

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed 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 October 25, 2001, regarding Detailed Site Plan SP-01047 for Gateway Center (Ikea Rough Grading), the Planning Board finds:

1. The subject site, consisting of approximately 39.16 acres in the M-X-T Zone, is located on the northwest corner of US 1, Baltimore Avenue and the Capital Beltway. The adjacent properties are as follows:

North and West	-	zoned O-S with the National Agricultural Research Center
East	-	zoned C-S-C with a restaurant
South	-	zoned C-S-C with a hotel
West	-	zoned C-S-C with a liquor store
2. The applicant is proposing an IKEA store, a speciality furnishing store, on the property. The subject Detailed Site Plan is for rough grading only. A Detailed Site Plan showing the proposed site/grading, landscaping and architecture plans will be submitted at a later date. The applicant intends to obtain a rough grading permit in November. Therefore, in order to expedite the permit process, a Detailed Site Plan for Infrastructure only has been submitted. Prince George's County has stated that this project is a priority economic development project.
3. A Conceptual Site Plan, SP-96049, was approved by the District Council for the subject site on February 10, 1997. The Conceptual Site Plan was for Gateway Park, consisting of a hotel/historic inn, 410,000 square feet of office and 402,000 square feet of retail uses to be developed in two stages. Various transportation improvements were identified for each stage of the proposal. On February 19, 1998, the Planning Board approved Preliminary Plat 4-97121 (PGCPB No. 98-26) for the subject property, consisting of four lots and one outlot. On June 10, 1998, Detailed Site Plan SP-97059 was approved by the District Council for the subject property. That Detailed Site Plan expired on June 10, 2001.
4. The applicant is proposing grading on the four lots and stormwater management ponds on Lot 4. No grading is proposed on the outlot and the outlot is not included as a part of this Detailed Site Plan application. The existing stormwater pipes and structures on Lot 4 will be adjusted to proposed elevations as needed. Section 27-285 (b), Required Findings, of the Zoning Ordinance requires the Detailed Site Plan to be in general conformance with

the Conceptual Site Plan. Since the subject Detailed Site Plan is for rough grading only, many conditions of the Conceptual Site Plan and the requirements of the M-X-T Zone are not relevant at this time because the building and site planning information have not yet been provided.

The subject Detailed Site Plan is in general conformance with the approved Conceptual Site Plan, SP-96049.

The following conditions of approval of Preliminary Plat 4-97121 are relevant to the grading of the site:

1. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan, #968007110.

A condition of approval has been added requiring the applicant to submit a current stormwater management approval.

2. Prior to issuance of grading permits, the applicant, his heirs, successors and/or assigns shall obtain all necessary joint State/Federal permits for impacts to wetlands and waters of the US on this site.
8. Any abandoned wells found within the confines of the property shall be backfilled and sealed in accordance with Code of Maryland Regulations 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
9. Any abandoned septic tank(s) must be pumped out by a licensed scavenger and either removed or backfilled in place prior to razing of any buildings and prior to final plat approval. Any disruption of the drainfields during grading will require limiting of the area and disposal of dug-up gravel and piping in one of the County landfills.
11. The applicant, his heirs, successors and/or assigns shall obtain a raze permit from the Department of Environmental Resources prior to the removal of any structures on the subject property. Any hazardous materials such as paint thinners, gasoline, pesticides, herbicides, and asbestos located in any of the structures on site must be removed and properly stored or discarded prior to razing.
13. Prior to issuance of any grading permits, except those necessary to address this problem, those areas where soils have been found to be contaminated with total petroleum hydrocarbons shall be removed, and the site shall be verified as clean by a competent environmental consulting company through a soils analysis approved by the Health Department.
18. Prior to approval of any razing permit, all asbestos-containing material shall be

disposed of in an appropriate manner, and a copy of the manifest shall be submitted to the Health Department.

19. Prior to issuance of any grading permits, except those necessary to address this problem, a heavy metal scan of the surface soils shall be conducted on the property, and any areas of contamination found in excess of governmental limits for cleanup shall be remediated and the site verified as clean by a competent environmental consulting company through a soils analysis approved by the Health Department.

Although these conditions are not directly relevant to this Detailed Site Plan, the above issues must be addressed to the satisfaction of the appropriate departments prior to issuance of grading permits.

Referral Comments

5. The Permits Section (Gallagher to Srinivas, October 8, 2001) has stated that compliance of the proposal with the requirements of the Zoning Ordinance and the Conceptual Site Plan, SP-96049, must be verified. The subject Detailed Site Plan is for rough grading only; the plan is in conformance with the Conceptual Site Plan and the Zoning Ordinance to the degree it is possible to determine at this time.
6. The Subdivision Section (Del Balzo to Srinivas, October 5, 2001) has stated that the Preliminary Plan for the subject property is valid through February 19, 2002. The proposal is in substantial conformance with the approved Preliminary Plan.
7. The Community Planning Division (Chang to Srinivas, October 12, 2001) has stated that the proposal for rough grading does not raise any master plan issues.
8. The Planning and Preservation Section (Berger to Srinivas, October 5, 2001) has stated that Brown=s Tavern (Historic Site #66-1) is located at 10260 Baltimore Avenue at the eastern edge of Lot 4 of the subject property. The current environmental setting for the Historic Site was established in February 1992. The subject Detailed Site Plan excludes the Brown=s Tavern Historic Site Environmental Setting (#66-1) and will have no effect on it.
9. The State Highway Department (McDonald to Srinivas, October 10, 2001) has stated that they have no objections to the subject Detailed Site Plan for rough grading. However, the department will comment on the future development of the site regarding required transportation improvements.
10. The Department of Public Works and Transportation (Hijazi to Srinivas, October 10, 2001) has stated that the improvements along county streets must be in accordance with DPW&T specifications.

11. The Transportation Planning Section (Masog to Srinivas, October 11, 2001) has stated that the subject Detailed Site Plan for rough grading poses no site planning issues. However, there are a number of transportation-related conditions attached to prior applications that may require a new review or action when a Detailed Site Plan for development is actually submitted. The list of transportation requirements needed at building permit stage is significant.
12. The Environmental Planning Section (Ingrum to Srinivas, October 11, 2001) has stated that TCPI/44/96 was approved with conditions for the subject property. The Type II Tree Conservation Plan, TCPII/134/01, submitted with the subject Detailed Site Plan requires some revisions. The applicant is proposing to provide a total of 3.36 acres of on-site afforestation, 2.88 acres of off-site mitigation and \$81,544 fee-in-lieu for the remaining 6.24 acres of mitigation. Variation requests and permits from the appropriate agencies were submitted with the previous applications. A soils study was also submitted with the previous application. The section is recommending approval of TCPII/134/01 with conditions.
13. A referral was sent to the City of College Park. No comments have been received as of this date.
14. Condition 1 of Conceptual Site Plan SP-96049 and Condition 15 of Preliminary Plat 4-97121 state that:

Total development within the subject property shall be limited to a 6-room hotel, 410,000 square feet of general office space, and 402,000 square feet of retail space; or different uses generating no more than the number of peak hour trips (824 AM peak hour trips, 1,487 PM peak hour trips, and 1,680 Saturday peak hour trips) generated by the above development. This development shall be considered in phases at the time of Detailed Site Plan, with any development exceeding the levels analyzed under Phase I required to consider transportation adequacy at the US 1/Edgewood Road and the US 1/Cherry Hill Road intersection. Phase I is defined to contain a 6-room hotel, 75,000 square feet of general office space, and 402,000 square feet of retail space; or different uses generating no more than the number of peak hour trips (154 AM peak hour trips, 867 PM peak hour trips, and 1,543 Saturday peak hour trips) generated by the above development. Phase II shall include any development on the subject property beyond that identified above. Slightly different phasing may be considered and approved at the time of Detailed Site Plan, but in no event shall Phase I be assumed to contain more than 150,000 square feet of general office space.

The proposed IKEA furniture store must be in general conformance with the intent and requirements of the above condition.

15. A condition of approval has been added requiring the applicant to submit a Detailed Site Plan application for the proposed IKEA furniture store. With the proposed conditions, the Detailed Site Plan, SP-01047, satisfies the site design guidelines as contained in

Section 27-274, prevents off-site property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

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 II Tree Conservation Plan (TCPII/134/01) and further APPROVED Detailed Site Plan SP-01047 for the above-described land, subject to the following conditions:

1. Prior to certification of the Detailed Site Plan,
 - a. The Type II Tree Conservation Plan TCPII/134/01 shall be revised to show the 6.24 acres proposed for fee-in-lieu as off-site mitigation or documentation shall be provided to the Environmental Planning Section indicating why fee-in-lieu must be used.
 - b. A current stormwater management concept approval letter shall be submitted.
2. Prior to issuance of the full building permit, TCPII/134/01 shall be revised (approval by Planning Board or its designee) to provide the location of the off-site mitigation
3. The applicant shall apply for a Detailed Site Plan application for the proposed IKEA furniture store.

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 Lowe, with Commissioners Eley, Lowe, Brown, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, October 25, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of October 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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