

PGCPB No. 2025-042

File No. 4-24037

R E S O L U T I O N

WHEREAS, Lord Charter Six, LLC is the owner of a 9.14 acre tract of land known as Lot 20, said property being in the 10th Election District of Prince George's County, Maryland, and being zoned Industrial, Employment (IE); and

WHEREAS, on March 24, 2025, Lord Charter Six, LLC filed an application for approval of a Preliminary Plan of Subdivision for two parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-24037 for Maryland 95 Corporate Park 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 at a public hearing on May 29, 2025; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 27-1704(b) of the Zoning Ordinance, subdivision applications submitted under a valid conceptual site plan, approved under the prior Zoning Ordinance, and still valid pursuant to the time limit specified under Section 27-1704(a), may be reviewed and decided in accordance with the Subdivision Regulations, Subtitle 24, Prince George's County Code in existence at the time of the approval of the conceptual site plan; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

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

WHEREAS, at the May 29, 2025 public hearing, 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 Subtitles 24 and 25, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-006-2025 and APPROVED Preliminary Plan of Subdivision 4-24037 for two parcels, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to label "Parcel 1" and "Parcel 2" as "Lot 21" and "Lot 22" in the Development Type Summary Table, general notes, and on the plans.
2. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised to relabel "Parcel 1" and "Parcel 2" to "Lot 21" and "Lot 22."

3. Development of this site shall be in conformance with Stormwater Management Concept Plan SIT-00074-2025, once approved, and any subsequent revisions.
4. Prior to approval, in accordance with Section 24-122(a) of the prior Prince George's County Subdivision Regulations, the final plat of subdivision shall include the granting of a 10 foot wide public utility easement along the abutting public right-of-way, in accordance with the approved preliminary plan of subdivision.
5. Prior to signature approval of the preliminary plan, an approved stormwater management concept plan shall be submitted in accordance with Section 24-120(a)(8) of the prior Prince George's County Subdivision Regulations. The limits of disturbance shall be consistent between the plans.
6. Prior to issuance of permits for this subdivision, and in conformance with Section 25-119(a)(2) or (3) of the Prince George's County Code, 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 and Wildlife Habitat Conservation Easement pursuant to Section 25-122(d) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”
7. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-006-2025) in conformance with Section 25-121 of the County Code. 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 (TCP1-006-2025 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, Prince George's County Planning Department.”
8. In conformance with the 2009 Approved Countywide Master Plan of Transportation and the 2010 *Approved Master Plan and Sectional Map Amendment for Subregion 1*, the following facilities shall be provided, and the details, location, and extent of the facilities shall be shown on the site plan:
 - a. Americans with Disabilities Act-compliant curb ramps and marked crosswalks at each site access driveway and spanning vehicular travel lanes.
 - b. Short-term bicycle parking, to include inverted U-shape or similar style bicycle racks at a location no more than 50 feet from a building's entrance.

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 applicable 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 is located on the west side of Sweitzer Lane, approximately 500 feet north of its intersection with Konterra Drive and within Tax Map 5, Grids B4 and C4. The property totals 9.15 acres and consists of one parcel known as Lot 20, recorded in Prince George's County Land Records in Plat Book REP 195, Plat No. 37. The property is subject to the 2010 *Approved Master Plan and Sectional Map Amendment for Subregion 1* (master plan).

The property is in the Industrial, Employment (IE) Zone. However, this preliminary plan of subdivision (PPS) was submitted and reviewed under the applicable provisions of the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations effective prior to April 1, 2022 (the "prior Zoning Ordinance" and the "prior Subdivision Regulations"), pursuant to Section 24-1704 of the current Subdivision Regulations. Under the prior Zoning Ordinance, the entire site was in the Planned Industrial/Employment Park (I-3) Zone.

The property is subject to approved Conceptual Site Plan CSP-85072, which was originally approved by the Prince George's County Planning Board on September 17, 1985 (PGCPB Resolution No. 85-282) and thereafter modified under CSP-85072-01 to include the entirety of the subject property. Pursuant to Section 27-1704(a) of the Zoning Ordinance, CSP-85072 remains valid for a period of 20 years from April 1, 2022; and pursuant to Section 27-1704(b) of the Zoning Ordinance, subdivision applications submitted under a valid CSP, approved under the prior Zoning Ordinance, and still valid pursuant to the time limit specified under Section 27-1704(a), may be reviewed and decided in accordance with the Subdivision Regulations in existence at the time of the approval of the CSP. A new PPS is required for subdivision of land in accordance with Section 24-107(b) of the prior Subdivision Regulations.

In accordance with Section 24-4503(a)(4), this PPS is supported by and subject to approved Certificate of Adequacy ADQ-2024-071.

The subject property, Lot 20, is currently improved with commercial development (128,113 square feet of office space). This PPS allows Lot 20 to be subdivided into two lots, for an additional 14,750 square feet of institutional/educational and commercial development. Specifically, Parcel 1 will contain the existing four-story office building and its associated parking and infrastructure. Parcel 2 will contain the new uses, including an approximately 12,750-square-foot day care center for children serving no more than 200 children and an approximately 2,000-square-foot eating or drinking establishment, with drive-through service.

3. **Setting**—The site is located within Planning Area 60. The site is surrounded by properties in the IE Zone (previously the I-3 Zone), which are developed with existing commercial, institutional, and industrial uses. Sweitzer Lane abuts the subject property to the east, with office uses beyond.

Vacant land abuts the property to the south and west, and an open play field abuts the property to the north.

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

	EXISTING	EVALUATED
Zones	IE	I-3
Use(s)	Industrial	Commercial/Institutional/ Educational
Acreage	9.15	9.15
Parcels	1	2
Outlots	0	0
Dwelling Units	0	0
Gross Floor Area	128,113 sq. ft.	142,863 sq. ft.
Variance	No	No
Variation	No	No

The subject PPS (4-24037) was accepted for review on March 24, 2025. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, the PPS was reviewed by the Subdivision and Development Review Committee, which held a meeting on April 11, 2025, at which comments were provided to the applicant. Revised plans were received on April 18, 2025, which were used for the analysis contained herein.

5. **Previous Approvals**—Lot 20 is a resubdivision of Lot 10 of Maryland 95 Corporate Park (Plat Book NLP 140 Plat No. 19) and Lot 1 of Konterra at Sweitzer (Plat Book VJ 188 Plat No. 20). Prior Lot 1 and prior Lot 10 are the subject of prior development approvals, including conceptual site plans and preliminary plans of subdivision. The prior approvals for Lots 1 and 10 and those now applicable to Lot 20 are described as follows:

Lot 1

On July 22, 1999, the Prince George’s County Planning Board approved CSP-99025 (PGCPB Resolution No. 99-125), subject to one condition which has no impact on the current request.

On July 22, 1999, the Planning Board approved PPS 4-99030 (PGCPB Resolution No. 99-130) for one parcel for the development of 50,000 square feet of general office space, subject to 15 conditions.

On July 22, 1999, the Planning Board also approved detailed site plan DSP-99027 (PGCPB Resolution No. 99-126) for 47,800 square feet of office development, subject to four conditions which are not applicable to the current PPS. Amendments DSP-99027-01 and DSP-99027-02 were subsequently approved for minor revisions to the approved site development.

Lot 10

On September 17, 1985, the Planning Board approved CSP-85072(PGCPB Resolution No. 85-282) for I-95 Executive Park/Maryland 95 Corporate Park with two conditions, which are not relevant to the review of this PPS.

On February 13, 1986, the Planning Board approved PPS 4-85172 (PGCPB Resolution No. 86-45) for 14 lots in the Maryland 95 Corporate Park, for the construction of 440,000 square feet of development, subject to two conditions including further traffic analysis. On May 4, 1989, the Planning Board further approved the required traffic analysis, with conditions, as required by PPS 4-85172 under PGCPB Resolution No. 89-238(A), subject to seven conditions. Both resolutions remain applicable to 4-85172.

DSP-98039 was approved by the Planning Board on November 5, 1998 (PGCPB Resolution No. 98-284), allowing construction of a 120,000-square-foot office building. The Planning Director approved an amendment, DSP-98039-01, on March 5, 1999, to revise the previously approved architecture for an addition of 8,000 square feet of gross floor area to the previously approved office building.

Lot 20

Subsequent to the above approvals, the Planning Director approved amendments CSP-99025-01, CSP-85072-01, DSP-99027-03, and DSP-98039-02 in 2002, which allowed for a lot line adjustment between Lot 10, which was improved with the office building, and Lot 1, which was undeveloped. The lot line adjustment approved the exchange of undeveloped 1.845 acres of prior Lot 10 of Maryland 95 Corporate Park and 1.845 acres of prior Lot 1 of Konterra at Sweitzer, placing all of the newly configured Lot 20 within CSP-85072 and DSP-98039.

On November 27, 2002, Final Plat of Subdivision, REP 195, Plat No. 37, was recorded in Land Records to reflect the new lot configuration of the property, known as Lot 20. The property continued to be utilized as an office facility. The most recent approval was DSP-98039-03, which was approved on April 19, 2022, by the Planning Director, permitted updated signage on Lot 20.

The prior approved PPS 4-85172 (for Lot 10) and 4-99030 (for the undeveloped portion of Lot 1) remain applicable to the property. However, the prior preliminary plans (4-85172 and 4-99030) are superseded for the subject property by the current PPS 4-24037. The current PPS was submitted under the same name as the prior PPS, Maryland 95 Corporate Park, for Lot 10. The parcels, therefore, shall be assigned the next available number in the sequence of lots approved and platted under PPS 4-85172. Parcels 1 and 2 shall, therefore, be relabeled as Lot 21 and Lot 22. This revision shall be reflected throughout the PPS, prior to its signature approval.

6. **Community Planning**— The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035), and conformance with the master plan are evaluated below:

Plan 2035

This property is located in the Established Communities Growth Policy Area within Plan 2035. The vision for Plan 2035 classifies Established Communities as existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional

Transit Districts and Local Centers. Established communities are most appropriate for context-sensitive infill and low- to medium-density development. The vision for the Established Communities Growth Policy Area is to maintain and enhance existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met.

Master Plan

According to Plan 2035, all planning documents which were duly adopted and approved prior to the date of adoption of Plan 2035 remain in full force and effect, except for the designation of tiers, corridors, and centers, until those plans are revised or superseded. Pursuant to Section 24-121(a)(5) of the prior Subdivision Regulations, a PPS and final plat shall conform to the area master plan, including maps and text, unless events have occurred to render the relevant recommendations within the plan no longer appropriate, no longer applicable, or the Prince George's County District Council has not imposed the recommended zoning.

The master plan recommends industrial land uses on the subject property (Map 13. Approved Future Land Use, page 160). However, the I-3 Zone allows a mix of uses beyond strictly industrial, which may be used for the subject site. The prior Zoning Ordinance defines I-3 (Planned Industrial/Employment Park) as: "Uses that will minimize detrimental effects on residential and other adjacent areas; a mixture of industrial, research, and office uses with compatible institutional, recreational, and service uses in a manner that will retain the dominant industrial/employment character of the zone; standard minimum tract size of 25 adjoining gross acres; standard minimum lot size of two acres; Conceptual and Detailed Site Plan approval required; 25% green area required; outdoor uses restricted; warehousing and wholesaling uses limited." In accordance with Section 24-121(a)(5), the zoning imposed by the District Council supersedes the land use recommendation of the master plan. While the master plan discusses potential down zoning of some of the industrial properties, the District Council did not elect to do so for the subject property. Land use notwithstanding, the relevant goals, policies, and strategies of the master plan are also evaluated for conformance as stated below and throughout this resolution.

The master plan identifies four focus areas and eight "Living Areas" in the master plan area; Beltsville, Calverton, Gunpowder, North Beltsville, Pheasant Run, South Laurel, Vansville, and West Laurel (page 105). The property is not located in the focus areas identified in the master plan; however, the property is within the Gunpowder Living Area (page 118). There are several policies and strategies listed for the Gunpowder Living Area (page 121), none of which are relevant to the review of this PPS.

In addition, the master plan also makes the following recommendations that affect the subject property:

Developing Tier (page 10)

Policy 4: Improve vehicular and pedestrian circulation and safety.

Strategies

- **Install streetscape improvements including paved pedestrian paths and safety features, clearly marked crosswalks at major intersections, trees, landscaping, curbs, and lighting, where needed.**

The applicant will be required to make improvements to the road frontage along Sweitzer Lane, as required by the operating agency, at the time of permit. The road frontage improvements may include sidewalks, crosswalks, street trees, curbs, and street lighting, which will improve vehicular and pedestrian circulation and safety, in conformance with this master plan strategy.

Economic Development (page 79)

Policy 1: Maintain and enhance the flex and industrial base of the master plan area to provide a stable job base, while improving compatibility with surrounding land uses.

Policy 4: Transform the retail environment to compete with a changing market.

Strategies

- **Encourage small-scale, neighborhood-serving, retail uses along the US 1 Corridor to meet gaps in the marketplace.**

The proposed day care facility and drive-through restaurant will add new and needed uses to the industrial base. The day care will benefit local workers by allowing them to pickup and drop-off children nearby, increasing convenience for local working parents and serving the Gunpowder neighborhood. As there are limited restaurant establishments in the Gunpowder neighborhood, the drive-through will provide a needed food option for both nearby workers and neighborhood residents.

Sectional Map Amendment/Zoning

Pursuant to the adoption of the master plan, the sectional map amendment reclassified the subject property into the industrial zone, specifically, the I-3 Zone. On November 29, 2021, the Prince George's County District Council approved CR-136-2021, the Countywide Map Amendment (CMA), which reclassified the subject property from I-3 to IE, effective April 1, 2022. However, this PPS is evaluated pursuant to the prior I-3 zoning.

7. **Stormwater Management**—An application for a major subdivision must include an approved stormwater management (SWM) concept plan, or indication that an application for such approval has been filed with the appropriate agency or the municipality having approval authority. An unapproved SWM concept plan (SIT-00074-2025) was submitted with the PPS, which shows the use of micro-bioretention and swales. Prior to signature approval of the PPS, a copy of the approved SWM concept plan shall be submitted.

Development of the site, in conformance with the SWM concept approval and any subsequent revisions, once approved by the Prince George's County Department of Permitting, Inspections and Enforcement, will ensure that no on-site or downstream flooding occurs. Therefore, this PPS satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of the prior Subdivision Regulations, the subject PPS is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.
9. **Transportation**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), master plan, and prior Subdivision Regulations to provide the appropriate transportation facilities.

MPOT and Master Plan Conformance

Master Plan Right-of-Way

The subject property has frontage on Sweitzer Lane (C-105), with an 80-foot-wide right-of-way (ROW) along its eastern boundary. The PPS correctly delineates the master plan ROW along the property frontage, which has been previously dedicated. No further dedication is required with this PPS.

Master Plan Pedestrian and Bike Facilities

There are no master-planned facilities along the property's frontage of Sweitzer Lane. The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, pages 9–10):

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.

Sweitzer Lane is currently improved with sidewalks along the property frontage and meets the intent of the policy. The applicant shall install American with Disabilities Act (ADA)-compliant curb ramps and marked crosswalks at each site access point. These existing and required improvements meet the intent of the policy.

Access and Circulation

The PPS approves two lots, of which Lot 1 will include the existing office building. Lot 2 is currently vacant and is proposed for development with a day care and a restaurant. Direct vehicular access to a public street is provided from both lots via two existing access points along Sweitzer Lane. The existing northern access currently allows full movement to the property. The existing median along Sweitzer Lane will be modified to accommodate left turns and allow full movement access at the southern access point. Based upon the conceptual site layout depicted on the SWM concept plan and the Type 1 tree conservation plan, the internal vehicle circulation for both lots will be facilitated by the drive aisles of the shared parking lot. The drive-through

circulation for the proposed restaurant will be contained entirely within its pad site. No additional public or private roads are provided within the site, and there are existing sidewalks along Sweitzer Lane.

Based on the findings presented above, transportation facilities will exist to serve the subdivision, as required under prior Subtitle 24 of the Prince George's County Code, and will conform to the MPOT and master plan.

10. **Public Facilities**—This PPS was reviewed for conformance to the master plan, in accordance with Section 24-121(a)(5). The master plan contains the following strategy which is relevant to this PPS:

- **Ensure the police department plays a more active role in land use planning activities, including the review of site plans and building permit applications, using CPTED principles. (page 75)**

The proposed development will not impede achievement of the above-referenced strategy. This PPS is subject to ADQ-2024-057, which established that pursuant to adopted tests and standards, public safety facilities are adequate to serve the proposed development. There are no police, fire and emergency medical service facilities, public schools, parks, or libraries recommended on the subject property.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities, however, none of its recommendations affect the subject site.

Section 24-122.01(b)(1) of the prior Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The 2018 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System, which comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid PPS approved for public water and sewer. Category 3 is sufficient for PPS approval.

11. **Public Utility Easement**—In accordance with Section 24-122(a) of the prior Subdivision Regulations, 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 public utility easements (PUEs) is a minimum of 10 feet wide along public ROWs. The site abuts Sweitzer Lane to the east. The required PUE is correctly reflected on the PPS, along Sweitzer Lane.

12. **Historic**—The master plan contains goals and policies related to historic preservation (pages 101 through 104). However, these are not specific to the subject site or applicable to the proposed development. 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. A Phase I archeology survey is not required. There are no Prince George’s County historic sites or resources on or adjacent to the subject property.
13. **Environmental**—The PPS was reviewed for conformance with the environmental regulations of Sections 24-121(a)(5), 24-129, 24-130, 24-131, 24-132 of the prior Subdivision Regulations and Section 27-285(b) of the prior Zoning Ordinance.

The following applications and associated plans were previously reviewed for the subject site:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	PGCPB Resolution Number
CSP-85106	N/A	Planning Board	Approved	02/13/1986	86-44
CSP-99025	TCPI-25-99	Planning Board	Approved	07/22/1999	99-125
4-99030	N/A	Planning Board	Approved	07/22/1999	99-130
DSP-99027	TCPII-67-99	Planning Board	Approved	07/22/1999	99-126
4-85172	N/A	Planning Board	Approved	09/30/1993	89-238A
DSP-98039	TCPII-114-98	Planning Board	Approved	11/05/1998	98-284
DSP-98039-01	N/A	Staff	Approved	03/05/1999	N/A
DSP-98039-02 and CSP-85072-01	TCPII-114-98-01	Planning Director	Approved	11/15/2002	N/A
NRI-057-2022 (Equivalency Letter)	N/A	Staff	Approved	03/21/2022	N/A
DSP-98039-03	N/A	Planning Director	Approved	04/19/2022	N/A
NRI-057-2022-01	N/A	Staff	Approved	03/10/2025	N/A
4-24037	TCP1-006-2025	Planning Board	Approved	5/29/2025	2025-042

Applicable Environmental Regulations

The project is subject to the 2024 Woodland and Wildlife Habitat Conservation Ordinance (2024 WCO) and the environmental regulations contained in prior Subtitles 24 and 27 because this is a new PPS using the prior Subdivision Regulations and prior Zoning Ordinance.

Site Description

The subject property is currently fully developed with one building and parking lot. The site does not contain regulated environmental features (REF). According to the Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources Natural Heritage Program and provided on PGAtlas, there are no rare, threatened, or endangered species found to occur on or near this property.

Prior Approvals

The site was subject to several prior approvals; CSP-85106, 4-85172, DSP-98039, DSP-98039-01, DSP-98039-02, CSP-85072-01, and DSP-98039-03 as part of the Maryland 95 Corporate Park; and CSP-99025, 4-99030, and DSP-99027 as part of Konterra at Sweitzer development. However, there are no conditions of approval which are environmental in nature and relevant to the subject property.

Plan 2035

The site is located within the Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map as designated by Plan 2035 and within the Established Communities Area of the General Plan Growth Policy of Plan 2035. The project is not within the boundaries of a transit-oriented center as identified in Plan 2035.

ENVIRONMENTAL CONFORMANCE WITH APPLICABLE PLANS

Master Plan Conformance

In the master plan, the Environmental Infrastructure Section contains applicable goals, policies, and strategies. The text in **bold** is the text from the master plan, and the plain text provides comments on the plan's conformance.

Policy 1: Protect, preserve and enhance the identified green infrastructure network within the Subregion 1 plan area. (page 40)

Strategies

- **Preserve or restore regulated areas designated in the plan's green infrastructure network or through the development review process during the review of land development proposals.**

The PPS evaluates additional development on an existing site that is outside of regulated and evaluation areas, which preserves the area's green infrastructure network.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

The draft SWM concept plan shows the use of micro-bioretenention and swales. These facilities will treat new stormwater volume as well as untreated stormwater volume from existing impervious site features.

Policy 3: Implement the State Storm Water Management Act of 2007 in Subregion I as of the adoption of this plan to enhance water quality and control flooding in the Anacostia and Patuxent River watersheds.

The site is within the Patuxent River watershed. The draft SWM concept plan shows the use of micro-bioretenment and swales. These facilities will treat new stormwater volume as well as untreated stormwater volume from existing impervious site features.

Policy 4: Implement more environmentally sensitive building techniques and reduce overall energy consumption.

The use of green building techniques and energy conservation techniques is encouraged to be implemented, to the greatest extent possible.

Policy 5: Reduce light pollution and intrusion, especially into the Rural Tier and environmentally sensitive areas.

Minimization of light pollution should be encouraged; however, the site is not within the Rural Tier and is not adjacent to environmentally sensitive areas.

Policy 7: Reduce adverse noise impacts to meet State of Maryland noise standards.

The site is not adjacent to any sources of traffic or aircraft noise that would result in adverse noise impacts upon the development.

Conformance with the Green Infrastructure Plan

The Green Infrastructure Plan (GI Plan) was approved with the adoption of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017) on March 7, 2017. According to the GI Plan, the site is not within the green infrastructure network as no regulated or evaluation areas exist on-site; therefore, the proposed development is in conformance with the GI Plan.

OTHER ENVIRONMENTAL REVIEWS

Natural Resources Inventory

In conformance with Section 24-120(a)(22) of the prior Subdivision Regulations, an approved full Natural Resources Inventory (NRI-057-2022-01) was submitted with the PPS. Previously, an NRI equivalency letter was approved for the site (NRI-057-2022). The site does not contain REF or primary management area. The site contains 2.79 acres of woodland located in the south of the property and along the western property boundary. The site does not contain specimen trees. No additional information is required regarding the NRI.

Woodland Conservation

The existing development on the site was implemented with TCPH-114-98-01; however, the development evaluated with this PPS does not meet the qualifications for a minor tree conservation plan (TCP) revision under Section 25-119(c) of the 2024 WCO. The majority of the woodland conservation approved under TCPH-114-98-01 was located to the southwest of the existing building, which is no longer part of the subject property. Due to the reduction in woodland conservation on-site and the requirement for a new PPS, the subject site is required to

conform to the 2024 WCO. A TCP, in accordance with the current regulations, is required with future development applications.

A Type 1 tree conservation plan (TCP1) was submitted with this PPS. Written notification of the TCP1 was completed concurrently with the PPS acceptance notification on March 14, 2025, in accordance with Section 25-119(c)(5)(a) of the County Code. The minimum woodland conservation threshold for this site is 15 percent of the net tract area of the property or 1.37 acres. This PPS includes clearing of 1.65 acres of woodland. The amount of clearing includes areas of woodland within existing storm drain easements which must be counted as cleared per Section 25-122(b)(1)(O)(iii). The total woodland conservation requirement, based on the current amount of clearing, is 3.02 acres, which is satisfied with 1.01 acres of woodland preservation, 0.38 acre of afforestation/reforestation, and 1.63 acres of off-site woodland conservation credits. A remaining 0.13 acre of woodland is retained, but not credited towards meeting woodland conservation requirements, since existing storm drain infrastructure and easements separate two areas from other woodland conservation areas and prevent them from meeting the minimum design criteria of Section 25-122(b).

Specimen Trees

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.” This site does not contain specimen trees.

Regulated Environmental Features (REF)

REF are required to be preserved and/or restored, to the fullest extent possible, under Section 24-130(a) of the prior Subdivision Regulations. However, the site does not contain REF.

Soils

In accordance with Section 24-131 of the prior Subdivision Regulations, this PPS was reviewed for unsafe land restrictions. The predominant soils found to occur according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey include Christiana- Downer-Urban land complex and Udorthents Urban land complex. According to available mapping information, Marlboro clay does not occur on this property. Christiana clay is mapped within the site; however, a geotechnical report was submitted with this PPS which verifies that Christiana clay was not encountered during the soil investigations and that the site is safe for the proposed development. There are no additional geotechnical concerns with this PPS.

Based on the preceding findings, the PPS conforms to the relevant environmental policies of the master plan and GI Plan, and the relevant environmental requirements of Subtitle 25 and prior Subtitle 24.

14. **Urban Design**—This PPS allows subdivision of the property to support the concept development of two new buildings including a day care center for children and a drive-through restaurant.

A detailed site plan (DSP) is required for the proposed uses in accordance with Section 27-473, Footnote 54, for eating or drinking establishment, with drive-through service; and Section 27-475.02(a)(2)(A), for day care center for children, of the prior Zoning Ordinance.

The general uses proposed for this property in the I-3 Zone are permitted per Section 27-473. Under the prior Zoning Ordinance, conformance to the following regulations, but not limited to, will be required to be demonstrated at the time of DSP:

- Section 27-465 - Fences and walls;
- Section 27-466 - Corner lot obstructions;
- Section 27-471 - I-3 Zone (Planned Industrial/Employment Park);
- Section 27-474 - Regulations (in all industrial zones);
- Section 27-475.02 – Day care center for children;
- Part 11 – Off-Street Parking and Loading; and
- Part 12 – Signage.

The proposed development will also be subject to the requirements of the 2010 *Prince George's County Landscape Manual*, which will be evaluated further at the time of DSP review.

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 2,500 square feet of gross floor area, or disturbance, and requires a grading permit. The tree canopy coverage requirement is based on the current zone of the subject property and will be further evaluated at the time of DSP review.

15. **Community Feedback**—The Prince George's County Planning Department did not receive any correspondence from the community for this subject PPS.
16. **Planning Board Hearing**—At the May 29, 2025 Planning Board hearing, staff presented the PPS to the Planning Board. No citizens had registered to speak on the PPS during the hearing. The applicant's attorney described the project to the Board and stated the applicant's agreement with all of the findings and recommended conditions of approval in the technical staff report.

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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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Geraldo, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, May 29, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of June 2025.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:CT:rpg


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

Dated 6/10/25