



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 10-108

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File No. DSP-09011

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 October 7, 2010 regarding Detailed Site Plan DSP-09011 for Stephen's Crossing, Lot 22, the Planning Board finds:

1. **Request:** This application includes a request for approval of a 60,000-square foot, two-story, 35-foot-high medical practitioner's office building on 9.62 acres in the I-1 Zone.

2. **Development Data Summary**

	Existing	Approved
Zones	I-1	I-1
Uses	Vacant	Medical Office
Acreage	9.62	9.62
Lots	1 (Lot 22)	1 (Lot 22)
Square Footage (SF)/GFA	0	60,000 (10,000 storage)

Other Development Data

	Required	Approved
Parking:		
50,000 SF of medical office at 1 space/ 200 SF	250 (7 Handicapped)	250 (12 Handicapped)
Total	250 (7 Handicapped)	250 (12 Handicapped)
Loading:		
Office Building - 1,000 to 100,000 square feet	1 (12 feet x 33 feet)	1 (12 feet x 33 feet)
Total	1	1

3. **Location:** The subject site is located in the northwest corner of the intersection of Brandywine Road (MD 381) and Mattawoman Drive which is platted, but not yet constructed. The site is within Planning Area 85A, Council District 9, and the Developing Tier.

4. **Surrounding Uses:** The site is part of the vacant land area previously known as the Brandywine Business Park, which was proposed to be developed with warehouse and office space. The vacant lots to the north, west and east, across the platted Mattawoman Drive, used to be zoned I-1 and were part of the Business Park, until the September 2009 *Approved Subregion 5 Master Plan and Sectional Map Amendment* rezoned them to M-X-T as part of the future Brandywine area community center. The properties to the south, across Brandywine Road, are zoned L-A-C and R-M and are proposed to be developed with commercial and residential uses through CDP-0901 and CDP-0902, Villages at Timothy Branch.
5. **Previous Approvals:** On July 24, 1989, the District Council approved Zoning Map Amendment A-9751-C for the 196.7-acre Brandywine Business Park, including this property, subject to 14 conditions including the requirement for detailed site plan review. On May 31, 1990, the Planning Board approved Preliminary Plan of Subdivision 4-90045 (PGCPB Resolution No. 90-230) for the Brandywine Business Park property, subject to 16 conditions. A final plat was recorded pursuant to that approval at REP 209 @ 19, showing six lots. The subject property, Lot 22, was never developed.
6. **Design Features:** The subject detailed site plan proposes the construction of a 60,000-square-foot medical practitioner's office building, and associated 250-space parking lot on Stephen's Crossing, Lot 22. The subject property has a long, narrow shape with about one-third of its area, within the northern and western portions, being located in a platted conservation and floodplain easement. This leaves the majority of the developable area in the southeastern portion of the site closest to the intersection of Brandywine Road (MD 381) and the platted, but unimproved, Mattawoman Drive. The rectangular office building is thus located closest to this corner of the site, setback approximately 70 feet from both rights-of-way, with a single-loaded bay of parking between the building and the rights-of-way. The majority of the parking field is then located to the west of the building, with a double-loaded bay of parking to the north of the building. The building has doors on all four sides, but the main entrances are at either end, facing Mattawoman Drive to the east and the main parking field to the west. The handicapped parking spaces are grouped closest to both of these entrances. There are two vehicular entrances into the site, a two-way drive off of Mattawoman Drive in the northeast corner and a right-in, right-out only entrance off of Brandywine Road in the southwest corner of the parking field.

The one approved loading space shall be located in the drop-off area in front of the main entrance on the west side of the building. Based on the type of office uses approved, the loading space will only be used for short stops by box size trucks and will be a standing area only, as opposed to long-term parking. The Planning Board finds that since this is in front of the main entrance doors, the area be labeled clearly to ensure it is used only as a drop-off and pick-up area. A condition requiring this has included in this approval.

A trash dumpster, surrounded by a brick enclosure, will be located along the northern edge of the parking field, close to the building. A small masonry-block retaining wall with safety fence is proposed in the northeastern corner of the site between the parking lot and the environmental features. Stormwater management will be accommodated on-site in an extensive underground

stormwater storage and treatment system, located under the parking lot to the north and west of the building and discharging into the adjacent floodplain to the north. A photometric plan was provided showing the site will be lit with free-standing pole lights in the parking lot and building-mounted sconces. Both are rectangular shaped and full cutoff to reduce light pollution.

The approved office building will be two stories, 35 feet high, and have a basement. The overwhelming majority of the exterior will be constructed of red brick, with a light red brick and tan brick serving as accents. Additionally, a tan split-face concrete block will be used along the water table and the windows will have precast trim along the top and bottom. The windows and doors themselves will be of a storefront style and will have green frames to match the green, standing seam metal, hipped roof. The east and west building elevations will have an aluminum canopy over the main entrance doors, which will also include aluminum lettering clarifying one entrance as being for "Medical Offices" and the other for "Physical Therapy". All four sides of the building will also have a large sign panel mounted in the top central portion of the façade including the name of the facility, "Greater Metropolitan Orthopedic Institute", and a stylistic human form. To finish off the proposed signage, small, ten-foot square tenant signs will be provided above the doors on the north and south facades.

The approved basement will have some offices located within it, and therefore windows are being provided below-grade in window wells along the northern and southern building façades. This window well area is located adjacent to the sidewalk that runs around the building, so metal grates are being proposed to cover the wells for safety reasons. The building façade within this window well area will be faced with tan split-face concrete block and the windows will be of the same style as the remainder of the building with green window frames.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the Light Industrial (I-1) Zone and the site plan design guidelines of the Zoning Ordinance. A medical practitioner's office use is permitted in the I-1 Zone.
 - a. The proposal was reviewed and found to be in conformance with the requirements of Section 27-469, I-1 Zone, of which the following merit specific discussion. Section 27-469(b)(1) and (2) and (c)(1) require the following:
 - (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 subject site is 9.62 acres with 3.03 acres in a floodplain easement, leaving 6.59 acres in net lot area. The approved development leaves 2.86 acres, or 43 percent, in green area, exclusive of the landscaped strips provided adjacent to the public rights-of-way. However, this number is listed incorrectly on the cover sheet and should be revised prior to certification. A condition has been included in this approval requiring this prior to DSP certification.

(c) Outdoor storage.

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

The medical practitioner's office will not have any outdoor storage.

- b. This approval is in conformance with the requirements of Section 27-474, Section 27-466, Section 27-466.01, and Section 27-467 regarding additional regulations for development in industrial zones.
- c. The detailed site plan submittal contains several proposed building-mounted signs that are in conformance with the signage requirements of the Zoning Ordinance.

There is a free-standing sign structure shown on the plan that is labeled "Proposed Entrance Feature". However, this structure should be coordinated with, and incorporated into, a larger entrance feature treatment that runs along the Brandywine Road frontage from the intersection of Mattawoman Drive west to the proposed right-in/right-out entrance, and on the western frontage of Mattawoman Drive from the intersection of Brandywine Road north to the entrance to Lot 22. A condition has been included in this approval requiring this prior to DSP certification.

- 8. **Zoning Map Amendment A-9751-C:** On July 24, 1989, the District Council approved Zoning Map Amendment A-9751-C (Zoning Ordinance 42-1989) subject to 14 conditions, of which the following are applicable to the review of this detailed site plan and warrant discussion as follows:
 - 1. **Detailed site plan approval by the Planning Board pursuant to Section 27-281 of the Prince George's County Code and by the District Council prior to the issuance of building permits.**

This application has been made pursuant to this condition.

2. Detailed site plan approval shall address:

- A. **Landscape screening and buffering of residentially developed properties on Missouri Avenue as necessary to minimize potential adverse visual impacts.**

The subject lot is not adjacent to the residentially developed properties on Missouri Avenue; therefore it will not have any visual impact on them.

B. Design of entrance and landscaping materials along the collector road through the site to create a coordinated development scheme with the industrially zoned properties to the south.

Based on the description of the specified road as having entrance features and connecting to the industrially zoned properties to the south, it is understood that this condition was referring to the platted Mattawoman Drive alignment through the site, which provides the main accesses to the site, connects Robert Crain Highway (US 301) to Brandywine Road (MD 381) and continues south to properties previously zoned I-3.

The subject lot, Lot 22, has a short frontage, approximately 60 feet, on Mattawoman Drive. The remainder of the lots that were part of this Basic Plan were rezoned to M-X-T through the 2009 sectional map amendment and are currently under review as Conceptual Site Plan CSP-09003, Stephen's Crossing, for a mixed-use development. Additionally, the industrially zoned properties to the south, that are referred to in the condition, have been rezoned to R-M and L-A-C, through A-9987 and A-9988, and are currently under review as CDP-0901 and CDP-0902, Villages at Timothy Branch, for a mixed-use development. The final design of the entrance features and landscaping materials within this subject lot, Lot 22, needs to be coordinated with both of these future developments in order to truly meet this condition. These other two developments are much larger in scale; however, they are only in the conceptual plan review stages and have not identified final designs for any entrances or landscaping.

Since the subject site, Lot 22, and the adjacent parcels within CSP-09003 are all currently owned by the same entity, the applicant offered the following description as an example of what may be proposed for the streetscape treatment on Lot 22.

"Planting

"Streetscape planting will be provided according to the guidelines set forth in the current version of the *Prince George's County Landscape Manual*. Plantings will include perimeter tree and shrub plantings which will have to be coordinated with the existing utilities present along the streets. Plant material will be native species to the extent practicable. Plantings shall be designed to provide a continuous line of trees along the road frontage, as well as a 30 to 36-inch high shrub border (ultimate height) along areas where parking lots border the public streets. The shrub border shall not be a continuous, straight line of shrubs, but shall be comprised of groupings of shrubs in a more natural, curvilinear form.

“Entry Features

“Entry features will be provided at the intersection of major roads. The entry features will include sign walls and piers, low walls, fencing, landscaping, and lighting. The sign walls will be of sufficient scale to provide adequate signage for the development. The height of the sign walls will be no more than 72 inches, while piers will be no more than 96 inches tall. Low walls of 18 to 24 inches shall be provided to create elevated planter areas adjacent to the sign. Fencing may be provided to connect the entry feature to other streetscape features extending from the intersection. Landscaping will be provided around the entry feature on all sides. Accent lighting will be provided to illuminate the signs and the features at night.

“Materials for the walls and piers shall be a combination of brick and stone masonry product. The brick shall be coordinated with the buildings to match the brick used in the buildings of the development. The stone product shall be chosen to blend in with existing stone buildings in the area. Precast concrete products shall be used for wall and pier caps.

“Fencing provided shall match the fencing provided along the streets leading to the intersection.

“Landscaping provided shall be suitable to accent the entry features. Larger trees shall be provided to frame the entry features, and smaller flowering trees shall be provided to accent the entry feature. The entry features shall have a backdrop of medium evergreen trees. Shrub and perennial planting shall be provided around the entry features for accent and seasonal interest. To the extent possible, native plant material shall be used.

“Lighting shall be provided at the entry features. This will include accent lighting in the form of pier mounted lamps, spotlights, and/or uplights. Internally illuminated signs may also be used. Landscape uplighting of the proposed trees shall also be considered. Lighting styles shall complement the overall architectural style of the development.

“Fences/Walls Treatment of Brandywine Road

“Along Brandywine Road, suitable treatment of the perimeter of the development shall be provided to complement the historic nature of the existing road. The treatment shall include a fence and pier system. The fence and pier system shall be coordinated with landscaping proposed along the perimeter of the development and the fence and pier system shall be coordinated with the existing utilities along Brandywine Road. The fence and pier system shall be provided wherever development is adjacent to Brandywine Road. In areas that are not to be

developed, no fence will be required. The fence shall be a black, metal, decorative fence, with a height of 36 to 42 inches. The fence shall be interrupted by piers every 32 feet. The piers shall be 24-inch square brick or stone masonry product faced piers, with a height of 72 inches. The piers shall utilize precast concrete products for caps, and for water table material, if applicable.

"Schedule of Improvements

"The entry feature, walls/fences, and plantings associated with the entry feature will be a part of the Conceptual Site Plan approval (CSP-09003). These will be constructed with the development of the first lot within the MXT zone. The developer for Lot 22 will plant the Landscape Manual requirements concurrently with the development of Lot 22. These will include the tree and shrub border along Brandywine Road and Mattawoman Drive. An easement to allow the installation of streetscape and entry feature improvements shall be recorded in the Land Records of Prince George's County prior to certificate approval of Detailed Site Plan DSP-09011."

The Planning Board finds that with the applicant's suggestion that Lot 22, as part of their DSP development, should be required to install streetscape plantings to meet the requirements of the *Prince George's County Landscape Manual*. The Planning Board also found that the applicant should be required to provide comprehensive landscape treatment of the entrance or gateway into Stephen's Crossing, as described in their submitted language, with this DSP plan, in order to ensure the development of these features on this property in a timely fashion. Therefore, a condition requiring the addition of these entrance features, including the location of piers, walls and/or fencing on the DSP prior to certification has been included in this approval.

C. The Timothy Branch shall be buffered by the fifty (50) foot building setback.

The Planning Board finds that the plans as submitted provide a building setback in excess of 50 feet from the banks of Timothy Branch on Lot 22 by the protection of the primary management area (PMA).

3. **Loading areas shall not front directly on Brandywine Road, Route 301, nor the collector road unless substantial screening and buffering is provided to mitigate potential adverse visual impacts.**

The site's one proposed loading space does not front on Brandywine Road, nor the "collector road," which is now known as Mattawoman Drive, and designated as an arterial road.

4. **All structures shall be equipped with automatic fire extinguishing systems in accordance with National Fire Protection Association (NFPA) standards and all applicable County Laws.**

The site plan includes a general note indicating that a fire suppression system shall be installed in all commercial structures in accordance with the National Fire Protection Association (NFPA) and all applicable Prince George's County Laws.

- 8. An approved 100-year floodplain study and stormwater management concept plan shall be provided prior to Detailed Site Plan approval by the Planning Board.**

Lot 22 was platted in 2005, and a 100-year floodplain easement and conservation easement was delineated on the final plat. The natural resource inventory (NRI) approval included a proposed 100-year floodplain study (FPS-900125) which was approved in 2005, and a stamped approved copy was received by the Environmental Planning Section on November 9, 2009. A Stormwater Management Concept Approval Letter (23666-2009-00) and Concept Plan were submitted with the application package. The detailed site plan and Type 2 tree conservation plan include delineation of the existing and proposed 100-year floodplain as approved by the Department of Environmental Resources (DER), and the previously platted conservation easements.

- 9. Restrictive slopes shall be maintained in their vegetated states to the extent practicable and shall be shown on the detailed site plan.**

No severe or steep slopes were found to occur within the limits of this application.

- 11. A soils study shall be provided at the time of detailed site plan submittal to address grading, drainage and soil stability.**

The soils associated with Lot 22 are in the Beltsville and Leonardtown series, both of which are in hydrologic group C, and are often associated with perched water tables and impeded drainage. A soils study titled "Subsurface Soil Investigation Report: Proposed Stephen's Crossing" prepared by MAFI Associates, Inc. and dated August 2009 was provided with the detailed site plan application submittal. The Department of Public Works and Transportation (DPW&T) will be evaluating the report during the review of site construction.

- 12. No vehicular access to Missouri Avenue shall be provided from the subject property to ensure and protect the residential neighborhood and character of Missouri Avenue.**

The site plan does not provide any vehicular access to Missouri Avenue.

- 9. Preliminary Plan of Subdivision 4-90045:** On May 31, 1990, the Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-90045 (PGCPB Resolution No. 90-230) subject to 16 conditions, of which the following are applicable to the review of this detailed site plan and warrant discussion as follows:

1. **At the time of Final Plat approval, the applicant shall dedicate the right-of-way for the Spine Road through the limits of the applicant's property. The dedication shall be to arterial specifications (120-foot right-of-way) and shall be along the alignment shown on the approved Preliminary Plat of Subdivision.**

The required road dedication was done at the time of the record plat and is reflected on this detailed site plan.

2. **Prior to the issuance of building permits, the applicant shall bond for construction a full half section of the Spine Road. The half section shall be constructed to standards as reasonably determined by the Department of Public Works and Transportation (DPW&T) but which shall, at a minimum, include three (3) full travel lanes with a total paving width of 36 feet. The half section shall be constructed within available rights-of-way within the boundaries of the subject property.**
3. **At such time as the DPW&T shall determine, the applicant shall bond for construction the second full half section of the Spine Road. The half section shall be constructed to standards as reasonably determined by the DPW&T but which shall, at a minimum, include three (3) full travel lanes with a total paving width of 36 feet. The second half section shall be constructed within available rights-of-way within the boundaries of the subject property.**

The timing for construction of the Spine Road will be enforced by DPW&T.

4. **The applicant shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a road club which will include the applicant, Mattawoman/Brandywine Commerce Center, and other property owners in the area designated as Employment Area "C" in the Subregion V Master Plan, as well as any properties along U.S. 301/MD 5 between T.B. (the intersection of U.S. 301 and MD 5 in Prince George's County) and Mattawoman Creek, and the Preliminary Plat of Subdivision for the Brandywine Village M-A-C property.**

The applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of \$1.41 per square foot for each square foot of floor area constructed on the property forming the subject matter of this application. Payment is to be made in trust to the road club escrow agent and shall be due, on a pro-rata basis, at the time of issuance of building permits. Prior to the issuance of any building permit(s), the applicant shall provide written evidence to The Maryland National Capital Park and Planning Commission (M-NCPPC) that the required payment has been made.

The off-site transportation improvements to be constructed are set forth below. Construction of these improvements shall occur in the numerical sequence in which they appear. Each improvement shall be constructed if, and only if, sufficient funds for engineering, full design and construction have been deposited into the road club escrow account by road club members or said funds have been provided by public agencies.

- a. Widen U.S. 301/MD 5 from a four-lane road to a six-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the U.S. 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently-approved State Highway Administration (SHA) plans.
- b. Install a traffic signal at the Spine Road/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T.
- c. Make minor widening-striping improvements to U.S. 301/MD 5 interchange ramps.
- d. Widen U.S. 301 from a four-lane road to a six-lane road beginning at the T.B. interchange (U.S. 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.
- e. Reconstruct the traffic signal at U.S. 301/MD 381.
- f. Install a traffic signal at the MD 381/Spine Road intersection, provided said signal is deemed warranted by the SHA.
- g. Provide grade separation at the point the Spine Road crosses U.S. 301 northeast of T.B.
- h. Reconstruct the traffic signal at the MD 5/MD 381 intersection.
- i. Construct an interchange in the area of the intersection of Cedarville Road and U.S. 301/MD 5.
- j. Construct an interchange in the area of the intersection of the Spine Road and MD 5 north of T.B.

This condition requires that the applicant contribute to a number of transportation improvements in the area on a pro-rata basis. Any payment shall be applied to all square footage, and the money shall be paid to DPW&T on a pro-rata basis at the time of building permit. As the preliminary plan condition fully explains the payment and the process, this condition need not be carried forward onto the site plan.

5. **Total development of this 195.91-acre site shall be limited to 1,125,000 square feet of warehouse space and 375,000 square feet of office space or different uses generating no more than the number of peak hour trips (1,200 AM peak hour trips and 1,144 PM peak hour trips) generated by the above development. Any development other than that identified herein above which generates more than this identified number of trips shall require an additional Preliminary Plat of Subdivision with a new traffic study in order to determine the adequacy of transportation facilities.**

This condition establishes a trip cap for the overall property of 1,200 AM and 1,144 PM peak-hour trips. The subject application is the first development to be offset against that cap. It is estimated that the subject proposal would generate 171 AM and 228 PM peak-hour trips. Therefore, this plan is well within the cap set for the entire subdivision, and therefore the site plan complies with Condition 5.

6. **Prior to signature approval, the Preliminary Plat shall be revised to show an 80-foot right-of-way for Street "B" between Street "A" and the cul-de-sac on Street "B" adjacent to Outlot B (C-194 on the Subregion V Master Plan) as shown on the submitted plan. The plat shall also be revised to show an outlot, Outlot D, 80 feet in width, extending from the cul-de-sac at the end of Street "B", located north of Street "A", to Missouri Avenue corresponding to the alignment of C-194. At such time as C-194 is bonded or funded for construction in the County Improvement Program or the State Consolidated Transportation Program or by a private entity other than the applicant, the applicant shall dedicate the above-mentioned outlot to the County within 60 calendar days of notice. Outlot B shall be redesignated into two outlots, Outlot B and Outlot C.**

This condition was written to obtain the needed dedication along what eventually became the C-610 collector facility. This dedication was eventually obtained as Cattail Way, and is not within or adjacent to the subject site.

7. **Prior to the issuance of any permits, a Detailed Site Plan shall be approved by the Planning Board for all lots. This Detailed Site Plan shall address, but not be limited to, the following:**
 - a. **A landscaped berm should be provided along the boundaries of Lots 1 and 2 where they adjoin U.S. 301, in order to buffer views from the Gwynn Park Historic Site into the industrial park.**
 - b. **A buffer of the existing trees should be left on Lots 21 and 22 where they adjoin the highway to buffer the views from the Historic Site.**
 - c. **The existing trees on Lots 3 and 4 should be preserved to as great an extent as possible to buffer views from the Historic Site.**

The approved preliminary plan contained lot numbers that were changed with the record plats. Platted Lot 22 was previously numbered Lots 16 and 17 on the approved preliminary plan. Therefore, the three above conditions do not apply to the subject site.

d. All the requirements of Zoning Ordinance 42-1989.

See Finding 8 for an analysis of conformance to ZO-42-1989. Section 27-157(b)(3) requires that all building plans list the conditions of the zoning map approval and show how the proposed development complies with them. The DSP does not list the conditions of the Zoning Map Amendment A-9751-C; therefore, a condition has been included requiring this to be added prior to certification of the DSP.

- 8. There shall be no disturbance within the 100-year floodplain areas shown on this plan except for the disturbance necessary for road crossings and for the building of proposed Street "C" unless otherwise agreed to by the Watershed Protection Branch of the Department of Environmental Resources and the Natural Resources Division of The M-NCPPC.**

The application proposes off-site impacts to the approved developed 100-year floodplain and the 100-year floodplain easement established at time of final plat for the construction of a portion of Mattawoman Road, which is a master-planned arterial roadway and a necessary road crossing. This impact was anticipated at time of preliminary plan approval. Clearing within the dedicated right-of-way must be addressed as part of the TCP2 or a separate roadside permit will be required.

Impacts are also proposed on-site and off-site to the developed 100-year floodplain and the 100-year floodplain easements for a stormwater management outfall, which is a necessary site development utility. The location of the outfall lies within the construction zone of Mattawoman Drive, and proposed impacts have been minimized to the extent possible.

Impacts are also proposed within the primary management area for a necessary sewer connection to the east which affects 100-year floodplain, wetlands and wetland buffers. These impacts have been determined to be necessary for site development, but may require federal and/or state permits.

A revision to the existing 100-year floodplain to a developed 100-year floodplain due to the installation of a culvert and the proposed stream crossing has been previously approved by the Department of Environmental Resources.

While it has been determined that these impacts to the floodplain are necessary in regard to the preliminary plan condition, it should be noted that the road improvements, stormwater management outfall and sewer outfall as shown are off-site and cannot be approved as part of this DSP. To clarify this, the proposed limit of disturbance should be moved to be completely within the subject property. The improvements within the platted Mattawoman Drive will have to be reviewed, approved and permitted separately by DPW&T and this should be noted on the plan. The pipe outfalls mentioned continue off-site into the adjacent M-X-T zoned parcels to the north

and the east, on the other side of Mattawoman Drive. Per Section 27-546(a) of the Zoning Ordinance, a conceptual site plan and a detailed site plan shall be approved for all uses and improvements within the M-X-T Zone. Therefore, the pipe outfalls, and associated improvements, will have to be shown on the appropriate plan approvals prior to the building permit being issued for the subject property to ensure the necessary utilities will be provided. Conditions have been included in this approval addressing these issues.

9. **There shall be no disturbance within the 100-year floodplain area shown on proposed Lot 30 unless agreed to by the Watershed Protection Branch of the Department of Environmental Resources and the Natural Resources Division of The M-NCPPC.**

Lot 30 on the preliminary plan is depicted at the end of Street "C" which was platted as Daffodil Court. Lot 30 was in the general location of what is now Lots 2, 4 and 7 to the north of the subject site and not adjacent. Therefore, the condition is not applicable to the subject site.

10. **Nontidal wetlands shown on proposed Lots 18, 19, 20 and 21 shall not be disturbed unless otherwise approved by the State of Maryland's water quality certification. On the above referenced lots, the remaining nontidal wetlands shall have a 25-foot non-disturbance buffer shown around them.**

Lots 18, 19, 20 and 21 on the approved preliminary plan are abutting to the west of platted Lot 22. These four lots were platted as Lots 24-26 (REP 209@19). The site plan does not show any impacts into these adjacent lots, so therefore the condition does not apply.

11. **Any necessary U.S. Army Corps of Engineers permits shall be applied for prior to the submittal of the first Detailed Site Plans that will disturb any wetlands. In addition, U.S. Army Corps of Engineers permits shall be approved prior to the issuance of any grading permits for any wetland disturbance.**

The site plan does not propose to disturb any wetlands on-site. However, the proposed off-site improvements shown on this plan do impact wetland areas on adjacent lots. The off-site improvements and necessary permits will be reviewed and approved under separate plans.

12. **A Type II Tree Conservation Plan shall be approved by the Planning Director, or her designee, in conjunction with the approval of the Detailed Site Plans.**

In a memorandum dated September 9, 2010, the Environmental Planning staff indicated that they recommend approval with conditions of the Type 2 Tree Conservation Plan that was submitted with this DSP.

13. **Prior to the approval of each Detailed Site Plan, technical stormwater management approval shall be obtained for the on-site stormwater management ponds that provide stormwater management for the submitted Detailed Site Plans. If the ponds**

need to be enlarged, additional areas shall be taken from the adjacent lots for these ponds and their required buffers. Up to one acre outside of the floodplain may be necessary on Lot 5 and up to two acres outside of the floodplain may be necessary on Lot 9. This may require modification of the existing lot lines.

Technical stormwater management is reviewed and approved by the Prince George's County Department of Public Works and Transportation (DPW&T). A Stormwater Management Concept Approval Letter and associated plan were submitted with the application and DPW&T found the site plan to be consistent with the approved concept plan. The detailed site plan shows an extensive underground stormwater storage and treatment system, with a pre-treatment section and a recharge trench, under the parking lot on Lot 22, discharging into the adjacent floodplain. The applicant submitted a copy of the technical stormwater plans on July 23, 2010 and an e-mail was received from Mansukh Senjalia, from DPW&T, dated August 3, 2010 stating that the plans as submitted were ready for technical approval. As a condition of approval, a copy of the signed technical stormwater management plan shall be submitted prior to certification of the DSP.

- 14. The final alignment of proposed Street "C" shall be decided prior to Detailed Site Plan or Final Plat approval, whichever comes first. Attempts will be made to move this proposed street further out of the existing 100-year floodplain to the extent practicable.**

The final alignment of proposed Street "C" was part of a final plat approval. Therefore, this condition no longer applies to this DSP.

- 15. As part of the Detailed Site Plan review, additional tree save areas shall be established to compensate for those wooded areas that have been lost due to the floodplain disturbance required to construct proposed Street "C".**

The subject detailed site plan does not abut or include Street C.

10. ***Prince George's County Landscape Manual:*** The medical practitioner's office in the I-1 Zone is subject to Section 4.2, Commercial and Industrial Landscaped Strip Requirements, Section 4.3, Parking Lot Requirements, and Section 4.7, Buffering Incompatible Uses, of the *Prince George's County Landscape Manual*.
- a. Section 4.2, Commercial and Industrial Landscaped Strip Requirements, specifies that in all commercial zones, a ten-foot landscape strip shall be provided on the property adjacent to all public rights-of-way. The landscape plan has provided a 25-foot landscape strip of existing vegetation in the western portion of the site and a 20-foot landscape strip, including the 10-foot public utility easement (PUE), in the eastern portion of the site. The plan has also provided the appropriate landscape schedules.
 - b. Section 4.3(a), Landscape Strip Requirements, requires a ten-foot-wide landscape strip between the parking lot and public right-of-way to be planted with one shade tree and ten

shrubs per 35 linear feet of parking lot perimeter adjacent to the right-of-way, among other landscape strip treatments. The landscape plan has provided a 20-foot-wide landscape strip, including the existing 10-foot public utility easement, and the landscape schedules. However, the landscape strip "B" as shown on the plan appears to be deficient of two shade trees and four shrubs necessary to meet the total number required as correctly identified in the landscape schedule. This area shall be revised prior to DSP certification to show the required number of shade trees and shrubs being provided, in accordance with Condition 2(c) below.

- c. Section 4.3(c), Interior Planting, requires a certain percentage of the parking lot to be interior planting area for any parking lot which is 7,000 square feet or larger. The landscape plan identifies 92,694 square feet of proposed parking in the subject DSP. Therefore, eight percent of the total area of the lot must be interior planting area. The landscape plan has provided the corresponding required interior planting area and the landscape schedule.
- d. Section 4.7, Buffering Incompatible Uses, requires a buffer between adjacent incompatible land uses. The properties to the north and west are vacant and zoned M-X-T. The current CSP-09003 Stephen's Crossing, which is under review, proposes commercial uses, such as offices and restaurants, in the general vicinity of the shared property lines. As indicated on the landscape plan, the two proposed uses are both defined as medium impact and therefore no buffer is required between them. The landscape plan has provided the corresponding landscape schedule.

- 11. **Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because a Type 1 Tree Conservation Plan, TCP1-84-90, was previously approved for the site by the Planning Board on May 31, 1990. A Natural Resource Inventory NRI-047-08 was signed for the overall Stephen's Crossing development on March 13, 2009, and was revised and approved on July 30, 2010 to separate site data information for Lot 22 from the remainder of the site. A Type 2 Tree Conservation Plan (TCP2-055-09) was submitted with the detailed site plan application. The woodland conservation threshold for the site is 0.98 acres and the total woodland conservation requirement based on the amount of clearing shown is 1.83 acres. The TCP2 proposes to meet the requirement with a total of 1.85 acres of on-site woodland preservation and afforestation. The Type 2 Tree Conservation Plan, TCP2-055-09 requires some minor revisions to conform to the requirements of the Woodland and Wildlife Habitat Conservation Ordinance and the applicable standards of the Environmental Technical Manual. These include providing a legend on all the sheets, adding the TCP2 number to the approval block, adding the standard TCP2 notes, and adding a note stating how clearing within rights-of-way will be addressed. These requirements have been included as conditions to be revised prior to certification of the DSP.

12. **Further Planning Board Analysis and Comments from Other Entities:** The subject applications were referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Historic Preservation**—In a memorandum dated October 23, 2009, the Historic Preservation Section indicated that the proposed DSP for a medical office building will have no effect to identified Historic Sites, Resources, or Districts.
- b. **Community Planning**—In a memorandum dated August 11, 2010, the Community Planning South Division indicated that the land use proposed by this application is consistent with the 2002 General Plan Development Pattern policies for Centers and Corridors and conforms to the recommendations of the 2009 *Approved Subregion 5 Master Plan and Sectional Map Amendment*, PGCPB Resolution No. 09-109, and County Council Resolution CR-61-2009.

This property is part of a larger development (173 acres) that is zoned M-X-T. During the preparation of the Subregion 5 Master Plan, this property was to be rezoned M-X-T. During the rezoning process, it was discovered that this detailed site plan for Lot 22 had already been submitted for review. Rezoning Lot 22 would have unnecessarily complicated development planning for this proposed office building; including the requirement of a conceptual site plan, therefore it was retained in the I-I Zone. However, the development of this site is part of the gateway into the larger M-X-T zoned property. The development of a medical office building is consistent with the master plan's development objectives for this area.

- c. **Transportation Planning**—The Transportation Planning Section provided an analysis of the subject application regarding transportation-related conditions from the previous approvals and provided the following conclusion:

"Access and circulation is acceptable. The subject site is adjacent to the A-63 arterial facility (Mattawoman Drive), for which adequate dedication was shown on preliminary plan and the record plat. The subject site is also adjacent to the C-613 collector facility (MD 381). The *Approved Subregion 5 Master Plan and Sectional Map Amendment* was approved in September 2009 showing MD 381 upgraded to a collector roadway. Although dedication is not being requested through the detailed site plan process, the plan should be modified to label MD 381 as "C-613 future 80-foot right-of-way."

The subject property was the subject of a 1990 traffic analysis conducted by the transportation planning staff, and was given subdivision approval pursuant to a finding of adequate transportation facilities made in 1990 for Preliminary Plan of Subdivision 4-90045. From the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a detailed site plan in Section 27-285 of the Zoning Ordinance.

The Planning Board adopts these conclusions as findings for the reasons stated.

- d. **Subdivision Review**—The Subdivision Review Section provided an analysis of the conditions of approval of Preliminary Plan of Subdivision 4-90045 that are applicable to the subject detailed site plan and also indicated that the record plat contains notes which are consistent with the conditions of approval for the preliminary plan of subdivision. The subdivision planner's applicable comments are discussed in Finding 9 above.

The Subdivision Section also provided the following discussion points, which the Planning Board adopts as findings for the reasons stated:

The preliminary plan approved 31 lots, 3 parcels and 2 out lots. The property was platted with 27 lots and 3 parcels. Pursuant to the approval of the record plats, the 3 parcels (A, B and C) are to be conveyed to Prince George's County. Neither the plats nor the resolution of approval for the preliminary plan indicate a trigger for the conveyance, or include any discussion why the parcels are to be conveyed. In fact, the preliminary plan file was reviewed in total and there is no indication that the County requested the conveyance. At the time that the plats were recorded (2005), it was generally the policy of the County to require that parcels, which contained stormwater management, be conveyed to the County, this is no longer the requirement.

The Record Plat, REP 209@19, labels Parcel B abutting to the north of the subject application to be conveyed to Prince George's County. With the approval of the preliminary plan, it appears that Parcel B was intended for stormwater management. The DSP plan does not indicate that Parcel B is still needed for stormwater management facilities, although the development of Lot 22 requires an outfall onto Parcel B. Parcels A, B or C have not been conveyed to the county as indicated on the record plats and should be. Prior to the issuance of building permits the applicant, their assessors, and/or assigns should convey Parcels A, B and C to Prince George's County.

If this is no longer an option, and the County is unwilling to accept the conveyance, there are other options to re-plat the parcels to incorporate the land into the abutting lots and remove the notation regarding conveyance to the County. There are other options where the lots could be retained by a business association if they are still needed for stormwater management.

Based on the records available, this is the first lot, within the limits of the preliminary plan, to file for a detailed site plan and this issue should be resolved prior to the approval of this DSP.

Parcels A, B and C are included in CSP-09003, Stephen's Crossing, which is currently under review. This CSP will require a new preliminary plan of subdivision and subsequently, a new record plat which will then redefine these parcels as part of the development. Therefore, no condition is required as part of this DSP.

- e. **Trails**—From the standpoint of non-motorized transportation, it is determined that this plan is acceptable, fulfills the intent of applicable master plans and functional plans, fulfills prior conditions of approval, and meets the findings required for a detailed site plan as described in Section 27-285 of the Zoning Ordinance with the addition of relevant conditions as included in this resolution.
- f. **Permit Review**—Permit Review issues are either not applicable at this time, or have been addressed through revisions to the plans, or are addressed through proposed conditions of approval of this detailed site plan.
- g. **Environmental Planning**—The Planning Board has provided a detailed analysis of the subject application's conformance with previous approvals and the Woodland and Wildlife Habitat Conservation Ordinance in Finding No. 11 above. Further analysis of the application's conformance with Subtitle 25 is provided as follows:

- (1) Subtitle 25, Division 3, the Tree Canopy Coverage (TCC) Ordinance, requires a minimum percentage of tree canopy coverage on properties that require a tree conservation plan or a Letter of Exemption. Properties zoned I-1 are required to provide a minimum of 10 percent of the gross tract area in tree canopy.

The gross tract area is 9.62 acres resulting in a requirement for TCC of 0.96 acres. The TCP2 proposes to provide 1.85 acres of woodland conservation which exceeds the minimum TCC requirement. A Tree Canopy Coverage Schedule must be added to the TCP2 plan to indicate how the TCC requirement is being fulfilled.

- (2) Brandywine Road (MD 381) was designated in the Subregion V Master Plan (1993) as a historic road. The previous master plan for Subregion V (1993) classified Brandywine Road as an industrial road west of Mattawoman Drive; east of Mattawoman Drive, passing over Timothy Branch and towards adjacent residential zoning, Brandywine Road was proposed to remain a collector (C-613). The recently approved Master Plan for Subregion 5 (2009) retains the collector classification for the portion of the roadway east of Mattawoman Drive, and upgrades the previous industrial roadway west of Mattawoman Drive to collector status.

Brandywine Road (MD 381), which runs along the southern boundary of the subject DSP, forms the southern boundary of the Stephen's Crossing M-X-T zoned property. Although this property is technically not part of the M-X-T Zone, having been retained in the I-1 Zone during the sectional map amendment process, it is the intention that Lot 22 be coordinated with the design vocabulary and treatments proposed for the rest of the Stephen's Crossing development. Brandywine Road is also the northern boundary of the Villages of Timothy Branch Comprehensive Design Zone, currently under review.

When a roadway is designated as historic, it is because it is located in its historic alignment and there is an expectation that historic features will be found along its length, although not on every property. Roadways are a linear element, and the intention of the scenic buffer is to preserve or enhance the extent of the roadway and enhance the travel experience if scenic qualities or historic features have not been preserved. In order to determine if there are historic or scenic characteristics that should be identified and preserved, an Inventory of Significant Visual Features for the viewshed adjacent to the right-of-way of Brandywine Road was required and submitted with the CSP for Stephen's Crossing and the CDP for the Villages of Timothy Branch, which is located on the south side of Brandywine Road.

From the western property line of Lot 22, the Brandywine Road frontage of this site contains a significant buffer of existing woodlands for approximately 1,000 feet running east. For the remaining 800 feet, before the intersection with Mattawoman Drive, the plan shows a ten-foot-wide landscape strip placed behind the public utility easement (PUE).

Adjacent to a historic road, a minimum of a 40-foot-wide evaluation area is generally considered appropriate. Landscaping is generally a cost effective treatment which provides a significant enhancement to the appearance of the historic road. In this circumstance, Brandywine Road transitions from the Developing Tier to the Rural Tier just to the east of this property, so that the frontage adjacent to this site provides the opportunity to introduce enhanced landscape treatments to create an attractive and gradual transition.

The inventory states that although the roadway still follows its historic alignment as it passes beside this property, that the improvements which have occurred or are proposed for the roadway, the presence of numerous utilities easements adjacent to the right-of-way, and the narrow and elongated shape of the lot are a contraindication to the provision of a 40-foot-wide scenic buffer adjacent to the right-of-way in the area of the development pad. The Planning Board finds that a low wall or pillared fence along the exterior perimeter of the parking lot, within a narrowed landscape area of naturalistic native plantings would provide an appropriate landscape treatment for the historic road.

The developer of the Stephen's Crossing M-X-T project has agreed to develop a comprehensive treatment of the entrance, gateway, and/or signage features for the overall development and the historic road frontage. On Lot 22, the comprehensive landscape treatment will be located along the frontage of Brandywine Road from the western entrance to the parking lot and continue around the intersection at Brandywine Road and Mattawoman Drive to the parking lot entrance on Mattawoman Drive.

The design of the landscape treatment proposed on either side of Brandywine Road should be coordinated, and reviewed at time of the associated DSP or SDP to insure that the design is in keeping with the desired visual characteristics of the historic road, integrated into an overall streetscape treatment along Brandywine Road with regard to signage, materials, and plant species choices, and coordinated with the entrance feature and landscape treatment being proposed on the south side of Brandywine Road in conjunction with the Timothy Branch development.

The Planning Board finds that this comprehensive treatment of the entrance or gateway as described in the applicant's submitted language be shown on the subject lot prior to DSP certification. A condition requiring this has been included in this approval.

- h. **Prince George's County Fire/EMS Department**—The Prince George's County Fire/EMS Department did not offer comments on the subject application.
- i. **Department of Public Works & Transportation (DPW&T)**—In a memorandum dated July 29, 2010, DPW&T provided a standard response on issues such as right-of-way (ROW) dedication, frontage improvement, sidewalks, street trees and lighting, storm drainage systems and facilities in order to be in accordance with the requirements of DPW&T. Those issues will be enforced at the time of issuance of the access permit. DPW&T also indicated that the subject DSP is consistent with the approved SWM concept plan.
- j. **Maryland State Highway Administration (SHA)**—SHA did not offer comments on the subject application.
- k. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comments on the subject application.
- l. **Verizon**—In a memorandum dated November 9, 2009, Verizon indicated that they would like a ten-foot public utility easement (PUE) for the entire length of the project.

The record plat and the submitted detailed site plan both show a ten-foot PUE along the site's road frontage.

- m. **Southern Maryland Electric Cooperative (SMECO)**—SMECO did not offer comments on the subject application.
13. 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.

14. Per Section 27-285(b) (4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a detailed site plan is as follows:

The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

In a memorandum dated September 9, 2010, the Environmental Planning staff provided the following analysis:

All of the impacts proposed for this site are unavoidable and necessary for a development plan that allows for the reasonable use and orderly and efficient development of the subject property and adequately provide for the health, safety and welfare of county citizens. The impacts have been minimized to the fullest extent possible by grouping impacts together and locating impacts to avoid significant permanent impacts to streams, wetlands and wetland buffers. The limits of disturbance (LOD) shown on the detailed site plan and tree conservation plan preserve the regulated environmental features of the site to the fullest extent possible.

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 2 Tree Conservation Plan (TCP2-055-09) and further APPROVED Detailed Site Plan DSP-09011 for the above-described land, subject to the following conditions:

1. Prior to issuance of a building permit, the applicant shall obtain the appropriate plan approvals for the development of the off-site stormwater and sewer outfall pipes and associated improvements.
2. Prior to certification of the detailed site plan, the applicant shall:
 - a. Revise the DSP to provide details and specifications for a comprehensive treatment of the entrance or gateway, to include, fencing with piers or walls, entrance signage, accent lighting, and additional accent plantings, within the landscape strip along the Brandywine Road frontage from the intersection of Mattawoman Drive west to the proposed right-in/right-out entrance, and along the western frontage of Mattawoman Drive with the landscape strip from the intersection of Brandywine Road north to the entrance to Lot 22.
 - b. Revise the DSP to label Brandywine Road (MD 381) as "C-613 future 80-foot right-of-way."
 - c. Revise the landscape plan to show the required number of shade trees and shrubs within the landscape strip in accordance with the Section 4.3.a.
 - d. Revise the DSP to list the conditions of the zoning map approval and how the proposed development complies with them.

- e. Add a note to the DSP that the improvements shown within the Mattawoman Drive right-of-way require separate review and approval by DPW&T.
- f. Add a note to the DSP that the outfall pipes and associated improvements as shown within the adjacent M-X-T zoned parcels will be subject to separate plan approvals for those parcels and/or lots in accordance with the Zoning Ordinance.
- g. The expanded buffer delineated on all affected plans shall be relabeled "Primary Management Area" or "PMA".
- h. The Type 2 Tree Conservation Plan shall be revised as follows:
 - (1) Add a legend for all graphic symbols on each plan sheet.
 - (2) Add the TCP2 number to the block on all plan sheets.
 - (3) Include all applicable standards TCP2 notes provided in the Environmental Technical Manual.
 - (4) Add a note stating whether the woodlands within the rights-of-way that are to be cleared are shown to be cleared on the plan (and adjust the plan and worksheet accordingly) or state that the woodlands within the rights-of-way will be cleared in conformance with a Roadside Tree Permit to be obtained from the Maryland Department of Natural Resources.
 - (5) Have the plans signed and dated by the qualified professional who prepared them.
 - (6) A Tree Canopy Coverage Schedule shall be added to the TCP2 plan which demonstrates that the TCC requirement has been fulfilled.
- i. Provide a paved shoulder or wide outside curb lane with appropriate American Association of State Highway (AASHTO) bicycle pavement markings along the subject site's frontage of Brandywine Road (MD 381), unless modified by State Highway Administration (SHA).
- j. Provide a marked crosswalk or designated walkway (with pavement markings or other suitable treatment) from the handicap parking spaces to the entrance of the main lobby.
- k. Provide a sidewalk (with crosswalk and American with Disabilities Act (ADA) ramps and curb cuts) from the sidewalk along MD 381 to the proposed sidewalk along the front of the proposed building.

- l. Provide a sidewalk (with crosswalk and ADA ramps and curb cuts) from the sidewalk along Mattawoman Drive to the proposed sidewalk along the front of the proposed building.
 - m. Provide a marked crosswalk across the site's ingress/egress point along Mattawoman Drive, unless modified by Department of Public Works and Transportation (DPW&T).
 - n. Submit a copy of the signed technical stormwater management plan.
 - o. Provide signage and/or striping details to ensure the loading space is marked for drop-off and pick-up only with no parking.
 - p. Revise General Note No. 5 to reflect the correct provided green area of 2.86 acres or 43 percent of the net lot area.
3. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to The Maryland-National Capital Park and Planning Commission (M-NCPPC) Prince George's County Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
4. The September 2009 *Approved Subregion 5 Master Plan and Sectional Map Amendment* recommends that Brandywine Road (MD 381) be designated as a Class III bikeway with appropriate signage. The applicant and the applicant's heirs, successors, and/or assignees shall provide the installation of one "Share the Road with a Bike" sign in accordance with State requirements because Brandywine Road is a State right-of-way. A note shall be placed on the DSP, that installation of this proposed sign, in a location found acceptable by SHA, will take place prior to issuance of the first building permit.

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 Squire, seconded by Commissioner Cavitt, with Commissioners Squire, Cavitt, Vaughns and Parker voting in favor of the motion, and with Commissioner Clark absent at its regular meeting held on Thursday, October 7, 2010, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of October 2010.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Acting Planning Board Administrator

PCB:JJ:JK:arj

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCP&C Legal Department

Date 10/8/10