



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

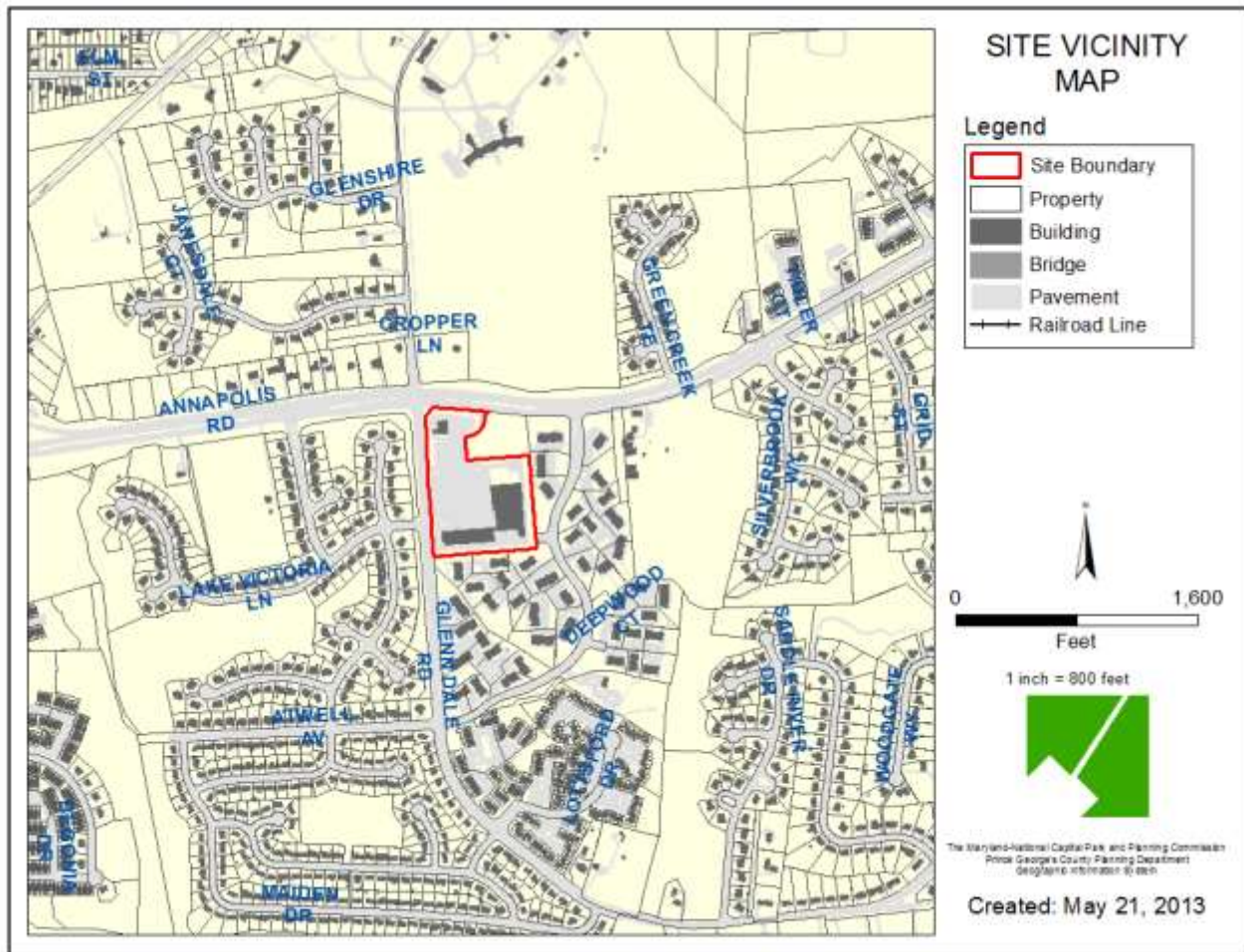
Detailed Site Plan

DSP-89063-07

Application	General Data	
Project Name: Duvall Village Shopping Center, Wal-Mart Location: Southeastern quadrant of the intersection of Annapolis Road (MD 450) and Glenn Dale Road (MD 953). Applicant/Address: Wal-Mart Real Estate Business Trust 2001 Southeast 10 th Street Bentonville, AR 72716	Planning Board Hearing Date:	03/19/15
	Addendum Date:	02/26/15
	Date Accepted:	12/16/13
	Planning Board Action Limit:	N/A
	Plan Acreage:	12.25
	Zone:	C-G
	Dwelling Units:	N/A
	Gross Floor Area:	77,916 sq. ft.
	Planning Area:	70
	Council District:	05
	Election District	13
	Municipality:	N/A
	200-Scale Base Map:	206NE10

Purpose of Application	Notice Dates	
Order of Remand from the District Council for consideration of five issues to the Planning Board dated September 14, 2014. A 77,916-square-foot Wal-Mart	Informational Mailing:	03/13/13
	Acceptance Mailing:	12/12/13
	Sign Posting Deadline:	02/17/15

Staff Recommendation		Staff Reviewer: Ruth Grover, MUP, AICP Phone Number: 301-952-4317 E-mail: Ruth.Grover@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

ADDENDUM TO STAFF REPORT

SUBJECT: Detailed Site Plan DSP-89063-07
Type II Tree Conservation Plan TCPII-113-94-04
Duvall Village Shopping Center, Wal-Mart,
Remand from the District Council

The subject case, Detailed Site Plan DSP-89063-07, Duvall Village Shopping Center, Wal-Mart, was approved by the Prince George's County Planning Board on March 6, 2014. The Planning Board adopted PGCPB Resolution No. 14-16 on March 27, 2014, formalizing that approval. The resolution was mailed out to the applicant and all parties of record on April 1, 2014. Subsequently, and within the required time frames, the District Council elected to review the case and the case was also appealed to the District Council. The District Council heard oral arguments on the case on September 22, 2014. The case was taken under advisement, and then remanded to the Planning Board on September 23, 2014.

EVALUATION

The detailed site plan and a copy of the Order of Remand were sent to the following in order to garner comment on the Points of Remand:

1. The Maryland-National Capital Park and Planning Commission (M-NCPPC) Legal Department;
2. The Maryland-National Capital Park and Planning Commission (M-NCPPC) Transportation Planning Section; and
3. The Prince George's County Department of Permitting, Inspections and Enforcement.

FINDINGS

Based upon the analysis of the subject application, the Urban Design Section recommends that the Planning Board adopt the following findings regarding the subject case:

1. **Referral Comments:** The subject remand was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **The Maryland-National Capital Park and Planning Commission (M-NCPPC) Legal Department**—In a memorandum dated January 27, 2015, the M-NCPPC Legal Department stated that, pursuant to the Order of Remand from the District Council, the District Council remanded DSP 89063-07 for consideration of five issues. Further, they stated that three of the five issues are legal in nature, so the Legal Department covered

only the three legal issues. The first issue of the Order of Remand states the following:

Issue 1.

On remand, the Planning Board shall direct its technical staff to prepare the application over again as if it were a new one; as such, Planning Board is instructed to consider and incorporate all findings and conclusions set forth in this order, to conduct all necessary referrals, and to issue all specified reports set forth in Part 3, Division 9 of the Zoning Ordinance and §§22-104(b)(5), 22-206(b), 25-210(a-d)(2012 & Supp. 2013) of the RDA. However, nothing in this Order of Remand De Novo shall require the Applicant to submit a new application for the proposed development project. Accordingly, after conducting a new public hearing after submission of the new technical staff report, Planning Board shall adopt a new decision on the subject application, and transmit its adopted resolution to the District Council.

In their memorandum dated January 27, 2015, the Legal Department stated that the Planning Board cannot direct technical staff to prepare a new application because staff does not prepare applications on behalf of applicants. Further, they stated that, in accordance with Section 27-282(a) of the Zoning Ordinance, only the property owner or his authorized representative may prepare and submit a DSP application, which staff would then review in the normal course.

The third issue in the Order of Remand states the following:

Issue 3.

On remand, the Planning Board shall review the project application based on a new administrative record, incorporating the findings and conclusions updated County policies embodied in the 2014 Plan Prince George's 2035 General Plan Amendment, including analysis as to pertinent changes in growth policies, transportation priorities, the elimination of tier designations previously designated under the 2002 Prince George's County General Plan, and other pertinent policy changes affecting development in the area of the subject proposal.

In their memorandum dated January 27, 2015, the Legal Department stated that there is no requirement of master plan conformance at the time of approval of a DSP in the Zoning Ordinance. Further, they stated that, in this case, the use is permitted by right in the zone.

The fourth issue in the Order of Remand states the following:

Issue 4.

On remand, the Planning Board shall review all applicable master plans and area master plans for the area that includes the site proposed for this project. To this end, the Planning Board is instructed to create a new administrative record incorporating specific analysis as to the recommendations within all applicable master plans. The District Council also instructs the Planning Board to conduct a new public hearing where County staff, the Applicant, and all Persons of Record will be permitted to present evidence regarding compatibility with applicable master plan recommendations, and to present evidence regarding whether the proposed retail use will create economic benefits for the County and surrounding communities.

In their memorandum dated January 27, 2015, the Legal Department stated that a public hearing before the Planning Board has been scheduled for March 19, 2015 on this matter. Further, they stated that there is no requirement of master plan conformance at the time of DSP in the Zoning Ordinance. Additionally, they stated that there is no requirement of economic benefit and no standard by which to determine the economic benefit of the use in the Zoning Ordinance. In closing on this issue, the Legal Department stated that the retail use is permitted by right in the zone.

- b. **The Maryland-National Capital Park and Planning Commission (M-NCPPC) Transportation Planning Section**—In a memorandum dated January 30, 2015, the Transportation Planning Section indicated that they had reviewed the Order of Remand from the District Council for the subject application. The Transportation Planning Section then cited Remand Order Point 2, which states:

On remand, Planning Board shall process this matter anew in accordance with the prescriptions of Part 3, Division 9 of the Zoning Ordinance. In conducting de novo proceedings, the District Council instructs the Planning Board to evaluate the adequacy of transportation facilities, including relevant roads and intersections in the vicinity of the property that is the subject of this application, and to make specific findings and determinations as to the adequacy of those transportation facilities. In so doing, Planning Board is additionally instructed to conduct a new public hearing where County staff, the Applicant, and all Persons of Record will be permitted to present evidence regarding adequacy of transportation facilities, including relevant roads and intersections in the vicinity of the subject application.

Regarding Remand Order Point 2, the Transportation Planning Section then stated that, pursuant to Section 24-124 of the Subdivision Regulations, the Planning Board is required to find that there will be adequate access roads available to serve the traffic which would be generated by the proposed development at the time of approval of a preliminary plan of subdivision for the project. Further, the Transportation Planning Section stated that the transportation guidelines require the submission of a traffic study when more than 50 trips are expected to be generated during either peak hour by the proposed subdivision, not at the time of site plan. With respect to the subject project, the Transportation Planning Section noted that, in September 1987, the Planning Board approved Preliminary Plan of Subdivision 4-87104 for the subject property which included a finding of transportation adequacy based on information provided in a 1987 traffic study which was required pursuant to the Subdivision Regulations. The approval of the preliminary plan required a set of road improvements, all of which were subsequently built.

The Transportation Planning Section then, citing Section 27-285(b) of the Zoning Ordinance which sets forth the required findings for approval of a DSP by the Planning Board as: "...that the plan represents 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," stated that there is no requirement for the provision of a traffic study in support of a DSP application. The Transportation Planning Section stated that they consider the following in reviewing a DSP:

- Adequacy of access points;
- Adequacy of internal site circulation; and
- Conformance to, evaluation, and/or implementation of preliminary plan of subdivision conditions.

In conclusion, the Transportation Planning Section stated that, since the subject application proposes no changes to the previously approved site layout and access, they had no additional recommendations regarding Points of Remand 1 and 2. The subject project conforms to all of the preliminary plan requirements that previously required certain road improvements because those improvements have been built. Therefore, they concluded that this DSP conforms to the preliminary plan conditions related to transportation adequacy.

- c. **The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum received February 24, 2015, DPIE stated that the subject property is located on the eastern side of Glenn Dale Road (MD 953), approximately 600 feet south of its intersection with Annapolis Road (MD 450). Further, they stated that as the subject property does not front on any County-maintained roadway, MD 450 and MD 953, are state-maintained roadways. Therefore, coordination regarding these roadways should be done more appropriately with the Maryland State Highway Administration (SHA).

DPIE then stated that any proposed and/or existing master plan roadways or trails that lie within the property limits must be addressed through coordination between M-NCPPC, DPIE, and SHA and may involve rights-of-way reservation, dedication, and/or construction in accordance with the Prince George's County Department of Public Works and Transportation's (DPW&T) specifications and standards. They also noted that sidewalks would be required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance, and that all storm drainage systems and facilities are to be designed in accordance with the requirements of DPW&T's specifications and standards.

Further, with respect to stormwater management, DPIE stated that the site was originally approved under Storm Drain Permit No. 800640-1995. Further, they stated that this approval showed both the parking lot and building addition as impervious areas. The proposed stormwater management system at the time was sized based on both these areas being impervious and stormwater management was provided in accordance with the Maryland Department of the Environment (MDE) prior to 2000 stormwater management regulations. The applicant currently has revised Stormwater Management Concept Plan No. 19201-2012-01 under review that proposes to treat the parking area as new development. This proposed improvement will meet Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP).

The building addition is considered redevelopment and the applicant is providing a stormwater management facility to treat the runoff from the building addition in accordance with the County's stormwater management code.

In closing, DPIE stated that their referral comments incorporate the ongoing site development plan review pertaining to stormwater management (County Code Section 32-182(b)) and offered the following comments:

- (1) Final site layout and the exact impervious area locations must be shown on plans.
- (2) Exact acreage of impervious areas must be shown on the plan.
- (3) Proposed grading is shown on plans.
- (4) Delineated drainage areas at all points of discharge from the site must be shown.
- (5) Stormwater volume computations must be provided.
- (6) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion and sediment control practices must be included in the submittal.
- (7) A narrative, as required by and in accordance with the requirements of the code, must be provided.

Comment: A proposed condition in the Recommendation Section of this staff report would require that, prior to signature approval of the plans, the applicant shall provide proof to the Planning Board or its designee that they have successfully revised the stormwater management concept for the subject site and on it indicated that the portion of the site proposed to accommodate the additional parking as part of this project be indicated to have been previously pervious, considered “new” development and that the applicant has met all of the ESD to the maximum extent practicable requirements of DPIE in pursuing this approval.

2. **The Order of Remand**—Each Point of Remand is included in **boldface** type below, followed by staff comment.

ORDER

Based on the review of the administrative record, and the findings and conclusions, it is hereby ORDERED, that this matter is remanded to the Planning Board to conduct proceedings de novo pursuant to §§27-107.01(a)(198) and 27-132(f)(2) of the Zoning Ordinance.

- (1) **On remand, the Planning Board shall direct its technical staff to prepare the application over again as if it were a new one; as such, Planning Board is instructed to consider and incorporate all findings and conclusions set forth in this Order, to conduct all necessary referrals, and to issue all specified reports set forth in Part 3, Division 9 of the Zoning Ordinance and §§ 22-104(b) (1, 5), 22-206(b), 22-108(b), 25-210(a–d) (2012 & Supp. 2013) of the RDA. However, nothing in this Order of Remand De Novo shall require Applicant to submit a new application for the proposed development project. Accordingly, after conducting a new public hearing after submission of the new technical staff report, Planning Board shall adopt a new decision on the subject application, and transmit its adopted resolution to the District Council.**

Comment: In a memorandum dated January 27, 2015, Debra S. Borden, M-NCPPC Associate General Counsel, stated that the Planning Board cannot direct technical staff to prepare a new application because staff does not prepare applications on behalf of applicants. Further, she stated that, in accordance with Section 27-282(a) of the Zoning Ordinance, only the property owner or his authorized representative may prepare and submit a DSP application, which staff would then review in the normal course.

- (2) **On remand, Planning Board shall process this matter anew in accordance with the prescriptions of Part 3, Division 9 of the Zoning Ordinance. In conducting de novo proceedings, the District Council instructs the Planning Board to evaluate the adequacy of transportation facilities, including relevant roads and intersections in the vicinity of the property that is the subject of this application, and to make specific findings and determinations as to the adequacy of those transportation facilities. In so doing, Planning Board is additionally instructed to conduct a new public hearing where County staff, the Applicant, and all Persons of Record will be permitted to present evidence regarding adequacy of transportation facilities, including relevant roads and intersections in the vicinity of the subject application.**

Comment: In a memorandum dated January 30, 2015, the Transportation Planning Section stated that, pursuant to Section 24-124 of the Subdivision Regulations, the Planning Board is required to make a finding that there will be adequate access roads available to serve the traffic that would be generated by the proposed development/subdivision. Further, the transportation guidelines require the submission of a traffic study at the subdivision stage of development when more than 50 trips are expected to be generated during either peak hour by a particular development. In the subject case, the Transportation Planning Section stated that, in September 1987, the Planning Board approved Preliminary Plan 4-87104 (which approval was formalized in PGCPB Resolution No. 87-433) for the subject property. Further, with respect to the subject case, they stated that this preliminary plan approval included a finding of transportation adequacy based on information provided in a 1987 traffic study which was required by the subdivision regulations at that time. As all road improvements required by that approval were subsequently built, the Transportation Planning Section stated that, from a standpoint of transportation planning, the DSP conforms to the approved preliminary plan and that the following finding required to be made by Section 27-285(b) of the Zoning Ordinance by the Planning Board at the time of DSP approval has been demonstrated: **That the plan represents a reasonable alternative for satisfying the site design guidelines, without detracting substantially from the utility of the proposed development for its intended use.**

Further, the Transportation Planning Section stated that, as the subject application proposes no changes to the previously approved site layout or access, they had no additional recommendations pertaining to transportation since all of the road improvements required by the preliminary plan were subsequently constructed, and that the DSP conforms to the requirements of the preliminary plan regarding transportation adequacy.

- (3) **On remand, the Planning Board shall review the project application based on a new administrative record, incorporating the findings and conclusions updated County policies embodied in the 2014 *Plan Prince George's 2035***

General Plan Amendment, including analysis as to pertinent changes in growth policies, transportation priorities, the elimination of tier designations previously designated under the 2002 Prince George's County General Plan, and other pertinent policy changes affecting development in the area of the subject proposal.

Comment: In a memorandum dated January 27, 2015, Debra S. Borden, M-NCPPC Associate General Counsel, stated that there is no requirement of master plan conformance at the time of DSP in the Zoning Ordinance. In this case, Ms. Borden stated that the use is permitted by right in the zone.

- (4) **On remand, the Planning Board shall review all applicable master plans and area master plans for the area that includes the site proposed for this project. To this end, Planning Board is instructed to create a new administrative record incorporating specific analysis as to the recommendations within all applicable master plans. The District Council also instructs the Planning Board to conduct a new public hearing where County staff, the Applicant, and all Persons of Record will be permitted to present evidence regarding compatibility with applicable master plan recommendations, and to present evidence regarding whether the proposed retail use will create economic benefits for the County and surrounding communities.**

Comment: In a memorandum dated January 27, 2015, Debra S. Borden, M-NCPPC Associate General Counsel, stated that a public hearing before the Planning Board has been scheduled and will be held on this matter. Further, she stated that there is no requirement of master plan conformance at the time of DSP in the Zoning Ordinance. Additionally, she stated that there is no requirement of economic benefit and no standard by which to determine the economic benefit of the use in the Zoning Ordinance. In closing, Ms. Borden reiterated that the retail use is permitted by right in the zone.

- (5) **On remand, the Planning Board should thoroughly address grading and storm water management on the subject property. While the record indicates that there is an approved Storm Water Management Concept Plan for the site, expert witness testimony produced at the Planning Board hearing reveals significant factual dispute regarding that plan's capacity to accommodate storm water under in its current state of development. Further, neither the record nor Planning Board resolution indicate whether the current Concept Plan assess changes in storm water runoff resulting from the additional development and impact on adjoining properties. As a result, on remand the Planning Board should evaluate whether the Applicant's current storm water plan satisfied all regulatory requirements for approval of storm water management concept plans. The District Council also instructs the Planning Board to conduct a new public hearing where County staff, the Applicant, and all Persons of Record will be permitted to present evidence regarding whether the Applicant's storm water plan satisfied all regulatory requirements.**

Comment: In a memorandum received February 19, 2015, DPIE stated that, with respect to stormwater management, the applicant had recently submitted an application to DPIE requesting a revision to the approved stormwater concept plan for the site, 19201-2012

which was approved October 1, 2012, and will expire on October 1, 2015. The revision, which is not legally required, would show the area where the new parking is proposed as a pervious area to be converted to impervious surface. This is significant because it would then be considered new development and be required to meet the higher standards of ESD to the maximum extent practicable to treat stormwater runoff from that area, unlike the building addition which would be considered redevelopment and not required to meet these higher standards.

Also in that memorandum, DPIE noted that certain items had to be addressed in the submission requesting revision to the approved stormwater management concept for the subject property. A proposed condition in the Recommendation Section of this staff report would require that, prior to signature approval of the subject project, the applicant address the cited issues and be required to successfully pursue approval by DPIE of that revised concept and that the applicant submit to the Planning Board or its designee a written statement from DPIE that the area where the additional parking was placed as part of the subject project was considered new development, not redevelopment, and that the applicant was held to the new and higher standards of ESD before building permits would be issued for the subject development. As one of the outstanding items mentioned by DPIE in that list was proposed grading, it will be shown on the revised stormwater concept and included in the stormwater management calculations so that the stormwater runoff from the site resulting from the additional development on the site will not negatively impact the adjoining properties.

- (6) As provided in Section 27-108.01 (a) (198), as a Remand De Novo is a remand of a zoning case back to the Planning Board for the purpose of processing the application over again as if it were a new one, all persons who wish to do so may register as persons of record in the de novo proceedings for this matter.**

Comment: On February 5, 2015, technical staff was instructed that, in accordance with this Point of Remand, all persons who wish to do so may register as persons of record in the Remand case of Duvall Village Shopping Center Wal-Mart, DSP-89063-07, to be heard by the Planning Board on March 19, 2015 in accordance with this Remand Point.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this addendum to the original technical staff report prepared for Detailed Site Plan DSP-89063-07 dated February 20, 2014, and REAPPROVE the case and Type II Tree Conservation Plan TCPII-113-94-04 for Duvall Village Shopping Center, Wal-Mart, subject to the following conditions and considerations. Changes to the previously approved conditions are shown below as noted; additions are shown as **bold and underline**, and language removed is shown as [brackets] and ~~strikethrough~~:

1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall make the following revisions to the plans and provide the specified additional documentation:
 - a. Sheet 4, Note R shall be revised to read: "The Site of Buena Vista (70-017) and its ten- by four-foot environmental setting is located on Parcel B."

- b. Sheets 5, 7, 9, 11, 13, and 16 shall show the location of the site of Buena Vista and its ten- by four-foot environmental setting (as shown on Plat REP 205-19) and shall label the historic site as “The Site of Buena Vista (70-017).”
- c. The applicant shall revise the plans to provide parking for a minimum of five bicycles at a location convenient to the entrance of the subject Wal-Mart. The location and design of the racks shall be approved by the Planning Board or its designee.
- d. The applicant shall revise the plans to clearly indicate all items requiring screening and the screening required by Section 4.4 of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual). The final ~~[approval of the]~~ screening shall be approved by the Planning Board or its designee to conform to the requirements of the Landscape Manual.
- e. A list of any energy-saving elements, such as solar panels, wastewater recycling, water saving fixtures, energy-efficient windows, and heating, ventilation, and air conditioning (HVAC) systems shall be provided as a note on the plans.
- f. The applicant shall revise the plans so that the southern property line of Parcel C, as represented on the DSP, mirrors the southern property line on the record plat recorded in Plat Book REP 205-19.
- ~~{g.}~~ ~~[The applicant shall revise the stormwater management concept plan and obtain documentation from the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) stating that the proposed development is in conformance to the requirements of that revised stormwater management concept plan. If the applicant wishes to revise the site plan to conform to the existing approved stormwater management concept plan, the applicant shall pursue a formal revision to the plan.]~~
- ~~{h.}~~ **g.** The DSP shall be revised to more clearly graphically identify the common access easement on the site plan, and Note 1 from the record plat recorded in Plat Book REP 205-19 shall be added as a general note to the DSP.
- ~~{i.}~~ **h.** The applicant shall remove the Tree Canopy Coverage Ordinance schedule from the plan set, as the project is exempt from its requirements.
- ~~{j.}~~ **i.** The applicant shall remove the architectural disclosure sheet from the plan set.
- ~~{k.}~~ **j.** The architecture shall be revised in consultation with the Urban Design Section to replace the repetitive rectilinear decorative elements flanking the main entrance on the front elevation with more attractive decorative elements such as lattices and/or ornamental masonry.
- ~~{l.}~~ **k.** The Type II tree conservation plan shall be revised to clearly show the previously approved plantings and woodland conservation areas. Specifically, the areas on Parcel B and the plantings along the western boundary of Parcel C shall be shown and labeled appropriately with the correct woodland conservation type and acreage.
- ~~{m.}~~ **l.** The Type II tree conservation plan shall be revised to show the proposed building footprint to be consistent with the footprint shown on the DSP.

~~{n-}~~ **m.** The Type II tree conservation plan (TCPII) shall be revised to identify and demonstrate where the required 3.10 acres of preservation and reforestation/afforestation will be provided on the site. Identify these woodland conservation areas on the revised TCPII and distinguish the preservation and reforestation/afforestation areas from the landscaped areas. Demonstrate on the plan that the total acreage required for these two woodland conservation types has been satisfied.

~~{o-}~~ **n.** The approval block on the Type II tree conservation plan shall be revised to correctly show the previous approvals typed in the box with the correct dates as follows:

00	PGCPB95-100	4/27/95
01	H. Miller	6/27/95
02	H. Miller	6/10/99
03	L. Shirley	10/29/03

[p.] **o.** The Type II tree conservation plan (TCPII) shall be revised to reflect the design shown on the concept plan consistent with the proposed DSP and TCPII. Revise the TCPII worksheet as necessary.

~~{q-}~~ **p.** The boundary of the project shall be revised on Sheet 5 (Overall Plan) of the DSP and throughout the plan set to include Parcel B.

~~{r-}~~ **q.** The asphalt pedestrian pathway currently striped from the southern access to the property to the building shall be revised to a concrete standard sidewalk.

~~{s-}~~ **r.** The applicant shall supply and maintain a high-quality fence to restrict access to the shopping center in the northeastern corner of the site between the anchor tenant and other retail tenants in the southern building.

~~{t-}~~ **s.** [~~The applicant shall provide proof to the Planning Board that a revision to the approved stormwater management concept shall indicate that the portion of the site to be utilized for the additional impervious parking was previously pervious. Additionally, the applicant shall provide a written statement from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) stating that the above portion of the site was treated as new development and that all of the environmental site design and maximum extent practical requirements were met in the revision.~~]

s. **The applicant shall have the stormwater management concept revised through application to the Department of Permitting, Inspections and Enforcement (DPIE) and provide proof to the Planning Board or its designee that the required stormwater management concept revision met the following qualifications:**

- (1) Assumed that the land area to be covered by the additional parking was previously pervious;**
- (2) That the proposed additional parking be considered "New" development; and;**
- (3) That all of the environmental site design (ESD) to the Maximum Extent Practicable (MEP) requirements have been met in the required revision.**

2. Any new outdoor lighting provided for the site shall be functional and attractive and shall provide adequate illumination without causing negative off-site impacts. Existing overgrown vegetation proximate to the existing outdoor light fixtures shall be pruned so as to not interfere with their proper functioning.
3. Prior to issuance of the historic area work permit for erection of the historic marker, the applicant and the applicant's heirs, successors, and/or assignees shall submit the text for the historic marker, to be reviewed and approved by the Historic Preservation Commission.
4. Prior to approval of the next building permit for Parcel C, the applicant/owner of the property shall erect on the approved setting a historical marker with the text that has been approved by the Historic Preservation Commission.
5. The applicant shall explore the addition of signage to help highlight the Annapolis Road (MD 450) access point in consultation with the Urban Design Section at the time of approval of a building permit.
6. Overnight (all night) parking for non-employees shall be prohibited on the site.
- ~~{7.} [The detailed site plan shall be sent to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) with the request that they consider and address the issues raised in a letter dated March 5, 2014 from Mr. Roger Bathurst of Century Engineering regarding stormwater management and to consider the run-off that is going into the townhouses located immediately adjacent to the subject site.]~~

Considerations

1. The applicant shall consider the impact on the neighborhood when deciding on reasonable hours of operation for the Wal-Mart.
2. The applicant should be a good neighbor and continue the communication with its neighbors.