

R E S O L U T I O N

WHEREAS, NSR Petro Services LLC is the owner of a 1.37-acre parcel of land known as Parcel 193, said property being in the 6th Election District of Prince George's County, Maryland, and being zoned Commercial Shopping Center (C-S-C) and One-Family Detached Residential (R-55) in the Military Installation Overlay (M-I-O) Zone; and

WHEREAS, on August 14, 2018, NSR Petro Services LLC 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 4-16029 for Forestville Center 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 January 24, 2019, 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 January 24, 2019, 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 TCP1-009-2018, and further APPROVED Preliminary Plan of Subdivision 4-16029 for 1 parcel with the following conditions:

1. Prior to signature approval of this preliminary plan of subdivision, the plan shall be corrected to:
 - a. Revise the applicant block from "NSR Perto Service LLC" to "NSR Petro Services LLC."
 - b. Revise the Site Area Schedule from gross tract areas for the C-S-C Zone from "1.1495 acres" to "1.18 acres" and the R-55 Zone from "0.2246 acres" to "0.19 acre." The net tract area for each zone shall also be revised in accordance with these acreages.
2. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - a. Add TCP1-009-2018 to the approval block.

- b. Correct the numbering of approval rows in the approval block, so the initial approval is “00.”
 - c. Correct the preservation area shown to remove preservation from the area of the property to be dedicated to public right-of-way, including the symbol for the tree conservation area sign.
 - d. Verify the acreage of the area in preservation, noting the correction in (c) above, and ensure that the area in preservation matches the area represented on the worksheet, shown on the plan as 0.24 acre and 0.26 acre, respectively.
 - e. Correct General Note 7 to state “...within Environmental Strategy Area 1, formerly the Developed tier...”
 - f. Correct General Note 8. Marlboro Pike is a designated historic road.
 - g. Provide an owners awareness certification with all necessary signatures.
 - h. Have the qualified professional who prepared the plan sign and date it, and update the revision box with a summary of the revision
3. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCP1-009-2018. The following note shall be placed on the final plat of subdivision:
- “Development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan, TCP1-009-2018, 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 Conservation Ordinance. 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, Prince George’s County Planning Department.”
4. Development of this site shall be in conformance with approved Stormwater Management Concept Plan 43353-2016 and any subsequent revisions.
5. Substantial revision to the uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision prior to approval of any permits.

6. Total development shall be limited to uses that would generate no more than 36 AM and 119 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
7. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall include the following on the final plat:
 - a. A 10-foot-wide public utility easement along the public rights-of-way, as delineated on the approved preliminary plan of subdivision.
 - b. Public right-of-way dedication of 25-feet from the centerline of Pinevale Avenue, as delineated on the approved preliminary plan of subdivision.
8. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
 - a. Five-foot wide sidewalk and 6.5-foot landscape strip consistent with the Boulevard Area street section illustrated in Figure IV-6 of the sector plan, unless modified by the Prince George's County Department of Public Works and Transportation/Prince George's County Department of Permitting, Inspections and Enforcement.
 - b. The amount, type, and location of bicycle parking will be determined at the time of detailed site plan.
 - c. One sidewalk or pedestrian walkway linking the proposed shopping center with the sidewalk along Marlboro Pike. The location and type of connection will be determined at the time of detailed site plan.
9. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that all of the following required adequate pedestrian and bikeway facilities, as designated below, in accordance with Section 24-124.01 of Subdivision Regulations and the cost cap in subpart (c), have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
 - a. A five-foot wide sidewalk along the south side of Marlboro Pike from the subject site to the intersection with Orleans Avenue.
 - b. A high-visibility crosswalk across Orleans Avenue.
 - c. Americans with Disabilities Act compliant ramps for the crosswalk at Orleans Avenue.

- d. At the time of detailed site plan, provide an exhibit that illustrates the location, limits, specifications, and details of the off-site sidewalk improvements approved with Preliminary Plan of Subdivision 4-16029, consistent with Section 24-124.01(f) and the cost cap in Section 24-124.01(c).

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 property is located on the southwest side of Marlboro Pike, approximately 250 feet northwest of its intersection with Pumphrey Drive. This preliminary plan of subdivision (PPS) includes Parcel 193, as described in a deed recorded among the Prince George's County Land Records in Liber 36979 at folio 236. Parcel 193 is an acreage parcel never having been the subject of a final plat of subdivision. The site is undeveloped and zoned Commercial Shopping Center (C-S-C) and One-Family Detached Residential (R-55) in the Military Installation Overlay (M-I-O) Zone.

The application includes one parcel for the construction of 8,960 square feet of gross floor area (GFA) for a commercial shopping center.

3. **Setting**—The subject property is located on Tax Map 81 in Grid F-4, located in Planning Area 75A, and is zoned C-S-C and R-55 in the M-I-O Zone. The subject property is bounded to the northeast by Marlboro Pike, with property beyond zoned C-S-C, which is developed with commercial uses. Adjacent property to the east is zoned Mixed Use-Infill (M-U-I) in the M-I-O and Development District Overlay Zones and is developed with commercial uses. The subject property is bounded to the southeast by Camp Street, with property beyond zoned R-55 in the M-I-O Zone, and is developed with single-family residential. Adjacent properties to the west and southwest are zoned R-55 in the M-I-O Zone, and are developed with single-family residential uses. Adjacent property to the northwest is zoned Townhouse (R-T) in the M-I-O Zone and is developed with a church.

4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	EXISTING	APPROVED
Zone	C-S-C (1.18 acres) R-55 (0.19 acre)	C-S-C (1.18 acres) R-55 (0.19 acre)
Use(s)	Vacant	Commercial
Acreage	1.37	1.37
Gross Floor Area	0	8,960 sq. ft.
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 before the Subdivision and Development Review Committee on August 24, 2018.

5. **Previous Approvals**—Zoning Map Amendment A-9961-C was approved by the Prince George's County District Council on September 12, 2005 (Zoning Ordinance No. 9-2005) to rezone the property from R-T (1.37 acres) to C-S-C (1.18 acres) and R-55 (0.19 acre), and included the following conditions:

1. **Before issuance of permits, the applicant or its successors or assigns shall submit a detailed site plan for review and approval, in accordance with Part 3, Subdivision 9, of the Zoning Ordinance.**
2. **Detailed site plan review is to determine the adequacy of proposed landscaping, fencing, and buffering, and the location of proposed buildings, paving, and on-site parking, especially as between the internal portion of the site and residential uses on adjacent properties.**

Conditions 1 and 2 will be considered at the time of detailed site plan (DSP), which is required.

3. **All future development on this site shall include a Phase I or Phase II Noise Study, as appropriate, to show the locations of the 65 dBA Ldn noise contour (mitigated or unmitigated) and show that all State noise standards have been met, for interior areas.**

A Phase I noise analysis dated March 31, 2018, prepared by Mars Group, was submitted in conformance with this condition. The unmitigated 65 dBA Ldn noise contour is shown on the PPS and is located within the C-S-C Zone, approximately 150 feet from the northeastern property line, parallel to Marlboro Pike. The review for potential noise requirements will be analyzed at the time of DSP, when buildings are proposed.

6. **Community Planning**—The *Plan Prince George's 2035 Approved General Plan* (Plan 2035) designates the subject property in the Established Communities Growth Policy area. The vision for the Established Communities area is context-sensitive infill and low- to medium-density development. This PPS is consistent with the vision.

The 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* (Marlboro Pike Sector Plan and SMA) recommends commercial land uses on the subject property. The sector plan locates the site within a transition area where investments and redevelopment that are attractive and cohesive, with surrounding community, are envisioned. In addition, the sector plan recommends a boulevard streetscape along the subject property's frontage on Marlboro Pike. The boulevard's typical sections include two lanes in each direction, bicycle lanes, a landscape median, and sidewalks. These areas will include thematic and attractive streetscaping to tie together the main street areas corridor-wide. Figures IV-6 and IV-7, on pages 59 and 60 of the plan, illustrate the typical section for boulevard areas with or without a median.

This subject site is located within the M-I-O Zone. Approximately one third of the property is in Accident Potential Zone 2 and is subject to the use restrictions in Section 27-548.56(a), Prohibited Uses, and Section 27-548.56(b), Limited Permitted Uses, of the Prince George's County Zoning Ordinance. The commercial shopping center is not a prohibited use. Pursuant to Section 27-548.54, Requirements for Height, the subject property is in Height Limit Surface B, where structure height shall not exceed approximately 102 feet. At the time of DSP, the proposed structure height will be required to comply with the maximum height requirement.

During DSP review, consideration shall be given to Chapter IX – Design Guidelines of the sector plan. This chapter contains design recommendations such as building orientation, setbacks, building heights for character areas to tie Marlboro Pike corridor together, and provide a unified visual theme.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application conforms to the commercial land use recommendation of the sector plan.

7. **Stormwater Management**—A Stormwater Management (SWM) Concept Plan, 43353-2016, was approved for the subject site on January 24, 2017, which includes two micro-bioretenion areas and conditions requiring landscape plans at the time of technical review, a site development permit with frontage improvements shown, and a restoration bond for the existing improvements within the public rights-of-way along the frontage of the site. The stormwater concept approval expires on January 24, 2020. Development must be in conformance with that approved SWM concept plan, or subsequent revisions, to ensure that on-site or downstream flooding does not occur.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, this PPS is exempt from the mandatory dedication of parkland requirement 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 sector plan in order to implement planned trails, bikeways, and pedestrian improvements.

The site is located within in a designated corridor (Pennsylvania Avenue) and is subject to Section 24-124.01 of the Subdivision Regulations and the “Transportation Review Guidelines, Part 2.”

Master Plan Compliance and Prior Approvals

Marlboro Pike is designated to have bike lanes and continuous sidewalks. Sidewalks are fragmented along many segments of the road and pedestrian safety at crossings is an issue at some locations.

Bike lanes may be provided in the future as part of a repaving project by the Prince George’s County Department of Public Works and Transportation (DPW&T) or through a comprehensive complete and green street redesign of the road. The sector plan includes the following strategies regarding Marlboro Pike on page 63:

- **Provide bicycle lanes and sidewalks along Marlboro Pike to provide better multi-modal accessibility along the corridor’s spine.**
- **Provide standard or wide sidewalks along the entire length of Marlboro Pike, per the main street and boulevard road cross sections. In conjunction with designated bike lanes, the standard and wide sidewalks will provide multi-modal access along Marlboro Pike.**
- **Incorporate high visibility and contrasting crosswalk treatment at all intersections and curb cuts. These crosswalks should be well marked with reflective paint at a minimum. Explore using high visibility and contrasting surface materials at higher volume locations.**
- **Incorporate appropriate pedestrian safety features and amenities as new development or road improvement projects occur. These can include raised crosswalks, curb bump outs, pedestrian refuges, improved signage and lighting, and reduced turning radii where necessary.**
- **Provide safe and convenient bicycle storage, or bike racks, in areas where bicycle parking is needed, including activity nodes and major community areas. A lack of bicycle storage is a significant hindrance to promoting bicycle use. Providing**

accessible and convenient bicycle parking, or bike racks, in areas where they are likely to be used may encourage bicycling.

The applicant shall provide a minimum 5-foot-wide sidewalk and 6.5-foot-wide curb/green space, consistent with the Boulevard Cross Section illustrated in Figure IV-6 of the sector plan. The amount, type, and location of bicycle parking shall be determined during DSP review.

The Complete Streets element of the MPOT reiterates the need for continuous sidewalks along internal roads and all road frontages for new development under Policies 1 and 2.

Off-Site Improvements

Due to the site's location within a designated corridor, off-site bicycle and pedestrian improvements are required pursuant to Section 24-121.01. Per the Subdivision Regulations, the cost cap for the site is \$3,136. An exhibit was submitted which indicates that an off-site sidewalk will be provided along Marlboro Pike, from the site's northern edge to Orleans Avenue. A crosswalk is also proffered at Orleans Avenue and Americans with Disabilities Act (ADA) curb ramps are also appropriate. The existing sidewalk at this location is substandard and does not meet current ADA requirements. In conjunction with the site's frontage improvements along Marlboro Pike, the off-site sidewalk will improve pedestrian safety and ADA access along a high-volume roadway with multiple pedestrian destinations. The off-site improvements proffered by the applicant are acceptable.

Demonstrated Nexus Finding

The off-site sidewalk proffered by the applicant will provide a safe and accessible pedestrian route from the surrounding community to the proposed shopping center. The off-site sidewalk and crosswalk improvements will also enhance pedestrian accommodations and safety along a road with a high volume of pedestrian traffic and prior incidents of pedestrian accidents and fatalities.

Finding of Adequate Bicycle and Pedestrian Facilities:

Based on the requirements and criteria contained in Section 24-124.01 and the sidewalks proposed by the applicant on- and off-site, the bicycle and pedestrian facilities are adequate to serve the subject property. The sidewalk proffered by the applicant will accommodate safe pedestrian access along Marlboro Pike, consistent with the recommendations of the area sector plan and MPOT, and will improve the environment for pedestrians and ADA accessibility between the subject site and the surrounding community. The off-site improvement is within the specified cost cap in Section 24-124.01(c) and improves the sidewalk network, consistent with the guidance of Section 24-124.01(d). Furthermore, the sidewalk will improve pedestrian safety in an area with a history of pedestrian accidents and fatalities.

10. **Transportation**—This application is a PPS for an 8,960-square-foot retail center. A traffic impact study (TIS) dated October 2018 was submitted by the applicant for the critical intersections. Traffic counts for critical intersections were taken in October 2018. The findings and conclusions outlined below are based upon a review of the materials and analyses conducted, consistent with the "Transportation Review Guidelines, Part 1" (Guidelines).

The table below summarizes trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site:

Trip Generation Summary, 4-16029, Forestville Center							
Land Use	Use Quantity	AM Peak Hour			PM Peak Hour		
		In	Out	Tot	In	Out	Tot
Retail Center	8,960 square feet	22	14	36	57	62	119
Total Trip Cap for Proposed Use		22	14	36	57	62	119

The traffic generated by this PPS would impact the following intersections, interchanges, and links in the transportation system:

- Marlboro Pike and Forestville Road (signalized)
- Marlboro Pike and Donnell Drive (signalized)
- Marlboro Pike & Site Access (unsignalized)

Existing Traffic:

The subject property is located within Transportation Service Area 1, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level of Service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better.

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 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. Once the CLV exceeds 1,150, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The following critical intersections identified above, when analyzed with existing traffic using counts taken in October 2018 and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
Marlboro Pike and Forestville Road	1136	1284	B	C
Marlboro Pike and Donnell Drive	695	901	A	A
Marlboro Pike and Site Access *	N/A	N/A	--	--

Background Traffic

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program. Background traffic has been developed for the study area using an annual growth rate of 0.7 percent for Forestville Road and 1.12 percent for Marlboro Pike. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Marlboro Pike and Forestville Road	1154	1305	C	D
Marlboro Pike and Donnell Drive	710	921	A	A
Marlboro Pike and Site Access *	N/A	N/A	--	--

The following critical intersections, interchanges, and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the Guidelines, including the site trip generation as described above, operate as follows:

FUTURE TRAFFIC CONDITIONS				
	Critical Lane Volume		Level of Service (LOS, AM	
Marlboro Pike and Forestville Road	1157	1312	C	D
Marlboro Pike and Donnell Drive	711	929	A	A
Marlboro Pike and Site Access *	14.6 seconds	26.2 seconds	--	--
*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.				

Under future conditions, the signalized intersections are operating at acceptable levels of service and/or intersection delay, as defined by the Guidelines. Site access on Marlboro Pike does not exceed 50 seconds of minor street delay in future traffic conditions during the morning and evening peak hour. Therefore, tier two and three of the three-tier test of adequacy was not conducted, and site access is deemed to be adequate.

A trip cap consistent with the trip generation assumed for the site (36 AM and 119 PM peak-hour vehicle trips) is approved, consistent with the analysis.

Site Access Evaluation

The site will have one access point from Marlboro Pike. Access and circulation are acceptable.

Master Plan Roads

Marlboro Pike is master plan collector facility (C-410). Right-of-way of 80 feet is required. Adequate right-of-way of 40 feet from centerline is existing and shown on the PPS. Pinevale Avenue is not a master plan facility; however, the current right-of-way is provided at a substandard width. Dedication of 25 feet from centerline is approved with the PPS in order to provide a 50-foot-wide right-of-way for Pinevale Avenue. The existing and approved rights-of-way are acceptable and no additional dedication is required with this plan.

Based on the preceding findings, adequate transportation facilities will exist to serve the subdivision, as required, in accordance with Section 24-124.

11. **Schools**—This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and the “Adequate Public Facilities Regulations for Schools” (CR-23-2001 and CR-38-2002), and it was determined that the subdivision is exempt from a review for schools because it is a nonresidential use.
12. **Public Facilities**—In accordance with Section 24-122.01, this PPS has been reviewed for adequacy of water and sewerage, police, and fire and rescue facilities, which were found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section dated August 22, 2018 (Mangalvedhe to Turnquest).
13. **Use Conversion**—The total development included in this PPS is 8,960 square feet of commercial development in the C-S-C, R-55, 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 shall require approval of a new PPS prior to approval of any building permits.
14. **Public Utility Easement (PUE)**—Section 24-122(a) of the Subdivision Regulations requires that, when utility easements are required by a public company, the subdivider shall 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 existing public rights-of-way, Marlboro Pike to the northeast and Pinevale Avenue to the southeast. The required PUEs have been provided along the frontage of the site abutting the public rights-of-way.

15. **Historic**—The subject property was formerly the location of the Reilly Store and Residence (75A-010), a documented property. This was a three-part, H-shaped frame building two stories high. The eastern section housed the store, while the western section served as the residence of the Edward and Susannah Reilly family. The Reilly family operated a store in the building for about 30 years. George S. Dove acquired the property in 1896 and operated a grocery store there until circa 1915. After the marriage of Dove's daughter, Alice, the eastern section of the building was converted to a dwelling. Alice Baker inherited the house from her father at his death. The Reilly Store and Residence remained in the Dove family until 2000.

The Reilly Store and Residence was demolished between 2006 and 2009. The area where the house and several outbuildings were located appears to have been extensively graded. Any archeological resources that may have been present were likely adversely impacted by the grading of the property after demolition of the buildings. The subject project does not contain and is not adjacent to any Prince George's County historic sites or resources. 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. Phase I archeology survey is not required.

16. **Environmental**—The following application and associated plans were previously reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan	Authority	Status	Action Date	Resolution Number
NRI-210-2016	N/A	Staff	Approved	12/22/2016	N/A
4-16029	TCP1-009-2018	Planning Board	Pending	Pending	Pending

Grandfathering

The project is subject to the requirements of Subtitle 24 (Subdivision Regulations), Subtitle 25 (Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO)), and Subtitle 27 (Zoning Ordinance) of the Prince George's County Code that became effective on September 1, 2010 because this is a new PPS application.

Site Description

The site has an approved Natural Resources Inventory (NRI-210-2016). The 1.37-acre site contains 0.41 acre of woodland; however, no specimen trees, streams, wetlands, floodplain, steep slope, or primary management areas (PMA) were identified on the property. The predominant soils found to occur on the site, according to the U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey, are the Beltsville-Urban land

complex (0 to 5 percent slopes) and Sassafras-Urban land complex (0 to 5 percent slopes). Marlboro clay was not found to occur on, or in the vicinity of this property.

Master Plan Conformance

Plan Prince George's 2035 Approved General Plan

The site is located within Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035.

Marlboro Pike Sector Plan and Sectional Map Amendment

Section V of the sector plan, titled "Natural Environment," contains goals, policies, and strategies related to green infrastructure, water quality, and other natural resource protection. The area subject to this application is in substantial conformance with the applicable environmental recommendations.

Countywide Green Infrastructure Plan

According to the *Countywide Green Infrastructure Plan* (Green Infrastructure Plan) of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan*, the site does not contain regulation or evaluation areas within the designated network of the plan. The proposed development is in conformance with the Green Infrastructure Plan.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

Natural Resources Inventory Plan/Existing Features

The Type 1 tree conservation plan (TCP1) and the PPS show all the required information correctly, in conformance with the approved NRI. No revisions are required for conformance to the NRI.

Woodland and Wildlife Habitat Conservation Plan

This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-009-2018) was submitted with this PPS.

The TCP1 must be revised to meet all technical requirements of Subtitle 25 prior to signature approval of the PPS; however, the information submitted to date demonstrates general conformance with the WCO.

The site contains 0.41 acre of existing woodland on the net tract. The site has a woodland conservation threshold of 15 percent of the net tract area, or 0.21 acre. The TCP1 shows a total woodland conservation requirement of 0.24 acre. The TCP1 worksheet shows that the applicant will meet this requirement by providing 0.26 acre of on-site woodland preservation; the plan shows 0.24 acre of on-site woodland preservation.

Preservation of Regulated Environmental Features/Primary Management Area

This site does not contain any regulated environmental features or PMA.

17. **Urban Design**—Detailed Site Plan DSP-16039 is currently under review for the proposed commercial shopping center. Conformance to the regulations and requirements of the Zoning Ordinance will be further reviewed at the time of DSP.

Conformance with the 2010 Prince George's County Landscape Manual

In accordance with Section 27-454(b)(1) of the Zoning Ordinance, the proposed development is subject to the 2010 *Prince George's County 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 Landscaping Requirements. Conformance with the applicable landscaping requirements will be determined at the time of DSP review.

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 or greater of GFA or disturbance, and require a grading permit. The subject site is zoned C-S-C and R-55 and is required to provide a minimum of 10 percent of the C-S-C-zoned gross tract area and 15 percent of the R-55-zoned gross tract area to be covered by tree canopy. Compliance with this requirement will be further evaluated at the time of DSP 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, January 24, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of February 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

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