

R E S O L U T I O N

WHEREAS, NPKS, LLC is the owner of a 4.98-acre parcel of land known as part of Lots 4 and 5, said property being in the 2nd Election District of Prince George's County, Maryland, and being zoned Ancillary Commercial (C-A) and One-Family Detached Residential (R-80); and

WHEREAS, on April 20, 2021, NPKS, LLC filed an application for approval of a Preliminary Plan of Subdivision for 2 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-18011 for Wildercroft was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on July 22, 2021, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on July 22, 2021, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-008-2021, Alternative Compliance AC-21015, and further APPROVED Preliminary Plan of Subdivision 4-18011 for 2 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan must be revised to:
  - a. Provide a 10-foot public utility easement along the property's frontage of Riverdale Road.
  - b. Give the proposed Outparcel a letter designation (Outparcel A).
2. Any residential development on the subject property shall require approval of a new preliminary plan of subdivision, prior to issuance of any permits.
3. Prior to signature approval of the preliminary plan of subdivision, an approved stormwater management concept approval letter and associated plan shall be submitted.

4. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for approved impacts, and shall be reviewed by the Environmental Planning section, prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

5. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
6. Development of this site shall be in conformance with Stormwater Management Concept Plan 57204-2016, once approved, and any subsequent revisions.
7. The final plat of subdivision shall grant 10-foot-wide public utility easements along the public right-of-way of Riverdale Road, in accordance with the approved preliminary plan of subdivision.
8. The applicant, and the applicant’s heirs, successors, and/or assignees shall provide the following pedestrian and bicycle facilities, and shall show the following facilities on the building permit plans:
  - a. Six-foot-wide sidewalk along the subject property’s entire frontage of Riverdale Road.
  - b. A R4-11/Bikes May Use Full Lane signage assembly and shared-lane markings (sharrows) along the subject property’s frontage of Riverdale Road, subject to modification by the Prince George’s County Department of Permitting, Inspections and Enforcement, with written correspondence.
  - c. A pedestrian sidewalk that is separate from motor vehicle traffic that connects Riverdale Road to the entrance of the building.
  - d. A crosswalk traversing the drive aisle at the point of vehicle entry.
  - e. Two bicycle racks at a location convenient to the entrance of the building.
9. Prior to signature approval of the preliminary plan of subdivision, the applicant shall revise the alternative compliance plan as follows:
  - a. Revise the Section 4.7 schedules to account for the entire length of each property line.

- b. Provide the required planting units for the open portions of the western, eastern and southern bufferyards, plus an additional five percent. This shall include a minimum of 44 plant units along the western, 40 plant units along the southern, and 39 plant units along the eastern property lines.
  - c. Continue the six-foot-high fence along the entirety of the western and southern property lines.
10. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-008-2021). 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 (TCP1-008-2021 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 (M-NCPPC), Prince George’s County Planning Department.”

11. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised to meet all requirements of Subtitle 25. Required revisions include, but are not limited to:
- a. Update and complete the TCP1 approval block using the current approved template.
  - b. Resolve the inconsistencies between the Site Statistics Table on the Natural Resources Inventory (NRI) and TCP1 for the net tract acreage. If a revision to the NRI is required, the NRI revision shall be approved prior to signature approval of the TCP1.
  - c. Update the TCP worksheet, as necessary, once the above changes have been made.
12. Prior to the issuance of permits for this subdivision, 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 Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”

13. Total development within the subject property shall be limited to uses which generate no more than 29 AM peak-hour trips and 12 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on the south side of Riverdale Road, approximately 1,000 feet east of its intersection with MD 295 (Baltimore-Washington Parkway). The subject property is known as part of Lots 4 and 5, which were improperly subdivided and recorded by deed in Liber 7257 folio 64 on March 6, 1989. Although the deed divided ownership of the property in 1989, the existing site is considered one parcel, in accordance with the Prince George's County Subdivision Regulations, and requires a preliminary plan of subdivision (PPS) in order to subdivide the property. The site is split-zoned along the aforementioned deed line and consists of 0.66 acre in the Ancillary Commercial (C-A) Zone, and 4.32 acres in the One-Family Detached Residential (R-80) Zone. The site is subject to the 1994 *Approved Bladensburg-New Carrollton and Vicinity Master Plan and Sectional Map Amendment* (master plan). This PPS proposes to subdivide the subject property into one outparcel, and one parcel for development of 4,307 square feet of commercial development on the commercial-zoned portion of the site. The proposed land division is subject to a PPS, in accordance with Section 24-107 of the Subdivision Regulations. There is an existing building on-site, which was formerly a 7-Eleven convenience store, and is 2,730 square feet in size. The applicant is proposing to convert the existing building into a laundromat and add 1,577 square feet of gross floor area. The existing building is located within the C-A Zone on proposed Parcel 1. The remainder of the site, consisting of vacant wooded area, is located within the R-80 Zone, is not proposed to be developed, and has therefore, been designated as an outparcel.
3. **Setting**—The property is located on Tax Map 43 in Grid C3, in Planning Area 69, and is zoned C-A and R-80. The subject property is accessed by Riverdale Road, which abuts the property to the north. Multifamily dwellings within the Multifamily Medium Density Residential (R-18) Zone are located north of the site beyond Riverdale Road. The abutting property to the west also consists of multifamily dwellings located within the R-18 Zone. The abutting properties to the east and south are located within the R-80 Zone and are currently vacant. Veterans Parkway is located beyond the vacant properties to the south.

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

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	C-A / R-80	C-A / R-80
Use(s)	Commercial/ Vacant	Commercial/ Vacant
Acreage	4.98	4.98
Lots		0
Parcels	1	1
Outparcel	0	1
Dwelling Units	N/A	N/A
Gross Floor Area	2,730	4,307
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on May 14, 2021.

5. **Previous Approvals**—There are no prior approvals associated with this site.
6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the master plan are evaluated, as follows:

**Plan 2035**

The application is in the Established Communities Growth Policy area designated in Plan 2035. The vision for the Established Communities area is most appropriate for context-sensitive infill and low- to medium-density development and recommends maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of residents are met (page 20).

**Master Plan Land Use Recommendation**

The master plan recommends residential land uses for the subject property.

**Zoning**

The master plan recommends residential land uses on the subject property. However, a portion of the site is zoned C-A, which permits the proposed land use. There are no master plan issues.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application conforms to the master plan, as discussed throughout this resolution.

7. **Stormwater Management**—The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) is currently reviewing Stormwater Management (SWM) Concept Plan No. 57204-2016-01 for the subject site. The plan shows the use of a proposed landscape infiltration facility within the floodplain to treat surface water and run-off before it is discharged

into an existing wetland. DPIE previously issued a floodplain waiver (Case No. 57204-2016) for the construction of a landscape infiltration facility within the existing 100-year floodplain. A revised floodplain waiver may be required by DPIE prior to permit, as the initial approval did not include a waiver for the construction of the proposed parking lot shown on the Type 1 tree conservation plan (TCP1) and SWM concept plan. Site conformance with the provisions of the County Code and state regulations with regards to SWM will be reviewed by DPIE and reflected on an approved concept plan. The applicant must submit an approved stormwater concept prior to signature approval of the PPS and the limit of disturbance on the concept and TCP1 must match. Submission of an approved SWM concept plan satisfies the requirements of Section 24-121(a)(15).

In accordance with Section 24-130 of the Subdivision Regulations, development of the site shall conform with the approved SWM concept plan and any subsequent revisions, to ensure no on-site or downstream flooding occurs.

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

#### **Existing Conditions, Sidewalks and Bike Infrastructure**

The property is presently improved with a commercial building, which previously operated as a convenience store with site access along its frontage of Riverdale Road. An existing six-foot-wide sidewalk is currently in place along a portion of the subject property's frontage of Riverdale Road, specifically on both sides of the point of vehicle entry. However, the subject property contains a stretch of frontage along its northeast bounds that does not contain any sidewalk facilities.

#### **Review of Connectivity to Adjacent/Nearby Properties**

The subject site is adjacent to existing residential uses to the west, which have a connection to the subject site via an existing sidewalk along the property's frontage. However, this sidewalk does not extend to the properties east of the site.

#### **Review of Conformance with MPOT 2009**

One master plan facility impacts the subject site, which includes a shared roadway along Riverdale Road. This development case is subject to the MPOT, which provides policy guidance regarding multimodal transportation. The Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling (MPOT, pages 9–10), which recommends the following facilities:

**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.**

#### **Review of Master Plan Conformance**

The Circulation and Transportation section within the master plan contains a series of guidelines for improved vehicle and pedestrian movement. Guidelines 8 and 11 are listed below (page 142):

- 8. In any redevelopment of commercial areas, efficient systems for the loading and movement of goods should be included and, where possible, these activities should be separated from both auto and pedestrian traffic.**
- 11. As the road systems are expanded and improved, bikeways and/or multiuse trails should be incorporated into the highway facility design.**

The Trails section of the master plan contains a set of recommendations regarding specific types of trail construction. Recommendation 3, specific to trail construction along Riverdale Road, is provided below:

- 3. A combined Class II hiker/biker trail and Class II bikeway is planned along Riverdale Road, MD 410, and the newly constructed MD 410 extension between the M-NCPPC Northeast Branch Trail and the New Carrollton Metro Station.**

Similar to the Good Luck Road trail, several techniques will be needed, including trails, bike lanes and hard surface shoulders. This trail will provide an opportunity to travel to either the New Carrollton or the College Park Metro Stations (page 173).

The applicant's submission displays the existing sidewalks along the frontage of Riverdale Road. In addition, the applicant's submission displays a paver walk along the northwest bounds and outside of the subject property, which provides a pedestrian access from the existing sidewalk to the subject site's parking lot. The paver walk is not located in the public right-of-way, but on the private property of the adjacent parcel.

It is noted that the master plan recommended a Class II bikeway along Riverdale Road. A Class II bikeway is a standard bicycle lane; however, this recommendation was revised as part of the MPOT, which recommends an on-street bicycle facility, and the map identifies this as a shared-roadway facility. The applicant shall update plans to display six-foot-wide sidewalks

along the entire frontage of Riverdale Road. Consistent with Policy 4, the applicant shall provide a crosswalk traversing the drive aisle at the point of vehicle entry, as well as two Inverted-U style bicycle racks at a location convenient to the entrance of the building. The applicant shall provide a pedestrian connection, such as a sidewalk, that is separate from motor vehicle traffic and consistent with Americans with Disabilities Act standards between the Riverdale Road right-of-way and the entrance to the building. This is consistent with Policy 5. In addition, the applicant shall provide a R4-11/Bikes May Use Full Lane signage assembly and shared-lane markings (sharrows) along the subject property's frontage of Riverdale Road, subject to modification by DPIE, with written correspondence.

In the submitted response letter to SDRC comments (Packard to Staff, May 21, 2021), the applicant indicated they will "extend and label a 6' sidewalk across the entire frontage, add a share the road with a bike sign along the frontage of Riverdale Road, add a pedestrian connection from Riverdale Road to the building, add a crosswalk at the entrance, [and] add two inverted U bicycle racks." These improvements are generally too detailed to be displayed on a PPS. These facilities shall be provided at the time of construction shall be shown on subsequent plans.

The required pedestrian and bicycle improvements fulfill the intent of the policies recommended above and are in compliance with the master plan and the MPOT.

- 10. Transportation**—This PPS is for approval of one outparcel, and one parcel to allow for 4,307 square feet of commercial development in the form of a laundromat. Transportation-related findings related to adequacy are made with this application, along with any determinations related to dedication, access, and general subdivision layout.

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

- (A) Level of Service (LOS) E, with signalized intersections operating at a critical lane volume of 1,450 or better. Mitigation per Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any TSA subject to meeting the geographical criteria in the "Transportation Review Guidelines - Part 1- 2012" (Guidelines).
- (B) The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections:

For two-way stop-controlled intersections, a three-part process is employed:  
(a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the critical lane volume is computed.

For all-way stop controlled intersections, a two-part process is employed: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the critical lane volume is computed.

**Analysis of Traffic Impacts**

The property is improved with a 2,730-square-foot building that once functioned as a food and beverage store. This application seeks to expand and repurpose the now dormant building to a 4,307-square-foot laundromat. Both the former and future land uses will affect the finding of adequacy for the subject application.

Pursuant to the Guidelines, any development that is projected to generate 50 or more trips in either peak hour must submit a traffic impact study (TIS) as part of the application documents. Since this proposed development is projected to generate fewer than 50 net new trips, a TIS was not required. The applicant provided an analysis that breaks down the traffic generation of the past and future uses in the table below.

<b>Table 1 - Trip Generation Comparison</b>							
		<b>AM Peak</b>			<b>PM Peak</b>		
		In	Out	Total	In	Out	Total
Food and Beverage store (ITE-851)	2,730 sq. ft.	85	86	171	68	66	134
<i>Less by-pass (60 percent)</i>		<i>-51</i>	<i>-52</i>	<i>-103</i>	<i>-41</i>	<i>-40</i>	<i>-80</i>
<b>Total pre-existing primary trips</b>		<b>34</b>	<b>34</b>	<b>68</b>	<b>27</b>	<b>26</b>	<b>54</b>
Proposed Laundromat Specialty Retail (ITE-826)	4,307 sq. ft.	14	15	29	5	7	12
<b>Proposed trip cap</b>				<b>29</b>			<b>12</b>

The table above indicates that the proposed development will be adding 29 AM and 12 PM peak-hour trips. It further demonstrates that the proposed trip generation falls below the trip generation of the previous use on the subject property, and that the proposed development will not generate any new net trips compared to the previously existing food and beverage store. A trip cap was not established for the prior use, instead a trip cap of 29 AM and 12 PM peak hour trips is set for the subject application. The approved PPS meets the adequacy threshold, pursuant to the Guidelines.

**Master Plan, MPOT, and Site Access**

The property is in an area where the development policies are governed by the master plan, as well as the MPOT. The property fronts on Riverdale Road, currently a four-lane road within a variable-width right-of-way. One of the recommendations of the master plans is to upgrade this road to a collector (C-140), within 80 feet of right-of-way. The PPS includes dedication, which will bring the property frontage into compliance with master plan recommendations. All other aspects of the site regarding access and layout are deemed to be acceptable.

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

11. **Schools**—This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and Prince George’s County Council Resolutions CR-23-2001 and CR-38-2002. The property is exempt from a review for schools because it is a nonresidential use.
12. **Public Facilities**—In accordance with Section 24-122.01, water and sewerage, police, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects section, dated June 22, 2021 (Thompson to Heath), incorporated by reference herein.
13. **Public Utility Easement (PUE)**—Section 24-122(a) requires that, when utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The required PUE is not delineated on the PPS along the subject site frontage of the public right-of-way. This PUE will need to be delineated on the plans prior to signature approval of this PPS.

14. **Historic**—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. The subject property does not contain and is not adjacent to any Prince George’s County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase I archeology survey is not required.
15. **Environmental**—The following applications and associated plans have been reviewed for the subject site:

**Background**

Review Case Number	Associated Tree Conservation Plan Number	Authority	Status	Action Date	Resolution Number
N/A	NRI-196-2016	Staff	Approved	10/14/2016	2021-99
N/A	NRI-196-2016-01	Staff	Approved	11/21/2019	2021-99
4-18011	TCP1-008-2021	Planning Board	Approved	07/22/2021	2021-99

### **Grandfathering**

This project is not grandfathered with respect to the environmental regulations contained in Subtitles 24 and 27 that came into effect on September 1, 2010, because the application is for a new PPS.

### **Site Description**

The subject site is split-zoned in the C-A and R-80 zones. The subject application proposes to subdivide the property along the zoning line into two parcels (Parcel 1 and an Outparcel) for 4,307 square feet of commercial development on 0.66-acre Parcel 1 in the C-A Zone. The site of Parcel 1 consists of an existing 2,730 square-foot commercial building and parking lot. The proposal will add 1,577 square feet of space to the existing building and convert it to a laundromat with additional parking, retaining walls, and a SWM area.

### **Master Plan Conformance**

The site is located within the Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map, as designated by Plan 2035 and the master plan. The master plan does not indicate any specific environmental issues associated with this property; however, it does include applicable goals, objectives, recommendations, and guidelines located within the Environmental Envelope section of the plan. The following policies are applicable to the current project regarding natural resources preservation, protection, and restoration. The text in **BOLD** is the text from the SWM area and the plain text provides comments on plan conformance.

**Establish a goal of 20 percent woodland cover for the Planning Area through retention of woodlands in new developments and the creation of new woodlands by afforestation. This 4 percent increase in woodland cover will require the identification and planting of approximately 250 acres.**

The proposed site layout is split-zoned R-80 and C-A with a woodland conservation threshold of 19.06 percent, which is 0.46 acre. The applicant is meeting this requirement entirely on-site. There is the opportunity for the applicant to provide additional areas adjacent to the floodplain within preservation to meet this 20 percent goal. Although this is not required, the applicant is strongly encouraged to do so.

5. **Woodlands associated with floodplains, wetlands, stream corridors and steep slopes shall be given priority for preservation.**
6. **The Natural Reserve Areas, containing floodplain and other areas unsuitable for development, should be restricted from development except for recreational and other nonstructural uses. Grading and filling is discouraged.**
7. **All development proposals shall provide effective means for the preservation and protection of Natural Reserve Areas, and development plans for lands containing open space and conservation areas should specify how and by whom these areas will be maintained.**

The proposed site layout concentrates development along the frontage of Riverdale Road, primarily on previously developed land with minimal impacts to an existing undeveloped wetland buffer, undeveloped 100-year floodplain, and steep slopes. There are no direct impacts to existing wetlands, streams, or stream buffers. The majority of the existing undeveloped “Natural Reserve Areas” on-site have been preserved.

Prior to issuance of a grading permit, this project will be required to submit a Type 2 tree conservation plan for review and approval to the Maryland-National Capital Park and Planning Commission that will have detailed language relating to woodland preservation areas on-site. Woodland preservation easements, as well as conservation easements, will be required for this site that will have specific language regarding by whom and how these areas will be maintained.

#### **Countywide Green Infrastructure Plan**

According to the 2017 Countywide Green Infrastructure Plan of the *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan*, one large, regulated area associated with a stream and its tributaries traverses the site from the southwest to northeast corners. The remaining area of the site, apart from a narrow band of land along the frontage of Riverdale Road, is within an evaluation area. Although a very small portion of the green infrastructure elements mapped on the subject site will be impacted, these areas proposed to be impacted that are within the network have been mostly graded under previous approvals, and the design of the site meets the zoning requirements and the intent of the growth pattern established in Plan 2035.

### **ENVIRONMENTAL REVIEW**

#### **Natural Resources Inventory Plan/Existing Features**

The site has an approved Natural Resources Inventory Plan (NRI-196-2016-01), which shows the existing conditions of the property. A total of two specimen trees have been identified on-site and seven additional trees have been identified within the immediate vicinity of the site's boundary.

The site contains regulated environmental features, including streams/wetlands and their buffers, and 100-year floodplain, which comprise the primary management area (PMA), and isolated wetlands and their buffers. The Forest Stand Delineation indicates that there is one forest stand, which has a high priority rating for preservation and restoration. The site has a total of 5.22 acres of gross tract woodland, of which 2.46 acres are within the existing 100-year floodplain, as shown on the NRI. Areas of steep slopes are scattered across the site.

The site is associated with tributaries of the Brier Ditch watershed which flows into the Anacostia River. This area is in a stronghold watershed, but not within a Tier II watershed. The site is not associated with any mapped historic sites or associated environmental setting. The remaining site along the frontage of Riverdale Road contains an existing one-story brick building with associated parking.

There are some inconsistencies on the Site Statistics Table between the approved NRI and the TCP1 included with this application. These are discussed in more detail in the Woodland Conservation section of this resolution and may require revisions to be made to the NRI prior to signature approval of the PPS and TCP1.

### **Woodland Conservation**

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in area and contains more than 10,000 square feet of existing woodland. TCP1-016-2019 was submitted with the current application.

According to the worksheet shown on the TCP1 as submitted, the site is 4.98 acres split-zoned between the R-80 (4.32 acres) and C-A (0.66 acre) zones. A total of 1.94 acres of existing woodlands are on the net tract and 2.38 acres are within the existing floodplain. The site has a woodland conservation threshold of 0.46 acre, or 19.06 percent of the net tract, as tabulated. No off-site clearing is shown on the plan. The TCP1 shows a total woodland conservation requirement of 0.46 acre based on the proposed clearing shown. The TCP1 shows this requirement will be met by providing 0.46 acre of on-site woodland preservation.

It is noted that there is a discrepancy between the approved NRI, the PPS, and the TCP1. The TCP1 worksheet and General Notes indicate that there is a total of 4.32 acres gross tract area on this site; however, the PPS application states that the total gross tract area for this application is 4.98 acres, while it is indicated as being 5.68 acres on the Site Statistics Table of the NRI. Furthermore, the existing amounts of net tract area, existing woodland net tract, and existing woodlands floodplain values are inconsistent between the TCP1 and the NRI. All three plans must be revised, as necessary, to be consistent with one another prior to signature approval.

The TCP1 requires additional technical revisions that are included in the conditions of this approval.

### **Specimen Trees**

Tree conservation plans are required to meet all of the requirements of Subtitle 25, Division 2, which includes the preservation of specimen trees, Section 25-122(b)(1)(G). Every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species' ability to tolerate root zone disturbances).

Specimen trees 1 and 8 are located to the west of the existing building and the proposed internal property line and are to remain.

### **Regulated Environmental Features**

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5). The site contains streams/wetlands and their buffers, and 100-year floodplain, which comprise the PMA, and areas of associated steep slopes.

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfalls at points of least impact.

The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code. Impacts to regulated environmental features must first be avoided and then minimized. The statement of justification (SOJ) must address how each on-site impact has been avoided and/or minimized.

#### **Statement of Justification**

The SOJ includes a request for 11 PMA impacts totaling 14,583 square feet.

#### **Analysis of Impacts**

Based on the SOJ, the applicant is requesting the following impacts described below:

##### **Impact 1**

Impact 1 is for the disturbance of a total of 3,338 square feet (0.76 acre), which is comprised of 983 square feet of previously impacted wetland buffer for retrofitting an existing outfall into a wetland, and installation of a landscape infiltration facility to improve water quality off-site for stormwater purposes. It appears that these improvements will benefit the existing wetland by improving the structural integrity of the existing outfall and aid in prevention of future scouring and erosion into the existing wetland.

Installation of a SWM facility is not something normally recommended for approval to the Prince George's County Planning Board. However, in this case, the facility is being constructed within a previously impacted area, and the overall benefits of the stormwater retrofit of this wetland will prevent future scouring and improve the quality of water outflowing from the outfall into the existing wetland. Because of this, Impact 1 was approved.

##### **Impacts 2-11**

Impacts 2-11 have been evaluated together as they are for grading and site improvement within the area of previously impacted floodplain and adjoining steep slopes associated with the PMA, with no impacts to streams, wetland, or associated buffers.

These Impacts include:

- Impact 2 - Construction of Facility/Permanent Proposed Concrete Sidewalk (61 sq. ft.)
- Impact 3 - Removal of Existing Paving (603 sq. ft.)
- Impact 4 - Proposed Dumpster Pad (90 sq. ft.)
- Impact 5 - Existing Paving Resurfacing Graded (1,860 sq. ft.)
- Impact 6 - Graded Area to Support the Above Work (2,773 sq. ft.)
- Impact 7 - Proposed Paved Area (2,042 sq. ft.)
- Impact 8 - Proposed Sidewalk (135 sq. ft.)
- Impact 9 - Proposed Curb and Gutter (86 sq. ft.)
- Impact 10 - Proposed Retaining Wall (152 sq. ft.)
- Impact 11 - Proposed Graded Area (3,443 sq. ft.)

Impacts 2-11 are for the disturbance of a total of 11,245 square feet (0.25 acre), which are entirely comprised of previously impacted floodplain and associated steep slopes. On-site SWM is being provided to address the impervious surfaces associated with these impacts. These impacts are occurring in areas previously graded and impacted within the PMA. These PMA impacts are necessary for the orderly and efficient development of the subject property and are approved.

**16. Urban Design**—Conformance with the Prince George’s County Zoning Ordinance (Subtitle 27) is evaluated as follows:

The subject application proposes two parcels for development of a laundromat consisting of 4,307 square feet. The laundromat use is permitted on this property, subject to the regulations of Section 27-452 of the Zoning Ordinance.

**Conformance with the Zoning Requirements**

The laundromat use on proposed Parcel 1 is permitted in the C-A Zone. Conformance with the Zoning Ordinance Regulations is required for the proposed development at the time of permitting, including but not limited to the following;

- Section 27-452 C-A Zone;
- Section 27-461, Uses (C-A Zone);
- Section 27-461, Regulations (C-A Zone);

- Part 11, Off-street Parking and Loading;
- Part 12, Signs

The proposed Outparcel is currently vacant and in the R-80 Zone. Although no development is proposed at this time, conformance with the Zoning Ordinance Regulations is required for the for any future development in the R-80 Zone, including but not limited to the following:

- Section 27-429 R-80 Zone
- Section 27-441, Uses (R-80 Zone)
- Section 7-442, Regulations (R-80 Zone)
- Part 11 Off-street Parking and Loading
- Part 12 Signs

**Conformance with the 2010 Prince George’s County Landscape Manual**

This development will be subject to the requirements of the 2010 *Prince George’s County Landscape Manual*. Specifically, the site is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Conformance with the applicable landscaping requirements will be determined at the time of permit review. As a companion application to this PPS, the applicant requested alternative compliance (AC-21015) from the requirements of Section 4.7, for the property line on Parcel 1 that abuts the Outparcel in the R-80 Zone because the existing building cannot meet the building setback required by the Type C bufferyard. The existing building and proposed addition have a varied setback from 19.8 to 32.2 feet from the proposed southern property line of Parcel 1. A 40-foot building setback and 30-foot landscape yard is required by Section 4.7. The applicant proposed a six-foot-high board-on-board fence at the property line. However, this fence did not extend the entire length of the property line, and this is required. The applicant also proposed to add a retaining wall and a six-foot-high board-on-board fence on the eastern property line. The Alternative Compliance Committee recommended approval of this request in the alternative compliance memorandum dated June 24, 2021, incorporated by reference herein. Conditions of approval for AC-21015 are provided in this resolution.

The Outparcel is not proposed for development at this time but is residentially zoned, and permitted uses of that zone may be anticipated for the future. Any future development proposal will require the approval of a new PPS and will be reviewed for zone conformance at that time.

**Conformance with the Tree Canopy Coverage Ordinance**

Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for development projects that propose more than 5,000 square feet of gross floor area or disturbance and require a grading permit. The subject proposal on Parcel 1 proposes less than 5,000 square feet of gross floor area and disturbance, and therefore, is exempt from tree canopy coverage (TCC) requirements.

The Outparcel is in the R-80 Zone and will require 15 percent of gross tract area to be in TCC. Compliance with the TCC requirements will be evaluated at the time of review of any associated development.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 22, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of September 2021.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:AH:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: August 4, 2021