

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 January 30, 2003 regarding Detailed Site Plan DSP-02051 for FDA At Riverside, the Planning Board finds:

1. The subject site consists of 4.38 acres in the M-X-T Zone and is within the College Park-Riverdale Transit District Overlay Zone. A three-story office/lab building is proposed for the Food and Drug Administration (FDA) on Parcel 10D, located on the east side of River Road, approximately 500 feet south of the College Park Metro Station, in the City of College Park.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant	Office/Lab
Acreage	4.38	4.38
Lots	1	1
Parcel #	10D	10D
Square Footage/GFA	0	Phase I - 81,702 sf Phase II – 26,400 sf
Dwelling Units:	0	0

Other Development Data

Parking Requirements: (maximum 2 spaces/1,000 sf of gross floor area)

Phase I GFA = 81,702 sf. (maximum 163 spaces allowed)

Phase II GFA = 26,400 sf (maximum 53 spaces allowed)

216 parking spaces provided **

** Parking must be provided in phase with development. The Detailed Site Plan shall be revised to show parking for Phase I only.

Loading Requirements: (1 space/100,000 sf of gross floor area)

2 loading spaces required.

2 loading spaces provided.

Required Findings of the TDDP:

3. *The transit district site plan is in strict conformance with any mandatory development requirements of the TDDP.*

The Detailed Site Plan is in conformance with the mandatory development requirements of the TDDP with the exception of P-15, which reads in part as follows:

Parking ratios for each land use type in the transit district shall not exceed the levels presented in Table 11. This parking ratio shall apply to existing and proposed development in the northern and southern areas.

See Finding 16 below for a discussion on parking requirements of the TDDP.

4. *The transit district site plan is consistent with, and reflects the development guidelines and criteria contained in, the TDDP.*

In general, the Detailed Site Plan meets all the applicable development guidelines, with the exception of the following:

S-25 Incorporate pedestrian plazas and courtyards into the pedestrian network.

The applicant has met this requirement with the provision of a pedestrian plaza at the front entrance of the building. The applicant has indicated that special paving, street furniture and landscaping will be provided. Details of the plaza should be provided prior to certification of the Detailed Site Plan. A secondary plaza has been provided at the rear entrance to the building. Street furniture should also be provided at this location, consisting of two benches, a trash receptacle and pedestrian lighting, and should be shown on the Detailed Site Plan prior to certification.

S-44 Provide areas for landmarks, monuments and other public art and incorporate them into the streetscape.

The applicant has indicated that an area for public art will be provided, but the plans do not reflect it. This area should be provided in the details for the plaza prior to certification of the Detailed Site Plan.

S-31 New sidewalks and crosswalks shall be paved with concrete pavers in a consistent decorative pattern. (See Figure 17.)

The Detailed Site Plan should be revised to provide a concrete paver-patterned crosswalk across the entrance to the site.

5. *The transit district site plan meets all of the requirements of the TDOZ and applicable regulations*

of the underlying zone.

The Detailed Site Plan meets this requirement.

6. *The location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency and are adequate to meet the purposes of the TDOZ.*

The Detailed Site Plan meets this requirement, although the building and parking locations deviate from the location shown in the TDDP. The building and parking areas are shown in a location shown as wetlands in the TDDP. However it has been determined that wetlands do not exist in the area where the building and parking lot are proposed. The building and parking locations as shown meet the design intent and vision of the TDDP and are designed to maximize safety and efficiency.

7. *Each structure and use, in the manner proposed, is compatible with other structures and uses in the transit district and with existing and proposed adjacent development.*

The Detailed Site Plan meets this requirement. The proposed building is the second building proposed in the College Park-Riverdale TDOZ since the adoption of the TDDP. The first building was constructed by the General Services Administration (GSA) for the FDA and is located just north of the subject site at the corner of Paint Branch Parkway and River Road. The subject building will be constructed by a private developer and will be leased by the FDA. Adjacent properties to the south and east are vacant. The property directly to the west and across River Road is also vacant. The architecture for the proposed brick and stone structure is attractive and will be compatible with other existing structures in the TDDP.

Required Findings in the M-X-T Zone:

8. *The proposed development is in conformance with the purposes and other provisions of this Division.*

The Detailed Site Plan meets this requirement primarily because the proposed office/lab will provide a source of desirable employment within close proximity to the College Park Metro Station, maximize the development potential of the zone, promote the effective use of transit, and facilitate a 24-hour environment. The proposed three-story brick and stone office building will have a distinctive visual character and identity, adding to the dynamic, functional relationship of the other uses in the TDOZ.

9. *The proposed development has an outward orientation, which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation.*

The Detailed Site Plan meets this requirement because the building is sited close to the

street with a wide pedestrian sidewalk and street trees forming the streetscape improvements required by the TDDP. The parking compound is located behind the building where it is less visible from the street.

10. *The proposed development is compatible with existing and proposed development in the vicinity.*

As explained in Finding 7 above, the Detailed Site Plan complies with this requirement.

11. *The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.*

The TDDP functions as the Conceptual Site Plan for the entire TDOZ and, as such, determined the lotting patterns and allowed uses for the development. The arrangement and design of the proposed office/lab building and associated parking lot meets the above requirement.

12. *If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases.*

Two phases have been proposed on the Detailed Site Plan. Phase I consists of an 81,207-square-foot office/lab building and 216 parking spaces. Phase II consists of a 26,400-square-foot future building addition. The applicant has indicated that the future addition is shown on the site plan in order to justify the addition 53 parking spaces shown over the 163 spaces allowed for Phase I. The future addition is shown as a dashed line extending from the Phase I building, across the proposed access drive to the site. The future expansion will require the relocation of the driveway further south along River Road and the relocation of a proposed storm drainage system that connects to a proposed underground stormwater management storage facility in the parking lot. The relocation of the driveway and stormdrain system would impact the function of the parking lot and change the limits of grading such that it could also have an impact on the approved Type II Tree Conservation Plan. The new driveway entrance, parking lot reconfiguration, underground stormwater storage and TCPII are not shown on any plans. This calls the applicant's commitment to build Phase II into question. Furthermore, even if they were committed, each phase of development must comply with all applicable regulations. In this case, the regulations include a maximum number of parking spaces. Staff recommends that Phase II be deleted from the Detailed Site Plan and that the parking be reduced to 163 spaces.

13. *The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development.*

A ten-foot-wide pedestrian sidewalk along the frontage of the site is provided as a continuation of the ten-foot-wide sidewalk from the existing FDA facility to the north. The sidewalk will provide access to the existing FDA facility as well as to the Metro

station. A sidewalk has also been provided along the entrance drive to the back of the building.

14. *On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial).*

This requirement has been met by the provision of a pedestrian plaza at the main entrance to the building. The plaza will consist of special paving, low walls, seating, landscaping and pedestrian-scale lighting.

15. *On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant.*

More than six years have not elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment. For additional discussion of adequacy of transportation facilities, see Finding 16 below.

Referrals:

16. In a memorandum dated December 18, 2002, the Transportation Planning Section offered the following comments:

The subject property consists of approximately 4.38 acres of land in the M-X-T Zone. The property is on the east side of River Road approximately 1,300 feet south of its intersection with Paint Branch Parkway. The applicant proposes to develop the property with an 81,702-square-foot general office/laboratory building.

The site plan proposes an office/laboratory building on a property identified in the adopted and approved College Park-Riverdale Transit District Overlay Zone (CP-R TDOZ) as Parcel 10D. The property is near the College Park Metro Station. The submitted plan includes details regarding access, circulation patterns, and surface parking layout as well as the layout and location of pedestrian and bicycle facilities. Since the proposed site is located in the TDOZ, per Zoning Ordinance No. 35-1997, the submitted detailed site plan is required to satisfy all mandatory development and design guidelines of the adopted and approved TDDP.

For this review, no traffic study is required because the accumulated sum of all approved parking spaces including the total parking proposed by this application does not exceed the parking caps identified in Table 12 of the TDDP. The subject property is in the

northern portion of the TDOZ, and the surface-parking cap for this area is 4,845 spaces. Staff estimates the existing parking supply to be 2,790 spaces, and the approval of an additional 216 parking spaces on the subject plan would not exceed the cap.

Notwithstanding the above finding, parking is a key issue in reviewing this plan. Page 121 of the TDDP indicates that development in the area is constrained by vehicular traffic congestion. In approving the plan, the District Council understood that a reduction of the parking supply within the district would be a significant incentive to reduce automobile usage in the district and its vicinity. Table 11 of the TDDP identifies maximum parking ratios for areas within the TDOZ based on approximate walking distance from Metrorail. *The text of the plan indicates that "parking ratios for each land use type in the transit district shall not exceed" the ratios in Table 11.* The subject property is fully within Ring 2 as identified on Map 19, and is therefore subject to a maximum parking ratio of 2.00 spaces per 1,000 square feet. This ratio is less than the amount generally prescribed by Subtitle 27. *The site plan shows 216 parking spaces for 81,702 square feet³/₄ this is a ratio of 2.64, which exceeds the prescribed ratio in Table 11. In order to meet the ratio, the site parking must be reduced to 163 spaces.* The number of parking spaces shown on the plan is appropriate to serve a minimum of 108,000 square feet.

In a memorandum dated January 7, 2003, the Transportation Planning Section offered the following additional information:

In response to earlier comments provided by the Transportation Planning Section, the applicant has provided a plan indicating that the square footage cited above would be built initially, and an additional component of 26,400 square feet would be built at an unspecified time in the future. With a total of 108,102 square feet proposed and 216 parking spaces provided, the applicant has indicated that the plan complies with parking cap requirements in the College Park-Riverdale Transit District Development Plan (CP-R TDDP). Staff has reviewed this plan, and has several findings:

- a. Each phase of a multiphase proposal must stand on its own and be approvable as an entity, and therefore each phase must comply with all applicable regulations. The plan under review today includes 81,702 square feet only³/₄ the expansion must undergo detailed site plan review at a later time. This is particularly true given that the future footprint of the expansion would cover the proposed driveway onto the site. If the expansion were to be built, the driveway onto the site would need to be moved and the parking lot reconfigured, and these changes could involve environmental impacts.
- b. The applicant has indicated that provision of fewer than 200 parking spaces would violate the needs of the General Services Administration (GSA) in seeking a lease for the subject building. Recent experiences indicate that it is indeed unusual for the federal government to require such a large quantity of parking. Two site plans were recently approved for sizable federal buildings in the vicinity.

- (1) The first plan involved a headquarters building for the Bureau of Alcohol, Tobacco, and Firearms at Florida and New York Avenues in the District of Columbia. The site plan involves 350,000 square feet and includes 200 parking spaces (for a parking ratio of 0.57). This site is within walking distance of the New York Avenue Metrorail station, which is currently under construction. This site is just beyond the edge of downtown.
 - (2) The second site plan is for FDA's CDER Lab Building at White Oak in Montgomery County. The site plan is for 115,000 square feet. FDA's proposal was for 133 parking spaces (with a parking ratio of 1.16); however, this number was reduced to 80 parking spaces (for a parking ratio of 0.70) in the final approval. White Oak is a suburban location like the subject site, and is served by good bus service along New Hampshire Avenue, but the site is not near any rail stations.
- c. The existing FDA facility on the adjacent parcel was reviewed and approved in 1998. That facility included 350,000 square feet and 575 parking spaces (for a parking ratio of 1.64). Given that the actual building is within Ring 1 on Map 19 of the TDDP, with a required parking ratio not to exceed 1.75 (per Figure 11 of same), staff did not object to the site plan in 1998. Recent visual inspections have indicated that not all parking spaces on this site are regularly used.
- d. Given the above information, staff believes that the applicant should be required to reduce the number of parking spaces on the site to 163 prior to approval. Approval of any site plan showing more than the spaces permitted by Map 19 and Figure 11 of the TDDP would require an amendment to the TDDP.
- e. Given that spaces on the adjacent site are not regularly used, it is possible that the 200-space requirement could be met by sharing parking with the adjacent FDA site (i.e., 163 on the subject site and the remainder on the adjacent property). This would seem a natural solution since FDA would occupy both sites.

The TDDP includes text, which describes in detail a number of trip reduction, or transportation demand management (TDM), strategies. The TDDP includes recommendation concerning the establishment of a TDM district with a transportation management association (TMA). The transportation staff believes a number of the TDM strategies cited on pages 126 and 127 of the TDDP may be helpful to the applicant in overcoming the loss of parking. However, there has not, to date, been sufficient justification for the establishment of a TDM district, and the size of the proposal is not large enough to trigger the need for a formalized TMA in the area. As a result, the TDM annual fee shown on page 128 will not be applied at this time. The applicant should be aware that if a TDM district is established at some time in the future, the annual fee per parking space shall be applied.

Page 129 of the TDDP identifies mandatory one-time fees, which will be used to fund transportation improvements and future shared parking structures needed to serve development within the transit district. Once again, the site is within the northern area, and the applicant must pay \$580 per surface parking space as a proportional share toward funding needed off-site roadway, intersection, and trail improvements. Also, the applicant must pay \$490 per surface parking space toward future parking structures in the area. These cost figures are in 1997 dollars.

In current dollars the fee would be $\$1,070 \times (\text{cost index for November 2002} / \text{average cost index for 1997}) = \$1,070 \times (6,578/5,825) = \$1,208$ per parking space. Of this amount, \$655 would fund area transportation improvements, and \$553 would fund parking structures. These fees should be recalculated at the time of building permit with the latest inflation factors and the final number of parking spaces.

The vehicular and pedestrian access and circulation provided in this site plan are acceptable. The submitted site plan shows sidewalks along the site's main access roadway, River Road, along with all needed walkways interior to the site. The access to and from the loading areas does minimize potential truck, vehicular and pedestrian conflicts.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that the proposed detailed site plan as submitted is not in conformance with all applicable TDOZ Mandatory Development Requirements and Site Design Guidelines. Once the number of parking spaces shown on the plan is reduced consistent with Table 11 of the CP-R TDOZ document, as discussed earlier in this memorandum, the transportation staff can find site plan conformance, however. Furthermore, the proposed development will be adequately served within a reasonable period of time with existing, programmed, or planned transportation facilities, provided once again that the number of on-site parking spaces is reduced. This finding is subject to conditions 2, 3 and 4 below.

17. In a memorandum dated January 7, 2003, the Environmental Planning Section had the following comments:

The Environmental Planning Section reviewed the above referenced Detailed Site Plan for the FDA at Riverside, DSP-02051, and the Type II Tree Conservation Plan, TCPH/131/02, stamped as received by the Environmental Planning Section on December 18, 2002. A variation request and a noise study were submitted on December 18, 2002, for review with the Preliminary Plan of Subdivision and were found to be acceptable. The Environmental Planning Section recommends approval of DSP-02051 and TCPH/131/02 subject to the conditions at the end of the memorandum.

Background

The Environmental Planning Section has not reviewed a previous application on this property. A Type II Tree Conservation Plan (TCPII/73/93) dated June 29, 1993, was approved for a portion of the subject property as part of an application for a building and grading permit to construct River Road. The total property area presently under review is 4.38 acres and is zoned M-X-T, within a TDOZ. The subject property does not include River Road to which it abuts on the west. This application seeks the approval of a Detailed Site Plan to construct a three-story office/laboratory. A preliminary plan of subdivision (4-02091) is being reviewed for the subject property. This site has an approved Conceptual Storm Drain plan, SCD #27810-2002-60, dated August 27, 2002.

Site Description

The subject property is located on the east side of River Road, approximately 1,300 feet south of the intersection of Paint Branch Parkway and River Road. There are streams, wetlands, and floodplain on the subject property. Current air photos indicate that the site is completely wooded. The site is relatively flat and characterized with terrain sloping toward the southeast and drains into unnamed tributaries of Lower Northeast Branch of the Anacostia River basin. No historic or scenic roads are nearby. River Road is the nearest noise source of significant impact. The CSX railroad to the west and the airport to the north are not of major consideration at this time due to the distance and underlying M-X-T Zone. Furthermore, the proposed use is not expected to be a noise generator. The entire subject property is located within the TDDP for the College Park-Riverdale TDOZ overlay. No species listed by the State of Maryland as rare, threatened or endangered are known to occur in the general region. According to the Sewer Service and Water Service maps produced by DER, the property is in categories W-3 and S-3. The Prince George's County Soils Survey indicates that the predominant soil types on the site are Beltsville and Elsinboro. These soils series generally exhibit moderate limitations to development due to perched water table, impeded drainage, slow permeability and steep slopes. This property is located in the Developed Tier as delineated on the adopted *General Plan*.

Environmental Issues Addressed in the *College Park-Riverdale TDDP*

It should be noted that on Maps 12 and 30, and on various other maps in the TDDP wetlands are depicted on the northern portion of the subject property. Field investigations have revealed that jurisdictional wetlands do not exist on-site.

District-wide Development Requirements and Guidelines

P-8: No development within the 100-year floodplain shall be permitted without the express written consent of the Prince George's County Department of Environmental Resources.

No development on Parcel 10D is proposed within the 100-year floodplain. A stormwater management pond outfall is proposed that will impact a small portion of the

floodplain and the associated Waters of the U.S. These impacts are discussed further in the Environmental Review section of this memorandum.

- P-9: If the development is part of the subdivision process, then an approval of a variation request to the Subdivision Ordinance must be obtained for proposed impacts to the floodplain.
- P-10: Disturbance to nontidal wetlands requires a Maryland/Corps of Engineers Joint Permit Application (33 Code of Federal Regulations 320 through 330) and where required, issuance of the permit.

Staff supports the minor impacts proposed that are associated with the installation of an outfall for a stormwater management facility and the crossing of the stream with a water line to serve the subject property. A recommended condition in the Environmental Review section of this memorandum addresses the requirements for permits. A variation request has been submitted and staff is recommending approval of the request.

- P-12: Any new development shall provide for water quality and quantity control in accordance with all Federal, State and County regulations. Bioretention or other innovative water quantity or quality methods are strongly encouraged where deemed appropriate.

The plan shows a proposed underground stormwater management facility. The Stormwater Management Concept Approval Letter indicates the use of infiltration trenches that are not shown on the DSP or the TCP. The need for a Technical Stormwater Management Plan is addressed elsewhere in this memorandum.

S-133: All new stormdrain inlets associated with the development of this transit district shall be stenciled with the words "Do Not Dump, Chesapeake Bay Drainage." Detailed Site Plans and sediment and erosion control plans shall have notation regarding storm drain stenciling.

- S-134: Trash receptacles shall be placed in strategic locations to reduce litter accumulation. Detailed Site Plans shall show the number and location of the trash receptacles.

The Detailed Site Plan does not address the required stormdrain stenciling and does not show the location of the trash receptacles. The following conditions are recommended to address these requirements:

Recommended Condition: Prior to certification of the Detailed Site Plan, the following notation shall be added to the DSP and the Erosion and Sediment Control Plan in large (minimum 24 point font) all capital letters: "ALL NEW STORMDRAIN INLETS ON THIS SITE SHALL BE STENCILED WITH THE WORDS "DO NOT DUMP, CHESAPEAKE BAY DRAINAGE."

Recommended Condition: Prior to certification of the Detailed Site Plan, it shall be revised to show the quantity and location of the trash receptacles.

S-135: Riparian reforestation within the transit district should be considered a priority for woodland mitigation measures.

The riparian forest area on the subject property is being preserved in existing woodland, except for areas of impact for necessary utilities.

S-136: Reforestation, intensive planning of shrubbery or creation of a meadow should be considered for areas around existing and future stormwater management ponds.

The only stormwater management structure on-site is to be constructed underground.

S-137: Permanent structures should not be located within 25 feet of the stream buffer area.

Only the proposed outfall for the pond structure will be within 25 feet of the stream buffer.

S-138: The number of buffer impacts should be minimized to maintain an unbroken corridor of riparian forest. Crossings should occur at direct angles rather than oblique angles to avoid more clearing of the buffer area.

The proposed plan shows that the only impacts to the buffer are for necessary utility installations and are proposed at right angles to the stream and its buffer.

S-139: If development occurs within the floodplain, afforestation and intense landscaping should be considered to reduce the existing impervious surface area.

The proposed design does not show development in the floodplain.

All of the mandatory requirements on pages 102 and 103 of the TDDP relating to Woodland Conservation have been addressed on the subject plans, or are to be addressed in the future through conditions. (S-140 through S-149)

P-13: New structures (other than parking structures) located within 150 feet of the centerline of the CSX railroad tracks are prohibited.

New structures on the subject property are not located within 150 feet of the centerline of the CSX railroad tracks.

S-151: A detailed noise study is required for review and approval by the Natural Resources Division prior to approval of any Detailed Site Plan. The noise study

shall include reverberation impacts on adjacent land uses; specifically, the residential neighborhoods on the west side of the railroad tracks. The study shall demonstrate that there will not be an increase in the existing noise levels. The study shall be certified by an acoustical engineer.

S-152: The noise study shall include examination of appropriate mitigation techniques, such as landscaping and buffering, and the use of acoustical design techniques. Furthermore, a typical cross-section profile of noise emission from the road grade to the nearest habitable structure is required. If mitigation is necessary, an earth berm or a better method of reduction is preferred.

S-153: The State of Maryland's Established Noise Standards (Table 5) will be the maximum allowable noise levels (dBA) for receiving land use categories for areas that do not currently exceed the established noise standards. For any new development, the applicant shall utilize construction materials and design methods that will attenuate ultimate exterior noise levels as established in Table 5. Interior levels shall not exceed 45 dBA (Ldn) for residential developments and 55 dBA (Ldn) for commercial and industrial developments.

The TDDP shows a 65 dBA Ldn noise corridor for River Road on Map 14 and the text states that the contour is located 120 feet from the centerline of River Road. This noise corridor impacts the subject property. A noise study was required for the subject property and was recently submitted and reviewed. Comments are provided in the Environmental Review section below.

Parcel-Specific Development Requirements and Guidelines

S-243: If development occurs on this parcel, the mandatory requirements and guidelines for floodplain, nontidal wetlands, stormwater management, woodlands and noise attenuation specified in the "District-wide Development Requirement and Guidelines" shall apply.

See section above on conformance with District-wide Development Requirements and Guidelines.

S-244: A wooded side setback along the stream shall be provided.

The plan proposes a wooded set back of approximately 50 feet for most of the southern property line. None of the plans show the centerline of the stream, so it is not possible to evaluate whether or not the constitutes the entirety of the required 50-foot stream buffer. It appears that the centerline is at or near the southern property line.

S-245: There is an approximate 0.9-acre minimum woodland conservation required by the Woodland Conservation Ordinance. This conservation shall be provided using the following hierarchy:

- a. Extension of 50-foot buffer area from the 100-year floodplain between Parcel 10D and Parcel 10.
- b. Preservation of any undisturbed nontidal wetlands.

- c. Woodland Conservation off-site within the College Park-Riverdale Transit District.

The Type II Tree Conservation Plan, in compliance with TCPI, proposes to meet the requirement through preservation of an additional area of woodland adjacent to the stream that is between Parcel 10D and Parcel 10. There are no wetlands on the subject property. Off-site mitigation is proposed and shall be provided within the College Park-Riverdale Transit District by condition.

Recommended Condition: The Type II Tree Conservation Plan shall propose a location for the off-site mitigation that is within the College Park-Riverdale Transit District.

S-246: A minimum 50-foot buffer from the 100-year floodplain shall be preserved.

A minimum buffer is being proposed except for areas of disturbance necessary for the installation of a water line and a stormwater management outfall.

S-247: Conservation of additional woodland meeting hierarchies listed in S-245 above can be used for other transit district woodland conservation requirements in accordance with District-wide Mandatory Requirement S-142

Parcel 10D is proposed to be developed in general conformance with the TDDP. The proposed design eliminates an area that was shown to be wetlands in the TDDP that, after further field investigation, have proven not to be jurisdictional wetlands. This site will not be available for use as off-site mitigation for other sites.

Recommended Condition: Prior to certification of the Detailed Site Plan, the TCP II shall be revised to show center line of the stream with associated buffers in compliance with TCPI/56/02.

Environmental Review

Notes: as revisions are made to the submitted plans the revision box on each sheet shall be used to describe in detail the revisions made, when and by whom. In the case of Forest Stand Delineations and Tree Conservation Plans, the sheets shall also be signed and dated by the qualified professional preparing the plans.

1. This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A Forest Stand Delineation (FSD) was submitted with the preliminary plan and needs to be revised in accordance with the conditions of approval from the preliminary.

The revised Type II Tree Conservation Plan (TCPII/56/02), stamped as accepted for processing on December 18, 2002, has been reviewed. Several of the comments from the previous review of the TCP have been addressed; however,

there are remaining comments that have not been addressed. The plan does not show the stream centerline or the required 50-foot-wide stream buffer. The requirement to show the stream and buffers is addressed elsewhere in this memorandum.

A Type II Tree Conservation Plan, TCPII/73/93, dated June 29, 1993, was approved for the partial development of the subject property with the following note: "woodlands cleared as a condition of this approval shall be included as part of the calculations submitted for Type II Tree Conservation Plan for tracts 1 & 2, Marlborough C. L. Inc. L. 8506, F 196." This note is appropriate because the clearing has yet to be mitigated and the new TCPI must include all areas of clearing. The revised plan shows that trees previously removed for the construction of River Road and the off-site encroachment for the construction of public water line have both been accounted for in the computation worksheet.

The revised TCPII is in general conformance with the Type I Tree Conservation Plan (TCPI/56/02). The minimum woodland requirement for the site is 0.54 acre of the Net Tract. Additionally, 1.14 acres are required due to the removal of woodland, for a total of 1.68 acres. The plan shows the requirement being met with 0.50 acres of on-site preservation, and 1.17 acres of off-site mitigation, for a total of 1.67 acres. Aside from the TCPII not showing the stream and its buffers, the plan does not show the location of the Tree Preservation Signs, as is stated on sheet 2 of 2.

Recommended Condition: Prior to certification of the DSP, the TCPII shall be revised to show the proposed locations of the Tree Preservation Area signage.

2. River Road is the nearest existing noise source. According to the TDDP, a noise study is required and shall be certified by an acoustical engineer. A noise study was submitted by Brune Consulting, dated December 11, 2002. The study does not state the estimated location of the 65 dBA Ldn noise contour for traffic from River Road and does not contain Average Daily Traffic (ADT) figures for comparison with staff's noise modeling figures. A condition on the preliminary plan will address this issue. The following condition is recommended for carry-over from the preliminary plan, to ensure that it is enforced at time of building permit issuance.

Recommended Condition: The following certification shall be placed on all building permits and shall be signed and dated by an engineer with expertise in acoustical engineering: "The construction shown on this building permit will reduce interior noise levels from River Road to 55 dBA Ldn or less."

3. The plan as submitted shows an underground stormwater management facility to be placed under the proposed parking lot. According to note #17 on the preliminary plan, this site has a Stormwater Concept Approval Letter, CD #7810-

2002-60, dated August 27, 2002, which was submitted with the application. Condition 7 of the letter mentions a water quality infiltration trench, but a trench is not shown on the plan. According to P-12 of the TDDP for College Park-Riverdale, "Any new development shall provide for water quality and quantity control in accordance with all Federal, State and County regulations. Bioretention or other innovative water quantity or quality methods are strongly encouraged where deemed appropriate." The addition of a water quality infiltration trench later may result in more clearing of woodland shown on the Tree Conservation Plan to be preserved. The approved Technical Stormwater Management Plan needs to be reviewed prior to certification of the TCPH.

Recommended Condition: Prior to certification of the Type II TCP, a copy of the approved Technical Stormwater Management Plan from DER shall be submitted to M-NCPPC for review for conformance with the TCPH.

4. A wetland study was submitted December 31, 2002. The wetland study shows that the wetlands shown conceptually in the TDDP are not on the subject property. Waters of the US in the form of a stream exist along the southern property line. Minor impacts to the Waters of the US are proposed.

Recommended Condition: Prior to the issuance of building and grading permits which impact streams or waters of the U.S. the applicant shall submit to M-NCPPC copies of all Federal and States wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

18. In a memorandum dated December 23, 2002, the Trails Planner of the Transportation Planning Section offered the following comments:

The Adopted and Approved College Park-Riverdale Transit District Development Plan (TDDP) recommends several bicycle and pedestrian improvements on and in the vicinity of the subject site. The TDDP recommends a 10–20-foot-wide sidewalk along the east side of River Road, Section A (Figure 2). If road frontage improvements are required at this time, it is recommended that a minimum 10-foot-wide sidewalk be provided.

The TDDP also recommends trail connections just to the east (to 51st Avenue) and south (to the Northeast Branch) of the subject site (Map 18). Due to topography and the location of the stormwater management facility, these are most appropriately located off of the subject site.

Bicycle parking facilities are to be provided, per S-174. The Inverted-U Bicycle Rack is strongly encouraged as this is the current standard preferred by bicycle commuters.

The TDDP also recommends financing for trail facilities and a bicycle loaner program (College Park-Riverdale TDDP, pages 128 and 129). These fees will be collected on a proportional fair share basis when Transportation Demand Management (TDM) is

warranted in the area. However, as this TDM has not been initiated yet, no fair share fees are required at this time.

RECOMMENDATIONS:

In conformance with the Adopted and Approved College Par-Riverdale transit District Development Plan, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:

- a. Provide a minimum of 30 bicycle parking spaces. These spaces shall be in a sheltered area convenient to a building entrance. The Inverted-U bicycle racks are strongly encouraged.
 - b. A concrete paver pattern crosswalk shall be provided at River Road and the site's access road in conformance with S-31.
19. The Detailed 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.
 20. The City of College Park conducted a public hearing on January 28, 2003, and recommended approval subject to conditions which have been incorporated into the recommendation section below. Additionally, although it is not a required finding for approval of a Detailed Site Plan and is not a basis of the approval of the subject Detailed Site Plan, it is noted that , as a city condition for support of the application, the City of College Park and the Applicant have agreed to the terms of an agreement which requires the payment of real property taxes to the city under certain circumstances should the subject property be sold by the current owner to a governmental entity or other entity exempt from paying real property taxes. The existence of this agreement between the City of College Park and the applicant is noted for information purposes but is not subject to interpretation or enforcement by the Maryland-National Capital Park & Planning Commission.

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/131/02) and further APPROVED Detailed Site Plan DSP-02051 for the above-described land, subject to the following conditions:

1. Prior to certification of the Detailed Site Plan:
 - a. Details of the pedestrian plazas at the front and rear entrances shall be provided.
 - b. Street furniture shall be provided in the plaza at the rear entrance consisting of two benches, a trash receptacle and pedestrian lighting.

- c. An area for public art shall be provided near the front entrance of the building and shown on the details for the plaza.
 - d. Provide a minimum of 30 bicycle parking spaces. These spaces shall be in a sheltered area convenient to a building entrance.
 - e. A concrete paver pattern crosswalk shall be provided at River Road and the site's access road in conformance with S-31.
 - f. Install a crosswalk in front of the building, on River Road, subject to approval by the Prince George's County Department of Public Works & Transportation (DPW&T)
 - g. Revise the Landscape/Lighting Plan to show pedestrian lighting at regular intervals along the front of the property and provide details on the building's exterior lighting in accordance with S-19 and S-104 in the Transit District Development Plan (TDDP).
 - h. Show the location of the existing second land use required under the M-X-T zone and the way it will be integrated in terms of access and design with the proposed development, in accordance with the Prince George's County Zoning Ordinance Section 27-547 (d).
2. The applicant, his heirs, successors and/or assignees shall provide payment of \$580 per parking space to the Prince George's County Department of Public Works and Transportation (DPW&T). The required fee per parking space is expressed in 1997 dollars, and shall be adjusted for inflation at the time of payment, using the latest Engineering News Record Highway Construction Cost Index. The collected fee shall be applied toward the construction of the required transportation improvements listed on pages 117 and 118 of the 1997 *Approved College Park-Riverdale Transit District Overlay Zone*. Payment shall be made prior to the approval of any building permits.
 3. The applicant, his heirs, successors and/or assignees shall provide payment of \$490 per parking space to the Prince George's County Department of Public Works and Transportation (DPW&T). The required fee per parking space is expressed in 1997 dollars, and shall be adjusted for inflation at the time of payment, using the latest Engineering News Record Highway Construction Cost Index. The collected fee shall be applied toward the financing of shared parking structures within the transit district, as noted on pages 128 and 129 of the 1997 *Approved College Park-Riverdale Transit District Overlay Zone*. Payment shall be made prior to the approval of any building permits.
 4. Prior to certification, the Detailed Site Plan shall be revised to show 163 parking spaces to serve the proposed development. A greater quantity of parking on the site to serve the Phase I building shall not be shown without the approval of an amendment to the College Park-Riverdale Transit District Development Plan.
 5. Prior to certification, the Phase II building addition shall be deleted from the Detailed Site Plan, or the Phase II parking shall be graphically indicated as future and identified to be constructed concurrently with the Phase II building addition, and all improvements associated with Phase II

shall be shown on the plan.

6. Prior to certification of the Detailed Site Plan, the following revisions shall be made to the DSP or the TCPII:
 - a. The DSP and the Erosion and Sediment Control Plan shall be revised to add, in large (minimum 24 point font) all capital letters: ALL NEW STORMDRAIN INLETS ON THIS SITE SHALL BE STENCILED WITH THE WORDS “DO NOT DUMP, CHESAPEAKE BAY DRAINAGE.”
 - b. The DSP shall be revised to show the quantity and location of the trash receptacles.
 - c. The TCPII shall be revised to state the location of the off-site mitigation on a site that is within the College Park-Riverdale Transit District. If the applicant is unable to locate a site for off-site mitigation for the Tree Conservation Plan II within the College Park-Riverdale Transit District in accordance with S-142 of the TDDP, designate Cherry Hill park, in the City of College Park, to fulfill this requirement.
 - d. The TCP II shall be revised to show center line of the stream with associated buffers in compliance with TCPI/56/02.
 - e. The TCPII shall be revised to show the proposed locations of the Tree Preservation Area signage.
7. Prior to certification of the Type II TCP, a copy of the approved Technical Stormwater Management Plans from DER shall be submitted to M-NCPPC for review for conformance with the TCPII.
8. Prior to the issuance of building and grading permits which impact streams or waters of the U.S., the applicant shall submit to M-NCPPC copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
9. The following certification shall be placed on all building permits and shall be signed and dated by an engineer with expertise in acoustical engineering: “The construction shown on this building permit will reduce interior noise levels from River Road to 55 dBA Ldn or less.”
10. A minimum of 51% of any 1st floor expansion space in Phase II shall be designated for retail use.
11. Phase II development, if and when it occurs, shall be designed to minimize impact to on-site tree preservation areas.
12. Prior to obtaining a Use and Occupancy Permit, provide a letter from the federal government that agrees to provide employees with transit information and to notify employees about the availability of transit discount programs, in accordance with S-164 of the TDDP. Also provide information on the State of Maryland’s Live Near Your Work Program.

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.

* * * * *

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 Scott, seconded by Commissioner Lowe, with Commissioners Scott, Lowe, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, January 30, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of February 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk