

RESOLUTION

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 September 11, 2008, regarding Detailed Site Plan DSP-07043 for Jemal's Post, Lot 1 (Lowe's), the Planning Board finds:

1. **Request:** This application proposes to construct a 171,069-square-foot building supply store.

2. **Development Data Summary:**

|                  | <b>EXISTING</b> | <b>PROPOSED</b>       |
|------------------|-----------------|-----------------------|
| Zone(s)          | I-1             | I-1                   |
| Use(s)           | Vacant          | Building Supply Store |
| Acreage          | 16.57           | 16.57                 |
| Dwelling units   | 0               | 0                     |
| Gross floor area | 0               | 171,069 sq. ft.       |

**Parking Data:**

|                               | <b>REQUIRED</b> | <b>PROVIDED</b> |
|-------------------------------|-----------------|-----------------|
| Standard spaces               | 343             | 503             |
| Standard handicapped spaces   | 7               | 8               |
| Handicapped van-access spaces | 4               | 4               |
| Loading spaces                | 2               | 2               |

It should be noted that the submitted detailed site plan claims 535 parking spaces, of which 12 are handicapped spaces, for a total of 523 regular spaces. However, some of the spaces are proposed to be used for the permanent display of utility trailers and structures as part of the store's operations. These spaces should not be counted as parking spaces and the applicant should revise the plan to reflect the number of spaces that will be available for store personnel and customers to park in.

3. **Location:** The subject parcel is located southwest of the interchange of Pennsylvania Avenue and the Capital Beltway. The site is accessed from Forestville Road.
4. **Surroundings and Uses:** To the west of the subject property is the remainder of the Jemal's Post Subdivision. It is currently vacant in the I-1 Zone, but the applicant intends that it will be developed with industrial and retail uses. To the north, the property has frontage along the exit ramp from Pennsylvania Avenue to the Capital Beltway. The Maryland State Police, Barrack L, is located on the parcel immediately to the north, between Pennsylvania Avenue and the subject property. To the east, the property has frontage on the Capital Beltway. On the south, the property borders several parcels in the I-1 Zone which are used for storage and construction or contractor offices. Penn-Belt Place runs through the neighboring parcels on the south and currently dead ends at the southern property

line. This detailed site plan includes two access roads from the Lowe's property through the remainder of the Jemal's Post Subdivision to Forestville Road.

5. **Previous Approvals:** On October 11, 2007, the Planning Board approved Preliminary Plan of Subdivision 4-06145 for the Jemal's Post Subdivision, including the subject property. This plan is still in the process of certification as of this writing.
6. **Design Features:** The applicant proposes the construction of a Lowe's home improvement store. This would constitute a large building on the eastern portion of the site, with a surface parking lot on the western portion of the site. Access to the site is from Forestville Road by two driveways across the remainder of the Jemal's Post property to the west. When the property to the west develops, the access routes into the Lowe's parking lot would be integrated into the new development. Penn-Belt Place, which currently reaches a dead end at the southern property line, would be extended into the property to provide a cul-de-sac turnaround area at the southwestern corner of the Lowe's parking lot.

The proposed building is a large rectangular, flat-roofed, single-story structure. The building is faced with concrete masonry units and an exterior insulation and finishing system (EIFS) in a neutral color scheme. The building faces west toward the surface parking lot. A service drive leads around the back of the building on the east side where the loading docks and service areas are located. On the north side of the building, a paved open area is proposed for use as a garden center. The garden center is partially covered by extensions of the building's roof and by permanent awning structures, and is enclosed by a tall chain-link fence. There is also a chain-link fence around the utility area behind the building.

As part of the operations of the store, the application proposes the outdoor display of merchandise along the front of the store and at the northwestern and southwestern corners of the parking lot.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** In the I-1 Zone, a building supply store is a permitted use. The site must comply with the regulations of the I-1 Zone, as listed in Section 27-469 and 27-474 of the Zoning Ordinance.

Section 27-469 of the Zoning Ordinance includes the following regulations:

- (b) **Landscaping, screening, and buffering of development in the I-1 Zone shall be provided in accordance with the provisions of the Landscape Manual. In addition, the following applies:**
  - (1) **At least ten percent (10%) of the net lot area shall be maintained as green area.**
  - (2) **Any landscaped strip adjacent to a public right-of-way required pursuant to the**

**provisions of the *Landscape Manual* shall not be considered part of the required green area.**

The cover sheet of the site plan states that the plan proposes to provide the required ten percent green area. However, it does not demonstrate this by listing the square footage of the provided green area, and it does not affirm that the required landscape strips adjacent to public rights-of-way have been excluded from the green area calculations. The applicant should demonstrate the square footage of the green area on the site plan and affirm that the required landscape strips adjacent to rights-of-way have been excluded from the green area calculations.

- (3) A vehicle towing station permitted in the I-1 Zone shall be screened by a wall or fence at least six (6) feet high, or by an evergreen screen, unless the adjoining property is used for a vehicle towing station or a vehicle salvage yard.**

- (c) Outdoor storage.**

- (1) Outdoor storage shall not be visible from a street.**

There are areas of outdoor storage located along the front of the building, along the southern edge of the parking lot, along the northern edge of the parking lot, and in the rear of the building on the eastern edge of the property. The three areas located on the western portion of the site are intended as display and sales areas for trailers, equipment, and other outdoor items that will be carried by the store. The area behind the building is intended for storage of used appliances and pallet trailers. These areas should be thoroughly screened so as not to be visible from the adjoining streets. The rears of the storage areas are partially screened by proposed Leyland Cypress trees, but a more solid screen should be added to supplement the plantings.

The garden center along the northern side of the proposed building is considered to be an outdoor storage area for the display and sale of merchandise. The area is proposed to be enclosed by a chain-link fence.

The required setbacks of the I-1 Zone from streets and adjoining properties have been met.

- 8. **Prior Approvals:** The current lotting pattern and overall development plan for the Jemal's Post Subdivision were established in the approval of Preliminary Plan 4-06145. The resolution for this plan includes 15 conditions of approval. The relevant conditions of approval relating to archeology, transportation, and environmental planning are discussed in the portion of the report devoted to referrals.
- 9. **Prince George's County Landscape Manual:** The site is subject to Sections 4.2, 4.3, and 4.7 of the *Landscape Manual*.

Section 4.2 requires the property to provide a landscaped strip along its street frontage along the Pennsylvania Avenue ramp. The plan shows the required landscaped yard along this frontage, which

utilizes some areas of existing woodlands as well as new plantings along the rear of the building and loading area.

Section 4.3(a) requires provision of a landscaped strip between the parking lot and adjacent rights-of-way. A landscaped strip is required around the cul-de-sac of Penn-Belt Place. This has not been demonstrated on the plans, but there is adequate space for the provision of this strip.

Section 4.3(c) requires internal green planting for the parking lot, which is particularly important for an expansive parking lot such as is proposed on this site. The parking lot is required to provide ten percent of its area in internal green area, while the plans show internal green area of 15.5 percent is proposed.

Section 4.7 requires a type B bufferyard between the Lowe's site and the adjacent police barracks to the north. The required width of the bufferyard (a 20-foot-wide landscaped yard and a 30-foot minimum building setback) has been provided; however, the landscaped yard is required to provide at least 448 plant units, whereas only 400 plant units have been shown. The landscape plan claims that a fence has been provided within this bufferyard, but no fence is shown on the plans. Staff recommends that a fence along this property line would allow the plant requirement to be reduced and would bring the bufferyard into conformance with the *Landscape Manual*. The fence should be a six-foot-tall sight-tight fence made of a durable non-wood material. The fence would also help to discourage people from the Lowe's site from wandering onto the state police property.

10. **Architecture:** The building that has been proposed on this site is a large, rectangular single-story building. There is a flat roof which is fitted with false pediments above the main entrance, above the customer loading area, above the northern entrance to the garden center, and at the rear of the building. The edge of the roof is extended in the form of a canopy above the main entrance, the customer loading area at the southwest corner of the building, and over a portion of the garden center. The building is 456 feet long and 319 feet deep. The flat roof of the building is 31 feet, eight inches from the surrounding ground, while the highest point of the false pediment above the main entrance is 48 feet, three inches tall. According to the definition of building height in the Zoning Ordinance, the height of a flat-roofed building is measured to the highest point on the roof. Therefore the building is considered to be 48 feet, three inches in height.

The building is primarily faced with split-face and smooth-face concrete masonry units colored in three shades of beige. Portions of the building utilize covered foam exterior insulation and finishing system panels (EIFS), including the background of the building-mounted Lowe's sign logos, the upper panels of part of the front wall, and the wall around the overhang above the main entrance.

For the most part, the sides of the building are long, unadorned lengths of wall lacking in visual interest. The west (front) side of the building is somewhat relieved by the columns in front of the main entrance, a glass detail area, and the customer loading space, but overall still presents an uninteresting frontage. The south and east sides of the building are unadorned and unrelieved by any attractive articulation or details. The north side of the building is mostly enclosed behind the permanent chain-link fencing around the garden center. The chain-link fencing around the garden

center ranges from 15 feet tall on the side and rear of the building, to 20 feet tall in the front. The fenced garden center is a typical arrangement for home improvement retailers, but a more permanent-looking enclosure structure would be more attractive.

11. **Signage:** The applicant has proposed building-mounted and freestanding signage for the site.

The Lowe's logo is proposed to be mounted on the east, north, and west sides of the building. The logo consists of white illuminated letters on a blue exterior insulation finishing system (EIFS) background. The logo is mounted beneath the false pediments above the main entrance on the east side, above the north entrance to the garden center, and in the center of the rear of the building.

There are two smaller building-mounted signs which also consist of white lettering on a blue background. There is a sign reading "Garden Center" mounted on the front of the shade structure that covers part of the garden center at the northwest corner of the building, and a sign reading "Indoor Lumber Yard" mounted on the building extension that covers the customer's loading area at the southwest corner of the building.

The total amount of building-mounted signage proposed is 971.44 square feet. The building is only permitted a maximum of 400 square feet of building-mounted signage. The applicant has applied for a Departure from Sign Design Standards (DSDS-648) to allow the expanded signage area.

The applicant also proposes two freestanding signs located at the entrances to the site on Forestville Road. The proposed signs are 22 feet in height and include a central display panel to feature the logos of the various businesses located within the Jemal's Post Subdivision. At the moment, Lowe's is the only business proposed within the subdivision, and therefore the only logo which will be placed on the signs. The property is permitted to have one freestanding sign of no more than 200 square feet in area. Therefore, one of the signs should be removed from the plans.

The applicant originally proposed a freestanding pylon sign in the southeast corner of the property in order to provide for the site's visibility from the Capital Beltway. A departure to allow this sign to exceed the Zoning Ordinance's height limits was proposed. However, it became clear that even a very large, tall sign in this location would be at best minimally visible. Therefore, the applicant decided not to pursue the pylon sign. The pylon sign should be removed from all plans.

## REFERRALS

12. **Transportation Planning:** In a memorandum dated August 15, 2008 (Masog to Lindsay), the Transportation Planning Section made the following comments:

There is an approved subdivision for the site, Preliminary Plan 4-06145, and there are several transportation-related conditions on that underlying plan. The status of these transportation-related conditions is summarized below:

- 12. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process,**

**and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

- A. MD 4/Forestville Road: Provide a third westbound through lane along MD 4 through the intersection, and provide a second left-turn lane along the northbound Forestville Road approach. Modify signals, signage, and pavement markings as needed.**

This condition requires off-site improvements at the intersection of MD 4 and Forestville Road. These conditions are enforceable at the time of building permit, and they will be verified at that stage of review.

- B. Forestville Road/Stewart Road: At the time of submittal of the initial Detailed Site Plan within the subject property, the applicant shall submit an acceptable traffic signal warrant study and lane usage plan to the transportation planning staff and DPW&T for signalization at the intersection of Forestville Road and Stewart Road. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal or other traffic control improvements are deemed warranted at that time, the applicant shall bond the signal with DPW&T prior to the release of any building permits within the subject property, with installation to occur at the time directed by DPW&T. The recommended lane usage and traffic control shall be made a part of the recommendation for the initial Detailed Site Plan within the subject property.**

This condition requires the submittal of a traffic signal warrant study for the intersection of Forestville Road and Stewart Road at the time of detailed site plan. It also requires that the detailed site plan recommendation include the recommended traffic control and lane configuration. The needed signal warrant study has been submitted, and it is warranted. This recommendation is based upon a left-turn lane from southbound Forestville Road into the site, and the exit from the site including a left-turn lane and a shared through/right-turn lane.

- C. Forestville Road/Leona Street: The existing Leona Street approach will be modified to serve right-in right-out movements. The site access opposite this street shall be designed for right-in right-out movements. Associated with these requirements, the applicant shall provide a short section of median along the centerline of Forestville Road in the vicinity of Leona Street as a means of preventing left-turns associated with Leona Street and the northern site entrance. Prior to the approval of the initial detailed site plan within the subject property, the applicant must hold a community meeting to inform**

**citizens along Leona Street about the proposed changes in the traffic patterns at Forestville Road and Leona Street, and the applicant must provide documentation of this meeting, with any results and/or changes, for the review of DPW&T and the Transportation Planning Section as a part of the Detailed Site Plan review.**

This condition requires that the Leona Street approach at the Forestville Road/Leona Street intersection be modified to limit traffic to right-in right-out movements, along with the installation of a short section of median along Forestville Road to prevent left-turns. The general geometric changes are enforceable at the time of building permit.

**Urban Design Comment:** The Transportation Planning reviewer also commented on the documentation that had been provided regarding community meetings to explain to the community the proposed modifications to the intersection of Forestville Road and Leona Street. The reviewer stated that the applicant should provide additional documentation of the meetings. The applicant has provided the requested documentation, which has been reviewed and acknowledged by the Transportation Planning Section.

- 13. Total development within the subject property shall be limited to uses which generate no more than 305 AM and 697 PM peak-hour vehicle trips, with trip generation determined in a consistent manner with the February 2007 traffic study. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This condition establishes an overall trip cap for the subject property of 305 AM and 697 PM peak-hour trips. The current plan is limited to the 171,069-square-foot building supply store which would generate 205 AM and 217 PM trips. The preliminary plan assumed the 171,069-square-foot building supply store plus additional retail. It is determined that the development is within the overall trip cap.

Access to the site and circulation within the site are acceptable. The requested departure is acceptable from the standpoint of transportation.

The subject property was the subject of a 2007 traffic study, and was given subdivision approval pursuant to a finding of adequate transportation facilities made in 2007 for Preliminary Plan of Subdivision 4-06145. Furthermore, the basis for the preliminary plan findings is still valid and in consideration of the materials discussed earlier in this memorandum, transportation staff finds that the subject property complies with the necessary findings for a detailed site plan as those findings may relate to transportation. This finding is conditional upon a condition requiring the installation of a traffic signal at the intersection of Forestville Road and Stewart Road, with the timing of the installation to be determined by the County Department of Public Works and Transportation (DPW&T).

- 13. Environmental Planning Section:** In a memorandum dated September 2, 2008 (Shoullars to

Lindsay), the Environmental Planning Section offered the following comments:

The Environmental Planning Section has reviewed the detailed site plan and Type II tree conservation plan, stamped as received by the Environmental Planning Section on August 15, 2008. A revised detailed site plan was received on August 7, 2008. A meeting was held with the applicant on August 25, 2008 to discuss the lack of an identified scope of work for the stream restoration. After the meeting, staff identified the appropriate areas of work and has provided the required scope of work herein. The Environmental Planning Section recommends approval of DSP-07043 and TCPII/26/08 subject to conditions.

The Environmental Planning Section has previously reviewed this case for a Preliminary Plan of Subdivision (4-06145) and Type I Tree Conservation Plan (TCPI/011/07). The current application proposes the development of 33.35 acres in the I-1 Zone.

This 33.35-acre site is located east of Forestville Road, south of Pennsylvania Avenue and west of the Capital Beltway (I-95). A review of the available information indicates that streams, wetlands, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on this property. The site is vacant and predominantly wooded. There is no 100-year floodplain that is associated with the site. The predominant soil types found to occur on this site, according to the *Prince George's County Soil Survey*, are Adelphia, Croom, Christiana Matapeake and Beltsville. These soil types have moderate limitations with respect to steep slopes, impeded drainage, slow permeability and perched water table, but will not affect the site layout. According to available information, Marlboro clay does not occur on this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic or historic roads in the vicinity of this application. The subject property is located on the south side of Pennsylvania Avenue (MD 4), an arterial, and the Capital Beltway (I-95), a freeway, both noise generators and generally regulated for noise. The site is also located in the AICUZ study area of Andrews Air Force Base within the 70–80 dBA (Ldn) noise contour. This property is located in the Henson Creek watershed of the Potomac River basin and in the Developed Tier as reflected in the 2002 General Plan.

The following text addresses previously approved environmental conditions related to the subject applications. The text in **BOLD** is the actual text from previous cases or plans. The plain text provides comments on the plan's conformance with the applicable conditions.

**PGCPB Resolution No. 07-96(A), File No. 4-06145**

- 15. Prior to the approval of the detailed site plan, a conceptual stream restoration plan shall be submitted to M-NCPPC. The plan shall provide a scope of work for restoration of a site or sites on public property within the main stem of Henson Creek to be approved by the Planning Board or its designee. The scope of work shall be**



**based on a completed stream corridor assessment, either prepared by the applicant, or by the Department of Environmental Resources. The plan shall show mitigation of a section of stream at least equivalent to the impacts on and adjacent to the subject property. A detailed stream restoration plan shall be submitted and approved by the Planning Board or designee and the Department of Public Works and Transportation or other appropriate agency and the work shall be bonded prior to the issuance of the first permit. The plan shall be implementation of the Plan shall commence prior to the issuance of the second building permit on the overall subject property. In no event shall the non-issuance of a stream restoration permit or other approval preclude the issuance of the first building permit on-site provided a bond is posted and the plan approved.**

A Stream Corridor Assessment was submitted on August 1, 2008 that described some “problem areas” along Henson Creek, but it did not provide the linear feet of stream to be restored or make a statement regarding the proposed scope of work being committed to by the applicant. An August 15, 2008, submission contained the linear feet of mitigation for each problem area that totaled only 600 linear feet.

In a meeting held with the applicant on August 25, 2008, staff again stated that a scope of work, specific to meet the commitment of the above condition, had not been received. After the meeting, the applicant’s representative committed to the restoration required at “problem areas” 4–7. The restoration of these areas will consist of bank stabilization, riparian buffer enhancement, and, where approved by the Department of Parks and Recreation, afforestation. The scope of work is for a total of 600 linear feet of stream; however, the need for additional restoration will be evaluated with the detailed stream restoration plan prior to the issuance of the first permit. Staff supports the submitted conceptual stream restoration plan.

### **Environmental Review**

As revisions are made to the plans, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

1. An approved Natural Resources Inventory, NRI/168/06, dated February 15, 2007, was submitted with the application. The DSP and the TCPII show all the required information correctly.

**Comment:** No revisions are required for conformance to the NRI.

2. The property is subject to the provisions of the Prince George’s County Woodland Conservation and Tree Preservation Ordinance because the site has an approved Type I tree conservation plan.

A Type II Tree Conservation Plan, TCPII/026/08, has been submitted. The woodland conservation threshold for the site is 5.00 acres based on a net tract area of 33.35 acres. The TCPII shows a total

woodland conservation requirement of 14.55 acres. The plan proposes to meet the requirement with 0.87 acre of on-site woodland conservation and 13.68 acres of off-site mitigation on another property.

The worksheet does not reflect the clearing of woodland on the property to the north, which will be impacted by the installation of pipe headwall when the existing stream is piped.

The limits of disturbance on the DSP and TCPII were reviewed and found to be consistent; however, the area of disturbance to the north of the site is not clearly shown on either plan. It appears as though a rip-rap structure is proposed in this area. Revise the DSP and TCPII to fully show the proposed development to the north of the site on parcel 190 and within the right-of-way for MD 4. The reforestation notes need to be eliminated from the plan because no reforestation is proposed. The plan needs to show the signage for the proposed woodland preservation area.

3. A copy of the approved stormwater management concept letter was submitted with this application. A fee will be paid in lieu of providing on-site attenuation/quality control. The concept does not conflict with the limits of disturbance on the DSP and TCP.

**Comment:** No further information is required with regard to stormwater management.

14. **Permit Review:** In a memorandum dated February 13, 2008 (Stone to Lindsay), the Permit Review Section made six comments on the plan, which have been addressed by the submission of revised plans.
15. **Subdivision Section:** In a memorandum dated May 22, 2008 (Thompson to Lindsay), the Subdivision Section noted that Preliminary Plan 4-06145, although approved by the Planning Board, has not yet been certified. The detailed site plan is in general conformance to the approved preliminary plan that is still in the certification process.
16. **Community Planning:** In a memorandum dated April 22, 2008 (Fenwick to Lindsay), the Community Planning South Division made the following findings:

This application is not inconsistent with the 2002 General Plan Development Pattern policies for corridors in the Developed Tier.

This application does not conform to the land use recommendations of the 1985 *Approved Master Plan and Sectional Map Amendment for Suitland-District Heights and Vicinity*.

The 1985 Suitland-District Heights and Vicinity Master Plan and Sectional Map Amendment recommends this site be designated for employment use. This site is also in close proximity to a residential area. Screening should be provided for outdoor storage areas and be of sufficient height and type to block the stored material and equipment from ground view. Storage yards should be heavily screened from direct view of adjoining streets.

17. **Trails Coordinator:** In a memorandum dated August 27, 2008 (Shaffer to Lindsay), the trails coordinator made the following comments:

There are no master plan trails issues in either the Approved Suitland-District Heights Master Plan or the 1985 Equestrian Addendum to the Approved Countywide Trails Plan that impact the subject site. The existing portion of the industrial park immediately to the south of the subject site includes standard sidewalks along both sides of all internal roads including Penn-Belt Drive and Penn-Belt Place, which is proposed to be extended onto the subject site.

Existing Forestville Road is open section with no sidewalks for most of its length in the vicinity of the subject site. However, where frontage improvements have been made (such as along the east side of Forestville Road just south of MD 4), a standard sidewalk has been provided.

Approved Preliminary Plan 4-06145 (PGCPB Resolution No. 07-96(A)) includes the following conditions of approval regarding sidewalk facilities:

7. **The applicant shall provide a standard sidewalk along the subject site's entire frontage of Forestville Road, unless modified by DPW&T.**
8. **Provide a standard sidewalk along both sides of all internal roads, unless modified by DPW&T.**

The frontage of Forestville Road appears to be beyond the scope of the subject application. However, staff recommends that standard sidewalks be provided along both sides of the two roads that access the subject site from Forestville Road, as well as both sides of the extension of Penn-Belt Place in conformance with Condition 8 of the preliminary plan.

The large parking lot proposed can also be difficult for pedestrians to negotiate due to the relatively large expanse of asphalt and the variety of traffic movements possible. Staff supports the five-foot sidewalk being proposed through the parking lot as a way of safely accommodating pedestrians. Due to the large size of the lot, staff believes that two additional pedestrian sidewalks are appropriate in or along the parking lot to the north and south of the currently proposed sidewalk. Suggested locations have been marked in red on an attached plan. The northernmost connection will link pedestrians coming from the north. The connection along the service road along the southern edge of the subject site will accommodate the most likely route for pedestrians approaching from the existing road and development to the south.

18. **Archeology:** In a memorandum dated August 28, 2008 (Stabler to Lindsay), the Archeology Coordinator provided the following comments:

The developing property is subject to a number of conditions associated with previous approvals by the Planning Board. Among those, conditions approved by the Planning Board in its review of 4-06145 are applicable to the subject detailed site plan application. These include conditions 9, 10, and

11 of Prince George's County Planning Board Amended Resolution No. 07-96(A).

9. **Prior to signature approval of the preliminary plan, a Phase I (Identification) archeological investigation, according to the Planning Board's *Guidelines for Archeological Review* (May 2005), is required on the subject property to determine if any cultural resources are present. The entire 33.35 acres shall be surveyed for archeological sites. A title search should be performed on the property tracing the title back as far as possible. A search shall be made of census records to determine if past owners held slaves. The applicant shall submit a Phase I Research Plan for approval by the staff archeologist prior to commencing Phase I work. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations is required prior to signature approval.**
10. Upon receipt of the report by the Planning Department, if it is determined that potentially significant archeological resources exist in the project area, prior to Planning Board approval of any detailed site plan or final plat, the applicant shall provide a plan for:
  - i.) **Evaluating the resource at the Phase II level, or**
  - ii.) **Avoiding and preserving the resource in place.**
11. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to approval of any grading permits.

The applicant submitted a draft Phase I archeological report for the subject property on March 24, 2008. The Phase I draft report was reviewed and corrections were forwarded to the archeological consultant on April 10, 2008. Four copies of the final Phase I report have not been received.

One historic archeological site, 18PR934—the Ryon Site, consisting of a late 19<sup>th</sup> to mid-20<sup>th</sup> century farmstead encompassing the ruins of the Ryon Farmhouse (75A-5), was identified in the survey. This house was possibly built prior to the acquisition of the property by Thomas Ryon in 1857 and served as the main residence for what was known as the Covert Farm. A two-story addition was added to the farmhouse in 1912. Covert Farm remained in the possession of members of the Ryon family until the 1980s. The Washington Post Company acquired the Ryon farmstead in 1987 and has held the property since. At the time the Ryon farmhouse was recorded on a Maryland Inventory of Historic Properties (MIHP) form in 1985, the house was still standing and was one of the oldest buildings in the town of Long Old Fields, now known as Forestville. As visible in the 1993 aerial photographs, the house had been demolished by that date.

Phase II investigations were recommended on site 18PR934 due to the presence of 18<sup>th</sup> century material, structural remains, and shaft features. Staff concurred that Phase II investigations were necessary on site 18PR934. A Phase II work plan was submitted to Historic Preservation staff on

April 14, 2008 and was approved.

19. **State Highway Administration (SHA):** In a memorandum dated March 14, 2008 (Myers to Lindsay), SHA made the following comments:

SHA has objections to the proposed site layout. By letter dated March 5, 2007, from the SHA to M-NCPPC, SHA requested an additional 50-foot setback to preserve the required right-of-way for future ramp modifications associated with the ultimate widening of MD 4. The proposed site plan shows the parking area extending into the area requested reserved. The applicant is required to revise the site plan to reserve the required right-of-way.

The applicant responded by email to SHA's objection, noting that there was a previous understanding between SHA and the applicant that no buildings would be proposed within the additional setback area, and that at the time when the additional setback area may be needed, the loading arrangements for the property will not be impacted. As this agreement was deemed acceptable at the time of preliminary plan review, the detailed site plan process cannot provide additional right-of-way reservation.

20. **Verizon:** In a referral received February 22, 2008, Verizon stated that a public utilities easement should be delineated around the cul-de-sac of Penn-Belt Place. The applicant has revised the plan to show the required public utilities easement.
21. **Washington Suburban Sanitary Commission (WSSC):** In a referral dated February 18, 2008 (Black to Lindsay), WSSC noted that the project will require water and sewer extension, and that existing WSSC facilities are located on the site. On-site plan review will be required, and additional rights-of-way may be needed.
22. **Department of Public Works and Transportation (DPW&T):** In a referral dated July 17, 2008 (Abraham to Lindsay), DPW&T offered the following comments:

Compliance with DPW&T's Utility Policy is required. Based upon the plans submitted, proper temporary and final patching and the related mill and overlay in accordance with the established "DPW&T Policy and Specification for Utility Installation and Maintenance Permits" are required.

The detailed site plan is not consistent with the approved Stormwater Management Plan (SWMP) No. 12636-2006-01 dated June 29, 2007. The applicant needs to revise the DSP to conform to the SWMP.

**Urban Design Comment:** The applicant has indicated that they will revise the stormwater management plan to be consistent with the DSP. Before final approval can be given for this DSP, the applicant must show that the revised stormwater management plan has been approved by DPW&T and that the DSP is consistent with the revised SWMP.

The proposed culs-de-sac at the end of Penn-Belt Place, which are located at the southeast and southwest corners of the property, are required to allow, as a minimum, turning movement for a standard WB-40 vehicle and a standard length fire truck. When considering turning movement, it is assumed that parking is provided on the outside edge or radius of the cul-de-sac.

A soils investigation report which includes subsurface exploration and geotechnical engineering evaluation for any proposed private roads and stormwater management facilities is required.

23. As required by Section 27-285(b) of the Zoning Ordinance, 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.

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 Detailed Site Plan DSP-07043, subject to the following conditions:

1. Prior to signature approval of the DSP, the following revisions shall be made to the plans:
  - a. Correct the landscape plan to provide the required Type B bufferyard along the northern property line.
  - b. Provide a six-foot-tall sight-tight fence constructed of a durable and attractive non-wood material along the northern property line.
  - c. Update the landscape schedules on the landscape plan.
  - d. Remove the proposed freestanding pylon sign from the plans.
  - e. Provide square footage and construction details for the freestanding signs on Forestville Road.
  - f. Correct the parking schedule to account for only those spaces that will be available for parking by staff and customers.
  - g. Provide screening for the outdoor storage along the north and south sides of the parking lot, and in the rear of the property. Screening may be provided by a dense evergreen screen.
  - h. Demonstrate the required green area provided on the property.
  - i. Provide an additional sidewalk through the northern portion of the parking lot in accordance with the trails coordinator's recommendation. This sidewalk shall be constructed with permeable paving.

- j. Provide an additional sidewalk along the northern edge of the service road from the Penn-Belt Road cul-de-sac to the southwest corner of the building.
  - k. Remove one of the two proposed freestanding signs along Forestville Road from the plan.
  - l. Label the construction materials and sign face square footage of the remaining freestanding sign along Forestville Road.
  - m. The chain-link fence around the garden center shall be upgraded with a masonry base at least four feet in height around the length of the fence. Masonry columns (to match the two proposed columns on either side of the entrance on the north side of the enclosure) shall be added at the corners of the fence, at the entrance on the west side of the enclosure, and at two points along the length of the fence on the north side, for a total of five additional columns.
- 2. Prior to signature approval of the DSP, the applicant shall receive approval for a revised stormwater management plan. The applicant shall demonstrate that DPW&T has approved the stormwater management plan and that DPW&T has found the DSP to be in conformance with it. If such an approval cannot be obtained, the applicant must revise the DSP to be consistent with the approved stormwater management plan.
  - 3. Prior to signature approval of the detailed site plan, the Type II tree conservation plan shall be revised as follows:
    - a. Show the proposed infrastructure as shown on the DSP.
    - b. Show the existing tree line for Parcel 190.
    - c. Show the complete limits of disturbance for the entire development.
    - d. Show the off-site clearing for Parcel 190 in the worksheet.
    - e. Show the location of the woodland preservation signs.
    - f. Revise the woodland conservation worksheet as necessary.
    - g. Have the revised plan signed and dated by the qualified professional who prepared the plan.
  - 4. Prior to signature approval of the detailed site plan, the applicant shall obtain signature approval of the preliminary plan of subdivision.
  - 5. Prior to signature approval of the detailed site plan, the applicant shall submit four copies of the final Phase I archeological report and a draft Phase II report for review by Historic Preservation staff.
  - 6. Prior to issuance of any grading permit, the applicant shall submit the final Phase II report.
  - 7. If a Phase III archeological mitigation is necessary the applicant shall provide a plan for avoiding and preserving the site in place prior to final plat. The site shall be marked in the field with orange snow fencing prior to the approval of any grading permits and the applicant shall contract with an

archeologist to monitor any ground disturbance around the site.

8. If staff agrees that the site cannot be preserved in place, the applicant shall provide a final report detailing the Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to approval of any grading permits.
9. Depending upon the significance of findings (at Phase I, II, or III level), the applicant shall provide interpretive signage. The location and wording shall be subject to approval by the staff archeologist prior to the approval of any grading permits.
10. In order to meet the requirements of condition 15 of PGCPB Resolution No. 04-252, the applicant shall prepare a detailed stream restoration plan that provides for the full restoration of the segments of Henson Creek above and below Brinkley Road as identified in the report: "Stream Corridor Assessment" stamped as received by the Environmental Planning Section on August 1, 2008 and dated July 2008. The detailed stream restoration plan shall be submitted to and approved by the Planning Board or designee with input from and the concurrence of the Department of Parks and Recreation and the Department of Public Works and Transportation. The work shall be bonded prior to the issuance of the first permit. Implementation of the restoration plan shall commence prior to the issuance of the second building permit on the overall subject property. In no event shall the non-issuance of a stream restoration permit or other approval preclude the issuance of the first building permit on-site, provided a bond is posted and the plan approved.
11. Prior to signature approval of the DSP, the architectural elevations shall be revised to improve the visual appearance. These revisions shall be mutually acceptable to the applicant and the staff and not require substantial revisions other than adjustments to the façade including adding two horizontal bands of colored polished concrete block along the upper light beige field of the façade and a dark band along the roofline to match the darker beige color of the base of the building.
12. Prior to the release of any building permits, the applicant shall bond the required traffic signal at the intersection of Forestville Road and Stewart Road with DPW&T. The timing of the signal installation shall be determined by DPW&T.

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 Vaughns, seconded by Commissioner Clark, with Commissioners Vaughns, Clark,



Cavitt and Parker voting in favor of the motion and with Commissioner Squire absent at its regular meeting held on Thursday, September 11, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18<sup>th</sup> day of September 2008.

Oscar S. Rodriguez  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

OSR:FJG:CL:rmk