

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 July 30, 2009 regarding Detailed Site Plan DSP-08033/01 for Fairwoods Office Park I and II, the Planning Board finds:

1. **Request:** The applicant requests construction of a 53,551-square-foot medical and general office building with associated parking and stormwater management facilities and the consolidation of DSP-08033, the Zoglio Property and DSP-06060, Fairwoods Office Park I.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-O	C-O
Use(s)	Office/Bank	Office/Bank
Acreage	12.70	12.70
Lots	0	1
Parcels	1	0
Square	105,000	165,751
Footage/GFA		

3. **Location:** The site is in Planning Area 70 and Council District 4, in the northeast quadrant of the intersection of Annapolis Road (MD 450) and Glenn Dale Boulevard (MD 193).
4. **Surrounding Uses:** The subject property is bounded to the south and east by Annapolis Road with commercial development (the Fairwoods Shopping Center) and a nursery beyond, to the west by Glenn Dale Boulevard, with vacant land beyond, and to the north by the Bell Station development, which is currently largely undeveloped and improved with a gas station on its southeastern corner.
5. **Previous Approvals:** On June 22, 2006, the Planning Board approved Preliminary Plan of Subdivision 4-05144 for the northern portion of the site and PGCPB Resolution No. 06-155 was adopted on July 20, 2006, formalizing that approval. Preliminary Plan of Subdivision 4-07051 was then approved on January 31, 2008 for the southern portion of the site and PGCPB Resolution No. 08-22 was adopted on February 28, 2008, formalizing that approval. The site is also the subject of Detailed Site Plans DSP-06060 and DSP-08033. Detailed Site Plan DSP-06060 was approved at staff level for the northern end of the site on April 24, 2007 for the two office buildings and bank. DSP-08033, a detailed site plan for infrastructure only, was approved by the Planning Board for the southern end of the site on December 4, 2008 and PGCPB Resolution No. 08-173 was adopted by the Planning Board on January 8, 2009, formalizing that approval. The

site is also the subject of approved Stormwater Management Concept Plan 32875-2007-01, approved May 27, 2008 and expires May 29, 2011.

6. **Design Features:** The site is accessed at two points from its eastern frontage along Annapolis Road (MD 450) and a single point on its western side from Glenn Dale Boulevard (MD 193). All entrances lead into parking areas. The northern portion of the site is currently improved with one 53,551-square-foot medical office building, one 53,551-square-foot combined medical/general office building (48,196 square feet of medical offices and 5,355 square feet of general office) and a 5,098-square-foot bank. The bank fronts on the northernmost portion of the site's Annapolis Road (MD 450) frontage and the two office building are located more centrally along the northern boundary of the site.

A large area of preserved open space that contains two streams and wetlands divides the northern portion of the property from its southern end. The streams and wetlands create an extensive headwater system critical to the Lottsford Branch watershed. The stormwater management facilities utilize a "Coastal Plain Outfall" type system which creates a series of descending catch pools, constructed of rock and stone above a thick base of sand and planted with native vegetation. Each pool collects rainwater, which is absorbed by the underlying sand. Heavier rains fill one pond then the next in descending order, absorbing the energy that would normally flush through outfall piping directly into the stream. This system is complemented by use of two underground stormwater management facilities.

The southern tip of the site at the intersection of MD 193 (Glenn Dale Boulevard) and MD 450 (Annapolis Road) is proposed to be improved with a third 53,551-square-foot office building, offering 32,131 square feet of medical office space and 21,420 of general office space.

The site is landscaped in accordance with the requirements of the *Prince George's County Landscape Manual*, with the greenery augmented by preservation of the environmentally sensitive streams and wetlands and by providing landscaping along the northern boundary of the property. Design for the northern buffer was agreed to by the applicant and the Michael Companies, owner of the adjacent property to the north, endorsed by the Glenn Dale Civic Association and formalized in Detailed Site Plan DSP-06060/01, approved at staff level in June 2009.

Architecture of the building is primarily rectilinear and its simple design is complemented by use of brick, cast stone cornices and horizontal elements with spandrel glass curtain walls. The main entrance to the building is articulated by a raised cornice along an otherwise flat roofline, on a projecting building element containing the entrance doors flanked by ground-to-ceiling spandrel glass on the first floor. The two upper two stories offer a contrasting fenestration pattern and the rear elevation differs as it provides an open access to the structured parking area on the base floor.

The proposed building on the southern portion of the site utilizes the same architectural design and materials as the two office buildings on the northern end of the site. Therefore, the architecture of

the building on the southern portion of the site is compatible with the buildings on the project's northern end.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The detailed site plan is in conformance with the requirements of Section 27-453 of the Zoning Ordinance for the C-O Zone, Section 27-461 regarding permitted uses in commercial zones and Section 27-462 regarding regulations in commercial zones. The detailed site plan also conforms to the requirements of Section 27-285(b) regarding the required findings for detailed site plans.
8. **Preliminary Plans of Subdivision 4-05144 and 4-07051:** The detailed site plan is subject to the requirements of Preliminary Plan of Subdivision 4-05144, as memorialized in PGCPB Resolution No. 06-155, both approved July 20, 2006 by the Planning Board. Final plat 5-07316 was approved and recorded in the Prince George's County Land Records at PM 220@ 024 and there are no plat notes on the recorded plat salient to this approval. Preliminary Plan of Subdivision 4-07051 and PGCPB Resolution No. 08-022 were both approved February 28, 2008 by the Planning Board. The following relevant conditions of that approval are listed in **bold face type** below, followed by comment:

Preliminary Plan of Subdivision 4-07051

1. **Due to the unique nature of this site, (which includes being surrounded by recently widened arterial roads, and untreated surface runoff entering the site) the Applicant shall work with the Environmental Planning Section ("EPS") and the Department of Public Works and Transportation (DPW&T) and hold meetings with all parties present prior to submittal of a Detailed Site Plan to design an environmentally sensitive, on-site comprehensive stormwater management system that will incorporate the PMA areas of the site. This system will utilize the "Coastal Plain Outfall" type system, or its equivalent, and shall provide quantity and quality stormwater control for the subject property and the adjoining Fairwoods Office Park, (4-05144), as well as quality stormwater control for the presently untreated stormwater which is generated off-site and currently passes through the subject property.**

The stormwater management system shall be designed to take advantage of a constructed dam structure at MD 193 and the natural contours and to create a sustainable setting to the degree practical. The following methods shall be considered part of an environmentally-sensitive design: "living" retaining walls up to a maximum height above surrounding grade of five feet (5'), earth embankments, forebays, landscaped bio-retention islands in the parking areas, infiltration structures, riser pipes, core trenches, and replacing the existing trees and vegetation with moisture tolerant native plants and trees. The area where the

environmentally-sensitive design features will be located shall include, at a minimum, the acreage of the present PMA delineation. Underground storage facilities with infiltration structures should also be a part of the stormwater solution, but these facilities shall be placed outside the area of the present PMA.

Analysis: Portions of this condition had been addressed on the approved stormwater concept, detailed site plan and tree conservation plan as submitted. Additionally, a copy of the approved Stormwater Management Concept Letter and Plan (32875-2007-01) show that stormwater will be controlled through the use of retention and extended detention, and that stormdrain easements are required. The concept plan shows the use of bioretention, forebays, and a pond and has incorporated the equivalent of a modified version of a type of "Coastal Plain Outfall" system for presently untreated stormwater which is generated off-site and currently passes through the subject property. The site design takes advantage of the constructed dam structure at MD 193 as well as incorporating an embankment, forebays, bio-retention, infiltration structures, among other features. Area calculations confirming that the area of environmentally-sensitive design features include, at a minimum, the acreage of the present primary management area (PMA) delineation were included on the plans. The calculations show that the existing PMA area on-site is 2.27 acres, and the proposed area of the retention/detention structure is 2.47 acres. Several "living" retaining walls and details of their construction were shown on the detailed site plan and that the applicant has presented sufficient information regarding stormwater management to demonstrate compliance with this requirement.

- 2. The DSP shall protect and preserve the woodlands along the perimeter of the site both on the site and within the State Highway Administration right-of-way to the fullest extent possible and within the ten (10') foot wide Public Utility Easement. The area to be evaluated for preservation shall include the area located at the point where the storm drain runs under MD 450 from Frank's Nursery to the subject site and to a point south of the 54" outfall pipe running under MD 193 (excepting necessary utility crossings for water and sewer connections to off-site facilities). The Applicant shall work with the EPS to identify individual trees and tree stands on-site that may be suitable for transplanting, utilizing a tree spade, to other locations on the subject site or the adjoining Fairwoods Office Park and shall provide additional tree plantings around the perimeter of the site, in and around the environmentally-sensitive design feature and in the bio-retention islands in the parking compounds where possible, to enhance the aesthetics of the site.**

To assist the Applicant in optimizing the timing of the harvesting and transplanting of the existing trees, a rough grading plan and permit may be submitted, to allow for the clearing and grading of certain tree removal and receiving areas of the site, including but not limited to areas along the perimeter of the site and areas in and around the of the environmentally-sensitive design feature. This permit shall not be approved until the DSP has been approved by the Planning Board, if the trees are to

be planted within the ESD features. If the trees are to be planted elsewhere, a rough grading permit may be approved after signature approval of the preliminary plan.

In a letter prepared by the Tech Group, Inc. dated June 11, 2009, and a follow-up letter dated July 2, 2009, the applicant provided satisfactory justification for the proposed clearing and grading within the 10-foot PUE and the State Highway Administration right-of-way.

The TCPI approved with the preliminary plan and the TCPPII approved with the DSP for rough grading and infrastructure showed a limit of disturbance located internally to the site and meeting the intent of this condition (preservation of woodlands within and adjacent to the public utility easement (PUE)). The previously approved design proposed the use of a retaining wall along the limits of the PUE in order to preserve the trees located within the PUE. The trees remaining under such a circumstance would be at a higher elevation than the developed site. A newly formed edge of woodland, such as the edge that would have been created under the previously approved plan, is often susceptible to windthrow (tall trees formerly protected in a woodland can fall over when the protection of the adjacent trees is removed). A newly formed edge of woodland that is elevated above the surrounding landscape is especially susceptible to windthrow. Falling trees in this area would be in close proximity to parking areas and could potentially cause property damage.

A field visit made by the Environmental Planning Section determined the viability of transplanting existing trees from the interior of the site for use on other areas of the property and that the size and species of existing trees present on-site were not of a quantity or probable survivability rate to make transplantation viable. Additionally, a large number of exotic and invasive species were noted along the right-of-way, including callery pear.

The current plan proposes to tie the proposed grades back into the natural grades off-site instead of preserving the existing woodlands. This proposal will provide a more natural slope and will avoid the difference in grade that the previously approved retaining wall would have created. As mitigation for the additional clearing this change in design incurs on the property, the plan shows re-plantings in the area with native trees and shrubs. The proposed plantings are small enough to survive transplantation, but large enough to make an immediate visual impact on the intersection of MD 193 and MD 450.

The Planning Board approves this alternate design. By grading the area and avoiding the drastic change in grade that was approved with the previous design of a retaining wall, the potential loss of trees and possible property damage due to windthrow can be avoided. Additionally, the replacement of exotic and invasive species with native stock will add to the overall health of the wooded area and add to its longevity.

3. **The DSP shall show how a minimum of 25% of the 6.64 acre gross tract area will be provided in tree canopy on-site, calculated utilizing the ten year tree canopy values for planted trees and the existing canopy provided by preserved or transplanted trees. This requirement shall be met through the use of woodlands preserved on the site or individual trees or tree stands transplanted as set forth in Condition 2, and trees planted in the environmentally-sensitive design feature, parking lot islands, and the perimeter areas adjacent to MD 450 and MD 193. All tree planting areas shall be of sufficient size to ensure long-term viability of the trees and associated plants.**

At a meeting held May 21, 2009, between the Commission and the applicant the requirements for conformance with this condition were discussed. A copy of the required worksheet was provided at the meeting and later electronically.

A table labeled 'Tree Canopy Calculations' is shown on sheet 9 of the landscape plan and indicates approximately 25 percent proposed canopy coverage; however, the standard worksheet for calculating the tree cover credit needs to be shown on the plan. Also, as agreed to during the meeting and communicated via e-mail after the meeting, a note needs to be located below the worksheet stating that the credits counted on the worksheet are located on Parcel 74 only. These review comments were not addressed on the June 26th submittal.

The landscape plan must be revised to include the standard tree canopy worksheet with a note stating that the credits counted on the worksheet are for Parcel 74 only.

7. **The Applicant shall conduct a Stream Corridor Assessment using the Maryland Department of Natural Resources methodology for the segment of the stream that receives the water from the site (across MD 193) to a point where the stream leaves the Ivy Creek subdivision (4-05105). If stream stabilization is indicated by this investigation, it shall be completed by the applicant as part of the environmentally-sensitive design for stormwater management as part of the mitigation for the proposed impacts to the PMA. Any off-site stream restoration work, if warranted, is to be permitted prior to the issuance of a grading permit.**

This condition has been addressed. A Stream Corridor Assessment using the Maryland Department of Natural Resources methodology was submitted for the segment of the stream that receives the water from the site (across MD 193) to the point where the stream leaves the Ivy Creek subdivision (4-05105). Although portions of the stream system are degraded, the system appears to have become stable due to the presence of a hardpan layer that is now serving as the bed of the stream. Stream restoration is not recommended for this segment at this time.

8. **The applicant and the applicant's heirs, successors and/or assigns shall provide a six-foot-wide trail or sidewalk connection from the subject site to the existing master plan trail along MD 450, unless modified by SHA. This trail shall be marked and labeled on the approved preliminary plan.**

The subject plan shows the connector trail that was required at time of preliminary plan of subdivision approval, and it provides the necessary connection and fulfills the requirement.

10. **Development of this site shall be in conformance with the Stormwater Management Concept Plan [sic], 32875-2007-00, and any subsequent revisions.**

As per the memorandum dated May 18, 2009, received from the Department of Public Works and Transportation (DPW&T), the proposed detailed site plan is consistent with the approved Stormwater Management Concept 32875-2007-01, dated May 27, 2009.

12. **Prior to the approval of final plat, a detailed site plan shall be approved by the Planning Board that shall consider and evaluate architectural elements including, but not limited to, the building siting, architectural materials and landscaping aesthetics. The DSP shall also address environmental issues including, but not limited to, woodland preservation and stormwater management (drainage quality and quantity).**

The approval of the subject detailed site plan subject to conditions fulfills this requirement.

13. **The DSP shall be revised to reflect how the building will meet the base standard for LEED certification from the U.S. Green Building Council, utilizing the June 26, 2007 revisions. The Applicant will explore the feasibility of constructing the building at a bronze or silver LEED, by incorporating U.S. Green Building Council technology into the design, construction and operation of the building.**

A completed 'LEED for Core and Shell V 2.0 Registered Project Checklist' was received by EPS via e-mail on May 11, 2009. The completed checklist estimates that the pre-certification points total 25 with an additional eight points possibly available. Points are estimated during the design phase and awarded after the construction phase. A minimum of 23 points are necessary to achieve leadership in Energy and Environmental Design (LEED) certification." The applicant has met this requirement.

14. **The Applicant shall provide informational signage on-site that explains the design, construction and maintenance of the site features, overall site, including the building, the "Coastal Plain Outfall" (or equivalent) and all related stormwater management elements.**

The submitted interpretive sign exhibit provides fragmented information on both the stormwater management facility and the green building techniques proposed for use on-site. Comments on this information were provided on June 24, 2009 but were not incorporated into the exhibit submitted.

The proposed stormwater management facility includes a combination of environmental site design techniques including bioretention, living retaining walls, the use of forebays, and the use of native vegetation. The sign needs to contain additional information on the other environmental site design features proposed for use on-site such as the underground stormwater storage and infiltration, and the use of underground parking. It needs to point out the dam embankment for the system. It also needs to be revised to show a publicly accessible location for the sign and to reduce the amount of text. All references to the term 'coastal plain outfall' need to be replaced with 'environmental site design.' The sign also needs to be a cohesive design that directs the observer to the various features. The exhibit can be used to meet the general intent of this condition, with a staff level review of a revision to the DSP to be provided for the final design of the interpretive sign.

The interpretive sign exhibit also includes details for a sign to address the LEED component of the condition. The sign explains what LEED is and describes some green building techniques that might be used. It is understood that LEED certification is not awarded until completion of construction, and that opportunities to achieve additional credits may arise during the construction process, just as credits that were assumed to be achievable may not be met. The sign, as proposed, has appropriately incorporated the basic elements of LEED certification; however, the detail describes how the building design proposes to achieve LEED certification and needs to be revised to describe what techniques will be used to achieve certification. The purpose of this sign is to inform the patrons of the building, after construction, how the building met the LEED requirements. Therefore, the timing of the completion of the sign is better left to prior to building permit issuance, when the final design of the building is known.

These sign details are also included on the TCPII. The sign details should only be part of the landscape plan and not part of the TCPII.

15. **Prior to release of the stormwater management construction bond, the Applicant shall record a private stormwater maintenance agreement with Prince George's County Department of Public Works and Transportation that specifically addresses the maintenance and upkeep of the environmentally sensitive design features on the site and all of its components, including trees and other plant material that is transferable to the permanent owners. At such time the site is transferred from the Applicant to the Condominium Owner's Association ("COA") the private stormwater maintenance agreement shall also be transferred to the COA.**

This condition will be addressed by DPW&T later in the construction process. The interpretive sign will also provide necessary commitments with regard to maintenance.

9. **Final Plat 5-07316:** Final plat 5-07316 was approved and recorded in the Prince George's Land Records at PM 220@ 024 and contained no plat notes relevant to the subject DSP.
10. **Detailed Site Plan DSP-08033:** Detailed Site Plan DSP-08033 was approved by the Planning Board on December 14, 2008, and its approval of the same formalized in PGCPB Resolution No. 08-173 adopted by the Planning Board on January 8, 2009. The relevant requirements of that approval are listed in **bold face type** below and are followed by staff comment.
 1. **Prior to certificate of approval of the detailed site plan for infrastructure, the TCP II shall be revised as follows:**
 - a. **Revise the existing tree line to extend off-site 100 feet, as shown on the approved NRI.**
 - b. **Clearly show and label the PMA.**
 - c. **Revise the floodplain line type to be distinct and dissimilar from other line types shown on the plan.**
 - d. **Label the off-site clearing and include the acreage to the nearest 1/100 of an acre.**
 - e. **Revise the labels which currently state "woodland area preserved not counted" to read "woodland area counted as cleared," and revise the associated area labels to the nearest 1/100th of an acre.**
 - f. **Show temporary tree protection fence along the edge of the areas counted as cleared.**
 - g. **After all these revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revisions.**

Though the detailed site plan for infrastructure and the associated TCP II have not received signature approval to date, a condition below requires that it occur prior to signature approval of the subject detailed site plan. In that process, it will be ensured that all requirements of the prior approval are met.

2. **Prior to certification of the detailed site plan, the plans shall be revised to indicate that wetlands are present on the subject property.**

Plan note 24 on the detailed site plan which indicates that no wetlands are located on the site shall be revised.

3. **Prior to signature approval of the detailed site plan for infrastructure, the detailed site plan shall be revised to show the limits of disturbance shown on the TCPII and both plans shall be revised to show the same construction details including rip-rap placement.**

This condition has been addressed by this approval.

4. **At the time of the review of the detailed site plan for construction, the plans shall be evaluated for conformance with Condition 2 of PGCPB Resolution No. 08-22 for Preliminary Plan 4-07051 to ensure that every effort has been made to preserve the trees in the public utility easement and adjacent land within the right-of-way.**

Finding 8 discusses fully the applicant's compliance with this condition.

5. **At least 35 days prior to a Planning Board hearing on the detailed site plan for construction, a technical stormwater management plan shall be submitted which incorporates, into final design, the use of environmentally-sensitive techniques as outlined in Condition 1 of PBCPB Resolution No. 08-22.**

A technical stormwater management plan, received May 21, 2009, shows the use of environmentally-sensitive design techniques.

11. **Woodland Conservation and Tree Preservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because it has approved tree conservation plans. These include: Type I Tree Conservation Plans TCPI/035/07 and TCPI/011/06 and Type II Tree Conservation Plan TCPII/110/06. The subject project conforms to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance by virtue of inclusion of certain environmentally-related conditions of this approval.
12. ***Prince George's County Landscape Manual:*** The detailed site plan is subject to the *Prince George's County Landscape Manual*. The submitted landscape plans are in compliance with the relevant requirements of the Landscape Manual.
13. **Referral Agencies and Divisions:**
 - a. **Historic Preservation**—The proposed three-story medical facility will have no effect on historic resources, sites or districts. The Magruder House (70-030) was moved across the street as required in the approval of Preliminary Plan of Subdivision 4-07051.

- b. **Archeological Review**—A Phase I archeological survey was completed on the 6.64-acre Fairwoods Office Park II property in December 2005 and four copies of the final report, *A Phase I Archaeological Investigation of the Zoglio Commercial Property, Prince George's County, Maryland, Preliminary Plan 4-07051*, were received by the Historic Preservation Section and accepted on October 12, 2007. Since no archeological sites were identified in that study on the property, no further archeological investigation was required. All archeological conditions for the subject property have been fulfilled.
- c. **Community Planning**—The subject project is in compliance with the guidance of the 2002 General Plan and the 1993 *Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity(Planning Area 70)* except for the following:

- The “safeguards” on page 70 of the plan intended to make development compatible with the surrounding community.

The project is oriented toward the intersection of MD 450 and MD 193 instead of exclusively to MD 450. Siting of the building was predetermined by the approval of DSP-06060 on the northern portion of the site and the constraints of sensitive environmental features in the central portion of the site. The building at least partially fronts on MD 450, though it fronts on MD 193 as well.

- The design guidelines for commercial areas insofar as they are applicable for site, building, signage, sighting, landscaping and circulation. The project deviates from this guidance as follows:
 - Parking is provided in front of the building.

The site is constrained by and its location is determined by the presence of environmental features in the central portion of the site and by the development approved in Detailed Site Plan DSP-06060 for the northern portion of the site. Though a part of the parking requirement for the building on the southern portion is met through structured parking, the balance is provided in the form of surface parking necessarily on residual land, after the building was sited in the only available location.

- Plans do not include details for lighting, signs or dumpsters.

These deficiencies in the plan have been addressed through conditions of approval.

- Trees are not uniformly shown on both sides of all trails.

The plans shall be revised to include the planting of trees on both sides of the trails on MD 450 and MD 193 unless modified by SHA.

- Bus shelters, benches and trash receptacles are not included in the plans.

The plans for the project must be revised to include details for bus shelters (if required pursuant to condition 1(n)), benches and trash receptacles.

- d. **Transportation**—The property is the subject of two preliminary plans of subdivision and is located in the northeast quadrant of the MD 450-MD 193 intersection, where the applicant proposes the total construction of 165,751 square feet including three office buildings and a bank.

On June 22, 2006, the Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-05144 for a portion of the subject property known as Fairwoods Office Park (later referred to as Fairwoods Office I). The transportation-related conditions of the approved PGCPB Resolution No. 06-155 include:

7. A standard sidewalk connection shall be provided along at least one side of the entrance road from the existing master plan trail along MD 450 to the internal sidewalks and/or parking lot.
11. The Transportation and Public Facilities Planning Division concludes that there will be adequate public facilities for roads as required by Section 24-124 of the Prince George's County code if the application is approved with the following conditions:

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.

At the MD 450-Bell Station Road/Fairwoods Parkway intersection:

On the Bell Station Road approach provide:

- A left-turn lane
- A shared left-thru lane
- A shared right-thru lane

On the Fairwoods Parkway approach provide:

- A left-turn lane

- A shared left-thru lane
- A right-turn lane

If any or all of these improvements at this intersection are objected to by the State Highway Administration, then the entire application shall be subjected to a new adequacy test.

At the MD 193-Bell Station Road

At the time of full build out of the subject property, if deemed necessary by the State Highway Administration, the applicant shall conduct a traffic signal warrant study and install said signal if determined by SHA to be warranted.

On January 31, 2008, the Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-07051 for a portion of the subject property known then as the Zoglio Commercial property. Based on information outlined in PGCPB Resolution No. 08-22, the preliminary plan was approved with the following transportation-related conditions:

- 8. The applicant and the applicant's heirs, successors and/or assigns shall provide a six-foot-wide trail or sidewalk connection from the subject site to the existing master plan trail along MD 450, unless modified by SHA. This trail shall be marked and labeled on the approved preliminary plan.**
- 9. 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. At the MD 450—Bell Station Road/Fairwoods Parkway intersection

On the Bell Station Road approach, provide:

- A left-turn lane
- A shared left-thru lane
- A shared right-thru lane

On the Fairwoods Parkway approach, provide:

- A left-turn lane

- **A shared left-thru lane**
- **A right-turn lane**

At the MD 193—Bell Station Road

- **Conduct a traffic signal warrant study and install said signal if determined by the State Highway Administration to be warranted.**

B. At the MD 193—MD 450 approach provide:

- **On the eastbound approach, a third through lane, with a length to be determined by the State Highway Administration.**

11. The final plat of subdivision shall indicate no direct access to MD 193.

These conditions have been met. The site plan is acceptable as required by Section 27-285 of the Zoning Ordinance.

Further, Condition 7 of Preliminary Plan of Subdivision 4-05144, requiring a standard sidewalk connection be provided along at least one side of the entrance road from the existing master plan trail along MD 450 to the internal sidewalks and/or parking lot has been complied with on the subject detailed site plan. The other transportation-related condition of that approval is triggered at time of issuance of building permits and will be dealt with at that time, without the need to carry the condition forward in this approval. Regarding the requirements of Preliminary Plan of Subdivision 4-07051, Condition 8, requiring the same connection required in Condition 7 above, has been met. The other transportation-related conditions are triggered at the time of issuance of any building permits within the subject property or at time of approval of the final plat, will be dealt with at that time, without the need to carry them forward in this approval.

- e. **Subdivision**—The subject property is comprised of two parcels. The southern parcel is known as Parcel 74 of Zoglio Commercial and the northern parcel is known as Parcel A of Fairwoods Office Park. The combined property is 12.701 acres, of which 6.64 acres is in Parcel 74 and 6.06 acres is in Parcel A. The entire site is zoned C-O. Noting that the applicant is proposing to develop the property with 195,000 square feet of commercial development, of which 105,000 square feet is currently constructed, all on Parcel A. Two preliminary plans have been approved for the property, with different conditions for each parcel. The subject detailed site plan is in substantial conformance with the approved preliminary plans because certain subdivision-related conditions have been included as conditions of approval of the detailed site plan.

- f. **Trails**—The Washington, Baltimore and Annapolis (WB&A) master-planned trail is located north of the property and provides a major recreational and functional trail between Lanham and the Patuxent River. Second, the trails planner stated that several segments of the Folly Branch Trail had been implemented west of the subject site and that several additional trails are planned south of the subject property including the Western and Bald Hill Branch Trails.

Annapolis Road (MD 450)

With respect to Annapolis Road (MD 450) the planned master plan trail along its northern side had been implemented from Race Track Road in Bowie to Seabrook, including the frontage of the subject property. The pathway was constructed by the Maryland State Highway Administration (SHA), and it is shown on the subject detailed site plan. The trail will provide convenient bike and pedestrian access from the subject site to both the east and west.

Glen Dale Boulevard (MD 193)

With respect to Glen Dale Boulevard (MD 193), the 1993 Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham recommends that a Class III trail be constructed on Glen Dale Boulevard (MD 193) adjacent to the subject property and has been implemented by the State Highway Administration by providing wide paved shoulders, pavement markings, and bikeway signage.

Preliminary Plan 4-07051 (PGCPB Resolution No. 08-22)

Condition 8 of the approved preliminary plan for the project (4-07051 and PGCPB Resolution No. 08-22) requires the following:

“The applicant and the applicant’s heirs, successors and/or assigns shall provide a six-foot-wide trail or sidewalk connection from the subject site to the existing master plan trail along MD 450, unless modified by the State Highway Administration. This trail shall be marked and labeled on the approved preliminary plan.”

The subject plan shows the connector trail that was required by the Planning Board at the time of preliminary plan approval. Technical staff had reviewed the location of the trail and determined that it accommodates the necessary connection and meets the intent of the condition of approval. The connector trail shall be constructed as shown on the subject detailed site plan and as required by Condition 8 of the relevant preliminary plan of subdivision approval.

- g. **Permits**—Permit-related comments have been addressed by revisions to the plans or in the conditions of this approval.

- h. **Environmental Planning**—The following is the environmental background of the project:

A portion of this site, Parcel 74, as Preliminary Plan of Subdivision 4-07051 and Type I Tree Conservation Plan, TCPI/035/07 was previously approved, and as a Detailed Site Plan, DSP-08033 and Type II Tree Conservation Plan TCPII/067/08, for rough grading and site infrastructure. The preliminary plan was approved, with conditions of approval contained in PGCPB Resolution No. 08-22 several of which pertain to the review of a detailed site plan and the associated Type II tree conservation plan as discussed below. The detailed site plan for rough grading and site infrastructure was approved, with conditions of approval contained in PGCPB Resolution No. 08-173.

Another portion of this site, Parcel 138, as Preliminary Plan of Subdivision 4-05144 and Type I Tree Conservation Plan, TCPI/011/06, and as a Detailed Site Plan, DSP-06060 and Type II Tree Conservation Plan TCPII/110/06, for the construction of two four-story office buildings was reviewed. The preliminary plan was approved, with conditions of approval contained in PGCPB Resolution No. 06-155. The detailed site plan was approved by the Development Review Division as designee of the Planning Director. No previously approved environmental conditions of this approval are related to the subject application.

The purpose for the current revision to Detailed Site Plan DSP-08033 is to combine the land area of parcels 74 and 138 into a single detailed site plan. The proposal is for the construction of a three-story medical condominium office building with garage and associated parking on parcel 74, and for fine grading, landscaping, building and parking construction and associated utilities on the entire site.

This 12.70-acre site is located at the northeast quadrant of MD 193 and MD 450. The property is zoned C-O. According to available information, regulated environmental features are found on-site. These features include a stream, wetlands, 100-year floodplain and areas of steep slopes at 25 percent or greater. According to the *Prince George's County Soil Survey* the principal soils on the site are in the Adelphia, Collington, and Ochlockonee series. Marlboro clays do not occur in the vicinity of the site. The site has frontage along MD 193 and MD 450, two existing major arterials. Traffic-generated noise impacts are not anticipated because of the commercial use. There are no designated scenic and historic roads located in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program staff, there are no rare, threatened or endangered species in vicinity of the site. According to the 2005 *Approved Countywide Green Infrastructure Plan*, no network features, including Regulated Areas, Evaluation Areas and Network Gaps, are associated with the site. The property is in the headwaters of the Lottsford Branch watershed in the Patuxent

River basin, is in the Glenn Dale, Seabrook, Lanham and Vicinity Planning Area and the Developing Tier of the *Prince George's County Approved General Plan*.

The site has an approved Natural Resources Inventory, NRI/071/06, that shows regulated streams, wetlands, 100-year floodplain and areas of steep slopes at 25 percent or greater comprising the primary management area(PMA). The site contains one forest stand totaling 6.55 acres.

The woodland conservation threshold for this site is 1.65 acres, or 15 percent of the net tract. The total woodland conservation requirement based on the proposed clearing is 6.58 acres; however, the worksheet incorrectly shows the requirement as 6.55 acres. The worksheet shows all of the existing woodland on-site is proposed to be cleared and the site's requirement to be met with on-site preservation. The plan does not show any woodland preservation on-site and the worksheet needs to be revised to show the woodland conservation requirement to be met with off-site mitigation.

Some technical revisions are required by conditions of this approval. Off-site clearing has been hatched and labeled on the plan; however, the entire area of off-site clearing does not appear to have been accounted for. All off-site clearing needs to be hatched and labeled with the acreage calculated and labeled to the nearest 1/100th of an acre. The area of off-site clearing to the north of the subject site has been accounted for on approved Type II Tree Conservation Plan TCP/094/97 for the adjacent site and does not need to be accounted for on the current TCP. A label should be added to the plan to indicate the area of off-site clearing covered by the TCP for the adjacent site.

- i. **Prince George's County Fire Department**—In a memorandum dated June 26, 2009, the Prince George's County Fire/EMS Department offered comment on needed accessibility, private road design and the location and performance of fire hydrants.
- j. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated May 18, 2009, DPW&T, deferring to the State Highway Administration for authority over the involved travelways, stated that the proposed detailed site plan is consistent with the approved Stormwater Management Concept Number 32875-2007-01, dated May 27, 2008.
- k. **Maryland State Highway Administration (SHA)**—In a letter dated April 19, 2009, SHA stated that they had completed a review of the subject site plan and supporting documents, that the applicant's design engineer has been working with them to gain an access permit, that any grading within SHA right-of-way will require an access permit from their office, but they have no objection to approval of the subject detailed site plan as submitted.

- l. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not provide any comments regarding the subject project.
- m. **Verizon**—In an email dated May 14, 2009, a representative of Verizon suggested the following revisions to the plans:
 - (1) On Sheet 5 of 12 remove the following from the public utility easement:
 - (a) Storm drain man hole 42A
 - (b) Riprap at structure 64 on MD 450
 - (c) Apparent sidewalk on MD 193 at structure 251.
- n. **Baltimore Gas and Electric (BG&E)**—Baltimore Gas and Electric did not provide any comments regarding the subject project.
- o. **Enterprise Road Corridor**—In a letter dated July 8, 2009, the Enterprise Road Corridor Development Review District Commission offered the following comments.
 - **Measures such as closed circuit and/or night vision cameras should be required for security purposes.**

The applicant has stated in an e-mail dated July 9, 2009, that they provide, as part of their base building construction, a building security/card access system and that their practice is to let the eventual buyers of the suites determine their need for security. If the eventual occupants of the building determine that they need further security measures, they will pay for them through the Condominium Owners Association. This sounds reasonable as the developer in this case is not going to be the ultimate owner of the buildings included in this detailed site plan. Moreover, the ultimate owners will be able to best gauge their security needs and should be able to fund any needed security measures from their Condominium Owners Association.

- **Logical pedestrian access should be provided from an adjacent bus shelter into the development.**

The applicant has agreed to request that a bus stop be placed proximate to the development.

- **Trees replacing those removed along the Bell Station boundary should be replanted at a larger caliper than required by the *Landscape Manual*, either in the spring or fall within a year of the time that they were removed. They should be watered, fertilized and staked as necessary for five years and, during that time, any trees that die, should be replaced.**

These requirements are addressed on page 10 of the landscape plans submitted for the project.

- **The dumpster on the property shall be entirely screened.**

The applicant shall indicate dumpster location(s) and a detail of the screening utilizing masonry harmonious with the buildings on the site.

- **Trash receptacle location should be shown on the detailed site plan.**

The location of all trash receptacles shall be indicated on the site plan.

- **Egress and ingress to the development should be adequate and safe.**

Egress and ingress to the property is provided from Annapolis Road (MD 450) and Glenn Dale Road (MD 193) and both are maintained by the State Highway Administration. In a letter dated April 19, 2009, the State Highway Administration stated: "We have no objection to Detailed Site Plan DSP-08033/01 approval as submitted." Also, in a memorandum dated May 29, 2009, M-NCPPC Transportation Planning Section stated that regarding the site layout, the plans are acceptable.

- p. **Glenn Dale Citizens' Association**—In a letter regarding Bell Station, the property to the north, received by email on April 23, 2009, the Glenn Dale Citizens' Association expressed concern regarding the removal of the landscape buffer between the Fairwoods Office Park, LLC and the Broglen, LLC (Bell Station) properties required by Detailed Site Plan DSP-03081. Noting that a compromise was in order because the historic house which had initially required the buffer on the Fairwoods Office property had been removed, they suggested certain conditions of approval establishing the planting of specified quantities and types of trees be planted, at a certain minimum height at time of planting. They felt this would be in line with their desire to maintain the maximum number of trees on any property being developed in their community.

Specifically, they asked that the following conditions should attach to the approval of a modified buffer:

1. The trees should be replanted in the spring or fall within one year of the time the tall trees were removed.
2. The trees should be watered, fertilized and staked as necessary for five years. Any trees that die should be replaced.

3. The minimum size of trees at planting shall be stated on the plan and larger than the County required minimum.

These conditions are to be included in the General Notes on the front page of the landscape set of plans, together with the more specific requirement that the trees shall measure 3½-inch-caliper and 14–16 feet in height at time of planting.

In addition, because the plant list included on page 9 of the landscape set of plans differs from the Glenn Dale Citizens' Association's initial recommendation, the planting of an additional 29 trees (19 Crepe Myrtle and 10 American Holly) to more closely meet the Association's suggested design for the buffer, is required. Lastly, because the applicant proposed to clear more trees along the project's street frontages than originally contemplated, the applicant has provided additional landscaping on the site and staff has found this to be adequate compensation. In a subsequent e-mail, dated July 22, 2009, the Glenn Dale Citizens' Association reiterated their concern regarding buffering of the subject project.

14. 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 Type II Tree Conservation Plan (TCPII/067/08-01) and further APPROVED Detailed Site Plan DSP-08033/01 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the plans for the project, the following revisions shall be made or additional materials submitted:
 - a. Cover sheet shall be revised for the Parking Tabulation for Buildings A, B, C and D to include the correct parking ratio for medical office (1 space for every 200 square feet) and include the square footage of the bank.
 - b. Applicant shall complete the certification process for Detailed Site Plan DSP-08033, and provide a set of prints for the case file.
 - c. Applicant shall include in the plans the locations of any proposed dumpster enclosure(s) and a detail of the design of the enclosure(s) employing brick compatible with the buildings on the site. The Urban Design Section as designee of the Planning Board shall approve the detail and location(s) in accordance with the guidance of the 1993 *Approved*

Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity (Planning Area 70).

- d. Applicant shall revise the plans to include the planting of trees on both sides of the trails on MD 450 and MD 193, unless modified by the State Highway Administration.
- e. The location of the environmental site design interpretive sign shall be shown on the DSP in a publicly accessible location and the interpretive sign exhibit sheet shall be revised as follows:
 - (1) Revise the title to read: “Environmental Site Design Interpretive Sign Concept and Green Building Interpretive Sign Concept”
 - (2) Add the following note: “Prior to approval of any permit for this site, the DSP shall be revised to show the final design of the environmental site design interpretive sign. Prior to approval of the building permit for the medical building on this site, the proposed Green building interpretive sign shall be submitted to and approved by the Urban Design Section.”
 - (3) Add the dimension of the environmental site design (ESD) interpretive sign to be no less than four feet by six feet.
 - (4) Add the dimension of the Green building sign to be no less than two feet by four feet.
 - (5) Number the plan sheets so that this sheet is clearly part of the DSP.
- f. Mention of the Magruder House being on the property shall be removed from the plan set as it has been removed from the property. (e.g. Note 5 under “Site Data” on the cover sheet of the landscape plans).
- g. The agreed-upon requirements regarding the replanting of the northern bufferyard between the Fairwoods Office Park I and II and the Bell Station project shall be placed in the General Notes on the Landscape Plan Cover Sheet and shall be worded as follows:
 - (1) The trees shall be replanted in the spring or fall within one year of the time the trees were removed.
 - (2) The trees shall be watered, fertilized and staked as necessary for five years. Any trees that die shall be replaced.
 - (3) The minimum size of trees shall be stated on the plans and be larger than the County-required minimum. Such minimum size shall be 3½-inch-caliper and

14-16 feet high at time of planting unless they have already been planted. In addition, the applicant shall add 19- 8-10 feet Crepe Myrtles and 10- 10-12 feet American Holly to the planting schedule for the buffer between the Fairwoods Office and Bell Station properties.

- h. Applicant shall provide written evidence to Urban Design staff that they have submitted a request to the appropriate authorities that a bus stop be placed proximate to the proposed development. Should a bus stop proximate to the development be agreed on subsequent to the certification of the subject detailed site plan, applicant shall pursue a staff level revision of this plan to incorporate logical pedestrian access to it.
 - i. Applicant shall remove mention of expired Stormwater Management Concept Plan 46719-2005-00 approved March 26, 2006 and expired March 26, 2009 from the plans.
 - j. Applicant shall add the following note to the plans: “The Planning Board or its designee may approve additional building signage for the development in accordance with the sign regulations in Part 12 of the Zoning Ordinance.” Design of signage shall be in accordance with the guidance of the *1993 Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity (Planning Area 70)* and final plans for such details shall be approved by the Urban Design Section as designee of the Planning Board.
 - k. The landscape plan shall be revised to include the standard tree canopy worksheet with a note stating that the credits counted on the worksheet are for Parcel 74 only.
 - l. Applicant shall submit a revised lighting plan for the project designed in accordance with the design guidelines of the *1993 Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity (Planning Area 70)*. Such plan shall be reviewed and approved by the Urban Design Section as designee of the Planning Board.
 - m. A note shall be added to the plans stating that there shall be no signage along the project’s MD 193 frontage.
 - n. Applicant shall revise the plans to include details for a bus shelter (if a bus stop is to be provided pursuant to condition 1 (i) above), trash receptacles and benches. Design of such details shall follow the guidance of the *1993 Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity (Planning Area 70)* and final plans for such details shall be approved by the Urban Design Section as designee of the Planning Board.
 - o. Wetlands on the subject property shall be accurately reflected on the plans.
2. Prior to issuance of building permits, the applicant will file a revised final plat for Parcel A (currently recorded as plat PM 220@ 024) in accordance with Section 24-108 of the Subdivision

Regulations for which no new preliminary plan is required. The revised plat will include the following plat note reflecting Finding 9 of PGCPB Resolution No. 06-115 and Preliminary Plan of Subdivision 4-05144 establishing peak-hour trip limits:

“The total development on Parcel A shall be limited to a mix of permitted uses or equivalent development which generates no more than 341 (265 in; 76 out) AM peak-hour trips and 480 (166 in; 314 out) PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of adequacy of transportation facilities.”

3. Prior to approval of a final plat for the land area covered by Preliminary Plan of Subdivision 4-07051 the following plat note reflecting Finding 9 of PGCPB Resolution No. 08-22 (File 4-07051) establishing peak hour trip limits shall be included on the plat:

“The total development on Parcel 74 shall be limited to a mix of permitted uses or equivalent development which generates no more than 257 (207 in; 50 out) AM peak-hour trips and 342 (108 in; 234 out) PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.”

4. Prior to approval of a final plat for the land area covered by Preliminary Plan of Subdivision 4-07051, the following plat note shall be provided in all new buildings proposed under this detailed site plan:

“In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George’s County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”

5. Prior to issuance of any building permits for the subject property, a revision to the DSP shall be approved at staff level for the final design of the environmental site design (ESD) interpretive sign. The design of the sign shall include a site specific picture and limited text for each of the ESD features including: bioretention, living retaining walls, the use of forebays, the use of native vegetation, the use of underground stormwater management, the use of underground parking, and the use of an existing dam embankment. Text shall also include the site specific maintenance commitments. The illustrations and the text shall be cohesive throughout, be specific to the site, clearly illustrate the concepts, and relate directly to the locations on the axonometric plan view.
6. Prior to issuance of the building permit for the medical building on-site (“Fairwoods Office Building III”), a final design of the interpretive sign regarding green building shall be submitted to and approved by the Urban Design Section. The interpretive sign detail shall include information on the basics of green building design; what green building features are part of the design of the building.

7. Prior to signature approval of the detailed site plan, the Type II tree conservation plan shall be revised as follows:
 - a. Revise the worksheet to accurately reflect the amount of woodland conservation required and how the requirement is proposed to be met (off-site).
 - b. Show all off-site clearing with the associated hatching, a label, and the area calculated to the nearest 1/100th of an acre, with the exception of the off-site clearing area to the north of the subject site which has been accounted for on a previously approved tree conservation plan.
 - c. Provide the following label for the off-site clearing area to the north: "Clearing accounted for on approved Type II Tree Conservation Plan TCPII/094/97."
 - d. Remove all references to the interpretive signage.
 - e. After all these revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revision.

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 and Squire voting in favor of the motion, and with Commissioners Cavitt and Parker opposing the motion at its regular meeting held on Thursday, July 30, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 24th day of September 2009.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

OSR:FJG:RG:arj