

October 3, 2023

Golamreza Sheibaniagdam
202 Heil Road
Silver Spring, MD 20905



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-95029-01
Reza Auto Body

Dear Applicant:

This is to advise you that, on **September 28, 2023**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board, pursuant to the Transitional Provisions of Section 27-1700 of the Prince George's County Zoning Ordinance and in accordance with the attached Resolution.

Pursuant to Section 27-290 of the prior Prince George's County Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice (**October 3, 2023**) of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291 of the prior Zoning Ordinance), the District Council decides, on its own motion, to review the action of the Planning Board.

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

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

Sincerely,
James R. Hunt, Chief
Development Review Division

By: Te-Sheng Huang
Reviewer

Attachment: PGCPB Resolution No. **2023-97**

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

R E S O L U T I O N

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

WHEREAS, the subject property is within the Commercial, Service (CS) Zone; and

WHEREAS, pursuant to Section 27-1903(c) of the Zoning Ordinance, development proposals for the property in the CS Zone may also utilize the prior Zoning Ordinance for development of the property on which the development is proposed; and

WHEREAS, the applicant, Golamreza Sheibaniagdam, submitted an application for approval of a detailed site plan under the prior Zoning Ordinance; and

WHEREAS, therefore, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on September 7, 2023, regarding Detailed Site Plan DSP-95029-01 for Reza Auto Body, the Planning Board finds:

1. **Request:** The detailed site plan (DSP) approves a revision to DSP-95029, to add the land area of Parcel A (previous adjoining Lots 1–3) to the site plan area for use as a vehicle storage yard. This application also proposes the elimination of Conditions 1.a. and 6, set forth in the Prince George’s County District Council’s Order of Approval for DSP-95029. These two conditions are related to transportation improvements, which are no longer relevant.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone (s)	CS (prior C-M)	CS (prior C-M)
Use(s)	Vehicle lubrication or tune-up facility	Existing vehicle lubrication or tune-up facility and proposed vehicle storage yard
Gross Tract Acreage	0.43	1.07
Parcels	1	1
Gross Floor Area	2,824	2,824

Parking Requirements (Per Section 27-568(a) of the prior Zoning Ordinance)

	Number of Spaces Required	Number of Spaces Provided
Vehicle lubrication or tune-up facility	12	Standard (9.5 feet x19 feet): 11 Compact (8 feet x16.5 feet): 1 Handicap van-accessible: 1
Vehicle storage yard	0	0
Total	12 parking spaces	13 parking spaces

Loading Spaces (Per Section 27-582(a) of the prior Zoning Ordinance)

	Required	Provided
Loading spaces* (12 feet x 33 feet)	1	1

Note: *The one provided loading space is located inside the existing vehicle lubrication or tune-up facility.

3. **Location:** The subject site is located in the southwest quadrant of the intersection of MD 704 (Martin Luther King Jr Highway) and I-95/495 (Capital Beltway). The property is 1.07 acres, within Planning Area 72 and Council District 5.
4. **Surrounding Uses:** The land use in the immediate vicinity of the subject site includes industrial use to the west and north, across MD 704 and I-95/495, and a portion of the Springdale Gardens residential subdivision to the east. Southwest of the subject property is a CVS Pharmacy store and two churches to the south, beyond Ardwick-Ardmore Road.
5. **Previous Approvals:** DSP-95029 was approved by the Prince George’s County Planning Board on September 7, 1995 (PGCPB Resolution No. 95-257). On November 20, 1995, the District Council reviewed and approved DSP-95029, with conditions.

Detailed Site Plan DSP-03066 was approved on April 28, 2005 (PGCPB Resolution No. 05-87), for a monopole. No construction commenced, and the plan expired on November 28, 2005. The site had an approved Stormwater Management (SWM) Concept Plan, 17291-2003.

Vacation V-05011 was approved on December 1, 2005, to allow the vacation of part of Brightseat Road in the Dixie-Dale Subdivision, with the reversion of ownership to Golamreza Sheibaniagdam, the adjacent property owner (PGCPB Resolution No. 05-257). This vacation application was the result of Conditions 2 and 3 of DSP-03066, that require a new final plat be recorded to consolidate Lots 1–3, Lot 16, a part of Brightseat Road, and other vacated rights-of-way (ROW). A new final plat was recorded on February 16, 2006, in Plat Book

Rep 210, page 82, to reflect the vacation and to consolidate the above-referenced lots into existing Parcel A.

6. **Design Features:** This DSP amends DSP-95029 to include the eastern portion of Parcel A, for development of a vehicle storage yard, covered with gravel and macadam. Chain-link fences with wood boards will be installed around the perimeter of this area.

The western portion of Parcel A is currently developed with an existing vehicle lubrication or tune-up facility and its associated parking lot. Pursuant to Section 27-461(b) of the prior Zoning Ordinance, this use is permitted, but all sales and installation operations provided are required to be conducted in a wholly enclosed building, with no outdoor storage. This western portion of the land is currently enclosed with 6-foot-high chain-link fences.

A fence that separates the eastern and western portions will have a 15-foot-wide gate to allow people to access the proposed vehicle storage through the parking lot of the existing vehicle lubrication or tune-up facility. Both areas share one entry point, located on MD 704, for ingress and egress. Labeling of the fences, with or without wood boards and what is existing or newly added fencing, is not clearly demonstrated on the plan. Conditions are included herein, requiring the applicant to clearly specify and label these fences. Based on the site photos submitted, the existing fences are covered with vines and some of the sections seem to be in disrepair. A condition is included herein, requiring the applicant to replace the broken fences and remove the overgrown vines on the fences.

No additional buildings are proposed in the application. No additional lighting or signage is being added to the proposed auto storage. However, a few of the scattered signs that are currently mounted on the existing building are required to be removed, since appropriate sign permits were not obtained. To improve the site, conditions are included herein requiring the applicant to provide evidence of the removal of these signs. Any new signage shall be in conformance with the subject requirements and shall be shown on the DSP, prior to certification.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP has been reviewed for compliance with the requirements of Part 6, Division 3 of the prior Zoning Ordinance, regarding uses permitted in commercial zones; Section 27-459, which governs development in the C-M Zone; Section 27-285, regarding the Planning Board procedures, with respect to DSPs, including required findings; and Section 27-274, regarding design guidelines.
 - a. This DSP is subject to the requirements of Section 27-459 of the prior Zoning Ordinance, as follows:

(b) Landscaping and screening.

(1) Landscaping and screening shall be provided in accordance with Section 27-450.

In accordance with Section 27-450 of the Zoning Ordinance, “Landscaping, screening, and buffering of all development in the Commercial Zones shall be in accordance with the provisions of the Landscape Manual.” Evaluation of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual) has been addressed in Finding 9 below.

(c) Uses

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

The DSP develops the eastern portion of the site for a vehicle storage yard. Per Section 27-461(b), the use of vehicle or camping trailer storage yard is permitted in the C-M Zone. Because use of the existing vehicle lubrication or tune-up facility in the western portion of the subject property cannot have outdoor storage, the proposed auto storage yard cannot be part of this facility. A condition is included herein, requiring the applicant to note on the coversheet that a separate use and occupancy permit is required for use of the proposed auto storage.

(d) Regulations.

(1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the C-M Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Table (Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.

The subject DSP is in conformance with these regulations because this application does not propose additional buildings and structures on the subject site. There is an existing one-story vehicle lubrication or tune-up facility located in the western portion of the site. This facility is approximately 25 feet in height and has a building footprint of 2,824 square feet. A condition is included herein, requiring the applicant to label the setback requirements of the existing building on the plan, to show its conformance. Discussion and evaluation of fences is included in Finding 6 above.

Evaluations of off-street parking and loading have been discussed in Finding 2 above, showing that 13 parking spaces and one loading space are provided for the existing vehicle facility. No parking spaces are required for the proposed vehicle storage use, which is located on the eastern portion of the site.

Discussions on signs and the Landscape Manual are addressed in Finding 6 above and Finding 9 below.

- b. Section 27-274(a) of the prior Zoning Ordinance provides site design guidelines for a DSP. The applicable design guidelines are described as the following:

Section 27-274(a)

(2) Parking, loading, and circulation.

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site.**
- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.**
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.**

The application is being filed in response to a zoning violation issued by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), indicating that the site is not in conformance with the DSP. The zoning violation (CSD Case 21-00016186) is that the property owner is using the eastern portion of Parcel A for a vehicle storage yard, without obtaining a use and occupancy permit. This DSP is to address the violation and bring the site into conformance.

Existing access to the site is provided via a driveway from MD 704, which will serve as access to the two uses on the site. One use is the existing vehicle lubrication or tune-up facility on the western portion of the site, and the other use is the vehicle storage yard this application proposes, which will be located on the eastern portion of the site.

The applicant proposes to maintain the existing 13 parking spaces and one loading space for the existing vehicle lubrication or tune-up facility use, which exceeds the minimum required for the use.

Since the entire site is mostly for vehicle uses, pedestrian circulation within the site would be rare. Discussion on the provision of sidewalks and bike racks are addressed in Finding 12 below.

(3) Lighting.

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

There is no additional lighting being added for the proposed auto storage. All existing lighting was previously approved for the use of the existing vehicle lubrication or tune-up facility. To ensure adequate illumination for the entire site, a condition is included herein requiring the applicant to provide a photometric plan.

(4) Views.

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

The applicant proposes to install chain-link fences with wood boards along the perimeter of the proposed auto storage. Inside the fence, a 10-foot-wide landscape strip will be provided for buffering and screening from public areas. To ensure better and enhanced screening, a condition is included herein requiring that the minimum size of the proposed shade trees shall be 3–3.5 inches caliper, and 14–16 feet in height. The planting size of evergreen trees shall be 8–10 feet in height. Additional evergreen trees shall be added to the rear of the existing building, to screen public views from MD 704. Other detailed discussions on this have been addressed in Finding 9 below.

(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites.**

No grading is proposed for the auto storage use because the subject site is relatively flat. This minimizes any additional disruption to the existing topography.

(8) Service areas.

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

The proposed auto storage will be used as a service area. This area is located away from MD 704 and is accessible through the entry point on MD 704 and through the parking lot of the existing vehicle lubrication or tune-up facility. A loading space is currently located within the existing vehicle lubrication or tune-up facility.

8. **Detailed Site Plan DSP-95029:** Detailed Site Plan DSP-95029 was approved by the District Council on November 20, 1995 (PGCPB Resolution No. 95-257), for a vehicle lubrication or tune-up facility. The conditions of DSP-95029 are listed in **bold** text, followed by the Planning Board's comment, in plain text. The Planning Board recommends that the conditions contained within this technical staff report supersede those contained in DSP-95029.

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

- a. **The plan shall show a proposed 70-foot right-of-way, for and connection to the future reorientation of Brightseat Road that provides for common access to the Beltway Tract. The exact location of a cul-de-sac with an entrance from MD 704 will be determined by DPW&T. The plan shall show a temporary entrance off MD 704 and details on how the entrance will be used for parking and landscaping once the entrance is closed.**

DSP-95029 was reviewed for conformance under the 1993 *Approved Master Plan and Sectional Map Amendment for Landover and Vicinity* (Planning Area 72) (1993 Master Plan), which required DSP review by the District Council for the subject site, and adjacent properties identified as the "Beltway Tract." The 1993 Master Plan, at the time, required that DSP approval shall be obtained from the District Council for all phases of development. DSPs were required to address the unified access and circulation views from I-95/495 and MD 704, signs and building materials, and compatibility with residential and institutional uses to the south and east.

DSP-95029 was approved, subject to several conditions, in consideration that Brightseat Road would be re-oriented, widened from its intersection with Ardwick-Ardmore Road, and terminated into a cul-de-sac to provide the unified access as required in the above condition.

The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (2010 Master Plan) replaced the 1993 Master Plan and did not carry forward the recommendations relating to the Beltway Tract.

The construction of Brightseat Road is no longer believed necessary for access and circulation to conform to the 2010 Master Plan. This is consistent with the findings of the adjoining property to the southwest, which was subdivided pursuant to Preliminary Plan of Subdivision PPS 4-12001 (PGCPB Resolution No. 12-113) and was also located within the 1993 Master Plan and the Beltway Tract.

Given that the 2010 update to the 1993 Master Plan, which did not recommend the widening of Brightseat Road, and the fact that the portion of Brightseat Road that previously impacted the subject site has been vacated, the Planning Board finds that Condition 1.a. of DSP-95029 is no longer relevant to the current application and shall not be carried forward as a condition of this approval.

- b. A detail of the proposed light fixture shall be provided. The applicant shall replace existing fixtures with a fixture that is attractive and can be used throughout the development.**

The above lighting requirements appear to have been met, and this condition has been satisfied. For DSPs, however, a photometric plan with details and specifications of any lighting fixtures is required to ensure that light will not spill over to the adjoining properties in residential zones and that the quality of development is compatible to the surroundings. A discussion on lighting has been addressed in Finding 7 above, with a condition requiring the submittal of a photometric plan to show conformance with the previously approved plan.

- c. The Landscape Plan shall be revised per staff Exhibit "A". This will upgrade the appearance from the Beltway, Brightseat Road and MD 704.**

The above condition, regarding landscape requirements, has been met. For this DSP, a certificate of landscape maintenance shall be required to determine conformance to the previously approved landscape plan. Such discussion has been addressed in Finding 9 below.

- d. The parking schedule in the notes, and the site plan shall be revised to provide one loading space and any requirements of the Maryland Accessibility Codes.**

The above parking requirements have been met because there is one loading space provided for the vehicle lubrication or tune-up facility. This condition has been satisfied.

- 2. Prior to the issuance of any sign permits the applicant shall provide details and specifications for proposed signs. Any signs shall be approved by the Planning Department and shall meet the guidelines set forth in the Approved Master Plan.**

The Prince George's County Department of Public Works and Transportation (DPW&T) shall provide an area within the right-of-way, along existing or reoriented Brightseat Road, at the main entrance to the business park for the property owners association to construct a common sign. On-site signage shall be limited to a façade sign on a building wall facing a street, the area of which shall not be more than one square foot for each lineal foot of building width facing that street. No freestanding signs shall be permitted.

Per the discussion of Condition 1.a. of DSP-95029 above, the construction of Brightseat Road is no longer proposed and enforceable. This condition shall not be carried forward as a condition of approval.

3. **At the time of Final Plat for a minor lot line adjustment, prior to the issuance of the Use and Occupancy Permit, the applicant, his heirs, successors and/or assigns, shall dedicate his portion of the 70-foot right-of-way for the Brightseat Road widening. This would include a portion of the cul-de-sac, its location to be determined by the Department of Public Works and Transportation (DPW&T), that determines in the southern portion of the subject property.**

Per Finding 5 and the discussion of Condition 1.a. of DSP-95029 above, this condition shall not be carried forward as a condition of approval.

4. **Prior to issuance of the Use and Occupancy Permit, the applicant shall obtain a permit from the State Highway Administration (SHA) to channelize the entrance and make frontage improvements along MD 704.**

This condition is no longer applicable because the 2010 Master Plan does not include the connection from Brightseat Road to MD 704, as discussed above, in response to Condition 1.a. of DSP-95029. In addition, the subject site has an existing entry point located on MD 704. The Planning Board finds that this condition should not be carried forward as a condition of approval.

5. **This Detailed Site Plan is required to be reviewed and approved by the District Council per CR-57-1993.**

Council Resolution CR-57-1993 adopted the sectional map amendment associated with the 1993 Master Plan, which was replaced by the 2010 Master Plan. Therefore, this condition is no longer applicable.

6. **Prior to Use and Occupancy permit, the applicant shall provide the equitable monetary contribution that he is responsible for, in order to reorient and improve Brightseat Road to a 70-foot commercial road, to be determined by DPW&T. DPW&T shall use these funds to improve existing and/or proposed Brightseat Road in order to assure a unified access for the overall development of the Beltway Tract. DPW&T shall consider placement of the construction of reoriented Brightseat Road in the Six-Year County Improvement Program as the unified access is in the public**

interest. DPW&T shall consider improvement of existing Brightseat Road with access off of Ardwick-Ardmore Road as a temporary measure as subsequent site plans are received. This entrance shall be closed when the permanent entrance off of MD 704 is opened.

Prior to issuance of the Use and Occupancy Permit, the applicant, his heirs, successors and/or assigns, shall provide a bond or letter of credit (as approved by the Commission's Legal Department) to the Planning Department or the Department of Public Works and Transportation (DPW&T) if that agency will accept the bond) to insure that the existing access to the subject property from Martin Luther King, Jr. Highway be closed at such time as the unified access via Brightseat Road is constructed to a minimum pavement width of 18 feet and accepted for maintenance by the DPW&T. The bond or letter of credit shall be in the amount of \$15,000 and shall be established for an initial period of five (5) years and renewed in five (5) year increments if determined to be necessary. If the temporary access point is not closed within 30 days following improvement of Brightseat Road and its acceptance for maintenance by DPW&T, the applicant shall forfeit the bond or letter of credit which shall be used to close the temporary access.

Evaluation of this condition has been discussed above, in response to Condition 1.a. of DSP-95029. The Planning Board finds this condition is no longer relevant to the current application and shall not be carried forward as a condition of approval.

- 7. The applicant shall ensure the preservation of the two specimen Oak trees on the subject property.**

The submitted site plan does not show the location of the two preserved specimen Oak trees. This condition might have been met at the time when the applicant obtained approval of DSP-95029; however, aerial images from PGAtlas show that these two trees appear to no longer exist on-site. A condition is included herein, requiring the applicant to confirm if the two specimen trees exist.

- 8. Prior to issuance of the next permit of any type subsequent to the pending Use and Occupancy Permit for the subject property, the applicant shall join a Property Owners' Association (POA), which the next applicant for building permits in the business park will be required to form, and which other owners will be required to join when subsequent site plans are submitted. The purpose of the POA is to collect appropriate monetary contributions for construction and maintenance of temporary and/or permanent common signage. The POA bylaw shall be reviewed by the Planning Department prior to approving subsequent site plans to determine the adequacy of the contributions for construction and maintenance of the common signage. At such time as a site plan is approved for a lot which does not have frontage on MD 704 or Ardwick-Ardmore Road, that owner will be required to erect a temporary entrance sign entitled "Dixiedale Business Park" using funds collected by the POA. The design and materials of the sign shall be approved by the**

Planning Department. At such time as a site plan is approved, which constitutes that 25% of the land area of that site plan shall erect a permanent sign, design and materials to be approved by the Planning Department. Funding for the common signage shall be the responsibility of the individual owner who may use POA funds if available or be reimbursed by future contributions to the fund.

This condition was established, based on CR-57-1993, for a unified signage for the Beltway Tract, which would be located on Parcel 269 or 271, where Brightseat Road meets Ardwick-Ardmore Road. As discussed above, the construction of Brightseat Road is no longer enforceable.

The discussion of V-05011 in Finding 5, shows that the section of Brightseat Road across the subject property has been vacated. The site is proposed to be accessed only from MD 704, and no access is proposed to Brightseat Road.

In addition, the Community Planning Division and DPIE did not recommend this condition be carried forward. Therefore, this condition is no longer applicable.

9. **2010 Prince George's County Landscape Manual:** Per Section 27-459(d)(1) of the prior Zoning Ordinance, the proposed development is subject to the provisions of the Landscape Manual. Conformance is required with the following sections: Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements.

The appropriate schedules have been provided for the relevant sections, and the submitted plans are in conformance with the requirements, except for several technical errors. Conditions are incorporated herein, requiring the applicant to revise the landscape plan, with the provision of a certificate of landscape maintenance to determine conformance with the previously approved landscape plan.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** Per prior approvals DSP-95029 and DSP-03066, the subject site is exempt from the requirements of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property contains less than 10,000 square feet of woodland and does not have a previously approved tree conservation plan. The conditions of the site have not changed, since the approval of these DSPs. An updated WCO exemption letter shall be obtained, prior to certification of the DSP, which is included herein as a condition.

11. **Prince George's County Tree Canopy Coverage Ordinance:** The subject site is located in the CS Zone. Per Section 25-128(b) of the Prince George's County Code, there is a 10 percent tree canopy coverage (TCC) requirement. This amounts to approximately 0.107 acre, or 4,661 square feet, to be provided in TCC. The subject DSP provides the appropriate schedule, demonstrating an adequate number of plants on-site to comply with the requirements; however, there are discrepancies on the size and height of the existing trees. A condition is included herein for technical corrections to be made.

12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are adopted herein by reference and main points are summarized, as follows:
- a. **Historic Preservation and Archeological Review**—The Planning Board has reviewed and adopts the memorandum dated May 22, 2023 (Stabler, Smith, and Chisholm to Huang), in which the Historic Preservation Section offered the following comments:
 - (1) The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* contains goals and policies related to historic preservation (pages 287–296). However, these are not specific to the subject site or applicable to the proposed development.
 - (2) 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.
 - b. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated June 27, 2023 (Nair to Huang), in which the Community Planning Division provided an evaluation of the application stating that, pursuant to Subtitle 27, Part 3, Division 9, Subdivision 3, of the prior Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated June 30, 2023 (Patrick to Huang), in which the Transportation Planning Section offered the following comments:

Master Plan Right of Way

The subject site has access and frontage along MD 704, which is identified in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) as a master plan arterial roadway. ROW was previously dedicated and recorded under ROW Plat 28847. This is adequate and consistent with other dedications along this roadway, and staff are not seeking additional ROW as part of this application.

Master Plan Pedestrian and Bicycle Facilities

Staff recommend that a 6-foot-wide sidewalk be constructed, with designated bike lanes along MD 704, as it connects to the existing Washington, Baltimore and Annapolis (WB&A) Trail outside of I-95/495. The trail construction along MD 704 will serve as an extension of the existing WB&A Trail to provide a continuous east/west trail connection through central Prince George’s County, as found on page 28 of the MPOT. Conditions are included herein requiring the applicant to provide one inverted-U style bicycle parking rack for two bikes, located near the building, and a 6-foot-wide sidewalk along the site’s frontage of MD 704.

- d. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated June 26, 2023 (Heath to Huang), in which the Subdivision Section provided an evaluation of the application and indicated that the DSP is in conformance with the approved final plat. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected.
- e. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated June 9, 2023 (Rea to Huang), in which the Environmental Planning Section recommends approval of DSP-95029-01, with the following summarized comments:

Natural Resources Inventory
A natural resources inventory is not required for this application, as a grading permit is not required.

Stormwater Management
The site has an approved SWM Concept Plan, 51438-2021-00. This project is exempt from SWM requirements, as less than 5,000 square feet will be disturbed on-site.
- f. **Permit Review Section**—The Planning Board has reviewed and adopts the memorandum dated June 12, 2023 (Shaffer to Huang), in which the Permit Review Section provided comments regarding setback dimensions for the existing vehicle lubrication or tune-up facility be noted on the plans, which are incorporated as conditions of approval, as relevant.
- g. **Prince George’s County Department of Parks and Recreation (DPR)**—As of the writing of this resolution, DPR did not offer comments on this application.
- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated May 16, 2023 (Branch to Huang), in which DPIE offered comments regarding the 2018 *Water and Sewer Plan* designation and the existing water line that traverses the property.
- i. **Prince George’s County Police Department**—As of the writing of this resolution, the Police Department did not offer comments on this application.
- j. **Prince George’s County Fire/EMS Department**—In an email dated May 15, 2023 (Reilly to Huang), the Fire/EMS Department had no comments on this application.
- k. **Prince George’s County Health Department**—The Planning Board has reviewed and adopts the memorandum dated May 17, 2023 (Adepoju to Huang), in which the Health Department offered comments addressing potential air pollution, construction activity impacts, and dust extending into adjacent properties during construction.

- l. **Washington Suburban Sanitary Commission (WSSC)**—As of the writing of this resolution, WSSC did not offer comments on this application.
 - m. **Maryland State Highway Administration (SHA)**—As of the writing of this resolution, SHA did not offer comments on this application.
 - n. **Public Utilities**—The subject DSP application was referred to Verizon, BG&E, Comcast, AT&T, and Washington Gas for review and comments on June 15, 2023. As of the writing of this resolution, no correspondence has been received from these public utility companies.
 - o. **City of Glenarden**—The subject property is located within 0.5 mile of the geographical boundary of the City of Glenarden. The DSP application was referred to the City for review and comments on June 15, 2023. In an email dated July 7, 2023 (Habada to Huang), the City of Glenarden indicated that this property is not within its corporate boundaries. Therefore, they will not be providing input on this application.
13. **Community Feedback:** As of the writing of this resolution, the Planning Board did not receive any inquiries regarding the subject DSP from the community.
14. Based on the foregoing analysis, and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the approved DSP, as conditioned below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
15. As required by Section 27-285(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

No regulated environmental features (REF) will be impacted by the proposed development, and it is determined that the REF has been preserved and/or fully restored in a natural state, to the fullest extent possible, in accordance with the requirement.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Detailed Site Plan DSP-95029-01 for the above-described land, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the applicant shall:
 - a. Provide documentation demonstrating the removal of signs that are not permitted.

- b. Note on the plan that a separate use and occupancy permit shall be required for use of the proposed vehicle storage yard.
 - c. Note on the plan the required setbacks for the existing building and label the provided setbacks on the plan.
 - d. Provide a 6-foot-wide sidewalk along the subject property's frontage of MD 704 (Martin Luther King Jr Highway), subject to approval of the operating agency, and label them on the plan with details.
 - e. Provide a striped crosswalk and associated American with Disabilities Act (ADA) ramps crossing the site access along MD 704 (Martin Luther King Jr Highway), subject to approval of the operating agency, and indicate it on the plan with details.
 - f. Provide an inverted-U or similar style bike rack at a location convenient to the entrance of the existing building and indicate it on the plan with details.
 - g. Show any signage, in accordance with Subtitle 27, Part 12, of the prior Prince George's County Zoning Ordinance.
 - h. Provide a photometric plan to show adequate illumination, and label their location on the plan, with details, if additional lighting fixtures are needed.
2. Prior to certification of this detailed site plan (DSP), the applicant shall revise the landscape plan, as follows:
- a. Correct the symbols for 6-foot-high chain-link fences, with or without wood boards, to be consistent on the plan.
 - b. Provide an inset to clearly show the location of the existing 6-foot-high fences and the 6-foot-high fences that will be added, and which section of the fences will be incorporated with wood boards. The fences with wood boards located along the southern boundary shall extend to the west side of Brightseat Road, to ensure that wood board fencing be provided along the entire exterior perimeter of the storage yard area of Parcel A.
 - c. Revise Schedule 4.9-1, Sustainable Landscaping Requirements, to include existing ornamental trees.
 - d. Update the information pertaining to ornamental trees in the tree canopy coverage schedule, to be consistent with the number and size of the existing ornamental trees shown on the plan.
 - e. Add the height of American Holly trees to the landscaping schedule.

- f. Provide a certificate of landscape maintenance on the landscape plan for the entire subject property, to ensure the existing landscaping is in compliance with the previously approved landscape plans. If plants are missing, they must be shown as proposed with this landscape plan.
 - g. Provide evidence to show the replacement of broken fences and the removal of overgrown vines that cover the existing fences.
 - h. Confirm the existence of the two preserved specimen Oak trees and, if they exist, indicate them on the plan.
 - i. Provide shade trees and evergreen trees whose caliper and height are larger than what the applicant originally proposed and add additional evergreen trees to the rear of the existing building.
 - j. Replace existing chain-link fencing with wood boards.
3. Prior to certification of this detailed site plan, an approved Woodland Conservation Ordinance exemption letter shall be obtained.


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

* * * * *


This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner, and Shapiro voting in favor of the motion, and with Commissioners Bailey and Geraldo absent at its regular meeting held on Thursday, September 7, 2023, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of September 2023.

Peter A. Shapiro
Chairman


By Jessica Jones
Planning Board Administrator

PAS:JJ:TH:rpg


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

Dated 9/14/23