PGCPB No. 04-94 File No. CSP-99025/02

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 April 29, 2004, regarding Conceptual Site Plan CSP-99025/02 for Sweitzler Lane, the Planning Board finds:

1. **Request:** The subject application requests the construction of three office buildings and a multistory parking structure.

2. **Development Data Summary**

	EXISTING	**PROPOSED**
Zone	I-3	I-3
Use(s)	Office Building	Office Park
Acreage	35.92	35.92
Parcels	0	1
Lots	1	1
Outparcel	0	1
Residue	0	1
Building Square Footage/GFA	50,000	250,000

OTHER DEVELOPMENT DATA

	REQUIRED	**PROPOSED**
Total parking spaces	459	513
Of which handicapped spaces	17	17 (14 van spaces)
Standard spaces (9.5' x 19')	NA	445
Compact spaces (8.0' x 16.5')	NA	51
Loading spaces	4	4

3. **Location:** The site is in Planning Area 60, Council District 1. More specifically, it is located at the dead end of Frost Place, approximately 800 feet west of Sweitzer Lane.

4. **Surroundings and Use:** Land use in the general vicinity of the proposed project includes office, public utility uses, and recreation (a ball field).

5. **Previous Approvals:** A conceptual site plan, CSP-99025 (Resolution #99-125), a detailed site plan, DSP-99027 (Resolution #99-126), and a preliminary plan of subdivision, 4-99030 (Resolution #99-126) were all approved for the property on July 22, 1999. Conceptual Site Plan

CSP-99025/01, approved at staff level on November 15, 2002, facilitated a land exchange between the subject and the adjacent property owned by MD 95 Corp Park.

6. **Design Features**: The property is proposed to be accessed via both Sweitzer Lane and Frost Place. The access from Frost Place is direct at its terminus via a traffic circle, while access to Sweitzer Lane is proposed via a long and narrow travel way along the proposed "Residue of Lot 1." An existing one-story office building is located in the central western portion of the site. The proposed site plan shows three additional office buildings, on-ground parking and landscaping, and a proposed one- to five-level parking deck. Landscaping for the project includes accent plantings at the entrances to the buildings, parking lot landscaping, and landscaping at the project's southwesterly boundary and along the travelway to Sweitzer Lane. Details on the three additional office buildings are located below:

Building	Location	Square Footage	Height/ No. of Stories
Office Building 2	Perpendicular to existing office building at its northerly end	68,000	35/3
Office Building 3	Runs parallel to Frost Place at its terminus	82,000	65/1-6
Office Building 4	Southerly end of the site along the Baltimore Gas and Electric right-of-way	50,000	45/1-4
Parking Deck	Along the southeastern boundary of the subject property	(to be determined)	1-5 levels

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the I-3 Zone and the site plan design guidelines of the Zoning Ordinance.

Although office parks are a permitted use in the I-3 Zone (Planned Industrial/Employment Park), staff offers the following comments regarding compliance with the requirements of the zoning ordinance:

Conformance with Section 27-466.01 of the Zoning Ordinance (Frontage)

Section 27-466.01 of the Zoning Ordinance requires that, in industrial zones, each lot has frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 (the Subdivision Regulations) (CB-46-1985). The proffered plan does not show such frontage for proposed lots 3, 6 or 7.

Conformance with Section 27-471. I-3 (Planned Industrial/Employment Park)

The proposed project is in conformance with Section 27-471(a) Purposes. Likewise, the proposed project is generally in compliance with Section 27-471(b) Landscaping, Screening and Buffering (see more detailed discussion under "*Landscape Manual*" below). Section 27-471(c) prohibits

outdoor storage, which should not be a problem given the proposed office use. Section 27-471(d) requires that both a conceptual and detailed site plan be approved for all uses and improvements on the subject property. At time of detailed site plan review, Section 27-471(d) stipulates that landscaping and the design and size of lettering, lighting and all other features of signs proposed will be evaluated. Section 27-471(e) and the Table of Uses (Division 3, Part 7) include professional offices as a permitted use for the subject property. Section 27-471(f) Regulations citing requirements in Divisions I and 5 of Part 7, the Regulations Tables (Division 4, Part 7), General (Part 2), Off -Street Parking and Loading (Part 12) and the *Landscape Manual* specifically requires that not more than 25% of any parking lot and no loading spaces be located in the yard to which the building's main entrance is oriented, except a 15% increase may be approved by the Planning Board in accordance with guidance from the Zoning Ordinance. Additionally, Section 27-471(f), as applied to the subject application, prohibits the location of loading docks on any side of a building facing a street. Section 27-471(g) is inapplicable to the subject application as it establishes requirements for warehousing, not an anticipated use on the subject site. Section 27-471(h) reiterates and expounds on the requirements of 27-455.01 (infra.), stating that each planned industrial/employment park shall have frontage on, and direct vehicular access to, a street having a right-of-way width of at least 70 feet. The proposed project meets the requirements of Section 27-471(i) since the proposed site measures in excess of 25 gross acres.

8. **Preliminary Plan of Subdivision, 4-99030:** Preliminary Plan 4-99030 was approved by the Planning Board on July 22, 1991, with respect to the subject site. Currently, a new preliminary plan of subdivision is pending for the subject site seeking to subdivide it into 1 parcel, 1 lot, 1 outparcel and a residue.

9. **Landscape Manual:** Section 4.2(b) Commercial and Industrial Landscaped Strip Requirements requires that in the I-3 Zone, the width of the required landscaped strip shall be as shown on a detailed site plan approved by the Planning Board in accordance with Section 27-471(d) of the Zoning Ordinance. The width is, as required in Section 27-474, 30 feet, and the plant materials planted in the strip shall not be less than required by Section 4.2.a.2 of thee*Landscape Manual.* Section 4.2.a.2 of the *Landscape Manual.* Section 4.7 would likewise not for the most part be applicable to the subject project because the properties surrounding the subject site are generally being utilized for compatible uses (office, utility), except where it adjoins an unlit ball field. At that juncture, an "A" buffer would be required in accordance with the requirements of the *Landscape Manual.* Section 4.3 requires that the perimeter of the proposed parking lot adjacent to a property line (where any part of the lot is within 30 feet of the property line and no building is located between the lot and the property line) provide a landscaped strip between the parking lot and any adjacent property line, to be a minimum of five feet wide for sites over 10,000 square feet and planted in accordance with the requirements of 4.3.b.1. Any parking lot located on proposed Lot 5 would be required to comply with Section 4.3. Applicant should be aware, also, that redesign to bring the application into compliance with the requirements of Section 27-455.01 and Section 27-471of the Zoning Ordinance (discussed below) might cause an increase in the application of the Section 4.3 perimeter landscaping requirement.

10. **Woodland Conservation Ordinance:** The proposed project is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in

excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on site, and the site has a previously approved TCP. The Type I Tree Conservation Plan TCPI/25/99-01 has been reviewed and found to require revisions.

11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

a. **Historic Preservation—**In comments written February 27, 2004, the Historic Preservation Planning Section stated that the proposed project would have no effect on historic resources in the vicinity of the proposed project. Additionally, they offered that there were no cemeteries on the subject property.

b. **Community Planning**—In a memorandum dated March 29, 2004, the Community Planning Division stated that the subject application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier and conforms to the land use recommendations contained in the 1990 *Approved Master Plan and Sectional Map Amendment for Subregion I Planning Areas 60, 61, and 62.* With respect to transportation issues, however, they note that the eastern portion could be affected by a new interchange on I-95 recommended by the master plan at the point where Van Dusen Road currently crosses 1-95. The interchange would connect a proposed extension of Contee Road to the interstate. Additionally, they note that the master plan also recommends two new roads to be built to industrial standards—Sweitzer and Frost Lanes.

c. **Transportation¾** The Transportation Planning Division has reviewed the conceptual site plan application referenced above. The subject property consists of approximately 35.92 acres of land in the I-3 Zone. The property is located at the western end of Frost Place approximately 800 feet west of Sweitzer Lane. The applicant proposes to develop the property under the I-3 zoning with a total of 250,000 square feet of general office space. The property contains 50,000 square feet of general office space that was developed under the original conceptual and preliminary plans.

The adequacy of transportation facilities was reviewed at the time of the review of Preliminary Plan 4-99030, and that plan contains a trip cap that corresponds to 50,000 square feet of office uses. The adequacy of transportation facilities is not an issue in the review of a conceptual site plan within the I-3 Zone. Adequacy findings and off-site transportation conditions are governed by conditions placed on the underlying preliminary plan, and will be again reviewed at such time that the subject plan is the subject of a new preliminary plan of subdivision.

Review Comments

The current plan is a revision from an earlier plan on which the transportation staff provided comments. Several issues need to addressed anew, including several roadways that are included in the master plan:

(1) A-5, Contee Road Extended, crosses the southern portion of the site in an east-west direction, crossing I-95 at the location of the existing Van Dusen Road overpass.

(2) C-105, Sweitzer Lane, crosses the southern portion of the site in a north-south direction. Existing Sweitzer Lane is located on an easement between the southern boundary of the Maryland 95 Corporate Park and existing Van Dusen Road. The future Sweitzer Lane would intersect A-5 at nearly a 90-degree angle.

(3) Much of the subject property between C-105 and I-95 is within the right-of-way of a planned interchange between I-95 and Contee Road. This interchange has interstate access point approval with a conceptual design, but the final design and the linkage of this interchange to other roadway facilities is not complete. The State Highway Administration is currently conducting a project planning study for the I-95/Contee Road interchange. While no alternate has been selected yet, none of the alternates affects areas that are proposed to be developed under this plan.

(4) I-5 is a north-south roadway between MD 198 and the future A-5 facility, intersecting A-5 opposite the entrance to a planned "Upscale Regional Mall," as shown on the Subregion I master plan.

(5) I-7 is an east-west roadway between Sweitzer Lane and I-5. Although the published plan conceptually shows this facility mostly south of the subject property, the transportation staff has, since the Maryland 95 Corporate Park plan was approved in 1985, shown this roadway as an extension of existing Frost Place.

Concerning the A-5 and the planned interchange facilities, it is premature for the subject plan to establish specific locations and limits of right-of-way. Furthermore, these issues were largely resolved when Preliminary Plan 4-99030 was approved. No development is proposed in the portion of the subject property that is affected by the alternates under study by SHA.

The transportation staff believes that I-5 remains desirable as a future reliever to Sweitzer Lane, and as a direct access from MD 198 to the planned regional mall south of the site. Adequate provision was made on Preliminary Plan 4-99030, and the subject plan is consistent with that subdivision.

The transportation staff reviewed the I-7 facility in depth when the original conceptual and preliminary plans were reviewed. The main issues regarding this facility, which is planned to connect the Maryland 95 Corporate Park to I-5, are reviewed below:

- The actual comprehensive plan included as a part of the Subregion I master plan shows this facility generally south of the subject property.

- The plans for the adjacent Maryland 95 Corporate Park made a provision for this facility along Frost Place, a publicly dedicated right-of-way that stubs into the subject property.

- The initial building on this site was constructed within the most direct path between the end of Frost Place and the proposed I-5 facility.

- Two possible alignments for I-7 through the subject property were discussed in 1999. Neither one was considered feasible by staff.

- Future traffic projections conducted by the transportation planning staff suggest that I-7 would not carry more than 2,000 vehicles per day between Sweitzer Lane and I-5, even when other nearby properties are developed in accordance with the master plan.

- There is little additional developable land along Sweitzer Lane; furthermore, the Subregion I Master Plan includes planned improved connections at the southern end of Sweitzer Lane.

In consideration of these facts, the Transportation Planning Section determined in 1999 that the area, when fully developed, can be adequately served without the I-7 facility. There have been no changes that have occurred since that time that would cause a rethinking of that position. Therefore, the staff finds that the submitted plans need not reflect the I-7 facility in order to comply with master plan recommendations.

Access to and from the site is acceptable. Off-site traffic adequacy is not an issue in the review of a conceptual site plan in the I-3 Zone. Therefore, based on the preceding findings, the Transportation Planning Section concludes that, from the standpoint of transportation, the plan conforms to the required findings in Section 27-276(b) of the Prince George's County Code if the application is approved.

d. **Subdivision**¾ The Subdivision Section, in a memorandum dated March 30, 2004, noting that the conceptual site plan proposes a resubdivision of Lot 2, Konterra at Sweitzer, REP 195@38 creating new lots 3, 4, 5, 6 and 7, stated that a new preliminary plan would be required for the creation of new lots. Further, the Subdivision Section noted that proposed Lots 3 and 6 do not have frontage on or direct vehicular access to a public street contrary to the requirements of the subdivision regulations and suggested that Frost Place could be extended through the property in order to provide adequate frontage and access for all lots.

e. **Trails—**The Transportation Planning Section stated that there are no master plan issues identified in the adopted and approved Subregion I master plan. They suggested, however, that the sidewalks on both sides of the existing portion of Frost Place should be extended onto the subject site as part of the road extension. Further, they noted that since

DSP-99027 previously approved for the property included a condition that required identification of a handicapped accessible route from the street to the building, it should be indicated on the subject detailed site plan.

f. **Environmental Planning—**The Environmental Planning Section, in a memorandum dated April 19, 2004, stated that staff had reviewed the conceptual site plan and Tree Conservation Plan TCPI/25/99 and recommends approval subject to two conditions. The first recommended condition would require three revisions to the submitted TCPI and the second condition would require the applicant to submit a copy of the stormwater management concept plan for review.

g. **Department of Environmental Resources—**In comments offered March 8, 2004, the Department of Environmental Resources stated that the site plan for the Sweitzer Lane Property, Lot 2, is consistent with approved stormwater concept #8006110-1999-01.

h. **Prince George's County Fire Department¾** The Prince George's County Fire Department, in comments dated March 19, 2004, offered comments regarding the need for access and the design of roads in order to ensure safety in the event of fire emergencies.

i. **Department of Public Works and Transportation¾** In a memorandum received by staff on March 25, 2004, the Department of Public Works and Transportation stated that:

- The property has frontage on both Sweitzer Lane, a county-maintained collector, and Frost Place, an industrial roadway. Right-of-way dedication and frontage improvements along both travelways in accordance with the Department of Public Works and Transportation's roadway standards would be required and an overlay along the frontage of Switzer Lane would be required.

- A review of the traffic impact study to determine the adequacy of access points and the need for acceleration/deceleration and turning lanes is required.

j. **Washington Suburban Sanitary Commission**—The Washington Suburban Sanitary Commission has suggested that the applicant request a waiver to allow a shared on-site system for the proposed project.

k. **Maryland State Highway Administration¾** The Maryland State Highway Administration, in comments dated March 1, 2004, pointing to requirements in M-NCPPC Resolution PGCPB No. 99-130 condition 6(a), stated that when these required improvements are constructed and open to traffic, that those road improvements will adequately serve the affected state road intersectionn

12. As required by Section 27-276(b)(1) of the Zoning Ordinance, the Conceptual Site Plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost 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 Type I Tree Conservation Plan (TCPI/25/99-01), and further APPROVED Conceptual Site Plan CSP-99025/02 for the above-described land, subject to the following conditions:

1. Prior to signature approval of the conceptual site plan, the applicant shall revise the plans as follows:

    a. Indicate an "A" buffer where the proposed project is immediately adjacent to an unlit ball field.

    b. Show that all lots have access to and frontage on a public street, unless alternative arrangements are approved on Preliminary Plan 4-04027.

    c. Include a note that compliance with Section 27-471(f) shall be determined at the time of detailed site plan review.

    d. References to any variances or departures from design standards shall be entirely removed from the plans.

2. Prior to signature approval of the TCPI/25/99-01, the TCPI shall be revised as follows:

    a. The location of the PMA shall be across the existing stormdrain easement.

    b. Reforestation shall be provided where no woodland currently exists and preserved woodlands shall be counted toward meeting the requirements.

    c. After the above revisions have been made, the qualified professional who prepared the plan shall sign and date it.

3. Prior to signature approval of TCPI/25/99-01, the applicant shall submit a copy of the approved/ proposed stormwater management concept plan for review.

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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 29, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of May 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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