

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 June 19, 2008, regarding Detailed Site Plan DSP-83010/02 for Corporate Center, T-Mobile , the Planning Board finds:

1. **Request:** This application proposes to remove an existing flagpole and construct a telecommunications monopole in its place.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	I-3	I-3
Use	Business Park	Business Park and Telecommunications Monopole
Acreage	15.35	15.35
Gross floor area	123,708	123,708

The site plan currently shows the site as consisting of 11 acres of land. However, it appears that the area of Lot 2 is actually 15.35 acres based on the approved final plat (5-86050). It seems that the discrepancy is explained by the existence of multiple tax records on Lot 2, which together account for the 15.35 acres. The site plan should be revised to show the entire acreage of Lot 2.

3. **Location:** The subject site is a business park known as Corporate Center Lot 2. The site is located on the east side of Brightseat Road, approximately 3,000 feet north of Central Avenue. The site is currently developed with two low-rise multi-use buildings.
4. **Surrounding Uses:** On the north side, the site borders additional land in the I-3 Zone which contains the remaining third building of the Corporate Center business park. To the south is a townhouse development in the R-T Zone. Across Brightseat Road to the west are Thomas Pullen Junior High School and the Jericho Baptist Church property, which includes the site of the Waring's Grove historic house. On the east side, the property borders the Capital Beltway (I-95/495).
5. **Previous Approvals:** The site has an approved preliminary plan of subdivision, 4-85045. On April 28, 1983, the Planning Board approved DSP-83010 for the construction of the Corporate Center Phase I. There were three conditions of approval related to signage and stormwater drainage. A revision for signage, DSP-83010/01, was approved by the designee of the Planning Board on May 17, 1996. Another revision, DSP-83082, slightly modified the approved parking, loading, and building footprint of Phase I, and was approved by the designee of the Planning Board on May 16, 1985. The site plan for Corporate Center Phase II, DSP-85016, was approved by the Planning Board on May 16, 1985 with one condition of approval related to signage.

6. **Design Features:** In accordance with the approved detailed site plans, the site is developed with two existing low-rise multi-use buildings, which are surrounded by parking and loading areas. The southern building was developed as Phase I of Corporate Center, while the northern building was developed as part of Phase II.

There is an existing 40-foot tall flagpole located on the eastern edge of the site's parking lot, opposite the site's main entrance from Brightseat Road. This application proposes to remove the existing flagpole and construct a 100-foot-tall telecommunications monopole in the same location. The monopole is equipped with internal antenna arrays that will not be visible, and it is designed to resemble and to be used as a flagpole. Telecommunications equipment to serve the monopole is proposed to be located on a ten-foot-wide by 12-foot-long concrete pad at the base of the pole. The equipment will be screened by a six-foot-tall sight-tight vinyl fence enclosing the concrete pad.

There is much existing landscaping on the site that was approved with the site plan for the office park. The landscaping along Brightseat Road, consisting of a double row of ornamental flowering trees, was referenced at the time of the original DSP as a necessary element of the development in order to provide an attractive view of the site from Brightseat Road and from the Waring's Grove historic house. This landscaping is intact and mature. Additional shrubs are proposed around the perimeter of the proposed screening fence to soften the appearance of the installation.

7. **I-3 Zone:** The proposed monopole is a permitted use in the I-3 Zone. The I-3 Zone requires that the pole be set back one-half-foot for every one foot of height from all streets and other properties. For the proposed 100-foot-tall monopole, this required setback is 50 feet, which the proposed location of the pole meets. It is also subject to the requirements of Section 27-475.06.02(a)(2) and (4), which are as follows:

(2) **The monopole shall comply with the following standards:**

- (A) **The maximum height shall be one hundred seventy-five (175) feet.**

The monopole is 100 feet tall.

- (B) **The minimum setback from adjoining land in any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan, or any approved Conceptual or Detailed Site Plan) or any dwelling unit shall be a distance equal to the height of the structure measured from the base to the property lines of such residentially zoned property or dwelling unit; otherwise, it shall be set back a minimum of forty (40) feet from any street and twenty (20) feet from any yard.**

The pole is required to be set back 100 feet from the R-T-zoned property to the south, and 40 feet from both Brightseat Road and the Capital Beltway. The pole easily meets these requirements; it is proposed to be set back 688 feet from the R-T-zoned land, 538 feet from Brightseat Road, and 51 feet from the Capital Beltway.

- (C) On privately owned land, the structure shall not support lights or signs unless required for aircraft warning or other safety reasons.**

The structure is not proposed to support lights or signs.

- (D) The structure shall be designed, galvanized, and/or painted in a manner which is harmonious with surrounding properties.**

The structure has been designed to resemble and be used as a flagpole, and the transmission antennas are concealed within the structure of the pole.

- (E) The applicant shall provide a certification from a registered engineer that the structure will meet the applicable design standards for wind loads of the Electronic Industries Association (EIA) for Prince George's County.**

The applicant has provided a certification stamped by Mr. Michael R. Morel, P.E., that the proposed pole is designed in accordance with the Telecommunications Industry Association/Electronics Industry Association standard for an 80 mph wind load. The applicant has also submitted a letter from Mr. David M. Bourquin, P.E., that the proposed pole will be designed for a 90 mph wind speed in accordance with the standards of the American Society of Civil Engineers. Although the pole has clearly been designed to meet heavy wind loads, it is not clear at this time whether the pole has met the specific requirements specified by the TIA/EIA for Prince George's County, which are not available to staff. Therefore, the Urban Design Section recommends that the applicant should provide a certification from a registered engineer that specifically identifies the design standard set for Prince George's County by the TIA/EIA, and affirms that the pole meets that design standard.

- (F) Any monopole which is no longer used for telecommunications purposes for a continuous period of one (1) year shall be removed by the monopole owner at owner's expense.**

The proposed plans include a note that "All obsolete or unused facilities shall be removed within twelve months of cessation of operations." A requirement that the owner remove unused equipment has been proposed as a condition of approval in the Recommendation section of this report.

- (4) The related telecommunications equipment building or enclosure shall comply with the following standards:**

- (A) It shall not be more than five hundred sixty (560) square feet in gross floor area or twelve (12) feet in height.**

The equipment enclosure is 26 feet long by 14 feet eight inches wide, for a total of 381.42 square feet. The proposed screening fence is six feet tall, and all of the proposed telecommunications equipment is six feet tall or less.

(B) The building or enclosure shall be screened by means of landscaping or berming to one hundred percent (100 percent) opacity.

The sight-tight fence will screen the proposed equipment to 100 percent opacity.

8. **Requirements of Previous Approvals:** The previously-approved preliminary plan of subdivision and detailed site plans have no conditions of approval that would apply to the proposed monopole. The proposed monopole revises only a small area of the previously-approved plans and is consistent with the previous approvals.
9. **Landscape Manual:** Because no new buildings or parking areas are proposed, the development is exempt from most of the requirements of the *Landscape Manual*. Furthermore, although the site plans for the business park were approved prior to the advent of the *Landscape Manual*, they were approved with landscaping along the road frontages, within the parking lot, and adjacent to the townhouse property, fulfilling the intent of the *Landscape Manual*'s requirements for this site.
10. **Washington Suburban Sanitary Commission Easements:** The Washington Suburban Sanitary Commission (WSSC) holds two easements in the vicinity of the proposed monopole. A 40-foot-wide easement runs along the Capital Beltway, along the eastern edge of the site. An additional easement, 35 feet in width, runs parallel along the western edge of the 40-foot easement. The proposed monopole and equipment enclosure are located within the 35-foot easement area. As regulated by the easement documents, WSSC's written consent is required before the construction of any building or structure within the easement. The applicant has submitted copies of correspondence between WSSC and T-Mobile demonstrating that this approval has been granted by WSSC.

REFERRALS

11. **Permit Review referral:** In a memorandum dated January 8, 2008 (Gallagher to Lindsay), the Permit Review Section noted a number of requirements that the plan would need to satisfy. These requirements have been addressed through the submission of revised plans by the applicant.
12. **Subdivision referral:** In a memorandum dated January 25, 2008 (Chellis to Lindsay), the Subdivision Section identified the prior approvals on the site that the proposal must be consistent with. The Subdivision reviewer also identified the location of the WSSC easements on the property that affect the development. As requested by the referral, the location of the easements has been marked on the revised plans.
13. **Community Planning referral:** In a memorandum dated January 22, 2008 (White to Lindsay), the Community Planning North Division found that the proposal was not inconsistent with the 2002 General Plan policies for the Developed Tier, and conforms to the land use recommendations of the 1993 *Approved Master Plan and Sectional Map Amendment for Landover and Vicinity (Planning Area 72)*.

14. **State Highway Administration referral:** In a referral dated January 22, 2008 (Myers to Lindsay), the State Highway Administration (SHA), stated that the proposed development will not impact any state facilities.
15. **Historic Preservation referral:** In a referral dated January 7, 2008 (Moore to Lindsay), the Historic Preservation Section found that the proposal would have no effect on historic resources.
16. **Woodland Conservation and Tree Preservation Ordinance:** The site is exempt from the requirements of the Woodland Conservation and Tree Preservation Ordinance because it contains no woodland and has no previous tree conservation plan approvals.
17. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-83010/02, subject to the following conditions:

1. Prior to signature approval of the DSP, the applicant shall provide a certification from a registered engineer that identifies the wind load standard currently specified by the Electronics Industry Association and Telecommunications Industry Association for Prince George's County, and affirms that the proposed pole meets that design standard.
2. Prior to signature approval of the DSP, the plan notes shall be revised to show the entire acreage of Lot 2.
3. If the monopole has not been used for telecommunications purposes during a continuous period of one year, the monopole and all associated equipment shall be removed by the owner.
4. Subject to the approval of the business park's ownership, the applicant shall remove and replace the two dead trees in the vicinity of the proposed monopole. The replacement of the trees shall be reflected on the permit for the construction of the pole. If permission for the replacement is not granted, the applicant shall provide written evidence of this.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner 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, June 19, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of July 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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