

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 November 1, 2001, regarding Detailed Site Plan DSP-95082/03 for Kiser Property, the Planning Board finds:

1. The subject site, consisting of approximately 3.05 acres, is located on the southeast side of Glenn Dale Road and Lanham-Severn Road (MD 564). The western portion of the property, consisting of 0.84 acres, is in the C-O Zone and the eastern portion of the property (Parcel D), consisting of 2.21 acres, is in the C-M Zone. The adjacent properties are as follows:

North - Lanham Severn Road (MD 564)

South - Duvall Road

East - Greenbelt Road (MD 193)

NorthWest - C-S-C zoned property with existing business

NorthEast - C-O zoned property with an existing post office and commercial uses

2. The revision to the Detailed Site Plan SP-95082/03 was submitted in accordance with the requirements of Condition #4 of the Zoning Map Amendment A-9748-C approved by the District Council on July 24, 1989.

Condition #4 states that:

■A detailed site plan shall be approved by the Planning Board (or its designee) and by the District Council.●

3. A Preliminary Plat 4-95045 was approved by the Planning Board (PGCPB No. 95-226) on July 27, 1995, for Parcel D. A Detailed Site Plan SP-95082 was approved by the Planning Board on April 25, 1996, for rough grading (infrastructure). A revision to the Detailed Site Plan SP-95082/01 was approved by the District Council on November 26, 1996, for a monopole. A revision to the Detailed Site Plan was approved by the Planning Board's designee on May 24, 1999, for reducing the height of the monopole to 140 feet and adding an equipment cabinet.
4. The applicant is proposing a contractor's office complex on the subject property. The office complex is proposed on the western portion of Parcel D. Parking is proposed on the east and west side of the proposed building. The parking on the western portion of the building is entirely on the C-O zoned parcel. The proposed building will be built in two phases. The first phase will consist of 21,600 square feet of office space. It will include 15 office bays with entrances on the east and west sides of the building. The second phase will add four

bays consisting of 5,400 square feet to the south of the building and one bay consisting of 2,700 square feet to the north of the building. The second phase will also include a smaller office building with three bays consisting of 7,200 square feet on the southeast corner of Parcel D.

The total square footage proposed is as follows:

First Phase -	21,600 square feet
Second Phase -	15,300 square feet
Total -	36,900 square feet

The property has access from Duvall Road. A contractor's office and parking are permitted uses in the C-O and C-M Zones. The proposed architecture consists of split face concrete masonry units and glazed store fronts.

The existing monopole is located on the south side of the property. Phase II of the proposal will be located in the area where the existing monopole is located. The applicant has indicated that the monopole will be removed during construction of the Phase II office building.

5. The proposal is subject to the requirements of Section 4.2 (Commercial and Industrial Landscape Strip), Section 4.3 (Parking Requirements) and Section 4.7 (Buffering Incompatible Uses) of the *Landscape Manual*. A 30-foot bufferyard is required along the northern portion of the western property line. A 30-foot bufferyard requires a building setback of 30 feet. The proposed 10-foot-wide building setback does not comply with this requirement. The applicant has applied for Alternative Compliance (AC) for the proposed setback. The Alternative Compliance Committee has reviewed the application and recommended that the Planning Director recommend that the Planning Board approve the Alternative Compliance application. The Planning Director's signed recommendation is still pending.
6. The proposed parking is consistent with the following requirements of Sections 27-568 and 27-582, Off-street Parking and Loading, of the Zoning Ordinance:

REQUIRED PARKING SPACES		PROPOSED
FOR THE PROPOSED BUILDING		
One space for every 500 square feet of office area for Phase I (21,600 square feet.)	44	70
For Phase II (15,300 square feet)	31	39
TOTAL	75	109
LOADING SPACES		
1 per 10,000 square feet to 100,000 square feet of gross floor area.	1	21

7. The following conditions of the Basic Plan Amendment and the Preliminary Plat are applicable to this Detailed Site Plan:

Basic Plan Amendment A-9748 C

*#1 No direct access to the site shall be provided from MD 193 or Lanham-Severn Road.*

The applicant has not provided access from MD 193 or Lanham-Severn Road.

*#2 Access to the site shall be provided via Duvall Road.*

The access to the site has been provided via Duvall Road.

*#3 Development on the site shall be screened from Glenn Dale Boulevard, Lanham-Severn Road, and Duvall Street by evergreen vegetation in accordance with the screening requirements of Section 27-124 of the Zoning Ordinance.*

The applicant has provided substantial landscaping with evergreen trees along these streets to adequately screen the property from these streets.

*#4 A detailed site plan shall be approved the Planning Board (or its designee) and by the District Council*

The subject Detailed Site Plan has been submitted to fulfil this condition. A condition of approval has been added to require review by the District Council also.

*#5 Building height shall not exceed two stories.*

The proposed building height does not exceed two stories, which is approximately 24 feet.

Preliminary Plat 4-95045

*#1 Development of this subdivision shall be in compliance with the conditions of the approved ZMA A-9748-C*

The proposal is in compliance with the conditions of approval for ZMA A-9748-C.

Referral Comments

8. The Permits Review Section (Ferrante to Srinivas, October 8, 2001) has requested minor changes to the site/landscape plans. The applicant has accordingly revised the drawings.
9. The State Highway Administration (McDonald to Srinivas, September 20, 2001) has requested conditions of approval requiring that the applicant obtain a permit from the State Highway Administration for the proposed landscaping and improvements within the state right-of-way. A condition of approval has been added to require the same.
10. The Department of Public Works and Transportation (Hijazi to Srinivas, October 2, 2001) has stated that all improvements along Duvall Road must be in accordance with the DPW&T requirements.
11. The Subdivision Section (Chellis to Srinivas, October 10, 2001) has stated that there are no subdivision issues at this time.
12. The Washington Suburban Sanitary Commission (Thacker to Srinivas, October 4, 2001) has stated that the proposal will not have any impacts on the existing WSSC facilities.
13. The Transportation Planning Section (Masog to Srinivas, October 9, 2001) has stated that the site plan is acceptable from the standpoint of access and circulation; however, it does not comply with a finding of Preliminary Plat 4-95045 which specifies a cap on the trip generation. The finding stated that 30,000 square feet of automobile service-related uses will be within the trip generation cap. The memorandum from the Transportation Planning Section states that:

■The Transportation Planning Section has reviewed the site plan application referenced above. The application involves a Detailed Site Plan for a commercial building of 36,900 square feet. The property is 3.05 acres and zoned C-O and C-M. The property is located at the south/southeast corner of MD 193 and MD 564. This property was subdivided as Kiser Property, Preliminary Plan of Subdivision 4-95045.

■The site plan is acceptable from the standpoint of access and circulation.

■The zoning, subdivision, and initial site plan resolutions contain a condition which restricts access from the site to MD 193 and MD 564 and specifically requires that access be via Duvall Street. The submitted plan complies with these conditions.

■The preliminary plan resolution does not include a trip cap condition. The resolution does include findings, however, that indicate that the finding of adequate transportation facilities for 4-95045 is based upon \*30,000 square feet of automobile service-related uses\* which are typical within the C-M Zone. The subject plan shows 36,900 square feet of contractors\* offices. The transportation staff would consider automobile service-related uses and contractors\* offices to be roughly equivalent in trip generation characteristics. While the quantity of development does not specifically violate any conditions, it does appear to violate the finding on which an adequacy determination under Section 24-124 was based. The fact that a piece of land which was not part of the 1995 subdivision is shown with this site plan does not have a bearing, since all the square footage is shown within the 1995 subdivision\* limits. **Therefore, we recommend that the site plan be revised to delete about 6,900 square feet of development**

■In conclusion, the transportation planning staff has no objection to the plan, provided it is modified to comply with findings made regarding the yield of the property which were used in making the needed adequacy findings for preliminary plan 4-95045.●

Finding 11.a of Preliminary Plat 4-95045 states that:

**The application is a Preliminary Plat of Subdivision for a commercial development consisting of 30,000 square feet of automobile service-related uses. The proposed development would generate 56 AM (36 inbound, 20 outbound) and 82 PM (38 inbound, 44 outbound) peak hour vehicle trips as determined using the ITE Trip Generation Manual (5<sup>th</sup> Edition).**

The Transportation Planning Section, upon further discussion, concluded that any square footage over 30,000 square feet can be approved only if it is determined that the trip generation due to the additional square footage does not exceed the trip cap in the above finding.

Therefore, the following conditions of approval have been added:

1. The total area of the proposed development shall not exceed 30,000 square feet.
2. A revision to the Detailed Site Plan shall be filed for any additional square footage (not to exceed an additional 6,900 square feet) to be approved by the Planning Board or designee. The revision to the Detailed Site Plan shall be reviewed to demonstrate to the satisfaction of the Transportation Planning Section that the

additional square footage (not to exceed 36,900 square feet (30,000 + 6,900) will not generate more than 56 AM (36 inbound, 20 outbound) and 82 PM (38 inbound, 44 outbound) peak hour vehicle trips as determined using the ITE *Trip Generation Manual* (5<sup>th</sup> Edition).

14. The Environmental Planning Section (Finch to Srinivas, October 26, 2001) has stated that the previous approvals for the subject site required that the Type II Tree Conservation Plan TCPII/16/96 for this site be revised to reflect the changes to the site plan. The proposed development requires several changes to the Tree Conservation Plan. Since a larger area is now covered by the subject Detailed Site Plan, the forest stand delineation must be revised, an on-site conservation of 0.35 acres is required, and an approved technical stormwater management plan is required to show that the proposed planting in the bio retention areas is acceptable to DER. Information on the areas of woodland clearing, on-site afforestation and reforestation areas, fencing etc. is also required.

The site is located within the noise corridors of Glenn Dale Boulevard and the Amtrak/MARC trains. The projected 65 dBA noise contour falls between 637 and 832 feet from the centerline of the roadway. Therefore, noise impacts due to the railroad tracks are a concern. The applicant should submit a vibration study to demonstrate that there are no impacts to the buildings or provide a 150-foot building setback line from the centerline of the railroad tracks.

Conditions of approval requiring all of the above changes have been added.

15. With the proposed conditions, the Detailed Site Plan SP-95082/03 is found to represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs 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/16/96) and further APPROVED Detailed Site Plan DSP-95082/03 for the above-described land, subject to the following conditions:

1. Prior to certification of the Detailed Site Plan,
  - a. the applicant shall obtain approval from the District Council for the subject Detailed Site Plan application.
  - b. the applicant shall obtain final approval of AC-01036 with the Planning Director acting as the Planning Board's designee.
  - c. the site grading/landscape plans shall be revised to show separate tables for the proposed parking and loading.

- d. a revised Tree Conservation Plan shall be submitted which addresses the following:
- (1) The limits of the TCP II shall be enlarged to include the legal boundaries of Parcel D, part of Lot 2, and all other properties which will be affected by grading for the development of this site. An FSD shall be prepared to cover all the same parcels and the affected area of the SHA right-of-way, to determine the extent of woodlands present. If woodlands are proposed to be cleared in the SHA right-of-way as part of this project, they shall be replaced at a ratio of one-to-one. Replacement of woodland cleared in the SHA right-of-way shall be addressed as part of the TCP II.
  - (2) The TCP II shall be in conformance with the approved TCPII/16/96 by providing a minimum of 0.35 acres of woodland conservation on-site. The remainder of the woodland conservation requirement can be fulfilled through off-site mitigation credits. Recommended areas for woodland conservation are along the Lanham-Severn Road/Greenbelt Road frontages, to enhance the required screening and landscape strip, and to supplement areas proposed for bioretention.
  - (3) All areas of woodland clearing associated with this plan shall be shown on the TCPII.
  - (4) All clearing necessary to construct the required infrastructure for the site, including road improvements, storm drains, and utilities shall be shown on the TCPII.
  - (5) The limit of disturbance shall be shown for all proposed disturbances.
  - (6) The placement of tree protection fencing or silt fencing as necessary shall be shown on the TCPII.
  - (7) The legend shall reflect all elements illustrated graphically on the site.
  - (8) A legible set of TCP II Woodland Conservation General Notes shall be added.
  - (9) The Woodland Conservation Worksheet shall be revised to accurately reflect the plan.
  - (10) Where afforestation or reforestation is proposed, a detail and location for a permanent Tree Protection Device to be placed at the time of planting shall be added.

- (11) If bioretention areas are used for on-site conservation, prior to certification of the TCP II, a Proposed Technical Stormwater Management Plan shall be submitted for review. The plan shall demonstrate that planting in the bioretention area is acceptable to the Department of Environmental Resources. Stocking levels used shall satisfy the requirements of the Woodland Conservation Ordinance. Prior to grading permit, the approved Stormwater Management Technical Plan shall be submitted to the Environment Planning Section. Should the approved Stormwater Management Plan differ from the submitted proposed Stormwater Management Plan, the Detailed Site Plan and the Tree Conservation Plan shall be revised by the Planning Board or designee prior to grading permit issuance to reflect those changes.
- e. The Detailed Site Plan shall be revised to show a 150-foot building setback line from the centerline of the railroad tracks; and prior to issuance of a building permit for all buildings closer than 150 feet to the railroad tracks, the applicant shall submit an evaluation of the vibration impacts caused by rail traffic on the National Passenger Rail Service tracks adjacent to this site. This evaluation should include an analysis of the level of vibration and provide recommendations for appropriate building setbacks and/or building and foundation design. If the recommendations of the vibration study require revisions to the Detailed Site Plan, the applicant shall file a Revision to the Detailed Site Plan to be approved by the Planning Board or designee.
2. The total area of the proposed development shall not exceed 30,000 square feet, except as allowed by Condition #4 below.
3. Prior to issuance of grading and building permits, the applicant shall obtain a permit from the State Highway Administration for the proposed improvements and landscaping within the state right-of-way.
4. A revision to the Detailed Site Plan shall be filed for any additional square footage (not to exceed an additional 6,900 square feet) to be approved by the Planning Board or designee. The Revision to the Detailed Site Plan shall be reviewed to demonstrate to the satisfaction of the Transportation Planning Section that the additional square footage (not to exceed 36,900 square feet (30,000 + 6,900)) will not generate more than 56 AM (36 inbound, 20 outbound) and 82 PM (38 inbound, 44 outbound) peak-hour vehicle trips as determined using the ITE *Trip Generation Manual* (5<sup>th</sup> Edition).

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 Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Brown, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, November 1, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of November 2001.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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