



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 2023-23

File No. CSP-22003

## R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Conceptual Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

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 Industrial, Employment Zone (IE); and

WHEREAS, the applicant, Brightseat Property LLC, submitted an application for approval of a conceptual site plan; and

WHEREAS, pursuant to Section 27-1903(c) of the Zoning Ordinance, an application may elect to be reviewed and decided in accordance with 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 March 2, 2023, regarding Conceptual Site Plan CSP-22003 for Brightseat Industrial, the Planning Board finds:

1. **Request:** This conceptual site plan (CSP) approves a 152,080-square-foot distribution warehouse on a single, 12.04-acre vacant parcel in the Industrial, Employment (IE) Zone (prior Industrial/Employment Park (I-3)), with two proposed access points to Brightseat Road.
2. **Development Data Summary:**

|                              | <b>EXISTING</b>   | <b>APPROVED</b>           |
|------------------------------|-------------------|---------------------------|
| Zone(s)                      | IE<br>(Prior I-3) | IE<br>(Prior I-3)         |
| Use(s)                       | Vacant            | Distribution<br>Warehouse |
| Gross Acreage                | 12.04             | 12.04                     |
| Total Gross Floor Area (GFA) | -                 | 152,080 sq. ft.           |
| Residential Dwelling Units   | -                 | -                         |

3. **Location:** The subject property is located in the eastern quadrant of the intersection of Brightseat Road and Jericho City Drive, in Planning Area 72 and Council District 5. The subject 12.04-acre property is located in Tax Map 67 Grid D1. The property consists of one parcel, known as Parcel 4, and is vacant.
4. **Surrounding Uses:** The site is bounded to the north by warehouse uses in the IE Zone; to the south by a hotel use and a proposed gas station with a food or beverage store in the IE Zone (via CSP-21006, which had a Prince George's County Planning Board hearing date of March 2, 2023); to the east by I-95/495 (Capital Beltway); and to the west by Brightseat Road.
5. **Previous Approvals:** The site was the subject of a sectional map amendment, which approved the rezoning of the property to the I-3 Zone on November 8, 1977. No prior approvals have been evaluated by the Planning Board for the site. A Preliminary Plan of Subdivision (PPS) 4-22046 has a Planning Board date of March 30, 2023. A detailed site plan (DSP) is being reviewed in the pre-acceptance stage.
6. **Design Features:** This CSP approves development of a 152,080-square-foot, single-story, distribution warehouse on a 12.04-acre site. The approved warehouse will be accessed from two points on Brightseat Road. The access point to the north connects to a parking lot with standard vehicle spaces for employees and customers to access the main entrances for tenants. The access point to the south connects to a parking lot with loading spaces and loading docks. The orientation of the rectangular building layout, with the long sides facing north and south and the short sides facing east and west, provides numerous advantages for the functionality of the site. This layout allows for two parking lots that separate customer and employee circulation from loading circulation, and avoids having the loading area face the Capital Beltway. The building design proposes up to six tenants and will have multiple entrances oriented towards the side yard, facing north. The conceptual architecture complements the existing surrounding warehouse uses and includes a faux entrance facing Brightseat Road, with brick veneer and gray access panels, and will be further evaluated at the time of DSP. Stormwater for the site will be managed and treated in a series of five bioretention facilities, two submerged gravel wetlands, and underground storage pipes.

**Signage:** This CSP included illustrative design for the entrance signage. The development includes two 6-foot-tall freestanding signs proposed at both access points to the site. The sign design will need to demonstrate conformance with the requirements of Part 12 (Signage) of the prior Zoning Ordinance, at the time of DSP.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject CSP has been reviewed for compliance with the requirements of the I-3 Zone and the site design guidelines of the prior Zoning Ordinance. The development is in the I-3 Zone and, in accordance with Section 27-471(d) of the Zoning Ordinance, all uses and improvements are subject to both CSP and DSP approval, prior to issuance of any permits.

- a. The application is subject to the requirements of Section 27-473, Uses Permitted in Industrial Zones, of the prior Zoning Ordinance.

The development approved in this CSP is a distribution warehouse. In the I-3 Zone, Section 27-473 permits a distribution warehouse, subject to the provisions in Section 27-471, which are discussed as follows:

**(a) Purposes**

**(1) The Purposes of the I-3 Zone are:**

- (A) To provide increased and enhanced employment opportunities for the residents of the County and areas for industries, research facilities, and offices which have common characteristics with respect to site requirements, desired amenities, compatibility of operations, general functional classifications, and access;**
- (B) To provide for a mixture of industrial, research, office, and in certain instances specific retail commercial uses (along with compatible institutional, recreational, and service uses) in a manner which will retain the dominant industrial/employment character of the area, while also providing for the enhanced viability of the zone by providing for the location of certain retail commercial uses on the periphery of the area, specifically when the periphery fronts on, and is adjacent to, arterial roadways;**
- (C) To permit uses which, when compared to the uses permitted in other Industrial Zones, will minimize detrimental effects on uses of adjacent land, especially where adjacent land is being used commercially; and**
- (D) To provide development standards which assure the compatibility of proposed land uses with surrounding land uses, maximize open space so as to create a park-like setting, and improve the overall quality of industrial/employment areas in Prince George's County.**

The development fulfills the purposes of the I-3 Zone. The site provides employment opportunities in an infill industrial site, is accessible to neighboring commercial uses to the south; creates a mixture of commercial, industrial, and office uses within the surrounding properties; and the distribution warehouse use is permitted in the I-3 Zone. The distribution warehouse use will not adversely

affect surrounding properties and the applicable development standards will be reviewed, at the time of DSP.

- (b) Landscaping, screening, and buffering of development in the I-3 Zone shall be provided as set forth in the Landscape Manual**

The DSP will be reviewed for conformance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

- (c) Outside uses.**

- (1) With the exception of off-street parking and loading areas, recreational facilities (unless otherwise provided), airports, agricultural uses, sidewalk cafes (as an accessory use), surface mining operations, towers (poles, whips, and antennas), vehicle rental lots, and public utility uses, all uses allowed in the Table of Uses shall be located in wholly enclosed buildings. Outdoor storage is prohibited.**

The distribution warehouse use will be located within a wholly enclosed building and the application does not include any outdoor storage.

- (f) Regulations.**

- (1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the I-3 Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Tables (Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

These additional regulations will be addressed, at the time of DSP.

- (2) Not more than 25 percent (25%) of any parking lot and no loading space shall be located in the yard to which the building's main entrance is oriented, except that the Planning Board may approve up to an additional 15 percent (15%) in its discretion if increased parking better serves the efficiency of the particular use; improves views from major arteries or interstate highways; and makes better use of existing topography or complements the architectural design of the building.**

This section will be required to be met, at the time of DSP. The conceptual design appears to require a variance, which would also be evaluated, at the time of DSP.

- (3) No loading docks shall be permitted on any side of a building facing a street except where the lot is bounded by three (3) or more streets.**

A parking lot, with several loading spaces, is located in the southern portion of the property, adjacent to Brightseat Road. Compliance with this section will be evaluated, at the time of DSP.

**(g) Warehousing.**

- (1) Warehousing, wholesaling, distribution, or storage of materials not used, or products not produced, on the premises may be permitted, subject to the following:**
- (A) Not more than twenty percent (20%) of the net tract area of the entire Planned Industrial/Employment Park shall be devoted to these uses (including accessory uses such as off-street parking and loading areas).**
  - (B) More than twenty percent (20%), but not more than thirty percent (30%), of the net tract area of the entire Planned Industrial/Employment Park may be devoted to these uses if at least five percent (5%) of the net lot area (of the lot on which the use is proposed) is devoted to green area. This green area shall be in addition to any other green area required by this Part. This additional green area shall either serve to preserve irreplaceable natural features, be designed so that the visual impact of the facility will be relieved (either by natural features or changes in grade), or provide distinctive furnishings (such as sculptures, fountains, and sidewalk furniture).**
  - (C) More than thirty percent (30%), but not more than fifty percent (50%), of the net tract area of the entire Planned Industrial/Employment Park may be devoted to these uses if, in addition to meeting the requirements of (B), above, the Planning Board finds:**
    - (i) That the tract is suited for these uses because of its accessibility to railways or highways that readily accommodate warehousing;**
    - (ii) That the traffic generated by the uses is not directed through residential neighborhoods;**

- (iii) That the use is compatible with surrounding existing land uses and those proposed on the Master Plan. In determining compatibility, the Planning Board shall consider architectural or physical features of the facility and may require that these features be compatible with surrounding land uses.**
- (D) The remainder of the park shall be devoted to other uses, in the case of (A), (B), or (C), above.**
- (E) Notwithstanding the provisions of Subsections (g)(1)(A) through (D) of this Section, above, the development restrictions on warehousing, wholesaling, distribution, or storage of materials not used, or products not produced, on the premises shall not apply to property which lies entirely within the I-95/I-495 (Capital Beltway), contains less than 15 acres, is vacant at the time of filing of a Conceptual Site Plan application, and was originally classified in the I-3 Zone pursuant to a Sectional Map Amendment approved before January 1, 1978.**

The subject property conforms with Section 27-471(g)(1)(E) and is not required to meet the restrictions on warehousing in the I-3 Zone. The site is entirely inside the Capital Beltway; consists of 12.04 acres; is vacant at the time of filing a CSP application; and was classified in the I-3 Zone, pursuant to the Model Neighborhood Sectional Map Amendment, which was approved on November 8, 1977.

**(h) Required access.**

- (1) Each Planned Industrial/Employment Park (including each property in separate ownership) shall have frontage on, and direct vehicular access to, a street having a right-of-way width of at least seventy (70) feet.**

This CSP provides two access points from Brightseat Road, which has a right-of-way width of 80 feet. The site has frontage on the Capital Beltway, but access is denied, as the Beltway is a designated freeway. The two provided access points will be evaluated, at the time of PPS and DSP.

**(i) Minimum area for the development.**

- (1) The minimum area for the development of any Planned Industrial/Employment Park shall be twenty-five (25) gross acres.**

- (2) If the area is less than twenty-five (25) acres but not less than fifteen (15) acres, the property may be classified in the I-3 Zone when the property adjoins property in the C-O Zone, provided that the area of the combined properties is at least twenty-five (25) gross acres.**
- (3) If the area is less than twenty-five (25) acres, the property may be classified in the I-3 Zone when the property adjoins property in the I-3 or E-I-A Zone, provided that the area of the combined properties is at least twenty-five (25) gross acres.**
- (4) If the area is less than twenty-five (25) acres, and the land was classified in the I-3 Zone prior to October 31, 1977, or upon approval of a Sectional Map Amendment, it may be developed in accordance with this Part, provided the owner of record does not own abutting undeveloped land in the I-3, E-I-A, or C-O Zone that could be used to comply with the provisions of paragraph (1), (2), or (3), above.**

The subject property conforms with Section 27-471(i)(4). The property was classified in the I-3 Zone by a sectional map amendment approved on November 8, 1977, and the owner of record does not own abutting undeveloped land that could be used to conform to the minimum acreage requirements.

- b. Section 27-474 of the prior Zoning Ordinance establishes regulations applicable to all industrial zones. The subject application meets the requirements of the I-3 Zone, which include the following:
  - The site provides a 30-foot building setback from Brightseat Road.
  - The site provides more than a 20-foot building setback from adjoining land zoned nonresidential.
  - The site provides a net lot area greater than 87,120 square feet.
  - The site provides lot frontage greater than 150 feet.
  - The site provides building coverage less than 90 percent and a minimum green area of at least 10 percent, in accordance with Section 27-474(e) Footnote 2, due to the location of the property within one mile of land owned by the Washington Metropolitan Area Transit Authority.
- c. The CSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the prior Zoning Ordinance. The approved development concept provides a 152,080-square-foot warehouse distribution building that anticipates multiple tenants, with primary entrances facing to the north of the site. Two access points with two separate parking areas, one for employees and customers and one for loading, are

provided with separate circulation systems. Detailed designs of all buildings, site infrastructure, features, and amenities will be further reviewed, at the time of DSP.

The CSP anticipates and aims to achieve the following design options:

- The parking lot and loading area have been separated to provide safe and efficient vehicular and pedestrian circulation within the site. The parking areas are located in the side yards of the site, to avoid facing either Brightseat Road or the Capital Beltway, minimizing the view of parking areas from the public. The loading area will be adequately screened and is conveniently located to the building.
  - The CSP depicts two entrance drives into the site from Brightseat Road. The location and design of these entrance drives will be evaluated with the PPS and DSP; however, the entrance drives should provide adequate space for queuing.
  - Internal signs, such as directional arrows, lane markings, and other roadway commands, will be used to facilitate safe driving through the parking lot.
  - Lighting should be used to illuminate important on-site elements, such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated, if appropriate to the site.
  - Site design techniques should be used to preserve, create, or emphasize scenic views from the two roadway frontages, Brightseat Road and the Capital Beltway.
  - On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design, to fulfill its intended use.
  - The site landscaping will comply with all requirements of the Landscape Manual, and native species will be used throughout the development.
  - Building architecture and materials will be high-quality and visually interesting and will be compatible with the architecture of the neighboring warehouse uses. Conceptual architecture is provided and will be evaluated at the time of DSP.
- d. The approved development is required to provide parking, including loading spaces, in conformance with Part 11, Off Street Parking and Loading, of the Zoning Ordinance. According to the CSP, 186 parking spaces and 45 loading spaces will be provided. Demonstration of adequacy of parking and loading spaces will be required, at the time of DSP review.



- e. The approved development provides signage, which is required to conform with Part 12. The CSP provides illustrative conceptual signage, which includes two 6-foot-tall freestanding signs at both access points to the site. The sign design will need to demonstrate conformance with the requirements of Part 12, at the time of DSP.
8. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (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 (TCP1-021-2022) has been submitted with this CSP application.

Based on the TCP1 submitted with this CSP application, the site is 12.04 acres, contains 6.24 acres of woodland in the net tract, and has a woodland conservation threshold of 1.81 acres (15 percent). The Woodland Conservation worksheet approves the removal of 5.92 acres of woodland, for a woodland conservation requirement of 5.89 acres. According to the TCP1 worksheet, the requirement will be met with 0.64 acre of afforestation/reforestation on-site and 5.25 acres of off-site woodland conservation credits. The TCP1 shall be corrected to show the landscape credits being used, along with technical corrections, prior to certification.

Based on the TCP1 submitted, the applicant requests to deviate from the established priorities for how the WCO is satisfied, per Section 25-122(c)(1). The applicant provided justification on why the site requires a combination of on-site preservation, on-site landscaping credits, and off-site preservation. The Planning Board has reviewed the justification and deems the methodology satisfactory for approval.

9. **Other site-related regulations:** Additional regulations are applicable to site plan review that usually require detailed information, which can only be provided at the time of DSP. The discussion provided below is for information only.
- a. **2010 Prince George's County Landscape Manual:** The approved development will be subject to the requirements of the Landscape Manual, including Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3 Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.5, Stormwater Management Facilities; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Based on the CSP and stormwater management (SWM) plan provided, a stormwater facility is present on the southern border of the property, within a Section 4.7 incompatible use landscape buffer, which will be addressed when the Type 2 tree conservation plan (TCP2) is filed with the DSP.
  - b. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned I-E are required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The subject site is 12.04 acres in size and the required TCC is 1.20 acres.

Conformance with the requirements of the Tree Canopy Coverage Ordinance will be evaluated, at the time of DSP.

10. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:
- a. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated January 3, 2023 (Smith to Butler), which concluded that the probability of archeological sites within this property is low and that a Phase I archeology survey will not be recommended. Further, the memorandum indicates that this property does not contain and is not adjacent to any Prince George’s County historic sites or resources.
  - b. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated January 30, 2023 (Nair to Shelly), which provided that, pursuant to Part 3, Division 9, Subdivision 2, 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 January 26, 2023 (Patrick to Shelly), which indicates that the approved transportation is acceptable for a CSP review, subject to conditions herein, and provides the following comments:

#### **Master Plan Compliance**

##### **Master Plan Roads**

The subject property is impacted by Brightseat Road, along the western boundaries of the site. The 2009 *Countywide Master Plan of Transportation* (MPOT) and the master plan recommend the portion of Brightseat Road, along the property’s frontage, as a four-lane facility with 80 feet of right-of-way.

The latest CSP submission shows the extent of the ultimate right-of-way, along the property’s frontage, consistent with the master plan’s recommendation. The Planning Board finds the CSP acceptable, but requires that 40 feet of right-of-way dedication from the centerline be shown on the subsequent PPS application.

##### **Master Plan Pedestrian and Bike Facilities**

The MPOT recommends a planned bike lane on Brightseat Road, along the property’s frontage.

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

**Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

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

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

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

This portion of Brightseat Road, that fronts the subject property, also falls within the area of the master plan, which makes similar recommendations.

The applicant has indicated intent to install shared-lane (sharrows) markings along Brightseat Road, instead of the recommended dedicated bike lane, unless otherwise modified by the Prince George's County Department of Permitting, Inspections and Enforcement. The Planning Board does not support the modification to install sharrows, as this will change the functionality of the recommended master plan facility as a separate continuous/uninterpreted bike lane, which was not considered and adopted by the County Council. Furthermore, the Planning Board is concerned about the safety implications of a shared roadway, along this section of Brightseat Road, which will have an ultimate configuration of a four-lane collector roadway that will support a high volume of vehicular traffic. A dedicated bike lane would provide the necessary separation for vehicles and bicyclists and would facilitate safe mobility for nonmotorized travel, as designated in the MPOT. Installation of the bike lane will also be consistent with pending and approved developments near the site. For these reasons, the Planning Board requires that a bicycle lane be installed, along the subject property's frontage of Brightseat Road, and be shown on the subsequent DSP.

In addition, to facilitate the master plan policies for pedestrian connectivity, the Planning Board requires that a minimum 6-foot-wide sidewalk be provided along the perimeter of all buildings, and that crosswalks are provided to facilitate pedestrian connections with the parking area and buildings.

### **Transportation Planning Review**

#### **Zoning Ordinance Compliance**

Section 27-274 discusses transportation and circulation requirements for a CSP, and includes the following design guidelines in 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. As a means of achieving these objectives, the following guidelines should be observed:**
  - (ii) Parking spaces should be located as near as possible to the uses they serve;**
  - (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;**
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:**
  - (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;**
  - (ix) Pedestrian and vehicular circulation routes should generally be separate and clearly marked;**

The latest CSP submission shows conceptual routes for vehicular and pedestrian circulation, along the property's Brightseat Road frontage and within the site. The CSP shows that access will be provided via two vehicle access connections, along Brightseat Road, which will allow for full turning movements to/from the site. The plans show that surface parking is separated where employee parking is provided, on the northern side of the building, while the southern surface parking area will be utilized for the loading operation. The separated parking will help to eliminate conflicts between trucks and pedestrians, and staff find this acceptable. A sidewalk is provided, along the western side of the building, that will allow pedestrian movements around the building, in addition to a sidewalk connection that will provide a pedestrian connection from Brightseat Road. The Planning Board finds that the vehicular access and circulation are sufficient and meet the required findings, per Section 27-274.

- d. **Subdivision**— The Planning Board has reviewed and adopts the memorandum dated January 30, 2023 (Vatandoost to Shelly), in which it was determined that a new PPS, certificate of adequacy, and final plat will be required for the proposed development.

The subject property is located in Tax Map 60, Grids C-4 and D-4 and Tax Map 67, Grids C-1 and D-1. The property consists of 12.4 acres and is located within the IE Zone. However, this CSP application was submitted for review under the prior Zoning Ordinance. Therefore, the property is reviewed, pursuant to the prior I-3 zoning of the property and prior Prince George's County Subdivision Regulations.

This CSP application approves industrial development; specifically, a 152,080-square-foot distribution warehouse on the subject property. There are no prior PPS applications approved for the subject property. The approved CSP development will require a PPS and a certificate of adequacy, in accordance with Section 24-107 of the prior Subdivision Regulations. PPS 4-22046 and Certificate of Adequacy ADQ-2022-032 have been submitted for this site, which are currently being reviewed. The PPS is scheduled to be heard by the Planning Board on March 30, 2023. The Planning Board notes that PPS 4-22046 will be reviewed, pursuant to Section 24-1900 of the Subdivision Regulations and not Section 24-1703, since this CSP was accepted for review after April 1, 2022.

The property is known as Parcel 4, which is a deed parcel described in the Prince George's County Land Records in Liber 37146 at folio 216. There are no prior final plats of subdivision recorded for this property. Final plats of subdivision will be required, subsequent to certification of this CSP and following approval of the PPS and DSP, before any building permits may be approved for development of this site.

The CSP shows one parcel with two access points to Brightseat Road. No public or private streets are proposed for the development. The location of access points and any required public right-of-way dedication will be reviewed further with the PPS application. Also, the location of public utility easements, required along all public streets, will be determined with the PPS.

- e. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated January 30, 2023 (Rea to Shelly), which provided the following summarized comments on the subject application, including that the development was acceptable, with conditions related to the TCP1.

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

| Development Review Case # | Associated Tree Conservation Plan # | Authority      | Status   | Action Date | Resolution Number |
|---------------------------|-------------------------------------|----------------|----------|-------------|-------------------|
| NRI-068-2022              | N/A                                 | Staff          | Approved | 05/26/2022  | N/A               |
| CSP-22003                 | TCP1-021-2022                       | Planning Board | Pending  | Pending     | Pending           |

### **Approved Activity**

CSP-22003 and TCP1-021-2022 are approved for construction of a 152,080-square-foot warehouse and associated infrastructure. The current zoning for the site is IE; however, the applicant has opted to apply the zoning standards to this application that were in effect, prior to April 1, 2022, for the I-3 Zone.

### **Grandfathering**

The project is subject to the environmental regulations contained in prior Subtitles 24 and 27, and Subtitle 25 that came into effect on September 1, 2010, because the application will require a new PPS.

### **Site Description**

The subject application area is 12.04 acres and is located on the east side of Brightseat Road and is west of the Capital Beltway. A review of available information indicates that no regulated environmental features, such as streams and wetlands with associated buffers, are present on-site.

According to the Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources (DNR), Natural Heritage Program, and used on PGAtlas, there are no rare, threatened, or endangered (RTE) species found to occur on or near this property. During the natural resources inventory (NRI) review process, a letter dated March 2, 2022 was submitted from the Wildlife and Heritage Service stating that there are no known RTE species found to occur on or near this property. This site is located in the Southwest Branch sub-watershed that flows into the Western Branch watershed, located within the Patuxent River basin. The site has frontage on Brightseat Road, which is identified as a collector roadway, and the Capital Beltway to the west, which is identified as a freeway. The site is located within Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map, as designated by Plan 2035. According to the *Countywide Green Infrastructure Plan* of the *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan*, two-thirds of the entire project area, except for the center of the site, is identified as being in an evaluation area.

### **Natural Resources Inventory**

Natural Resources Inventory NRI-068-2022 was approved on May 26, 2022, and was provided with this application. This site is not associated with any regulated environmental features (REF), such as streams, wetlands, or associated buffers. No specimen or historic trees are associated with this site. The TCP1 and the CSP show all of the required information correctly, in conformance with the NRI. No additional information is required for conformance to the NRI.

### **Soils**

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey, are Collington-Wist complex and Collington-Wist-Urban land complex. Marlboro clay and Christiana

complexes are not found on or near this property. A geotechnical analysis is not required, at this time, but will be required with the DSP application.

**Stormwater Management**

An approved SWM Concept plan (22460-2022) and letter were submitted with the subject application. Proposed SWM features include five micro-bioretenment facilities, two submerged gravel wetlands, and underground storage pipes. No further information is required, regarding SWM with this application.

- f. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated December 21, 2022 (Giles to Butler), in which DPIE offered a review of roadway, trail, and bike lane requirements for this site, and proposed conditions to be reviewed, at the time of permit.
11. As required by Section 27-276(b)(1) of the prior Zoning Ordinance, the CSP represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the development for its intended use.
12. Section 27-276(b)(4) of the prior Zoning Ordinance requires that, for approval of a CSP, the REF on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the prior Subdivision Regulations. The Planning Board has reviewed and adopts the Environmental Planning Section memorandum (Rea to Shelly, January 30, 2023), in which it found there are no REF on the site; therefore, none will be impacted by the proposed development.
13. **Planning Board Hearing:** The applicant submitted Applicant's Exhibit 1, striking Conditions 1a and 1b in the staff report from the record, due to these conditions being considered comments for a TCP2 and not a TCP1. The Planning Board agrees with the applicant and removed Conditions 1a and 1b, within the staff report, from the resolution.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 1 Tree Conservation Plan TCP1-021-2022, and further APPROVED Conceptual Site Plan CSP-22003 for the above-described land, subject to the following conditions:

1. Prior to certification of approval of the conceptual site plan, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
- a. Revise the worksheet to show landscape credits being used.
  - b. Correct Note 10 of the standard TCP1 notes, the correct section number is 25-119.
  - c. Have the plans signed and dated by the qualified professional who prepared them.

2. At the time of preliminary plan of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall show a minimum of a 40-foot right-of-way dedication from the centerline, along the property's frontage of Brightseat Road.
3. Prior to acceptance of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
  - a. A geotechnical analysis
  - b. A bicycle and pedestrian plan, which displays the details, location, and extent of the following facilities:
    - (1) A marked bicycle lane along the subject property's frontage of Brightseat Road, unless modified by the operating agency with written correspondence.
    - (2) A minimum of a 6-foot-wide sidewalk along the perimeter of all buildings.
    - (3) Crosswalks and striping that provide pedestrian connections from the parking area to the building(s) on-site.
4. Prior to issuance of permits, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
  - a. Frontage improvements for Brightseat Road including, but not limited to, street lighting, signing and pavement marking, street trees, and dedication of right-of-way.
  - b. Adjustments to the ramps, so flares are not outside the right-of-way lines.

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.


\* \* \* \* \*



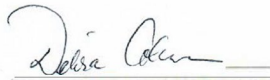
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, and Shapiro voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, March 2, 2023, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of March 2023.

Peter A. Shapiro  
Chairman

  
By Jessica Jones  
Planning Board Administrator

PAS:JJ:AS:rpg

  
Approved for Legal Sufficiency  
M-NCPPC Office of General  
Counsel

Dated 3/14/23