

Case No. SP-89016/04

Applicant: Jackson Shaw Company

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION, WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 07-100, to approve with conditions a revised detailed site plan for construction of four light industrial buildings, with warehouse space and associated offices, for a project referred to as Briarwood Business Park, on property described as approximately 9.21 acres of land in the I-1 Zone, along Mid-Atlantic Boulevard, 310 feet southwest of Contee Road, Laurel, is:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to certificate approval of the detailed site plan, the applicant shall make the following revisions:
 - a. Label the buildings (where currently identified by building number) as Buildings A, B, C, and D.
 - b. Clearly identify all building materials used on the architectural elevations by providing labels that call out all materials shown on the elevation and specifying the meaning of any abbreviations used.
 - c. Show the existing Baltimore Gas and Electric Company access easement on Lot 2.
 - d. Show the location of an access easement on Lot 2 for Prince George's County access to the stormwater management area in Parcel A.
 - e. Show the access stem of Lot 2 at its correct size and location in accordance with the approved final plat.

- f. Indicate the height of the existing chain-link fence along the eastern boundary of Lot 4.
- g. Show the square footage of each portion of proposed signage, and the total signage area proposed for each building.
- h. Move the Northern Red Oak (*Quercus rubrum*) located at the northeast corner of Building A approximately 20 feet north.
- i. Provide an additional 5 shade trees and 16 shrubs along the northern perimeter of the parking lot access driveway along the northern edge of Lot 2.
- j. Correct the square footage and parking calculations shown in the General Notes.
- k. Remove General Note 3 (F).
- l. Correct the Setback Tabulation on Sheet 6 to reflect the required and provided rear and side yard setbacks.
- m. Provide additional evergreen trees along the northern property line of Lot 3 to screen the loading areas for Building C.
- n. Provide the required perimeter landscape strips for the parking lots of Lots 2 and 3 along their common property line to comply with Section 4.3 (b) of the Landscape Manual. If this is not feasible, the applicant shall have an Alternative Compliance plan approved by the Planning Director as the designee of the Planning Board.
- o. Revise the notes to reflect the construction of a future mezzanine in Building B, not to exceed 13,000 square feet, and modify the parking calculations as necessary to reflect that adequate parking is provided to accommodate this increase in floor area. The architectural elevations shall be revised to increase the number of windows within the mezzanine area and provide brick on the bottom piers between the windows along the north and west facades. The additional windows shall fall within the architectural grid established on the approved façade.
- p. Modify Building C to provide a minimum building setback of 70 feet from the right-of-way of Mid-Atlantic Boulevard and add parking between Building C and Mid-Atlantic Boulevard.
- q. Modify the Mid-Atlantic Boulevard façade of Building C, to include second-floor windows across its width within the architectural grid established on the first floor. Return the façade treatment of brick veneer and individual windows along the south side façade at least 30 feet from the street front corner.

- r. Show a proposed phasing line within Building D, to permit construction of the proposed building in two phases. Modify the façade facing Mid-Atlantic Boulevard by extending the pattern of piers and individual windows on the first and second story across its width, and return along the south side façade at least 30 feet.
 - s. Replace the prefinished metal façade panels on the top half of the two-story corniced entry elements on Buildings B, C, and D with brick, to match the proposed brick on the lower half.
 - t. Designate 5% of the total parking spaces for each building as priority parking for flex fuel vehicles.
 - u. Provide space (standard dumpster and two barrels for segregated materials) for the collection of recyclable materials on each lot.
2. Prior to certification, the applicant shall provide evidence that an alternative easement for Prince George's County to access Parcel A has been provided on Lot 2, and that the Department of Public Works and Transportation (DPW&T) has indicated in writing its agreement to extinguish the existing easement on the west side of Lot 2 in favor of the alternative easement.
 3. Prior to certification, the applicant shall provide evidence that the parking and dumpster areas for Lot 3 that overlap onto the access stem of Lot 2 have been protected in a permanent easement on Lot 2.
 4. The applicant or the applicant's heirs, successors, and/or assignees shall provide standard sidewalks along both sides of the subject site's portion of Mid-Atlantic Boulevard, consistent with DPW&T requirements.
 5. Prior to certification, the applicant shall consult with the Environmental Planning Section of the M-NCPPC about opportunities for introducing bio-retention stormwater management system(s) within the currently shown green spaces of this detailed site plan. The site plan shall be revised to incorporate such bio-retention systems.
 6. Prior to certification, the applicant shall consult with DPW&T regarding the feasibility of modifying the weir structure of the existing stormwater management pond on Parcel A to reduce the rate of discharge from the pond. If approved by DPW&T, the applicant shall modify the pond control structure.
 7. The applicant shall stripe 5-foot-wide bicycle lanes within the existing pavement section of Mid-Atlantic Boulevard, consistent with DPW&T requirements.

8. Prior to issuance of construction permits for the shell building (which may be one building at a time), the architect shall include on the plan notes sheet a section describing how the building and site have been designed to achieve at least 15 credit points (certification not required), as described by the U. S. Green Building Council program published in 2007. The 15 points will come from the site, shell, and core areas of the building.

Upon completion of the tenant improvements, and prior to issuance of a final Use & Occupancy Certificate, a LEED Accredited Professional will issue a letter to the Director of the Department of Environmental Resources documenting the LEED credit points designed/constructed into the completed site, shell and tenant build-out of the project.

9. The developer shall provide all contract purchasers or initial tenants of the buildings with an educational guideline of further LEED points that can be earned by decisions made during the design and construction process. This information shall address the use of renewable resources, recycling (construction waste stream and use of products with a post consumer content) and energy conservation. The developer shall also provide written information about the location provided on site for recycling containers, the available vendors in the area and the benefits of a recycling program.
10. The applicant shall redesign the approved park entry sign proposed for the existing sign easement in the southeast corner of Contee Road and Mid-Atlantic Boulevard to clearly state "THE BRICK YARD" in contrasting material/color on a simple background. Complementary landscaping will be provided with the sign. The sign may not be internally illuminated.

Ordered this 15th day of October, 2007, by the following vote:

In Favor: Council Members Exum, Bland, Campos, Dean, Dernoga, Harrington, Knotts, Olson and Turner

Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Camille A. Exum, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council