

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on February 15, 2001, regarding Detailed Site Plan SP-00038 for Penn-Belt Industrial Center, Parcel H, Block 3 the Planning Board finds:

1. Detailed Site Plan SP-00038 was submitted in accordance with the requirements of Condition #1 of the Preliminary Plat 4-86128.

Condition #1 states that:

■Approval of a site plan by the Planning Board prior to the issuance of grading, sediment control, or building permits. The major purpose of the site plan is to provide an attractive view from the Capital Beltway. The site plan should address the concerns of the Area Planning Division memoranda dated July 29, 1986 and August 13, 1986 and the Natural Resources Division memorandum of August 12, 1986.●

Fulfillment of this condition is discussed in Finding 6 below.

2. The subject site (Parcel H and JRD LLC Parcel) in the I-1 (Light Industrial) Zone, consisting of approximately 2.2 acres, is located on the east side of Penn Belt Place which is located on the southwest side of the intersection of Pennsylvania Avenue (MD 4) and Capital Beltway (I-495). The proposed use, outdoor storage of utility pipes, construction materials and construction equipment, is a permitted use in the I-1 Zone. The existing uses on the adjacent properties are as follows:

North - zoned I-1, warehouses

South - zoned I-1, vacant

East - Capital Beltway

West - zoned I-1, storage yard

3. There is a 40-foot-wide WSSC right-of-way for water main, appurtenances and egress and ingress along the eastern property line. There is a tree save area and a 100-year flood plain easement on the south side of the property. A bioretention facility is proposed on the west side of the property and the storage yard is proposed along the northern portion of the property. Entrance to the property is on the west side from Penn Belt Place. The northwest corner of the property has an ingress/egress utility easement for the adjacent property to the north, Parcel G. There are no buildings proposed on the property.

4. Section 27-469, I-1 Zone (Light Industrial), of the Zoning Ordinance establishes the following parameters for landscaping, screening and buffering of development in the I-1 Zone:

- (1) At least ten percent (10%) of the net lot area shall be maintained as green area.

The applicant has not provided green area calculations. The existing tree save area can be considered for green area calculations. A condition of approval has been added to require green area calculations.

- (2) Any landscaped strip adjacent to a public right-of-way required pursuant to the provisions of the Landscape Manual shall not be considered part of the required green area.

The landscaping proposed along the public right-of-way will not be considered a part of the required green area.

5. According to the applicability section of the *Landscape Manual*, new uses on sites with existing buildings and addition of square footage of more than 10% of the existing building are subject to the requirements of Section 4.2 (Commercial and Industrial Landscape Strip Requirements) of the *Landscape Manual*. The applicability section does not specifically address new uses on sites with no buildings. The Planning Board has previously made a finding that the requirements of Section 4.2 of the *Landscape Manual* also apply to properties like the subject site that have new uses but no buildings. Therefore, this proposal is subject to the requirements of Section 4.2 of the *Landscape Manual*. The proposed landscaping along Penn Belt Place comply with the requirements of Section 4.2 of the *Landscape Manual*.

The proposal is also subject to the requirements of Section 4.4 (Screening Requirements) of the *Landscape Manual* which requires that all outdoor storage areas be screened from streets. Section 4.4 of the *Landscape Manual* provides that screening can be accomplished by any of the following options:

- 6 foot-high sight-tight fence or wall
- 6 foot-high berm
- 6 foot evergreen screen (trees or shrubs, minimum six (6) feet high at planting, minimum nine (9) feet on center, double staggered row)

The recommended elements for screening provided in Section 4.4 of the *Landscape Manual* are minimum standards, and as evidence of this Section 4.4 also provides the following requirement for all development in the I-1 Zone:

■Screening in addition to that specified below may also be required if, because of slopes or other specific conditions on the site, the normally required screening measures do not achieve the necessary level of concealment.●

Furthermore, Section 27-469(c)(1) of the Zoning Ordinance provides the following requirement for all development in the I-1 Zone:

■Outdoor storage shall not be visible from the street.●

The existing and proposed landscaping is not adequate to completely screen the outdoor storage on the subject property from the streets. A six-foot-high sight-tight fence in addition to the proposed landscaping will be appropriate to completely screen the property.

The proposed fence should be weather resistant and low maintenance. In order to maintain an attractive appearance along the streets, the fence should be proposed behind the existing and proposed landscaping. A condition of approval has been added to require the recommended fence behind the proposed landscaping along Penn Belt Place and the existing woodland along the Capital Beltway.

The existing woodland along the Capital Beltway will be inadequate in terms of type and quantity to provide complete screening of the storage areas especially in the winter months. The existing woodland in the WSSC right-of-way is also not permanent. Therefore, staff recommends a row of evergreen trees behind the existing woodland to provide an attractive appearance along the Capital Beltway. The recommended fence can be constructed behind the row of evergreen trees. A condition of approval has been added to require the same.

6. Condition #1 of Preliminary Plat 4-86128 states that:

■Approval of a site plan by the Planning Board prior to the issuance of grading, sediment control, or building permits. The major purpose of the site plan is to provide an attractive view from the Capital Beltway. ■

The condition of approval discussed in Finding #5 will ensure an attractive view from the Capital Beltway.

■The site plan should address the concerns of the Area Planning Division memoranda dated July 29, 1986 and August 13, 1986 and the Natural Resources Division memorandum of August 12, 1986.●

The memorandums from the Area Planning Division state that the property is located in the APZ-1 Zone with a potential for noise impacts and accidents from airplanes. Therefore, low-density non-residential uses with a minimum number of persons on-site are recommended for the subject property. Very limited manufacturing uses are also recommended for this

area. The approved master plan recommends screening for outdoor storage areas on existing and future industrial properties. The screening should be of sufficient height and type to block the stored material and equipment from view at ground level. The proposed use (outdoor storage) is consistent with the above requirements because it is an industrial use with very limited number of persons on-site at a given time.

The memorandum from the Natural Resources Division of August 12, 1986 also stated that the property is located in the APZ-1 Zone. This designation implies that the parcel is situated in a zone where 78% of all aircraft accidents occur. The memorandum makes recommendations for acoustical design techniques for buildings. Since there are no buildings proposed on the subject site the recommendations do not apply to the subject site.

The proposed use is consistent with the Area Planning and Natural Resources Division memoranda referenced in Condition 1 of Preliminary Plat 4-86128.

7. The Permits Review Section (Gallagher to Srinivas, October 30, 2000) has requested minor changes to the site and landscape drawings. A condition of approval has been added to require the same.
8. The Transportation Planning Section (Masog to Srinivas, November 28, 2000) has stated that the site plan is acceptable.
9. The Subdivision Section (Del Balzo to Srinivas, January 9, 2001) has stated that the property is the subject of record plat NLP 131 @ 5 recorded in 1986. The Plat notes state that approval of a conceptual stormwater management plan is required prior to approval of the Detailed Site Plan and the availability of public water and sewer is required prior to construction. The applicant has obtained approval of a conceptual stormwater management plan. A condition of approval has been added to obtain public water and sewer prior to construction.
10. The State Highway Administration (McDonald to Srinivas, October 26, 2000) has no comments regarding the proposal.
11. The Environmental Planning Section (Metzger to Srinivas, November 17, 2000) stated that there are no significant environmental concerns regarding this application. The approved Type II Tree Conservation Plan TCPII/78/99 needed revision to show the correct area of woodland, the correct limits of the 100-year floodplain and the correct woodland area calculations. The Section's revised memorandum dated January 23, 2001, states that the applicant has proposed to meet the requirement of 0.20 acres of on-site preservation and submit a fee-in-lieu of \$1,176.12 for the 0.09 acres of cleared woodland. Therefore, TCPII/78/99 is recommended for approval.
12. The Community Planning Division (Osei to Srinivas, November 30, 2000) has stated that the approved Master Plan supports the proposed use. However, the subject site must be

adequately screened from the Capital Beltway and adjacent streets. Conditions of approval discussed in Finding # 5 address these requirements. The applicant has been advised to contact the Federal Aviation Administration to determine if there is an issue with the height of the proposed development.

13. The Department of Public Works and Transportation (Hizazi to Srinivas, November 3, 2000) has stated that roadway improvements in accordance with DPW&T standards is required.
14. With the proposed conditions, the Detailed Site Plan SP-00038 is found to represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

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 the Type II Tree Conservation Plan (TCPII/78/99) and further APPROVED Detailed Site Plan SP-00038 for the above-described land, subject to the following conditions:

1. Prior to certification of the Detailed Site Plan, the site/landscape plans shall be revised to show the following:
 - a. green area calculations showing a minimum of 10 percent on the site
 - b. a six-foot-high sight-tight fence behind the ten-foot-wide landscape strip along Penn Belt Place and behind the proposed landscaping and the existing woodland along the eastern property line adjacent to the Capital Beltway.
 - c. a row of evergreen trees behind the existing woodland and in front of the proposed fence along the eastern property line adjacent to the Capital Beltway
 - d. notes stating that the proposed fence shall be a continuous six-foot-high sight-tight wood fence with swinging or sliding gates. The notes shall also include information on measures taken to ensure that the proposed fences are weather resistant and low maintenance.
 - e. complete landscape schedules and table showing proposed landscaping according to the requirements of the *Landscape Manual*.
 - f. a note stating that the JRD LLC property is also included in the subject Detailed Site Plan.
2. Prior to issuance of building permits, public water and sewer shall be available for the site.

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.

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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 Brown, seconded by Commissioner Eley, with Commissioners Brown, Eley, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 15, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of February 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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