

Case No. SP-98016/06

Applicant: Osprey Property Group

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. 09-14, to approve with conditions a detailed site plan for 150,043 square feet of warehouse uses in four buildings, and associated parking and loading facilities for light industrial service, for a project referred to as Penn East Business Park (Lots 9, 13, 14, and 15), on property described as approximately 46.18 acres of land in the I-1 Zone, southeast of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4), on both sides of Pepco Place, Forestville, 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.

1. Prior to certificate approval of this detailed site plan, the applicant shall:
  - a. Delineate AICUZ Zone I and the 70 Ldn noise contour line on the site plan.
  - b. Provide details for the proposed lighting fixture to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
  - c. Provide a standard sidewalk along the subject site's entire frontage of Pepco Place, unless modified by the Department of Public Works and Transportation (DPW&T).
  - d. Add a site plan note indicating that the sites included in this DSP are subject to the conditions attached to the previously approved Zoning Map Amendment A-9189. The site plan note shall also reference the underlying final plats and provide the block numbers for the lots included in this DSP.
  - e. Revise the parking calculation table for Lot 14 to provide the required number of parking and loading spaces.

- f. Provide the required Section 4.7 bufferyard along the north and east boundary area and provide corresponding landscape schedules on the landscape plan.
  - g. Replace the proposed Alee Chinese Elm in the Section 4.2 landscaped strip of Lot 13 with a staggered row of evergreen trees to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
  - h. Provide a six-foot-high wall of the same building material as the respective buildings on Lots 13 and 15 to screen the loading docks from the views of the adjacent public streets to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
  - i. Provide additional fenestration on the west elevation of the building on Lot 13 to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
2. Prior to the issuance of the building permit for Lot 14, the applicant shall
- a. Provide evidence that the required off-site mitigation has been secured.
  - b. Install all reforestation and associated permanent protective fencing. A certification prepared by a qualified professional shall be used to provide verification that the required planting and fencing have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.

Ordered this 22nd day of June, 2009, by the following vote:

In Favor: Council Members Bland, Dean, Dernoga, Exum, Harrison, Knotts, Olson and Turner.

Opposed:

Abstained:

Absent: Council Member Campos.

Vote: 8-0

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: \_\_\_\_\_  
Marilynn M. Bland, Chairperson

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council