PPS. This change does not substantially impact the outcome of the traffic impact study (TIS) or the conditions of this approval. For consistency in this analysis, the square footage and associated generated trips provided in the traffic analysis prepared by the

applicant were used. The table below summarizes trip generation in each peak hour that will be used in reviewing traffic and developing a trip cap for the site:

Trip Generation Summary							
Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Tot	
Auto Car Center (ITE-942) - 14,280 sq. ft.	21	11	32	21	23	44	339
<i>Less Internal Trip Capture per ITE</i>	-6	-3	-9	-8	-9	-17	-112
General Office (county) – 10,396 sq. ft.	19	2	21	4	15	19	146
<b>Total trip</b>	<b>34</b>	<b>10</b>	<b>44</b>	<b>17</b>	<b>29</b>	<b>46</b>	<b>373</b>

There is a building on the site that currently hosts community-based activities. This use is likely to continue under the new proposal. However, these functions will continue to occur outside the normal peak-hour periods, consequently, these uses were not considered in preparing the trip analyses.

Using traffic data collected less than 12 months ago, the following represents peak-hour analyses under existing, background, and total conditions:

EXISTING CONDITIONS		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
Westphalia Road and MD 4	<b>E/1489</b>	D/1310
D’Arcy Road and Site Access north*	0.3 seconds	10.6 seconds
D’Arcy Road and Site Access south*	9.6 seconds	14.2 seconds
Westphalia Road and D’Arcy Road*	22.3 seconds	23.3 seconds
Sansbury Road and D’Arcy Road*	13.4 seconds	13.9 seconds
Sansbury Road and Ritchie Marlboro Road	B/1078	A/996
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

In evaluating the effect of background traffic, background developments in the area were included. Based on the regional growth, a second analysis was done. The table below shows the results:



<b>BACKGROUND CONDITIONS</b>		
<b>Intersection</b>	<b>AM</b>	<b>PM</b>
	LOS/CLV	LOS/CLV
Westphalia Road and MD 4	<b>F/2087</b>	<b>F/2112</b>
D'Arcy Road and Site Access north*	5.0 seconds	10.6 seconds
D'Arcy Road and Site Access south*	9.7 seconds	14.2 seconds
Westphalia Road and D'Arcy Road* <i>Tier 3 - CLV Test</i>	<b>85.9 seconds</b> B/1091	<b>&gt;300 seconds</b> A/777
Sansbury Road and D'Arcy Road*	16.4 seconds	18.3 seconds
Sansbury Road and Ritchie Marlboro Road	B/1084	D/1441
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Total traffic analysis indicates the following results:

<b>TOTAL CONDITIONS</b>		
<b>Intersection</b>	<b>AM</b>	<b>PM</b>
	LOS/CLV	LOS/CLV
Westphalia Road and MD 4	<b>F/2103</b>	<b>F/2120</b>
D'Arcy Road and Site Access north*	5.7 seconds	12.6 seconds
D'Arcy Road and Site Access south*	9.9 seconds	14.9 seconds
Westphalia Road and D'Arcy Road* <i>Tier 3 - CLV Test</i>	<b>85.9 seconds</b> B/1096	<b>&gt;300 seconds</b> A/777
Sansbury Road and D'Arcy Road*	16.4 seconds	18.3 seconds
Sansbury Road and Ritchie Marlboro Road	B/1087	D/1448
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Results from the total traffic revealed the following:

- The Westphalia Road/D'Arcy Road unsignalized intersection will operate adequately when analyzed under the Tier 3 CLV test. This intersection will operate with a CLV in each peak hour that is below the 1,150 threshold. Pursuant to the Guidelines, no further action will be required.
- The intersection of MD 4 (Pennsylvania Avenue) and Westphalia Road was found to be operating inadequately at all phases of the adequacy evaluations. This intersection has a previously approved Public Facilities Financing and Implementation Program (PFFIP) funding mechanism in place that will ultimately provide for an upgrade to a grade separated interchange, with interim improvements occurring until that point. It is recommended in the TIS that a condition be approved allowing the applicant to contribute funds to the PFFIP in lieu of off-site improvements at this intersection. This issue will be discussed further.

**Westphalia Public Facilities Financing and Implementation Program (PFFIP)**

Given the inadequate levels of service calculated for the intersection of MD 4 and Westphalia Road-Old Marlboro Pike, the applicant shall provide a monetary contribution towards the construction of the planned interchange at the MD 4/ Westphalia Road intersection. With this contribution, the development meets the requirements for transportation adequacy, pursuant to Subtitle 24 of the County Code.

On October 26, 2010, the Prince George's County Council approved CR-66-2010, establishing a PFFIP district for the financing and construction of the MD 4/Westphalia Road interchange. Pursuant to CR-66-2010 (Sections 6, 7, and 8), a cost allocation table was prepared that allocates the estimated \$79,990,000 cost of the interchange to all the properties within the PFFIP district. CR-66-2010 also established \$79,990,000 as the maximum cost on which the allocation can be based. The allocation for each development is based on the proportion of average daily trips (ADT) contributed by each development passing through the intersection, to the total ADT contributed by all developments in the district passing through the same intersection. The ratio between the two sets of ADT becomes the basis on which each development's share of the overall cost is computed.

Using data from the *Trip Generation Manual, 10th edition* (Institute of Transportation Engineers), this development is projected to generate 373 ADTs. Based on turning movement counts taken at the north and south entrances to the site, it has been determined that 46 percent of the site traffic is oriented to and from the south of D'Arcy Road. Consequently, in applying the same distribution to the future operation on-site, it has been determined that the total ADT that will pass through the MD 4/Westphalia intersection will be  $373 \times 0.46 = 172$ . Based on 172 daily trips, this site's contribution for PFFIP was computed as \$172,654.18 (2010 dollars). Given the total area of the proposed building(s) as 24,676 square feet, the unit cost computes as approximately \$7.00 per square foot. A spreadsheet provides greater detail of this computation, which is incorporated by reference herein.



**Master Plan and Site Access**

The property is in an area where the development policies are governed by the Westphalia Sector Plan and SMA, as well as the MPOT. The subject property currently fronts on D'Arcy Road, which is designated as a master plan collector (C-627) road within an 80-foot right-of-way. The section of D'Arcy Road on which the property fronts is currently built with two travel lanes, within right-of-way that is less than 80 feet wide. Consequently, the applicant will be required to dedicate 40 feet from the centerline of D'Arcy Road, along the property frontage, unless a lesser dedication is required in accordance with the recommendation of Department of Permitting, Inspections and Enforcement in accordance with Section 24-123(a)(4). All other aspects of the site regarding access and layout are deemed to be acceptable.

Based on the findings presented in this section, adequate transportation facilities will exist to serve the subdivision, as required under Section 24-124.

11. **Schools**—Pursuant to Section 24-122.02 of the Subdivision Regulations, this PPS is exempt from review for impact on school facilities because the proposal consists of nonresidential development.
12. **Public Facilities**—In accordance with Section 24-122.01, water and sewerage, and police facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section dated April 7, 2020 (Thompson to Diaz-Campbell), incorporated by reference herein. An analysis of fire and rescue facilities revealed response time inadequacies as follows:

**Fire and Rescue**

The subject property is served by Forestville Fire/EMS Co. 823, located at 8321 Old Marlboro Pike, in Upper Marlboro. Per Section 24-122.01(d)(1)(A), a 5-minute total response time is recognized as the national standard for Fire/EMS response times. The 5-minute total response time arises from the 2016 Edition of the National Fire Protection Association (NFPA) 1710 Standards for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. This standard is being applied to the review of nonresidential subdivision applications.

According to NFPA 1710, Chapter 3 Definitions, the total response time and travel time are defined, as follows:

**3.3.53.6 Total Response Time. The time interval from the receipt of the alarm at the primary PSAP (Public Safety Answering Point) to when the first emergency response unit is initiating action or intervening to control the incident.**

**3.3.53.7 Travel Time. The time interval that begins when a unit is in route to the emergency incident and ends when the unit arrives at the scene.**



According to NFPA 1710, Chapter 4 Organization:

4.1.2.1 The fire department shall establish the following objectives:

- (1) **Alarm handling time to be completed in accordance with 4.1.2.3.**  
**(4.1.2.3.1 The fire department shall establish a performance objective of having an alarm answering time of not more than 15 seconds for at least 95 percent of the alarms received and not more than 40 seconds for at least 99 percent of the alarms received, as specified by NFPA 1221).**
- (2) **80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response.**
- (3) **240 seconds or less travel time for the arrival of the first arriving engine company at a fire suppression incident.**

Prince George's County Fire and EMS Department representative, James V. Reilly, stated in writing (via email) that as of March 31, 2020, the project fails the four-minute travel test from the closest Prince George's County Fire/EMS Station when applying the national standard, an associated total response time under five-minutes from the closest Fire/EMS Station Forestville Fire/EMS Co. 823. While mitigation is not required, it is recommended that sprinklers are installed, or other fire suppression methods are installed in any future commercial development. Prior to construction, the applicant shall contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility; install and maintain automated external defibrillators, in accordance with COMAR, and install and maintain hemorrhage kits next to fire extinguishers. In accordance with Section 24-122.01(e)(1)(C), the Fire Department provided a statement that adequate equipment exists.

13. **Use Conversion**—The total development included in this PPS is proposed to be 25,659 square feet of industrial and institutional development in the I-1, I-2, and M-I-O Zones. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval and reflected on the PPS, that revision of the mix of uses or any residential development shall require approval of a new PPS, prior to approval of any building permits.
14. **Public Utility Easement (PUE)**—Section 24-122(a) requires that when utility easements are required by a public company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The subject site fronts on a public right-of-way, D'Arcy Road, to the west. The required PUE along the public street is delineated on the PPS and shall be labeled.

15. **Historic**—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 Prince George’s County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase 1 archeology survey is not required.
16. **Environmental**—The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site applicable to this case:

Development Review Case	Associated Tree Conservation Plan or Natural Resources Inventory	Authority	Status	Action Date	Resolution Number
--	E-050-03	Staff	Expired	8/25/2005	N/A
--	E-050-03-01	Staff	Expired	8/05/2011	N/A
--	E-050-03-02	Staff	Superseded	3/13/2020	N/A
--	NRI-077-2019	Staff	Approved	7/16/2019	N/A
4-19035	* <del>[TCP1-007-2019]</del> <u>TCP1-007-2020</u>	Planning Board	Approved	5/14/2020	2020-79

A Natural Resources Inventory (NRI) was approved on July 16, 2019. The previous numbered letter of exemption is superseded with this Type 1 tree conservation plan (TCP1) application.

**Proposed Activity**

The current application is for one parcel for industrial development.

**Grandfathering**

This project is not grandfathered with respect to the environmental regulations contained in Subtitles 24 and 27 that came into effect on September 1, 2010 because the application is for a new PPS. This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual.

\*Denotes Correction  
 Underlining indicates new language  
 [Brackets] and strikethrough indicate deleted language

## **Master Plan Conformance**

### **Plan 2035**

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan 2035, the Established Communities area of the General Plan Growth Policy.

### **Westphalia Sector Plan**

The site is located in the area of the Westphalia Sector Plan and SMA. The sector plan includes applicable goals, policies, and strategies. The following policies are applicable to the current project with regard to natural resources preservation, protection, and restoration. The text in **BOLD** is the text from the Sector Plan and the plain text provides comments on plan conformance.

#### **Environmental Infrastructure Section Recommendations:**

##### **Policy 1: Green Infrastructure. Protect, preserve, and enhance the identified green infrastructure network within the Westphalia sector planning area.**

The eastern site edge is mapped as being part of the Regulated Area within the Westphalia sector planning areas Green Infrastructure network. It is also mapped as being at the western edge of a secondary corridor known as the Turkey Run wildlife corridor. Priority for conservation and restoration of habitat along this eastern property edge is a priority. The green elements of the site are proposed to be protected and enhanced through a combination of woodland preservation, reforestation/afforestation, and natural regeneration.

##### **Policy 2: Water Quality and Quantity: Restore and enhance water quality of receiving streams that have been degraded and preserve water quality and quantity in areas not degraded.**

Implementing conservation landscaping techniques that reduce water consumption and the need for fertilizers or chemical applications is encouraged. The capture and reuse of stormwater for grey water should be considered with the site's final design, to the fullest extent possible.

The SWM Concept Plan (25803-2019) uses a combination of three micro-bioretenion facilities and one submerged gravel wetland to improve the water quality of runoff that will discharge off-site.

##### **Policy 3: Energy Consumption: Reduce overall energy consumption and implement environmentally-sensitive building techniques.**



The use of green building techniques and energy conservation techniques are encouraged, as appropriate. The use of alternative energy sources such as solar, wind, and hydrogen power are also encouraged.

***Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan (May 2017)***

According to the 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan* (Green Infrastructure Plan), the majority of the subject property is not within the network. Only the easternmost wooded portion of this site is within designated regulated and evaluation areas of the network. However, no regulated environmental features exist on-site.

All regulated areas within the Green Infrastructure Plan are to be protected or enhanced with this application. There are also portions of evaluation areas that have direct links to the preserved regulated areas that are also shown for preservation and enhancement. This PPS and Type 1 tree conservation plan (TCP1) focuses on preservation and expansion through woodland preservation, reforestation/afforestation, and natural regeneration along the regulated network areas, in conformance with the objectives of the Green Infrastructure Plan.

**Environmental Review**

**Existing Conditions/Natural Resources Inventory**

The site has an approved Natural Resources Inventory Plan (NRI-077-2019), which correctly shows the existing conditions of the property. No specimen or historic trees are associated with this development. No regulated environmental features such as streams, wetlands, 100-year floodplain, associated buffers, and PMA are located on-site. There are two forest stands that exist on-site according to the forest stand delineation totaling 0.38 acre, both of which are heavily dominated by invasive species and considered low quality. The existing conditions are correctly shown on the TCP1 and PPS.

**Woodland Conservation**

This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet and contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (~~\*[TCP1-007-2019]~~ TCP1-007-2020) has been submitted for review that covers the area of this PPS.

According to the worksheet shown on the TCP1 as submitted, the site split-zoned I-1 (5.12 acres) and I-2 (2.65 acres), for a total of 7.77 acres. A total of 0.38 acre of existing woodlands are on the net tract. The site has a woodland conservation threshold of 1.17 acres, or 15 percent of the net tract, as tabulated. A total of 0.02 acre of on-site clearing and no off-site clearing are proposed on the plan. The TCP1 shows a total woodland conservation requirement of 1.19 acres. The TCP1

\*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

shows this requirement will be met by providing 0.36 acre of on-site woodland preservation, 0.46 acre afforestation/ reforestation, 0.16 acre of natural regeneration, and 0.21 acre of off-site credits on another property.

Due to the poor quality of the existing woodlands on-site, an invasive species management plan will be required at time of TCP2 review.

### **Soils**

The predominant soils found to occur on-site, according to the US Department of Agriculture Natural Resource Conservation Service Web Soil Survey, include Beltsville silt loam (2-5 percent slopes); Udorthents, refuse substratum (0–50 percent slopes); Udorthents-Urban land complex (0–5 percent slopes); and Widewater and Issue soils frequently flooded.

According to available information, no unsafe soils containing Marlboro clay or Christiana complexes are mapped on this property.

No further action is needed as it relates to this application. A soils report may be required by DPIE in future phases of development.

17. **Urban Design**—Based on the submitted plans, the applicant is proposing construction of a new 20,391-square-foot building with industrial uses; however, in an email dated April 21, 2020 (Hatcher to Conner), the development proposal was confirmed to be 25,106 square feet for industrial uses (vehicle maintenance shop and administrative office) and 553 square feet of existing institutional use (community building). Many industrial uses could be permitted on this property per Section 27-473(b) of the Zoning Ordinance. Some of these uses require detailed site plan (DSP) approval and others are allowed by right with a permit approval.

**Conformance with the Requirements of the Prince George’s County Zoning Ordinance**  
Conformance with the following Zoning Ordinance regulations is required for the proposed development at the time of either DSP or permit plan review, including but not limited to, the following:

- Section 27-469 of the Zoning Ordinance, I-1 Zone;
- Section 27- 470 of the Zoning Ordinance, I-2 Zone;
- Section 27-473(b) regarding the Table of Uses for the I-1 and I-2 Zones;
- Section 27-474 of the Zoning Ordinance, regarding regulations in the I-1 and I-2 Zones;
- Part 10 C of the Zoning Ordinance (Subtitle 27), regarding the M-I-O Zone; and
- Part 11, Off Street Parking and Loading, and Part 12 of the Zoning Ordinance (Subtitle 27), Signs, respectively.



It is noted that while a vehicle maintenance shop (for trash trucks) could be permitted, a trash removal service within 1,000 feet of residentially zoned property is not permitted in the I-1 Zone, in accordance with Section 27-475.06. A trash removal service is defined in Subtitle 27 as a business involving the dispatching and storage of trucks or dumpsters for the purpose of trash removal.

In a correspondence dated April 8, 2020, the applicant has submitted information indicating that trash trucks will be parked on the property which depart the site early in the morning and return throughout the day. The applicant has also put forth information indicating why their trash hauling operation should not be considered a trash removal service at this location, including that no trash is brought to or stored on the site and that dispatching is the instructing of vehicles (per their interpretation) which is conducted off-site via electronic communication.

Although conformance with permitted use requirements are to be demonstrated at the time of DSP or permitting, it is noted that a trash removal service does not allow trash to be brought to the site pursuant to Section 27-475.06 of the Subdivision Regulations, and so this would not be a determining factor regarding use as a trash removal service. In addition, the applicant seems to set forth that dispatching comes from a dispatcher located off-site. However, the definition of a trash removal service only indicates dispatching of trucks and makes no reference to a dispatcher's location. Notwithstanding the information provided regarding the proposed uses, the determination of uses to be ultimately permitted for the site is not made with this application. Any proposed uses must be within the capacity analysis established with this PPS.

**Conformance with the 2010 Prince George's County Landscape Manual**

The proposed development is subject to the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Specifically, Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements, apply to this site. Conformance with the applicable landscaping requirements will be determined at the time of future site plan review.

**Conformance with the Tree Canopy Coverage Ordinance**

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and require a grading permit. Properties in all commercial zones are required to provide a minimum of 10 percent of the gross tract area, which equals to approximately 0.78 acre, to be covered by tree canopy. Compliance with this requirement will be evaluated at the time of future site plan review.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

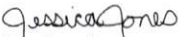
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File No. 4-19035  
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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, May 14, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of June 2020, and corrected administratively on July 15, 2020.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:EDC:nz

APPROVED AS TO LEGAL SUFFICIENCY  
David S. Warner /s/  
M-NCPPC Legal Department  
Date: July 20, 2020

\*Denotes Correction  
Underlining indicates new language  
[Brackets] and strikethrough indicate deleted language

December 23, 2020

**MEMORANDUM**

**TO:** Jeremy Hurlbutt, Master Planner, Urban Design Section  
**VIA:** Sherri Conner, Supervisor, Subdivision and Zoning Section *SC*  
**FROM:** Mridula Gupta, Planner Coordinator, Subdivision and Zoning Section *MG*  
**SUBJECT:** DSP 20035; Waste Management Capitol Facility

The subject property considered in this Detailed Site Plan (DSP) is located on Tax Map 82 in Grids D-3 and E-3 and is identified as Parcel 202, described by deed recorded in Liber 17657 at folio 670. The subject site is 7.77 acres and is zoned I-1/I-2/M-I-O. The property is located within the area of the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment (Westphalia Sector Plan and SMA).

The site is currently improved with an office and vehicle maintenance building totaling 5,628 square feet, which is to be razed; a community building totaling 553 square feet, which is to remain; and associated parking areas. The applicant has submitted this DSP for a total of 25,659 square feet of industrial and institutional use; with a new 25,106 square foot office/vehicle maintenance building on proposed Parcel 1.

The property considered in this DSP is subject to Preliminary Plan of Subdivision (PPS) 4-19035 which was approved by the Planning Board on March 13, 2020 subject to 14 Conditions. The PPS approved one parcel for 25,659 square feet of industrial/institutional use.

The proposed administrative office and vehicle maintenance shop building and continuance of fleet fueling as a use on the subject site, constitutes the proposed development. The SOJ also states that trash trucks will leave the site every morning and return to the site in the afternoon, to perform trash removal services. The applicant contends that this is not a trash removal service because the dispatcher is not located on-site. This use issue was discussed within the findings of the PPS, and Staff continues to assert that this is a trash removal service. The definition and requirements for a Trash Removal Service set regulations and protections for residential properties relative to the use and operations of trash trucks that would not be inherently associated solely with a dispatcher.

On November 17, 2020, Council Bill No. CB-63-2020 was enacted for the purpose of amending the Zoning Ordinance to provide a definition for a new use, "Waste Services and Private Fueling Station," and permitting the use in the Light Industrial (I-1) and Heavy Industrial (I-2) Zones of Prince George's County under certain circumstances. The effective date of the Bill will be January 4, 2021. The enacted Zoning Bill adds Section 27-475.06.10 to the Zoning Ordinance which will be



applicable to the subject property. According to this Section, Trash Maintenance Services with Private Fueling Station are permitted in the I-1 and I-2 Zones subject to certain requirements and, pursuant to Section 27-475.06.10(a)(2), a DSP shall be approved for the use in accordance with Part 3, Division 9.

The applicant had filed a Variance to Section 27-475.06(a)(1)(b) which requires that the subject property shall be more than one thousand (1,000) feet from any land in a Residential Zone, or land that is used for residential purposes or proposed to be used for residential purposes. Currently, R-18C, R-R, and R-A residential zones lie within 1,000 feet of the property boundaries. The newly enacted Council Bill CB-063-2020, will establish the use on the property as Trash Maintenance Services with Private Fueling Station. Additional requirements for this specific use are provided in Section 27-475.06.10, which does not require any setbacks for the trash maintenance service from adjoining residential uses and require that the fueling equipment and fuel storage maintain a minimum setback of 20 feet from all property lines. With the Council Bill CB-063-2020 coming into effect on January 4, 2021, the Variance to Section 27-475.06(a)(1)(b) will no longer be required for this DSP.

Of the 14 conditions of approval of PPS 4-19035, 7 are applicable to the subject DSP. The relevant conditions are shown below in bold text. Staff analysis of the project's conformance to the conditions follows each one in plain text.

**2. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision prior to issuance of any permits.**

The DSP proposal regarding land use is consistent with the approved PPS. The proposed industrial use was identified as a use proposed for Parcel 1 during the Preliminary Plan of Subdivision review process. Conformance with this condition has been demonstrated.

**3. Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions. Prior to approval, the final plat shall note the stormwater concept approval number.**

The applicant submitted a copy of approved Stormwater Management (SWM) Concept Plan 25803-2019-01, which shows conceptual stormwater management for the proposed development. The proposed development should be further reviewed by Environmental Planning Section for conformance to Condition 3.

**4. Prior to approval of a final plat:**

**a. The final plat shall include the grant of a 10-foot-wide public utility easement along the public right-of-way.**

Section 24-122(a) requires that when utility easements are required by a public company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

"Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748."

The standard requirement for PUEs is 10 feet wide along both sides of all public rights of way. The subject site fronts on a public right-of-way, D'Arcy Road, to the west. A 10-foot wide PUE is delineated on the DSP along only one portion of proposed right-of-way of D'Arcy Road. The PUE is incorrectly shown extending into the existing public road right-of-way.

The applicant has stated that the County intends to abandon a portion, measuring 540 square feet in area, of existing public right-of-way for D'Arcy Road which was previously dedicated from existing Parcel 202 by deed. This 540 square foot area is part of previously conveyed 4,618 square feet right-of-way to Prince George's County via deed recorded in the County Courts in Liber 24843 at folio 756 dated April 11, 2006. The process of abandonment of public land and conveyance to private property will occur independent of the permitted development of this property. Since the ultimate right-of-way line for D'Arcy Road is expected to change after inclusion of the conveyed acreage into the subject property, the applicant does not intend to show PUE dedication along the existing property line segments labeled as "L4" and "C2" on the DSP. The applicant intends to submit a Variation to Section 24-122(a) at the time of final plat from providing a 10-foot wide PUE along this portion of the property fronting D'Arcy Road. The location of PUE's and the Variation will be further evaluated at the final plat stage.

**b. The final plat shall include the necessary dedication of right-of-way for D'Arcy Road as determined by the Department of Permitting, Inspections and Enforcement.**

Per correspondence between Ms. Rodgers of Lawson Design Group and Mr. Mariwan Abdullah of DPIE during May of 2020, DPIE expressed agreement with the applicant's proposal which showed a 32' right-of-way width from the proposed roadway centerline of D'Arcy Road. D'Arcy Road is planned to be straightened along the frontage of the subject property, and the DSP shows the proposed centerline of the re-aligned road and the 32' right-of-way width as agreed by DPIE. Additionally, a proposed public right-of-way dedication for 1,012 square feet along D'Arcy Road is shown on the DSP. The proposed development should be further reviewed by Transportation Planning Section for conformance to Condition 4b.

**6. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-007-2020). The following note shall be placed on the final plat of subdivision:**

**"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-007-2019 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department."**

The DSP reflects the proposed development shown on the approved TCP1. The Environmental Planning Section should further evaluate the proposal for conformance to Condition 6.

- 8. Prior to acceptance of a detailed site plan submission, an invasive species management plan shall be included as part of the application on the Type 2 tree conservation plan.**

An invasive species management plan was submitted as part of the Type 2 tree conservation plan, and should be reviewed by the Environmental Planning Section for conformance to Condition 8.

- 9. In conformance with the 2009 Approved Countywide Master Plan of Transportation, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

- a. A shared-lane marking (sharrow) on D'Arcy Road, along the frontage of the subject site, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement with written correspondence.**
- b. Two inverted-U style bicycle racks at a location that is convenient to the entrance of the building.**

The DSP provides both a shared-lane marking on D'Arcy Road along the property frontage, as well as two inverted U-style bike racks. The details and locations for these provisions should be further evaluated by the Transportation Planning Section for conformance with this Condition.

- 12. Total development within the subject property shall be limited to uses which generate no more than 44 AM peak-hour trips and 46 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The development shown with the DSP is consistent with the approved PPS. The proposed development should be further reviewed by the Transportation Planning Section for conformance to Condition 12.

#### **Plan Comments:**

1. The newly enacted Council Bill CB-063-2020, which will be effective January 4, 2021, will establish the use on the property as Trash Maintenance Services with Private Fueling Station. The DSP should not be certified until the effective date of CB-063-2020.
2. A 540 square foot area is shown to be conveyed to the property from the existing public right-of-way for D'Arcy Road. This conveyance will be processed via deed through the County, and should not be shown as included in proposed Parcel 1 on the DSP. The total area of proposed Parcel 1 should similarly not include this proposed conveyance.

3. The required 10' PUE along property frontage to D'Arcy Road is incorrectly shown extending into public right-of-way near the northwest corner of the site.

**Recommended Conditions**

1. Prior to certificate approval, the following revisions shall be made to the DSP:
  - a. Correct the gross area for proposed Parcel 1 after excluding 540 square-feet of previously conveyed public right-of-way.
  - b. Correct the proposed 10' PUE along D'Arcy Road to end at the property line.

The referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. The DSP has been found to be in substantial conformance with the preliminary plan of subdivision with recommended conditions. All bearings and distances must be clearly shown on the DSP and must be consistent with the legal descriptions of the property, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.




THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


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December 8, 2020

**MEMORANDUM**

TO: Jeremy Hurlbutt, Development Review Division

FROM: Benjamin Ryan, Transportation Planning Section, Countywide Planning Division 

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division 

SUBJECT: **Detailed Site Plan Review for Pedestrian and Bicycle Transportation Master Plan Compliance**

The following detailed site plan (DSP) was reviewed for conformance with the zoning ordinance, the *Approved Countywide Master Plan of Transportation (MPOT)* and the *2007 Approved Westphalia Sector Plan and Sectional Map Amendment* to provide the appropriate pedestrian and bicycle transportation recommendations.

**Detailed Site Plan Number:** DSP-20035

**Development Case Name:** Waste Management Capitol Facility

Type of Master Plan Bikeway or Trail

Municipal R.O.W.	<input type="checkbox"/>	Public Use Trail Easement	<input type="checkbox"/>
PG Co. R.O.W.	<input checked="" type="checkbox"/>	Nature Trails	<input type="checkbox"/>
SHA R.O.W.	<input type="checkbox"/>	M-NCPPC - Parks	<input type="checkbox"/>
HOA	<input type="checkbox"/>	Bicycle Parking	<input checked="" type="checkbox"/>
Sidewalks	<input checked="" type="checkbox"/>	Trail Access	<input type="checkbox"/>

<b>Detailed Site Plan Background</b>	
Building Square Footage (non-residential)	25,659 Square Feet
Number of Units (residential)	N/A
Abutting Roadways	D'Arcy Road
Abutting or Nearby Master Plan Roadways	D'Arcy Road (C-627), Sansbury Road (C-630)
Abutting or Nearby Master Plan Trails	Planned Bike Lane: D'Arcy Road Planned Shared Roadways: D'Arcy Road, Sansbury Road
Proposed Use(s)	Trash Removal Services
Zoning	I-1 / I-2
Centers and/or Corridors	N/A
Prior Approvals on Subject Site	4-19035

**Previous Conditions of Approval**

Approved Preliminary Plan of Subdivision 4-19035 includes the following condition of approval

related to on-site bicycle improvements, specific to the subject property. Condition 9 from 4-19035 is copied below:

9. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

- a. A shared-lane marking (sharrow) on D'Arcy Road, along the frontage of the subject site, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement with written correspondence.
- b. Two Inverted-U style bicycle racks at a location that is convenient to the entrance of the building.

**Comment:** The applicant's submission displays a shared-lane marking (sharrow) on D'Arcy Road as well as two bicycle racks located at the entrance of the facility.

Approved Preliminary Plan of Subdivision 4-19035 includes the following condition of approval related to on-site bicycle improvements, specific to the subject property. Condition 10 from 4-19035 is copied below:

10. Prior to approval of a building permit, the applicant and the applicant's heirs, successors, and/or assignees shall provide a \$420.00 bikeway signage fee to the Prince George's County Department of Permitting, Inspections, and Enforcement for a "Share the Road" bikeway signage assembly to be installed along D'Arcy Road at the subject site.

**Comment:** This condition will be satisfied at the time of building permit. The applicant has updated plans to display the location of the bikeway signage.

### **Proposed Pedestrian and Bicycle Infrastructure**

The subject application is for the construction of a trash removal services facility. The site is located directly southeast of the intersection of D'Arcy Road and Sansbury Road. The submitted plans include sidewalks and shared-lane markings along the subject property's frontage of D'Arcy Road, a sidewalk network surrounding the facility, a walkway through the parking area leading to the facility, and bicycle racks located at the entrance of the facility.

### **Review of Master Plan Compliance**

This development case is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT), which recommends the following facilities:

- Planned bicycle lane along D'Arcy Road
- Planned shared roadway along D'Arcy Road and Sansbury Road

The MPOT designation of D'Arcy Road changes from a shared roadway to a planned bike lane approximately 0.45 miles northwest of the subject property. However, the bicycle lane along D'Arcy Road and shared roadway along Sansbury Road are beyond the scope of this development.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

POLICY 2: All road frontage improvements and road capital improvement projects within the



Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

POLICY 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

POLICY 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The Transportation Systems Section of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* makes the following recommendations:

Install bicycle signage and safety improvements along designated shared-use roadways when development occurs or roadways are upgraded. Bikeway improvements may include paved shoulders, painted bike lanes, and bike signage. (p.121)

**Comment:** The submitted plan features a sidewalk as well as shared-lane markings along D’Arcy Road. A walkway has been provided through the parking lot, which originates at the western edge of the parking lot, running east-west directly to the entrance of the facility.

#### **Access and Circulation and conformance with Zoning Ordinance**

Sections 27-283, Site Design Guidelines and 27-274(a)(2), Parking, loading and circulation, provide provisions for the design of the multimodal facilities associated with the subject application.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

(viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;

(ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and

(xi) Barrier-free pathways to accommodate the handicapped should be provided.

**Comment:** The proposed sidewalk along D’Arcy Road, the sidewalk surrounding the proposed building, crosswalks at both points of vehicle entry, and the proposed pedestrian walkway through the parking lot provide a complete pedestrian connection.

#### **Recommended Conditions of Approval**

The Transportation Planning Section find that the pedestrian and bicyclist circulation on the site to be safe, efficient, and convenient, pursuant to Sections 27-283 and 27-274(a)(2), the relevant design guidelines for transportation and conclude that the submitted detailed site plan is deemed acceptable from the standpoint of pedestrian and bicycle transportation.



**INTER-OFFICE MEMORANDUM  
PRINCE GEORGE'S COUNTY  
POLICE DEPARTMENT**

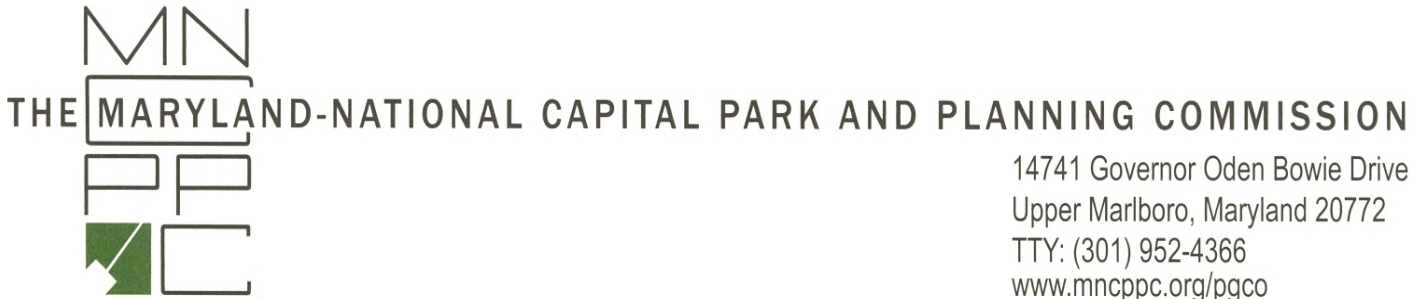


**M E M O R A N D U M**

DATE: October 29, 2020  
TO: Planning Coordinator, Urban Design Application Section  
Development Review Division  
FROM: Captain Wendy Contic, Assistant Commander, Planning & Research Division  
SUBJECT: DSP-20035 Waste Management Capitol Facility

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Upon review of the site plans, there are no comments at this time.



Countywide Planning Division  
Historic Preservation Section

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-4366  
www.mncppc.org/pgco

301-952-3680

October 19, 2020

**MEMORANDUM**

**TO:** Jeremy Hurlbutt, Urban Design Section, Countywide Planning Division

**VIA:** Howard Berger, Historic Preservation Section, Countywide Planning Division **HSB**

**FROM:** Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JRS**  
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**

**SUBJECT: DSP-20035 Waste Management Capitol Facility**

The subject property comprises 7.70 acers and is located on the east side of the intersection of Darcy Road and Sansbury Road. The subject application proposes an administrative office, fleet parking, and a fueling and maintenance facility. The subject property is Zoned I-1, and I-2.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George's County Historic Sites or resources. Historic Preservation Section staff recommend approval of DSP-20035 Waste Management Capitol Facility without conditions.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
 Upper Marlboro, Maryland 20772  
 www.pgplanning.org

Countywide Planning Division  
 Environmental Planning Section

301-952-3650

December 28, 2020

**MEMORANDUM**

**TO:** Jeremy Hurlbutt, Master Planner, Urban Design Section, DRD

**VIA:** Megan Reiser, Supervisor, Environmental Planning Section, CWPD *MR*

**FROM:** Mary Rea, Senior Planner, Environmental Planning Section, CWPD *MR*

**SUBJECT:** **Waste Management Capitol Facility; DSP-20035 and TCP2-035-2020**

The Environmental Planning Section has reviewed the above referenced Detailed Site Plan, DSP-20035 and Type 2 Tree Conservation Plan, TCP2-035-2020. The application was accepted for review on October 14, 2020. Comments were provided in a Subdivision Development Review Committee (SDRC) meeting on October 30, 2020. The Environmental Planning Section recommends approval of DSP-20035 and TCP2-035-2020 subject to conditions recommended at the end of this memorandum.

**Background**

The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Review Case #	Associated Tree Conservation Plan or Natural Resource Inventory	Authority	Status	Action Date	Resolution Number
--	E-050-03	Staff	Expired	8/25/2005	N/A
--	E-050-03-01	Staff	Expired	8/05/2011	N/A
--	E-050-03-02	Staff	Superseded	3/13/2020	N/A
--	NRI-077-2019	Staff	Approved	7/16/2019	N/A
4-19035	TCP1-007-2020	Planning Board	Approved	5/14/2020	2020-79
DSP-20035	TCP2-035-2020	Planning Board	Pending	Pending	

**Proposed Activity**

The applicant is requesting approval of a Detailed Site Plan and Type 2 Tree Conservation Plan (TCP2-035-2020) for a one parcel industrial development on a 7.77-acre site in the I-1, I-2, and M-I-O zones.

### **Grandfathering**

The project is subject to the current regulations of Subtitle 25 (Woodland and Wildlife Habitat Conservation Ordinance) and Subtitle 27 (Zoning Ordinance) that came into effect on September 1, 2010 because the application has a preliminary plan approved after September 2010.

### **Review of Previously Approved Conditions**

The following text addresses previously approved applicable environmental conditions that need to be addressed with this application. The text in **bold** is the actual text from the previous cases or plans. The plain text provides the comments on the plan's conformance with the conditions.

Preliminary Plan of Subdivision 4-19035 was approved by the Planning Board on May 14, 2020. The conditions of approval can be found in PGCPB No. 2020-79.

1. **Prior to signature approval of the preliminary plan of subdivision, the Type I tree conservation plan (TCPI) shall be revised to meet all the requirements of Subtitle 25 of the Prince George's County Code. Required revisions include but are not limited to:**
  - a. **Identify the location of all proposed stormwater easements and all existing storm water easements to remain on-site.**
  - b. **Show all existing and proposed easement areas (with the exception of surface drainage easements) that overlap existing woodlands to remain, as being woodland retained counted as cleared on the plan; not as woodland preservation, afforestation/reforestation, or natural regeneration.**
  - c. **Add the TCP number to the approval block TCP 1-007-2020 on each sheet of the TCP I.**
  - d. **Update the TCP worksheet, as necessary once the above changes have been made.**
  - e. **Have the qualified professional sign and date the TCP worksheet, as required.**

All conditions were met prior to the signature approval of the Type 1 Tree Conservation Plan.

6. **Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan TCPI-007-2020. The following note shall be placed on the final plat of subdivision:**

**"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP 1-007-2020 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation**

**under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department."**

This condition will be met at the time of final plat.

- 7. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

**"This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-1 22(d) (I)(8) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved."**

This condition will be met at the time of final plat.

- 8. Prior to acceptance of a detailed site plan submission, an invasive species management plan shall be included as part of the application on the Type 2 tree conservation plan.**

An invasive species management plan is included in TCP2-035-2020.

## **Environmental Review**

### **Existing Conditions/Natural Resources Inventory**

The site has an approved Natural Resources Inventory Plan (NRI-077-2019), which correctly shows the existing conditions of the property. No specimen or historic trees are associated with this development. No regulated environmental features such as streams, wetlands, 100-year floodplain, associated buffers, and PMA are located on-site. There are two forest stands that exist on-site according to the Forest Stand Delineation totaling 0.38 acres, both of which are heavily dominated by invasive species and considered low quality. The DSP and TCP2 plans are in conformance with the approved NRI.

### **Woodland Conservation**

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has previously approved Tree Conservation Plans. A Type 2 Tree Conservation Plan (TCP2-035-2020) was submitted with the detailed site plan application.

According to the worksheet shown on the TCP2 as submitted, the site is 7.77 acres split zoned between the I-1 (5.12 acres) and I-2 (2.65 acres) zones. A total of 0.38 acres of existing woodlands are on the net tract, and has a woodland conservation threshold of 1.17 acres, or 15 percent of the net tract, as tabulated. The Woodland Conservation Worksheet proposes the removal of 0.02 acres in the net tract area, for a woodland conservation requirement of 1.19 acres. The TCP2 shows this requirement will be met by providing 0.36 acres of woodland preservation on-site, 0.37 acres of



on-site reforestation, 0.13 acres of natural regeneration on-site, and 0.33 acres of off-site woodland conservation credits.

The TCP2 plan requires additional technical corrections to be in conformance with the Woodland and Wildlife Habitat Conservation Ordinance (WCO). These revisions are specified in the recommended conditions below.

### **Stormwater Management**

A Stormwater Management Concept Approval Letter (# 25803-2019) and associated plan were submitted with the application for this site. The approval was issued on May 14, 2020 for this project from the Prince George County Department of Permitting, Inspections and Enforcement (DPIE). The plan proposes to construct 24 micro-bioretenion ponds, a submerged gravel wetland, and an un-detained pervious area. No stormwater management (SWM) fee for on-site attenuation/quality control measures is required. No further action regarding SWM is required with this Detailed Site Plan review.

### **Erosion and Sediment Control**

No information with respect to erosion and sediment control was submitted with the subject application; however, it should be noted that the site is located within a Tier II catchment area (Turkey Branch 1) as designated by the Maryland Department of the Environment (DoE). Tier II streams are high quality stream segments that have an existing water quality that is significantly better than the minimum water quality standards. There are no Regulated Environmental Features (REF) located on-site or the adjacent parcels; however, the Soil Conservation District may require additional or redundant erosion and sediment control devices.

### **Soils**

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Beltsville silt loam (2-5% slopes); Udorthents, refuse substratum (0-50% slopes); Udorthents-Urban land complex (0-5% slopes); and Widewater and Issue soils frequently flooded. Marlboro clay and Christiana complexes are not found on or near this property.

No further action is needed as it relates to this application. A soils report may be required by the Prince George's County Department of Permits, Inspections and Enforcement (DPIE) at time of permit.

### **Summary of Recommended Conditions**

The Environmental Planning Section recommends approval of Detailed Site Plan (DSP-20035) and Type 2 Tree Conservation Plan (TCP2-035-2020) subject to the following condition:

1. Prior to certification of the detailed site plan, the TCP2 shall be revised as follows:
  - a. Add TCP2-035-2020 to all approval blocks on the TCP2.
  - b. Remove the part of the note in the Invasive Species Management Plan regarding qualifying for additional woodland conservation credit for the reduction of invasive species in the herbaceous layer.
  - c. Change the title block on all pages to reflect this as a TCP 2 plan not a TCP1 plan.

- d. Add TCP2-035-2020 to the project name of the Invasive Species Management Plan.
2. Prior to the certification of the TCP2 for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section (EPS) for review by the Office of law, and submission to the Office of Land Records for recordation. The following note shall be added to the standard Type 2 Tree Conservation Plan notes on the plan as follows:

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

If you have any questions concerning these comments, please contact me at 301-952-3650 or by e-mail at [mary.rea@ppd.mncppc.org](mailto:mary.rea@ppd.mncppc.org).



Transportation Planning Section  
Countywide Planning Division


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301-952-3680

December 5, 2020

**MEMORANDUM**

TO: Jeremy Hurlbutt, Urban Design Section, Development Review Division

VIA:  Tom Masog, Transportation Planning Section, Countywide Planning Division

FROM:  Glen Burton, Transportation Section, Countywide Planning Division

**SUBJECT: DSP-20035: Waste Management of Maryland**

**Proposal:** This application proposes the redeveloping and modernizing of the subject property with a new ±25,106 square-foot expanded office/administrative building that will also house an eight (8) bay drive through service and shop area for the routine maintenance of the Applicant's commercial vehicle fleet (the "Project").

**Background:** The site has been the subject of an approved preliminary plan of subdivision (PPS) that was approved on May 14, 2020. The property was approved with multiple conditions, including the following pertaining to transportation:

12. **Total development within the subject property shall be limited to uses which generate no more than 44 AM peak-hour trips and 46 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**
13. **Prior to issuance of each building permit, the applicant and the applicant's heirs, successors, and/or assignees shall, pursuant to the provisions of Prince George's County Council Resolution CR-66-2010 and the MD 4/Westphalia Road Public Facilities Financing and Implementation Program, pay to Prince George's County (or its designee) a fee of \$7.00 (in 2010 dollars) per square foot, pursuant to the Memorandum of Understanding (MOU) required by CR-66-2010. The MOU shall be recorded in the Prince George's County Land Records. These unit costs will be adjusted based on an inflation cost index factor to be determined by the Prince George's County Department of Permitting, Inspections, and Enforcement at the time of issuance of each permit.**

**Status:** The site plan proposes a building with the same mix of uses with a slightly smaller gross floor area that the facility on which the PPS was approved. Staff therefore concludes that the development represented by this plan will not generate more traffic than was anticipated in the

PPS, consequently, the trip cap established in Condition 12 of the approved PPS will not be exceeded. Condition 13 will be addressed at the time of permitting.

**Master Plan and Site Access**

The property is in an area where the development policies are governed by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). The subject application is proposing two access points on D'Arcy Road, a master planned collector road (C-627) within 80 feet of right-of-way. The site plan is showing additional right-of-way to be dedicated, that is consistent with the master plan requirement.

All other aspects of the site regarding access and circulation are deemed to be acceptable.

**Conclusion**

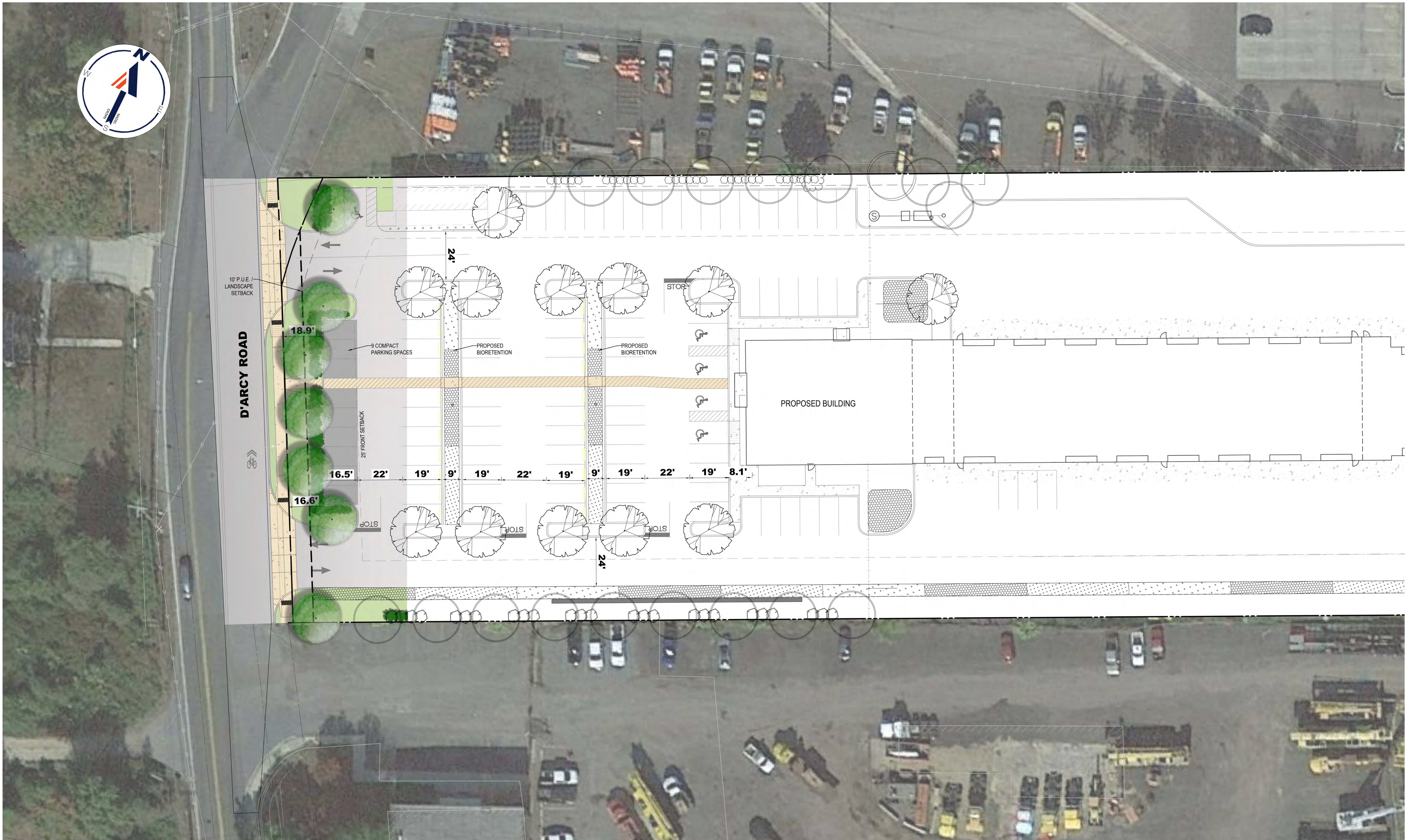
Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a detailed site plan.

**Additional Back-up**

**For**

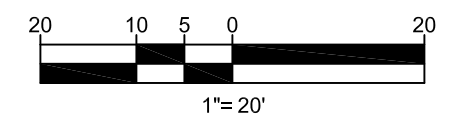
**Detailed Site Plan DSP-20035**  
**Waste Management Capitol**  
**Facility**





# D'ARCY ROAD LANDSCAPE CONDITIONS EXHIBIT

MDL203009



1-25-2021

9304 D'ARCY ROAD, UPPER MARLBORO  
PRINCE GEORGE'S COUNTY, MARYLAND



DSP-20035\_Additional Backup



PGCPB Agenda: 1/28/21  
PGCPB Item #: 6  
Application: DSP-20035 Waste Management Capitol Facility  
Reviewer Name: Jeremy Hurlbutt

## APPLICANT'S EXHIBIT PROPOSED REVISIONS TO STAFF REPORT

The Applicant proposes all new language **bold underlined in blue** and all deleted language *italicized  
stricken through in red*.

### RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Prince George's County Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-20035 and Type 2 Tree Conservation Plan TCP2-035-2020 for Waste Management Capital Facility, subject to the following conditions:

1. Prior to certification of the detailed site plan, the following revisions shall be made to the plans:
  - a. Correct the gross floor area for proposed Parcel 1 after excluding the 540 square feet of previously conveyed public right-of-way.
  - b. Correct the proposed 10-foot-wide public utility easement along D'Arcy Road to end at the property line.
  - c. Provide the square footage of the green space in the table on the cover sheet.
  - d. Correct the required parking to 53 spaces.
  - e. Reduce parking lot driveways from 24 feet to 22 feet and enlarge the Section 4.2 landscape strip along D'Arcy Road, **as reflect on Applicant's Exhibit 1.**
  - f. Modify the notes and parking calculations to show *the nine drive-through bays* **nine bays, including one drive-through car wash bay and eight service bays, seven of which are drive-through.**
  - g. Label the height of the clearance provided in the drive through opening on the architectural elevations.

- h. Provide the location, square footage, lighting, and materials of the freestanding sign on the plans, in conformance with Section 27-614 of the Prince George's County Zoning Ordinance.
- i. Indicate the lighting and materials of the building of the building-mounted sign on the plans.
- j. Correct adjacent property information on the landscape plan to show that the properties to the north and south are in the Light Industrial and Heavy Industrial Zones, and that the property to the east is zoned Residential-Agricultural.
- k. Provide one additional loading space, in conformance with Section 27-582 of the Prince George's County Zoning Ordinance.
- l. Add the following general notes:
  - (1) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Conformance to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, is required.
  - (2) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Conformance to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code, is required.
- m. Revise the Type 2 tree conservation plan (TCP2), as follows:
  - (1) Add TCP2-035-2020 to all approval blocks on the TCP2.
  - (2) Remove the part of the note in the Invasive Species Management Plan regarding qualifying for additional woodland conservation credit for the reduction of invasive species in the herbaceous layer.
  - (3) Change the title block on all pages to reflect this as a TCP2 plan not a TCP1 plan.
  - (4) Add TCP2-035-2020 to the project name of the Invasive Species Management Plan.

2. Prior to the certification of the Type 2 tree conservation plan (TCP2) for the site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submission to the Prince George's County Land Records or recordation. The following note shall be added to the standard TCP2 notes on the plan, as follows:

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