

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Conceptual 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 May 23, 2002, regarding Conceptual Site Plan CSP-02002 for Glen Dale Business Campus, the Planning Board finds:

1. The site is located on the south side of Northern Avenue and consists of approximately 32 acres in the I-1 Zone. The property was placed in the I-1 Zone by Zoning Map Amendments A-9606-C and A-9721-C, approved by the District Council in October 1988 and November 1989, respectively. The two zoning cases were each approved with 18 nearly identical conditions. Two zoning conditions that warrant discussion are as follows:
 16. **Any building site plan submitted with regard to the subject property submitted to the Department of Environmental Resources for the purpose of obtaining building permits shall conform to the requirements set forth in Conditions 1 through 14 above; and**
 17. **The Planning Board shall review a conceptual site plan to evaluate traffic circulation to and from the site and to determine whether any improvements (e.g., signalization, double left-turn lane) are necessary for adequate traffic flow. Limitations on the hours for tenant tractor-trailer truck deliveries to the subject property shall be discussed.**

Based on the above two zoning conditions, on April 9, 1998, the Prince George's County Planning Board determined through a reconsideration of Conceptual Site Plan SP-90033 that Detailed Site Plan approval for each lot was not required and made the determination that it was clearly anticipated by the District Council that the conditions would be enforced through review of the building permits, not review of Detailed Site Plans. The same determination can be made for this Conceptual Site Plan since the property included in the application is subject to the same zoning conditions. However, in order to make the permit review process more efficient, staff has requested that the applicant address the zoning conditions to the extent possible on the Conceptual Site Plan, either in the form of details or notes added to the plan. In general, the applicant has complied with this request; however, the following zoning conditions warrant discussion:

Condition 1, with regard to architecture: The applicant has provided an architectural exhibit labeled AConcept Architectural Appearance for R&D/Office. In general, the

exhibit demonstrates compliance with Zoning Condition 1. Since this exhibit is on an 8 1/2" by 11" sheet and not a part of the plan set, reference to the exhibit for compliance at the time of building permit should be made in the form of a condition in the recommendation section below. The architectural exhibit states that the R&D component of the project will be compatible with surrounding development in Green Tech I and compatible within the project. However, the applicant is showing a warehouse use on Lot 14. The Community Planning Division has indicated that the proposed warehouse use is contrary to the recommendation of the *Glenn Dale-Seabrook-Lanham and Vicinity Master Plan* (1993) for R&D type uses. They also indicated that the master plan states that this employment area needs a comprehensive site design to ensure a well-designed, integrated employment area with good vehicular circulation. If a warehouse use is to be provided on Lot 14, staff is of the opinion that the exhibit should be revised to include warehouse use in the title block and the text of the exhibit.

Condition 3, with regard to lighting: The applicant has provided some information with regard to lighting, however, in order to ensure that the residences along Northern Avenue are protected from lighting glare from the site, staff recommends Condition 4 in the recommendation section below.

Condition 10, with regard to noise emissions: Staff of the Urban Design Section and the Environmental Planning Section are of the opinion that the site will be a potential noise generator, particularly Lot 14, since the applicant is showing that lot developed with a warehouse use. For further discussion with regard to this issue, see the next paragraph.

Condition 17, with regard to traffic circulation: See Finding 3 below. With regard to limitations on the hours for tenant tractor-trailer truck deliveries, the following discussion is provided:

Lots 13 and 14 are located at the northern edge of the development, along Northern Avenue where there are existing residences in the R-R Zone and R-E Zone. Lot 13 is proposed for R&D flex office, while the applicant is showing a warehouse use on Lot 14 of the Conceptual Site Plan. While analyzing the possibility of limiting the hours of operation on the site, staff assumed that the factors requiring such a limitation would be excessive noise and lighting emanating from the site between the hours of 10:00 p.m. to 7:00 a.m. The zoning condition does not specifically address noise or lighting as a concern. However, the findings of both Zoning Map Amendments indicate that the conditions were imposed on the subject property to protect the residents living on Northern Avenue from any view of, as well as any adverse noise impact that could emanate from, the subject property.

In general, views of the subject property have been adequately addressed by the applicant by the provision of details on the Conceptual Site Plan that reflect how Zoning Condition 3, requiring a berm with a wooden sight-tight fence along Northern Avenue with evergreen plantings on both sides of the fence, has been met.

However, at the hearing, the Planning Board determined that the Conceptual Site Plan was not in conformance with Zoning Condition 3 which requires a minimum 25-foot-wide buffer strip with a wooden, sight-tight fence on a berm and White Pines on either side of the fence along the entire length of the property along Northern Avenue. The Conceptual Site Plan showed the buffer strip only on Lot 14. The Planning Board determined that the Conceptual Site Plan should be revised to provide the buffer strip on Lot 13, as well as on Lot 14, adjacent to Northern Avenue. The applicant agreed to the Planning Board's determination and proffered to provide the buffer strip on both Lot 13 and 14. When this revision is made, the Conceptual Site Plan will be in conformance with Zoning Condition 3.

Potential adverse noise impacts from tractor-trailer truck deliveries could affect the residences along Northern Avenue; however, no scientific data has been provided by the applicant to support or contradict that contention at this time. Staff has received numerous inquiries from homeowners in the area as to how the zoning condition would be met as it relates to truck noise emanating from the site, specifically with regard to the A-beeping noise made by trucks backing into the loading docks. In order to address any concerns with regard to noise from the site impacting the residential areas along Northern Avenue, a Phase I noise study, based on the assumption of a warehouse use on Lot 14, should be provided prior to certification of the Conceptual Site Plan. The noise study should locate the 65 dbA noise contour and take into consideration any A-prominent discrete tones and periodic noises emanating from the site.

The following are definitions from the Annotated Code of Maryland:

A >Prominent discrete tone= means any sound which can be distinctly heard as a single pitch or a set of single pitches.

A >Periodic noise= means noise possessing a repetitive on and off characteristic.

A >Daytime hours= means 7 a.m. to 10 p.m. >Nighttime hours= means 10 p.m. to 7 a.m.

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Should noise emanating from the site be determined to have an adverse impact on residential areas along Northern Avenue, a Phase II noise study should be required prior to the issuance of a building permit to determine appropriate noise mitigation measures. Any required noise attenuation measures should be approved by the Planning Board or the Planning Board's designee prior to the issuance of a building permit for Lot 14.

As mentioned above, with regard to Zoning Condition 3, staff has recommended Condition 4 below in the recommendation section to help ameliorate any lighting impacts from the development into the residential areas.

2. The subject Conceptual Site Plan (SP-02002) consists of Lots 12, 13 and 14 and Parcel B

for Glen Dale Business Campus, formerly known as Greentec. Previously, Lots 12 and 13 and Parcel B were Lots 10 and 11 and Parcel A of the approved Conceptual Site Plan CSP-90033 and Preliminary Plan 4-90008 for Greentec. CSP-90033 was approved by the Planning Board on May 17, 1990, with four conditions. On April 9, 1998, the Planning Board approved a reconsideration of Condition 2 of SP-90033, deleting a requirement for Detailed Site Plan approval for each lot. Lot 14, the newest lot, was not part of that approval. The reason that Lots 12 and 13 and Parcel B are included in this application is to adjust the area of the stormwater management pond on Parcel B, the relocation of an existing hiker/bike trail, and to provide ingress/egress easements over all lots for shared access.

3. In a memorandum dated April 22, 2002 (Masog to Wagner), the Transportation Planning Section offered the following comments:

The subject property consists of approximately 31.01 acres of land in the I-1 Zone. The property is located at the northern ends of Forbes Boulevard and Hubble Drive and is south of Northern Avenue. The applicant proposes the development of 290,000 square feet of industrial/office development on the site.

Review Comments

The proposed subdivision was rezoned by two separate zoning actions, and the District Council approvals for both zoning cases contained very similar conditions. Both resolutions prohibit direct access to Northern Avenue. Both resolutions require review of a conceptual site plan for a review of traffic circulation to and from the site. And both resolutions require an off-site improvement if Aerospace Road is to be the sole access to the property from MD 193.

Review of the current plan is complicated by the fact that a portion of this site was reviewed previously as Conceptual Site Plan SP-90033 and Subdivision Plan 4-90008 for Greentec. In 1990, the transportation staff reviewed a traffic study which proposed 350,000 square feet of office space on the subject property. All findings were based upon that quantity of development, the plans were capped on the equivalent number of peak-hour trips (700 AM and 648 PM), and that quantity has been assumed to be approved development in all traffic studies in the area since that time.

Lots 8 and 9 of the Greentec subdivision have since been developed with 121,000 square feet of office space. The subject plans combine the remaining undeveloped portion of Greentec with an adjacent property having I-1 zoning. The remainder of Greentec is approximately 15.09 acres. By proportionality, staff would assume that this undeveloped remainder has a right to develop up to 236,100 square feet of the 350,000 square feet which was approved under Greentec. This Avested right@ is reduced slightly, however, because 121,000 square feet was Aused up@ within Lots 8 and 9 of Greentec, leaving 229,000 square feet for the remainder, or 458 AM and 424 PM peak-hour vehicle trips.

The applicant has indicated that the development yield which currently applies to the remainder of Greentec should be applied to the entire site. There have been other instances where vested development for a site has been spread over a larger area without a requirement for a new finding of transportation adequacy. Since the subject property is not proposed for uses which would generate traffic beyond that which has been fully considered in assessing the impact of the original site and other approved developments in the area, the transportation staff agrees to apply the existing development cap over the larger area without requirement of a new transportation analysis.

With regard to the submitted plan, therefore, the transportation staff does find that the proposed development conforms to the existing development cap for Greentec, the 1990 subdivision which established transportation adequacy for the property. The site is capped at uses which generate no more than 458 AM and 424 PM peak-hour vehicle trips. The conceptual plan proposes 190,000 square feet of office space (space termed AR&D @ is assumed to be office space) and 100,000 square feet of warehouse space. These uses together would generate 420 AM and 392 PM peak-hour vehicle trips. Therefore, the proposed development would have a transportation impact which is slightly less than would be allowed by right under the existing development cap. As the proposed development is slightly less than could occur on the site, staff believes that there are adequate access roads and adequate circulation to and from the site. Once again, all developments in the area which have been analyzed since the original Greentec subdivision was approved have been required to consider this development to be approved and have had to show adequacy in their own right.

The submitted plan is acceptable from the standpoint of access and circulation. No access is provided from Northern Avenue. Access from MD 193 is provided by means of Aerospace Drive/Hubble Drive and Forbes Boulevard. The three proposed lots have access to each other internally, and each lot can easily access both streets connecting the site to MD 193.

4. By memorandum dated April 16, 2002, the Environmental Planning Section offered the following comments:

Background

The Environmental Planning Section previously reviewed the following cases on this property: a Conceptual Site Plan, SP-90033, which was approved; a Preliminary Plan of Subdivision, 4-01037, which was withdrawn; a Type I Tree Conservation Plan (TCPI/75/90), which was approved with SP-90033; a Zoning Amendment, A-9721-C, in 1997; and most recently in January 2002 as a preliminary plan of subdivision, 4-02002, which is pending.

Site Description

This subject property is located north of Aerospace Road on the east of Hubble Drive.

This site is situated east of Good Luck Road and north of MD 193. A review of the information available indicates that the site is wooded and is characterized with terrain sloping to the north and south and drains into unnamed tributaries of Folly Branch in the Patuxent River watershed. The predominant soils found to occur on this property, according to the Prince George=s County Soil Survey, are Keyport, Woodstown, Sunnyside, and Christiana series. These soil types generally exhibit moderate to severe limitations to development due to steep slopes, seasonally high water table, and impeded drainage. No Marlboro clay has been identified on this site. There are no streams, wetlands, or 100-year floodplain found on this property. There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources-Natural Heritage Program. There are no historic or scenic roads affected by the proposal. The sewer and water service categories are S-3 and W-3. There are no adverse noise impacts associated with adjacent transportation uses, however, it is unclear whether or not the proposed use is a noise generator.

Environmental Review

- a. A Forest Stand Delineation (FSD) was previously reviewed and approved for proposed Lots 12, 13, and Parcel >B= in conjunction with the review and approval of the Type I Tree Conservation Plan (TCPI/75/90). The revised FSD was also previously approved with detailed information on Lot 14 and a simplified FSD for Lots 12, 13, and Parcel >B.= The FSD as submitted was found to address the requirements for an FSD in accordance with the Prince George=s County Woodland Conservation and Tree Preservation Ordinance.

Discussion: No additional information is required at this time as it relates to FSD.

- b. This property is subject to the provisions of the Prince George=s County Woodland Conservation Ordinance because a portion of the property has a previously approved Type I Tree Conservation Plan (TCPI/75/90) and the balance of the property has more than 10,000 square feet of existing woodland. Because TCPI/75/90 is for only a portion of the subject property, TCPI/3/02 was submitted to include the entire acreage of the Conceptual Site Plan CSP-02002. TCPI/3/02 was found to address the requirements of the Prince George=s County Woodland Conservation and Tree Preservation Ordinance. The Type I Tree Conservation Plan TCPI/3/02 as submitted will supersede TCPI/75/90 for proposed Lots 12, 13 and Parcel >B.= TCPI/75/90 will remain in effect for Lots 8, 9 and Parcels >A= and >B= as originally approved.

The requirements for this 31.01-acre property include a 15 percent Woodland Conservation Threshold, 3:1 replacement requirements, and 2:1 replacement requirements totaling 10.30 acres. The requirements are being satisfied by 2.30 acres of on-site preservation, 1.50 acres of on-site afforestation, and 6.50 acres of off-site mitigation at an undetermined location. TCPI/3/02 is recommended for

approval in conjunction with the Conceptual Site Plan, CSP-02002, subject to the following condition:

Recommended Condition: Development of this Conceptual Site Plan shall be in conformance with the approved Type I Tree Conservation Plan (TCP I/3/02) and the following note shall be placed on the Final Plat of Subdivision:

"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/3/02), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply is a violation of an approved Tree Conservation Plan and will require mitigation under the Woodland Conservation/Tree Preservation Policy."

- c. A wetland report as prepared in September 1990 indicates that wetlands are present on this property. However, a Jurisdictional Determination made by the U.S. Army Corps of Engineers on January 28, 1999, clearly states that there are no jurisdictional waters or wetlands on the property. Therefore, the Conceptual Site Plan is correct in indicating that streams and wetlands are not found on this property. There are no 100-year floodplains found on this property.

Discussion: No additional information is required.

- d. The plan as submitted shows an existing stormwater management facility, however, a Stormwater Management Concept Approval Letter has not been submitted with this application nor was there any evidence of compliance.

Discussion: Subsequent to the above comment, a Stormwater Management Concept Approval, Case # 8037-2001-01, approved by DER on April 10, 2002, was submitted by the applicant.

- e. The soils on this property include Christiana clay which has significant limitations with respect to grading and building. The limitations associated with this soil would not result in the creation of a lot on unsafe land, however, the stability issues must be addressed in conjunction with the issuance of building permits.

Discussion: There is no further information required at this time. The Department of Environmental Resources requires Soils Reports for all commercial building permits. Prior to applying for a commercial building or grading permit the applicant should have a Soils Report prepared to address the Christiana clay present on this property.

- f. Noise is not a major concern to the development as proposed. However, it is noted that the subject property is zoned I-1 and is located adjacent to existing residential properties in the R-E and R-R Zones. In this regard, the proposed use

of the property could be a noise generator.

Recommended Condition: Prior to certification of the Conceptual Site Plan, information shall be provided on the proposed uses on lots 13 and 14. If those uses result in severe adverse noise impacts to adjacent residential areas, a Phase I Noise Study showing the location of the 65 dBA noise contour will be required. Should the 65 dBA noise contour reflect adverse noise impacts to neighboring residences, the study shall be expanded to a Phase II Noise Study to propose noise attenuation measures.

5. In a memorandum dated April 3, 2002 (Shaffer to Wagner), the trails planner from the Transportation Planning Section provided comments and recommended conditions which have been incorporated into the recommendation section below.
6. The Conceptual Site Plan is in compliance with the regulations governing the I-1 Zone.
7. The Conceptual Site 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.

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 Conceptual Site Plan CSP-02002 , Glen Dale Business Campus for the above-described land, subject to the following conditions:

1. The Conceptual Site Plan shall be revised to provide a 25-foot-wide buffer strip with a wooden, sight-tight fence on a berm and White Pines on either side of the fence on Lots 13 and 14 along Northern Avenue, in accordance with Zoning Condition 3.
2. The concept architectural appearance exhibits for the R&D/office and warehouse shall act as a guide for the appearance of all architecture.
3. In order to prevent adverse noise impacts to neighboring residences, prior to the issuance of a building permit for Lot 14, a Phase I Noise Study showing the location of the 65 dBA noise contour or any prominent discrete tones and periodic noises as defined by the Annotated Code of Maryland shall be required if deemed necessary by the Environmental Planning Section of the M-NCPPC for its review and approval.
4. A Phase II Noise Study may be required by the Environmental Planning Section of the M-NCPPC prior to the issuance of a building permit for Lot 14 to determine appropriate noise attenuation measures. Any required noise attenuation measures shall be approved by the Planning Board or the Planning Board=s designee prior to the issuance of a building permit.
5. Parking lot light poles shall not exceed 20 feet in height. Parking lot lights shall be

down-lit and consist of cut-off fixtures so as to minimize off-site glare, and shall include timing devices to turn off unneeded lighting during times the parking lots are not in use.

6. The following note shall be placed on the Final Plat of Subdivision:

"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/3/02), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply is a violation of an approved Tree Conservation Plan and will require mitigation under the Woodland Conservation/Tree Preservation Policy."

7. The applicant and the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of Class III bikeway signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.
8. Prior to the issuance of a building permit, an eight-foot wide, asphalt master plan trail shall be constructed from the end of Hubble Drive to Northern Avenue. This trail shall be in a 20-foot-wide hiker-biker easement, as indicated on the plan.
9. Standard sidewalks shall be provided along the subject property's frontage of Hubble Drive, Aerospace Road, and Forbes Boulevard.

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 Lowe, seconded by Commissioner Scott, with Commissioners Lowe, Scott and Hewlett voting in favor of the motion, and with Commissioners Eley and Brown absent at its regular meeting held on Thursday, May 23, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of June 2002.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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