



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 15-84

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
File No. SDP-0102-04

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 30, 2015, regarding Specific Design Plan SDP-0102-04 for Central Wholesalers at Town Center Business Campus, the Planning Board finds:

1. **Request:** The subject specific design plan (SDP) revision is for the addition of a 120,000-square-foot warehouse/office in the Employment and Institutional Area (E-I-A) Zone on Lot 3.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	E-I-A	E-I-A
Use(s)	Warehouse/Office	Warehouse/Office
Acreage	16.08	16.08
Lots	3	3
Square Footage/GFA	130,165	250,165

PARKING AND LOADING

Parking Rates

Land Use	Square footage	Parking Rate
Wholesale Establishment	1,100 sq. ft.	3/first 1,500 sq. ft. 1/each additional 1,500 sq. ft.
Warehouse Unit	61,350 sq. ft.	3/first 1,500 sq. ft. 1/each additional 1,500 sq. ft.
Office Use	28,700 sq. ft.	4/first 2,000 sq. ft. 1/each additional 400 sq. ft.
Warehouse Expansion	39,015 sq. ft.	3/first 1,500 sq. ft. 1/each additional 1,500 sq. ft.

Parking

	REQUIRED	PROVIDED
Parking-Lot 2	145 spaces	155 spaces
Parking-Lot 3	73 spaces	158 spaces
Total Parking	218 spaces	313 spaces

Loading

	REQUIRED	PROVIDED
Loading-Lot 2	4 spaces	14 spaces
Loading-Lot 3	4 spaces	28 spaces
Total Loading	8 spaces	42 spaces

OPEN SPACE

Open Space	20 percent	22 percent
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3. **Location:** This site is located on the southeast side of Konterra Drive, approximately 600 feet south of its intersection with Virginia Manor Road. It is also located in Planning Area 60 and the 1st Councilmanic District.
4. **Surrounding and Uses:** To the south of the subject property is an existing industrial development in the Light Industrial (I-1) Zone. To the east is a senior housing development in the Planned Industrial/Employment Park (I-3) Zone. To the north is vacant property in the E-I-A Zone. To the west, across Konterra Drive, is vacant land in the Mixed Use-Transportation Oriented (M-X-T) Zone.
5. **Previous Approvals:** The subject site was rezoned from the I-3 to the E-I-A Zone through Zoning Map Amendments (Basic Plans) A-9030, A-9033, A-9034, A-9067, and A-9068 on November 17, 1977, by the adoption of Prince George's County Council Resolution CR-102-1977. On March 29, 2001, the Prince George's County Planning Board approved Comprehensive Design Plan CDP-0101 for the site. This approval was subsequently formalized by the adoption of PGCPB Resolution No. 01-64 on April 19, 2001. The Planning Board approved Comprehensive Design Plan CDP-0101-01 on January 13, 2005 (PGCPB Resolution No. 05-2). On June 23, 2005, the Planning Board approved Comprehensive Design Plan CDP-0101-02 and, on that same date, formalized its approval by the adoption of the resolution, PGCPB No. 10-140. On March 26, 2015, the Planning Board approved Comprehensive Design Plan CDP-0101-03 for the purpose of increasing the allowed trip cap, and adopted the resolution, PGCPB No. 15-24, on April 16, 2015. On June 11, 2015, the Prince George's County District Council elected to review the case and it was set in for oral argument on July 20, 2015. The Planning Board approved Preliminary Plan of Subdivision 4-14011 for the site and adopted the resolution, PGCPB No. 01-89, on April 26, 2001. This approval subsequently expired. On March 3, 2005, the

Planning Board approved Preliminary Plan of Subdivision 4-04026 and adopted the resolution, PGCPB No. 05-64, on March 31, 2006. On March 26, 2015, the Planning Board approved Preliminary Plan of Subdivision 4-14010 and adopted the resolution, PGCPB No. 15-25, on April 16, 2015, a condition of which stated that the approval of 4-14010 was to supersede that of 4-04026. The Planning Board approved Specific Design Plan SDP-0101 for the site on April 19, 2001 and adopted the resolution, PGCPB No. 01-72, on April 26, 2001. Staff, as the designee of the Planning Board, approved Specific Design Plan SDP-0101-01 for the site on June 6, 2002. On September 29, 2005, the Planning Board approved Specific Design Plan SDP-0101-02 for the site and adopted the resolution, PGCPB No. 05-195, the same day. Staff, as the designee of the Planning Board, approved SDP-0101-03 for the site on June 6, 2006. The site is also subject to the requirements of approved Stormwater Management Concept Plan 44786-2013-00, approved on May 20, 2014 and is valid until May 20, 2017.

6. **Design Features:** The site is accessed at a single entrance along its Konterra Drive frontage. A long drive aisle extends along the site's northern boundary, past the existing Central Wholesalers 334,065-square-foot building on Lot 2 (measuring 7.6691 acres), to the currently vacant Lot 3 (measuring 8.4163 acres) where the subject 120,000-square-foot warehouse/office is herein approved. The warehouse/office is herein approved to be located centrally on Lot 3 and will be flanked on the northern, eastern, and western sides with a drive aisle and parking spaces, punctuated periodically by landscape planting islands. The southern portion of the subject site is herein approved to include an underground stormwater management facility, replacing an existing stormwater management pond.

The architecture of the building is utilitarian with varied colors and materials, as well as fenestration, creating some visual interest on the façades. More particularly, the architectural design is predominantly horizontal and linear, with a flat roof. The majority of the windows are horizontally oriented and the paint on concrete, which is utilized for the majority of the façades, is accented with a series of horizontal lines. This design prominence is counterbalanced by utilization of vertical elements in the architectural composition, which include vertical windows in the west and north façades, vertical scoring of the paint on concrete, and vertical pilasters on the south elevation. Other architectural materials include clear low-emission glass for the windows, painted metal, prefinished metal, a metal canopy over the main entrance door, and a fabric canopy over the smaller entry door.

7. **Zoning Map Amendments (Basic Plans) A-9030, A-9033, A-9034, A-9067, and A-9068:** The District Council approved Basic Plans A-9030, A-9033, A-9034, A-9067, and A-9068 on November 17, 1977 (Council Resolution CR-102-1977). Each applicable requirement of that approval is included in **boldface** type below, followed by Planning Board comment:

Gross Floor Area: A maximum of 440,000 square feet of gross floor area of building space (40% of gross tract) shall be permitted.

The land area that was the subject of the basic plans is, at the time of this approval, composed of existing Lots 2 and 3, which contain 130,165 square feet of existing development; Lot 4 (Post

Newsweek Media, Inc.) to the north of the subject site, which currently contains 92,213 square feet of existing development; and Parcels 10 and 38 to the north of Lots 2-4, which are currently vacant. The total existing development is 222,378 square feet of gross floor area (GFA), leaving 217,622 square feet of GFA for future development. Therefore, the proposed development of 120,000 square feet of GFA is in conformance with the above condition. Only Lots 1 and 2 of the land area covered by the basic plans and CDP approvals are included in the subject approval.

Open Space: A minimum of 20% of the net development area must be designated on the Comprehensive Design Plan and Specific Design Plans as permanent open space. Credit will be given for all or part of the following types of open space, the specific amount to be dependent upon the function served:

- floodplain
- preserved slopes
- buffers and screening
- yards and setbacks
- pedestrian system
- all landscaped areas, including those in atriums and other innovative
- uses of landscaping, and landscaping internal to parking compounds in excess of the 5% required by Section 27-419 of the Zoning Ordinance.

The 20% shall be applied on a net lot area basis for each major section of the project as closely as can be estimated and as defined as follows:

- gross area of each section
- minus rights-of-way purchased by, or dedicated to public agencies
- minus future rights-of-way placed in reservation or otherwise set aside as required by the Planning Board or District Council
- minus private internal roads serving as collectors as designated by the Planning Board or District Council
- minus easements required by any public agency which restrict the land area available for development equals net lot area of each section.

For the purpose of applying the 20% requirement this figure shall be calculated for each major section of the project. The purpose of this method is to ensure that open space is somewhat evenly distributed throughout the project, while maintaining flexibility in site planning so that open space can be clustered in strategic locations (e.g., in highly visible locations). The applicants' Basic Plans shall not be rigidly interpreted in terms of its open space proposals but shall serve as the general guide for the location of open space.

The calculations indicate conformance to this condition.

8. **Comprehensive Design Plan CDP-0101 and its three revisions:** The SDP revision is in conformance with Comprehensive Design Plan CDP-0101, its revisions, and the applicable conditions of approval. For information regarding the transportation-related conditions of the CDP, see Finding 10 below.

More particularly, the project is the subject of CDP-0101, which was approved on March 21, 2001 by the Planning Board subject to seven conditions. Each relevant condition is included in **boldface** type below, followed by Planning Board comment:

1. **For the purposes of determining transportation adequacy, total development within the subject property under this Comprehensive Design Plan shall be limited to a building or buildings for warehouse/distribution and related uses of no more than 91,150 square feet; or different uses generating no more than the number of new peak hour trips (37 AM peak hour trips and 37 PM peak hour trips) generated by the above development. Requests for any additional development, regardless of quantity, beyond that which is considered by the transportation staff herein shall require a CDP amendment, and it shall be accompanied by a traffic study which will be processed, referred, and reviewed using standard procedures.**

In conformance with this requirement, the applicant pursued the approval of CDP-0101-03, and the application was approved by the Planning Board on March 26, 2015 to permit an increase in the overall trip cap for the project to allow for the ultimate build out of the site at 342,378 square feet. The addition of 120,000 square feet to this site is still within the GFA limit.

4. **All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.**

This condition has been brought forward as a condition of this approval.

6. **The design of the stormwater management pond shall be reviewed at Specific Design Plan and shall include, but not be limited to, access to the pond via a minimum 6-foot-wide asphalt trail, landscaping, and a minimum of three picnic benches.**

The originally included stormwater management pond has been replaced by an underground stormwater management facility in Stormwater Management Concept Plan 44786-2013-00, approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on March 20, 2014 and is valid until March 20, 2017. In response to this condition, however, the applicant is required by condition of this approval to place two picnic tables and two benches on the property.

7. **All loading areas shall be screened from Virginia Manor Road and all access roads by utilizing a combination of matching building materials extended from the building and landscaping.**

The building approved herein is to be located at the rear of the site and shall be buffered from what was previously known as Virginia Manor Road (now Konterra Drive) by a combination of landscaping and the existing building at the front portion of the site.

On January 13, 2005, the Planning Board approved CDP-0101-01 to incorporate Parcels 42–44 into the CDP. This approval did not include any conditions. On June 23, 2005, the Planning Board approved CDP-0101-02 and, on that same date, formalized its approval by the adoption of the resolution, PGCPB No. 10-140. This revision was for the purpose of incorporating Lot 4 (Parcel 40) for the Gazette Newspaper's 92,213-square-foot printing facility. That property is not a part of the subject SDP. On March 26, 2015, the Planning Board approved CDP-0101-03 for the purpose of increasing the allowed trip cap so as to permit the 120,000-square-foot building that is the subject of this approval, and adopted the resolution, PGCPB No. 15-24, on April 16, 2015. On June 11, 2015, the District Council elected to review the case and it was set in for oral argument on July 20, 2015. On July 20, 2015, the District Council heard and approved the case.

9. **Preliminary Plan of Subdivision 4-14010:** Preliminary Plan of Subdivision 4-14010 was approved for the site on March 26, 2015. Subsequently, on April 16, 2015, the Planning Board adopted the resolution, PGCPB No. 15-25, with 12 conditions.

The relevant conditions of Preliminary Plan 4-14010 are included in **boldface** type below, followed by Planning Board comment:

2. **Development of this site shall be in conformance with Stormwater Management Concept Plan 44786-2013-00 and any subsequent revisions.**

In a memorandum dated February 19, 2015, DPIE stated that the proposed SDP is consistent with approved Stormwater Management Concept Plan 44786-2013-00 dated May 20, 2014, demonstrating that the subject project meets this requirement.

3. **At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement (PUE) along all public rights-of-way.**

Though conformance to this condition will be met at the later time of approval of a final plat for the project, a public utility easement was established pursuant to a requirement of an earlier preliminary plan. A condition of this approval requires that the applicant show a ten-foot-wide public utility easement along all public rights-of-way in conformance with this requirement.

5. **Prior to the approval of SDP, a copy of the Erosion and Sediment Control Concept Plan shall be submitted.**

The applicant has submitted a copy of the erosion and sediment control concept plan in conformance with this requirement.

7. **Prior to approval of the SDP, the landscape plan shall demonstrate the use of full cut-off optic light fixtures on this site to in order to reduce light intrusion into adjacent residential areas.**

Full cut-off optic light fixtures are noted on Sheet 2 of the landscape and lighting plan in conformance with this requirement.

8. **Prior to approval of the SDP, the plan shall reflect two u-shaped bicycle racks near to the main entrance of the building. All proposed bicycle racks shall be located in a well-lit location and situated on a concrete pad.**

A condition of this approval requires that the plan reflect two u-shaped bicycle racks situated on a concrete pad in a well-lit location near the main entrance of the building in conformance with this requirement.

9. **Total development within the subject property shall be limited to uses which generate no more than 157 AM peak-hour trips and 149 PM peak-hour trips in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a new Preliminary Plan of Subdivision.**

With regard to this requirement, the Planning Board stated that the approved preliminary plan was based on an existing building on the site measuring 130,165 square feet and the proposed building measuring 120,000 square feet, for a total of 250,165 square feet, which will not exceed the stated trip cap.

10. **Any residential development of the subject property shall require approval of a new preliminary plan of subdivision prior to approval of any building permits.**

This requirement is not applicable to the subject approval, as no residential development of the subject property is included.

11. **Prior to approval of the SDP, the feasibility of providing a walkway connection along the existing shared access driveway from Lots 5 and 6 to the existing pedestrian facilities on Konterra Drive shall be evaluated and conditioned as part of the SDP approval, if feasible.**

The feasibility of providing a walkway connection along the existing shared access driveway from the site to the existing pedestrian facilities on Konterra Drive was evaluated during the review for this project, and a condition of this approval requires that such pedestrian access be considered prior to certificate approval of the plans.

12. Approval of this preliminary plan of subdivision shall supersede PPS 4-04026 (PGCPB Resolution No. 05-64) for the development of the site.

Pursuant to this requirement, this approval considered only Preliminary Plan 4-14010 and not the previously approved 4-04026.

10. **Specific Design Plan SDP-0101 and its three revisions:** Specific Design Plan SDP-0102 was approved by a Planning Board on March 22, 2001. Specific Design Plan SDP-0102-01 was approved by staff as the designee of the Planning Board on June 6, 2002. Specific Design Plan SDP-0102-02 was approved by the Planning Board on September 15, 2005. Specific Design Plan SDP-0102-03 was approved by staff as the designee of the Planning Board on September 6, 2006.

As conformance of the single condition of approval of SDP-0101, which authorized the construction of a 91,150-square-foot warehouse, was required prior to certificate approval of the plans, there are no conditions of that approval which need consideration herein.

Specific Design Plan SDP-0102-01 was approved by staff as the designee of the Planning Board, with no conditions of approval, for the addition of propane tanks to the site, relocation of the handicapped parking spaces, and deletion of a bufferyard, as it was no longer required.

Specific Design Plan SDP-0102-02, approved by the Planning Board subject to four conditions, authorized a 39,015-square-foot addition to the existing building. The relevant condition of that approval is included in **boldface** type below, followed by Planning Board comment:

- 1. An automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.**

This condition has been brought forward as a condition of this approval.

Specific Design Plan SDP-0102-03 was approved by staff as the designee of the Planning Board to revise the limits of disturbance to match those of the approved Type 2 tree conservation plan. As this application was approved by staff as the designee of the Planning Board, there were no conditions attached to the approval.

11. **Prince George's County Zoning Ordinance:** The SDP is in conformance with all of the applicable regulations of the Prince George's County Zoning Ordinance as follows:

The relevant portions of each applicable Section of the Zoning Ordinance are included in **boldface** type below, followed by Planning Board comment:

Section 27-499. Purposes.

(a) The purposes of the E-I-A Zone are to:

- (1) Establish (in the public interest) a plan implementation zone, in which (among other things):
 - (A) Development is dependent on providing public benefit features; and
 - (B) The location of the zone is in accordance with the adopted and approved General Plan, Master Plan, or public urban renewal plan;
- (2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, and public urban renewal plans for employment and institutional areas) can serve as the criteria for judging individual physical development proposals;
- (3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses; and existing and proposed public facilities and services by providing landscaping standards designed to preclude nuisances (such as noise, glare, odor, and pollution), so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;
- (4) Provide for a mix of employment, institutional, retail, and office uses in a manner which will retain the dominant employment and institutional character of the area;
- (5) Improve the overall quality of employment and institutional centers in Prince George's County; and
- (6) Allow, on properties meeting criteria for classification in the M-X-T Zone and satisfying other requirements, development of a Mixed-Use Planned Community, with high-quality, well-integrated architecture, site design, and placement of uses.

The subject revision to the SDP to add a 120,000-square-foot warehouse does not affect prior findings of conformance with the requirements of this section of the Zoning Ordinance. Moreover, the subject project conforms to the requirements of the *Prince George's County 2035 Approved General Plan* (Plan Prince George's 2035) and the *2010 Approved Subregion 1 Master Plan and Sectional Map Amendment* (Subregion 1 Master Plan and SMA), and has provided substantial buffering along the property lines shared with a residential subdivision. In addition, the applicant

has come to a private agreement with the local homeowners association to install a fence connecting to an existing wall on the adjacent property so as to further reduce impacts to the adjacent residential subdivision, and will provide additional employment on the property. The application is in conformance with all of the above requirements.

Section 47-500. Uses.

- (a) The general principle for land uses in this zone shall be:
 - (1) To provide concentrated nonretail employment or institutional (medical, religious, educational, recreational, and governmental) uses which serve the County, region, or a greater area; and
 - (2) To provide for uses which may be necessary to support these employment or institutional uses.
- (b) The uses allowed in the E-I-A Zone are as provided for in the Table of Uses (Division 3 of this Part).
- (c) A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The development shall meet all M-X-T Zone requirements in Part 10.

The subject revision to the SDP to add a 120,000-square-foot warehouse does not affect prior findings of conformance to the requirements of this section of the Zoning Ordinance. Moreover, the proposed warehouse will provide non-retail employment which serves the County, region, or greater area, and warehousing is a permitted use that conforms to the above requirements. This development is not a mixed-use planned community

Section 27-501. Regulations

- (a) General standards.
 - (1) Minimum size of zone (except as provided in Section 27-502) 5 adjoining gross acres
 - (2) Minimum open space to be improved by landscaping and design amenities, including the landscaping of parking lots, so that expanses of parking will be relieved by natural features and grade changes 20% of net lot area

(b) **Other regulations.**

- (1) Each lot shall have frontage on, and direct vehicular access to, a public street.
- (2) Additional regulations concerning development and use of property in the E-I-A Zone are as provided for in Divisions 1, 4, and 5 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.

(c) **Mixed-Use Planned Community regulations.**

- (1) A Mixed-Use Planned Community shall meet all purposes and requirements applicable to the M-X-T Zone, as provided in Part 10, and shall be approved under the processes in Part 10.
- (2) Where a conflict arises between E-I-A Zone requirements and M-X-T Zone requirements, the M-X-T requirements shall be followed.

(d) **Adjoining properties.**

- (1) For the purposes of this Section, the word “adjoining” also includes properties separated by streets, other public rights-of-way, or railroad lines.

The subject revision to the SDP to add a 120,000-square-foot warehouse does not affect prior findings of conformance with the requirements of this section of the Zoning Ordinance. Moreover, the size of the site (16.08 acres) is greater than five adjoining acres, the minimum open space to be improved by landscaping and design amenities meets and exceeds the 20 percent requirement, the lot has direct vehicular access to a public street, and the project is in conformance with off-street parking and loading, sign, and the Landscape Manual regulations. The approval conforms to the above requirements.

12. **2010 Prince George’s County Landscape Manual:** The site is subject to the 2010 *Prince George’s County Landscape Manual* (Landscape Manual). More specifically, the project is subject to the requirements of Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements.

Each relevant section is listed below in **boldface** type, followed by Planning Board comment:

- a. **Section 4.2, Requirements for Landscape Strips along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. The SDP approved herein for a warehouse has frontage on Konterra Drive. A Section 4.2 landscape strip was

required and provided as part of the original SDP approval for Lot 2. The required strip is indicated on the SDP, as well as a schedule indicating that the requirement of 11 shade trees or equivalent ornamental or evergreen trees is met by the provision of five shade trees, nine ornamental trees, and four evergreen trees. Lot 3, the focus of the subject application, is accessed by an ingress/egress easement through Lot 2 and has no frontage on a public or private street, so no additional buffering pursuant to this section of the Landscape Manual is required at this time.

- b. **Section 4.3, Parking Lot Requirements**—Section 4.3 specifies that proposed parking lots larger than 7,000 square feet should provide planting islands throughout the parking lot to reduce the impervious area. The SDP includes separate schedules showing that the Section 4.3 requirements were previously met for Lot 2. For the current approval, Lot 3, there is a 137,899-square-foot parking lot that requires interior planting. More specifically, 20,344 square feet of planted area is required and 68 shade trees are provided, which meets the requirement.
- c. **Section 4.4, Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The SDP approved herein provides multiple loading spaces, which are screened by a wall and landscaping. No external proposed trash areas are indicated on the SDP, making this screening requirement inapplicable. The screening to be provided for the loading areas by provision of a fence and landscaping should screen any mechanical equipment as well.
- d. **Section 4.7, Buffering Incompatible Uses**—The site is subject to Section 4.7 along its southwest and northeast property lines where it abuts the Victoria Falls subdivision development. The applicant has provided three separate schedules demonstrating conformance to the requirements of this section. The first two schedules for Bufferyard A (along the project's southeastern boundary) generally show conformance to the Landscape Manual's Section 4.7 requirements. More particularly, Bufferyard A indicates a required building setback of 50 feet and a landscape yard requirement of 40 feet wide; however, the provision of 788 plant units in the bufferyard along its 980-foot length falls short of the requirement. Bufferyard B (along the project's southwestern boundary), however, meets this requirement. A condition of this approval requires that the number of plant units provided in Bufferyard A be augmented to likewise meet the requirements. The third schedule that is included for Bufferyard C is not necessary, as the use adjacent along the southwestern boundary of the site is not incompatible. A condition of this approval requires that the schedule be removed from the plans.
- e. **Section 4.9, Sustainable Landscaping Requirements**—The site is subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. The SDP approved herein provides the appropriate information indicating that the plans meet and exceed the minimum requirements of this section.

13. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site has a previously approved tree conservation plan. A Type I Tree Conservation Plan (TCP1/004/05) and Type II Tree Conservation Plan TCP11/025/01 were previously reviewed and have had subsequent revisions. Because this project required a new preliminary plan, the project was no longer grandfathered and has been reviewed for conformance with the current environmental regulations. A revised Type 2 Tree Conservation Plan (TCP2-25-01-03) has been reviewed by the Planning Board and is herein approved subject to conditions, which bring the project into conformance with the Woodland and Wildlife Habitat Conservation Ordinance. Therefore, it may be said that the project conforms to its requirements.
14. **Prince George's County Tree Canopy Coverage Ordinance:** The approval is subject to the requirements of the Prince George's County Tree Canopy Coverage Ordinance because it involves greater than 5,000 square feet of land disturbance. As the project is located in the E-I-A Zone, it is required to provide ten percent of the subject site in tree canopy. Since the site measures 8.4 acres, 0.84 acre (or 36,661.40 square feet) is required to be covered in tree canopy. The Planning Board has reviewed the submitted plans for conformance with this requirement and finds that it meets the requirement. However, the required schedule has not been provided on the plan set. Therefore, a condition of this approval requires that the applicant provide a Tree Canopy Coverage schedule demonstrating the project's conformance to Section 25-128 of the Prince George's County Code, Tree Canopy Coverage Requirements, prior to certificate approval.
15. **Further Planning Board Findings and Comments from Other Entities:**
 - a. **Historic Preservation**—The Planning Board stated that they have reviewed SDP-00102-04, Central Wholesalers at Town Center Business Campus, and found that it will not have an effect on Prince George's County historic sites, historic resources, or historic districts.
 - b. **Archeological Review**—The Planning Board stated that a Phase I archeological survey was not recommended for the site as it has been extensively graded and is already developed. Also, a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicated that the probability of archeological sites within the subject property is low. In conclusion, the Planning Board stated that the subject proposal will not impact any historic sites or resources, documented properties, or any known archeological resources.
 - c. **Community Planning**—The Planning Board stated that, though findings of conformance to the master or general plans are not required for the subject approval, they encouraged the applicant to continue to work closely with community members to ensure that the design of the proposed warehouse is compatible with the residential neighborhood to the east. Further, the Planning Board encourages the applicant to incorporate green building technology and enhanced low-impact development techniques to help implement the Subregion 1 Master Plan and SMA water and air quality policies.

The following planning issues are hereby noted:

The master plan (page 41) emphasizes the importance of enhancing and preserving water quality, implementing environmentally-sensitive building techniques, and reducing energy consumption and air pollution in Subregion 1 and cited the following policies and strategies from the master plan relevant to this application:

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas that have not been degraded.

Strategy 5: Reduce the area of impervious surfaces during redevelopment projects.

- Where development proposals contain extensive areas of impervious surfaces (e.g., parking lots, pavement, buildings), use innovative methods or technologies, such as porous pavement and concrete, turf blocks, water detention facilities and the placement of stormwater retention facilities, to allow water to infiltrate.
- Minimize the number of parking spaces and provide for alternative parking methods that reduce areas of impervious surfaces.

Strategy 9: Use Low-Impact Development (LID) stormwater management techniques such as green roofs, rain gardens, innovative stormwater outfalls, underground stormwater management, bioretention with appropriate soil mixtures, green streets, cisterns, rain barrels, grass swales, and stream restoration to the fullest extent possible during the development review process.

Policy 4: Implement more environmentally sensitive building techniques and reduce overall energy consumption.

Strategy 1: Encourage the use of green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental technologies in project buildings and site design.

Strategy 2: Require the use of green building techniques in designated centers and corridors, and strongly encourage it in all on office, retail, multifamily, and industrial buildings in the Subregion.

The Planning Board reiterated that, since the proposed development abuts a residential neighborhood, the applicant should continue to work closely with the abutting homeowners to the northeast and east to ensure that the warehouse is adequately screened from view.

- d. **Transportation**—On March 26, 2015, the Planning Board approved a preliminary plan for the subject property, which approval was formalized by the adoption of PGCPB Resolution No. 15-25, which had 12 conditions, the following of which is transportation-related:

9. **Total Development within the subject property shall be limited to uses which generate no more than 157 AM peak-hour trips and 149 PM peak hour trips in consideration of the approved trip rates. Any new development generating an impact greater than that identified herein above shall require a new Preliminary Plan of Subdivision.**

Further, the Planning Board stated that the approved preliminary plan was based on an existing (adjacent) building of 130,165 square feet, as well as a proposed building of 120,000 square feet. Since the subject approval is for the 120,000-square-foot building approved herein, and the area of the existing building remains unchanged, the Planning Board is satisfied that the trip cap established by the previous preliminary plan will not be exceeded.

The Planning Board noted that Konterra Drive has recently been constructed on the master plan recommended alignment and the intersection with Central Wholesalers access is currently in place. Therefore, they stated that the development will be adequately served within a reasonable period of time with existing public facilities.

- e. **Subdivision**—The subject site is located on Tax Map 9 in Grid E-3, is within the E-I-A Zone, and is 16.08 acres. The property was recorded in the Prince George's County Land Records on June 8, 2006 as Lots 2 and 3—Central Wholesalers, on Plat REP 213-17; and on December 23, 2005 as Lot 4—Post Newsweek Media, Inc., on Plat REP 209-90. The site is currently developed with 222,378 square feet of GFA for office/warehouse uses. The SDP approved herein is for an increase of 120,000 square feet of GFA for office/warehouse uses on Lot 3, for a total GFA of 340,378 square feet.

The site is the subject of Preliminary Plan of Subdivision 4-14010 for Central Wholesalers. The Planning Board adopted the resolution of approval (PGCPB No. 15-25) on April 16, 2015. The validity period for the preliminary plan ends on April 16, 2017. The preliminary plan has not been signature approved at the time of this approval. A final plat for the subject property must be accepted by The Maryland-National Capital Park and Planning Commission (M-NCPPC) before the preliminary plan expires or a new PPS is required. The resolution of approval for the preliminary plan contains 12 conditions, and the following conditions in **bold** relate to this approval:

2. **Development of this site shall be in conformance with Stormwater Management Concept Plan 44786-2013-00 and any subsequent revisions.**

The stormwater management concept plan number and approval date is provided in General Note 16 of the SDP.

3. **At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement (PUE) along all public rights-of-way.**

The ten-foot-wide public utility easement shall be by condition of this approval shown and labeled on the SDP.

5. **Prior to the approval of SDP, a copy of the Erosion and Sediment Control Concept Plan shall be submitted.**

Conformance to Condition 5 has been determined by the Planning Board.

7. **Prior to approval of the SDP, the landscape plan shall demonstrate the use of full cut-off optic light fixtures on this site to in order to reduce light intrusion into adjacent residential areas.**

The use of full cut-off optic light fixtures is noted on Sheet 2 of the landscape and lighting plan.

8. **Prior to approval of the SDP, the plan shall reflect two u-shaped bicycle racks near to the main entrance of the building. All proposed bicycle racks shall be located in a well-lit location and situated on a concrete pad.**

A condition of this approval requires the provision of bicycle racks.

9. **Total development within the subject property shall be limited to uses which generate no more than 157 AM peak-hour trips and 149 PM peak-hour trips in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a new Preliminary Plan of Subdivision.**

Conformance to Condition 9 has been determined by the Planning Board.

11. **Prior to approval of the SDP, the feasibility of providing a walkway connection along the existing shared access driveway from Lots 5 and 6 to the existing pedestrian facilities on Konterra Drive shall be evaluated and conditioned as part of the SDP approval, if feasible.**

The SDP has been reviewed by the Planning Board for the feasibility of providing a walkway connection to the existing pedestrian facilities on Konterra Drive and will be determined prior to certificate approval.

Site Plan Comments:

The SDP does not show the current reciprocal ingress/egress easement referenced in Liber 23642 at Folio 73 of the County Land Records. Additionally, the SDP shows a terminated ingress/egress easement (L. 21785/F. 36), which shall by condition of this approval be removed from the plan. General Note 4 shall by condition of this approval be revised to provide the existing acreage of Lots 2 and 3, as well as the proposed acreages for Lots 5 and 6. General Notes 5, 6, 7, and 15 shall by condition of this approval be corrected to reference Lots 5 and 6 instead of Lots 2 and 3. Virginia Manor Road shall by condition of this approval be changed to Konterra Drive. The general notes should be revised to reference the preliminary plan approval.

The Planning Board stated that the failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until the plans are corrected.

- f. **Trails**—The following are the Planning Board’s multimodal findings concerning the subject approval. This approval has been reviewed for conformance with Plan Prince George’s 2035, the 2009 *Countywide Master plan of Transportation* (MPOT), and the Subregion 1 Master Plan and SMA (area master plan). The subject property is south of the City of Laurel, and adjacent to the Konterra area. It is close to the recently constructed Intercounty Connector (ICC).

The MPOT includes policies related to pedestrian access and the provision of sidewalks. The Complete Streets section includes the following policies regarding sidewalk construction, the accommodation of pedestrians, and the provision of complete streets:

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Area Master Plan

The subject property is adjacent to, but not within the Konterra East Town Center, which is a planned 132-acre “downtown core area” and a 356-acre pedestrian-friendly “environs” area. (See Transit Policy 1, Council Resolution CR-58-2010 (DR-2))

The area master plan recommends a future multimodal transit center within the Konterra East Town Center. This multimodal transit center would be an integral part of the town center featuring a regional bus transfer stop. The plan recommends that the multimodal transit center become a facility to link Konterra by bus to other employment centers such

as Fort Meade, the Brick Yard and MARC station, the University of Maryland, and centers within Montgomery County. (See Transit Policy 1, CR-58-2010 (DR-2))

Transit

Bus stops are located on Konterra Drive and transit use is expected to increase over time. Currently, the Central Maryland Regional Transit (CMRT) manages public transit services in the area. CMRT provides transit connections to Metrorail, MARC, and bus commuters in the area. CMRT runs transit services to the Muirkirk MARC Train Station, the Greenbelt Metrorail Station, and the College Park–University of Maryland Metrorail Station. The area master plan recommends an increase in transit use and pedestrian activity as the Konterra area builds out.

Pedestrian Connections

The approved preliminary plan contains the following condition of approval:

- 11. Prior to approval of the SDP, the feasibility of providing a walkway connection along the existing shared access driveway from Lots 5 and 6 to the existing pedestrian facilities on Konterra Drive shall be evaluated and conditioned as part of the SDP approval, if feasible.**

Konterra Drive contains a concrete sidewalk that was recently constructed by the Prince George's County Department of Public Works and Transportation (DPW&T).

The Planning Board recommended that the applicant construct a minimum five-foot-wide sidewalk along the subject property frontage and the adjoining property frontage that would connect the subject subdivision to the existing sidewalks on Konterra Drive.

The subdivision condition states that a "walkway connection" be made. The Planning Board interprets this to mean that this walkway connection may be asphalt or concrete. The access roadway does not currently contain curb and gutter improvements. The proposed walkway connection would connect the subject property to concrete sidewalks on Konterra Drive, providing pedestrian access to the subject property.

The Planning Board recommended that the applicant construct a concrete or asphalt walkway connection along the subdivision access road that connects the subject property to the existing sidewalks on Konterra Drive, subject to modification by DPIE. If DPIE requires that curb and gutter be constructed in conjunction with the walkway improvement, the walkway material should be concrete; otherwise, asphalt is an acceptable material. However, if construction of the walkway proves infeasible, the applicant would be relieved of this requirement.

Other ADA (Americans with Disabilities Act) connections and accommodations will be required by DPIE on the site at the time of building permit.

Bikeways

The subject property is located east of Konterra, which was designated as a "Suburban Town Center" in Plan Prince George's 2035. Konterra East, part of the Konterra Suburban Town Center, will contain a gridded road system with sidewalks and trails throughout the proposed development.

Konterra Road contains a recently constructed master-planned sidepath. Bicycle and pedestrian traffic is expected to increase in the area surrounding the subject property.

The existing wide sidewalk on the west side of Konterra Drive may be designated as a sidepath by the County in the future to complete the master plan recommended sidepath, which is located close to the subject property.

Because the District Council approved the MPOT, which contains the County's Complete Streets policies and, based on the preceding analysis of the subdivision conditions of approval related to walkway construction, the following is required by conditions of this approval:

- (1) Construct two u-shaped bicycle racks near the main entrance of the proposed building. All proposed bicycle racks shall be located in a well-lit location and situated on a concrete pad.
- (2) If feasible, construct a walkway connection, a minimum of four feet in width, along the subdivision access road that connects the subject property to the existing sidewalks on Konterra Drive, subject to modification by DPIE. If DPIE requires that curb and gutter be constructed in conjunction with the walkway improvement, the walkway material shall be concrete; otherwise, asphalt is an acceptable material for the walkway construction.

- g. **Permits**—The Planning Board noted that numerous Permit Review comments have been addressed either by revisions to the plans or by conditions of this approval.
- h. **Public Facilities**—The Planning Board has reviewed this revision to Specific Design Plan SDP-0102 in accordance with Section 27-528(a)(2) of the Zoning Ordinance which states that:

The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development;

This application is for a revision of the previously approved SDP-0102 for Central Wholesalers for Lots 2 and 3. The revision herein approved involves only Lot 3 for the development of a warehouse consisting of 120,000 square feet and 155 parking spaces. Lot 3 consists of 8.41 acres.

Fire and Rescue Service

The Planning Board has reviewed this SDP for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Regulations.

Section 24-122.01(e)(1)(E) states that "A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month."

The proposed project is served by Laurel Fire/EMS Company 10, a first due response station (a maximum of seven minutes travel time), located at 7411 Cherry Lane.

Capital Improvement Program (CIP)

With the future growth expected in the Konterra area, the Prince George's County Capital Improvement Program (CIP) identifies an unfunded Konterra Fire/EMS Station as an intermediate priority for completion by 2026. The location of the proposed station is currently not determined.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan*.

Police Facilities

The proposed development is within the service area of Police District VI, Beltsville. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department, and the July 1, 2013 (U.S. Census Bureau) county population estimate is 890,081. Using 141 square feet per 1,000 residents, it calculates to 125,501 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.

Public Schools

The SDP has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the "Adequate Public Facilities Regulations for Schools" (Council Resolutions CR-23-2001 and CR-38-2002) and concluded that the SDP is exempt from a review for schools because it is a nonresidential use.

Water and Sewerage Findings

Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System.

- i. **Environmental Planning**—The Planning Board has previously reviewed the following applications and associated plans for the subject site:

Development Review Case#	Associated Tree Conservation Plan#	Authority	Status	Action Date	Resolution Number
CDP-0101	TCPI/4/01	PB	Approved	3/29/2001	PGCPB No. 01-64
4-01011	TCPI/4/01	PB	Expired	4/26/2001	PGCPB No. 01-89
CDP-0101-01	TCPI/04/01-01	PB	Approved	1/13/2005	PGCPB No. 05-12
CDP-0101-02	TCPI/18/05	PB	Approved	6/23/2005	PGCPB No. 05-140
4-04026	TCPI/04/0-01	PB	Approved	3/3/2005	PGCPB No. 05-64
SDP-0102	TCPII/25/01	PB	Approved	4/19/2001	PGCPB No. 01-72
SDP-0102-01	NA	Staff	Approved	6/6/2002	N/A
SDP-0102-02	TCPII/25/01-01	PB	Approved	4/19/2001	PGCPB No. 05-195
SDP-0102-03	NA	Staff	Approved	9/9/2014	N/A
CDP-0101-03	TCP1-004-01-03	PB	Approved	3/26/2015	PGCPB No. 15-24
4-14010	TCP1-004-01-04	PB	Approved	3/26/2015	PGCPB No. 15-25
SDP-0102-04	TCP2-25-01-03	PB	Pending	In review	In review

Note: Approval of TCPII/025/01-02 was in conjunction with expired Permit 5702-2006-G-00.

The overall site of this SDP contains 16.08 acres. The current approval is for the addition of a building, vehicular access, and pedestrian circulation on Lots 2 and 3.

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 of the County Code that came into effect on September 1, 2010 and February 1, 2012 because the project requires a new preliminary plan.

The previously approved fee-in-lieu amount of \$47,567.52 for meeting 3.64 acres of woodland conservation is grandfathered for this project under TCPII/25/01-02.

Site Description

The site is located on the east side of Konterra Drive (formerly Virginia Manor Road), approximately 800 feet south of the intersection of Virginia Manor Court. The overall site contains 25.50 acres and is zoned E-I-A. According to the approved Natural Resources

Inventory (NRI/018/05-01), one area of existing woodlands exists along the southern boundary of Lot 3 covering 0.62 acre. A review of the available information identified that no regulated environmental features (stream buffers, wetlands, and 100-year floodplains) are found on the property; however, areas of steep slopes exist on-site. This site is within the Indian Creek watershed, which drains into the Middle Potomac River basin. The predominant soils found to occur on-site, according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include Beltsville silt loam (2–5 percent slopes), Beltsville-Urban land complex (0–5 percent slopes), and Russett-Christiana complex (2-5 percent slopes). According to available information, Marlboro clay is not present on-site; however Christiana complexes are found on this property. In a letter dated January 30, 2014 from the Wildlife and Heritage Service of the Maryland Department of Natural Resources (MDNR), there are no rare, threatened, or endangered species mapped to occur on or in the vicinity of this property. The site has frontage on Konterra Drive (formerly known as Virginia Manor Drive) to the west, which is identified as having no master plan roadway designation and is not currently regulated for noise. No adjacent roadways are designated as scenic or historic roads. According to the 2005 *Approved Countywide Green Infrastructure Plan* (Countywide Green Infrastructure Plan), the site includes evaluation areas, and network gaps. The site is currently located within Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035.

Review of Previous Approvals and Conditions

No relevant environmental conditions of approval were found to be applicable to this application with regards to previously approved applications.

- (1) An approved Natural Resources Inventory (NRI-018-05-01) has been submitted to the Planning Board. The NRI verifies that only one forest stand exists on-site totaling 0.62 acre. This stand is an early successional pioneer forest dominated by Virginia pine and southern red oak. Three non-native herbaceous species, multiflora rose, Japanese honeysuckle vine, and bush honeysuckle were found throughout the stand. This stand has a low priority retention rating because it is isolated, and has no wetlands or other significant environmental features associated with it. A January 2014 review letter from MDNR indicates that no rare, threatened, or endangered species are mapped to occur on or in the vicinity of this property.

The NRI also shows that no regulated environmental features, other than areas of steep slopes, occur on or immediately within 100 feet of this site.

- (2) The property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site has a previously approved tree conservation plan. A Type I Tree Conservation Plan (TCPI/004/05) and Type II Tree Conservation Plan (TCPII/025/01) were previously reviewed

and have had subsequent revisions. Because this project requires a new preliminary plan, it is no longer grandfathered and will be reviewed for conformance with the current environmental regulations. A revised Type 2 Tree Conservation Plan (TCP2-25-01-03) was submitted to the Planning Board.

The site has a woodland conservation threshold of 15 percent or 2.41 acres. According to the worksheet, the total woodland conservation requirement, based on the proposed clearing, is 7.49 acres. The TCP2 proposes to meet the entire requirement through a combination of 3.64 acres fee-in-lieu (previously approved under TCP2/25/02-03 at a grandfathered rate for a total of \$47,567.52) and in an off-site woodland conservation bank at a location to be disclosed for 3.85 acres. It is unclear as to whether or not any portion of the approved fee-in-lieu amount has been paid to DPIE. Evidence of payment of the entire fee-in-lieu amount due on the TCP2 will be required prior to any permits being issued for this site.

The TCP2 requires several revisions by condition of this approval. The original treeline consistent with the first TCP that set the requirements for the site was not shown, and a condition of this approval requires that the applicant show the original treeline consistent with the first forest stand delineation/TCP that set the requirements for the site. As much of the pertinent environmental information needed to be evaluated on the TCP2 plan is visually overwhelmed and obscured by the proposed stormwater design elements, a condition of this approval requires that the applicant revise the TCP2 by placing less of a visual emphasis on the proposed stormwater design elements on the plan such that the existing treeline and other design elements associated with a TCP2 are visible as well.

In the legend of the TCP2, there is a symbol labeled "tree preservation area." This symbol is shown on an area of the plan identified as a woodland clearing area. A condition of this approval requires the applicant to remove this symbol from the legend and plan, as no woodlands are being proposed to be preserved on-site. There are other symbols identified in the legend for features that either do not occur on this site, or do not need to be shown on the TCP2 plan. A condition of this approval requires the applicant to remove the following symbols from the TCP2 legend and plan: "prop. trees", "15%-25% slopes", "25% slopes", "stream buffer", "expanded buffer", "tree protection device", and "tree preservation sign." A condition of this approval requires the applicant to clearly identify the area of off-site woodland clearing. Although the legend clearly distinguishes the differences between proposed and existing contours, these symbols are not being used on the TCP2 plan. A condition of this approval requires the applicant to revise the symbols used to represent existing and proposed contours on the TCP2 plan to match those of the legend. Identify the limits of disturbance on the TCP2 plan using the symbol in the legend.

A condition of this approval requires the applicant to correct the name of Virginia Manor Road to Konterra Drive on the TCP2 plan or on its respective vicinity map.

A condition of this approval requires that the following revisions be made to the TCP2:

- (a) Revise Note 3 to read as follows: "A pre-construction meeting is required prior to issuance of grading permits. The Department of Permitting, Inspections and Enforcement shall be contacted prior to the start of any work on the site to conduct a pre-construction meeting where implementation of woodland conservation measures shown on this plan will be discussed in detail."
- (b) Revise Note 4 by changing "Developing Tier" to "Environmental Strategy Area (ESA) 2".

A condition of this approval requires the applicant to add these notes to the plans prior to certificate approval. There is a note in the upper right hand corner of the TCP2 entitled "Approved Under TCP2/01 Revision." As this note is unnecessary and confusing, a condition of this approval requires its removal from the TCP2. There are several instances of overlapping text on the TCP2 that cause the underlying text to be illegible. A condition of this approval requires the applicant to revise the TCP2 by eliminating overlapping text on the TCP2.

A TCP2 is required to only show one TCP worksheet; however, two TCP worksheets have been included on this TCP2. A condition of this approval requires the consolidation of the two worksheets into one phased worksheet and adding a footnote to the bottom of this worksheet to indicate that the fee-in-lieu amount is grandfathered and was previously approved under TCP2/25/01-02.

A M-NCPPC approval block for the TCP2 has been added to the plan; however, it is not the required standard approval block that is currently used for development review cases. By condition of this approval, the applicant shall be required to add the standard M-NCPPC approval signature block required for development review cases to the TCP2.

- (3) The predominant soils found to occur on-site, according to the USDA NRCS WSS, include Beltsville silt loam (2–5 percent slopes), Beltsville-Urban land complex (0–5 percent slopes), and Russett-Christiana complex (2–5 percent slopes). According to available information, Marlboro clay is not present on-site; however Christiana complexes are found on this property. A soils study may be required at the time of permit as determined by DPIE.

This information is provided for the applicant's benefit. The County may require a soils report in conformance with Prince George's County Council Bill CB-94-2004 during the building permit process review. No further action is needed as it relates to this SDP review.

- (4) The site has an approved Stormwater Management Concept Plan (44786-2013-00). The approval letter was issued on May 20, 2014 and is subject to conditions. According to the approval letter, water quality is to be provided through bioretention. The site is also required to attenuate for the 100-year storm. Additional approval from the Maryland State Highway Administration (SHA) is also required. The stormwater concept plan for this project will replace two existing stormwater detention ponds with an underground storage vault that will discharge into an existing stormdrain. A series of micro-bioretention areas are being proposed to further pre-treat the stormwater runoff, as well, before discharging into the proposed underground storage facility. The stormwater concept was approved under the current regulations requiring environmental site design to the maximum extent practicable.

A site development or final stormwater management plan will be required to be submitted to DPIE for review prior to permitting. Once this plan has been approved by DPIE, a copy of the site development or final stormwater management plan shall be submitted to M-NCPPC for review, as the limits of disturbance are required to be consistent between plans. By condition of this approval, prior to certification of the SDP and TCP2, a copy of the approved site development or final stormwater management plan shall be submitted to M-NCPPC for review.

- (5) Prior to grading of the site, the County requires the approval of an erosion and sediment control plan. The TCP2 must reflect the ultimate limits of disturbance not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including erosion and sediment control measures. A copy of the erosion and sediment control concept plan must be submitted at the time of the SDP application so that the ultimate limits of disturbance for the project can be verified and shown on the TCP2. Prior to certification of the TCP2, a copy of the erosion and sediment control concept plan shall be submitted.

Prior to certification of the TCP2, a copy of the erosion and sediment control plan shall be submitted for review.

The environmental issues discussed above have been addressed by conditions of this approval.

- j. **Prince George's County Fire/EMS Department**—In a memorandum dated February 3, 2015, the Fire/EMS Department offered comment on needed accessibility, private road design, and the location and performance of fire hydrants.
- k. **Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated February 9, 2015, DPIE offered comment on needed right-of-way improvements, access to the site, the dedication for public use of all improvements within the public right-of-way, that a soils investigation report which includes subsurface exploration and geotechnical engineering would be required, and the need of all storm drainage systems and facilities to be designed in accordance with DPW&T requirements. With respect to stormwater management, DPIE stated that the proposed SDP is consistent with approved Stormwater Management Concept Plan 44786-2013 dated May 20, 2014, and that stormwater management is to be provided with several environmental site design facilities. Further, they stated that the existing stormwater management pond is to be replaced by an underground storage facility, sized to provide stormwater management for the adjacent existing development as well.
- l. **The Prince George's County Police Department**—In a memorandum dated February 2, 2015, the Police Department stated that, after reviewing the plans and visiting the site, they found no CPTED (crime prevention through environmental design) issues related to the subject project.
- m. **The Prince George's County Health Department**—In a memorandum dated February 9, 2015, the Health Department offered the following comments:
 - (1) The property is located in the recharge area for the Patuxent aquifer, a groundwater supply that serves the majority of the County particularly for high volume withdrawal pints in the rural tier. Conversion of green space to impervious surface in this recharge area could have long term impacts on the sustainability of this important groundwater resource. The extensive network of proposed micro-bioretenention and stormwater infiltration devices are anticipated to effectively remedy this issue.

As the applicant has met and exceeded the open space requirement by providing 22 percent open space when 20 percent is required, they are well within the parameters of the Zoning Ordinance. Additionally, DPIE stated in their memorandum dated May 20, 2014 that the proposed SDP is consistent with approved Stormwater Management Concept Plan 44786-2013 dated May 20, 2014. Further, they noted that the stormwater management to be provided included several environmental site design facilities, as well as an underground storage facility, which will be sized to provide stormwater management for adjacent existing development.

- (2) Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the County Code.

A condition of this approval requires the applicant to include a general note on the plans for the project indicating the intent to conform to the construction activity noise control requirements as specified in Subtitle 19 of the County Code, addressing this concern of the Health Department.

- (3) Indicate the dust control procedures to be implemented during the construction phase of this project. No dust should be allowed to cross over property lines and impact adjacent properties. Dust control requirements should conform to standards as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

A condition of this approval requires the applicant to indicate the dust control procedures to be implemented during the construction phase of this project, including that no dust be allowed to cross over property lines to impact adjacent properties and that the dust control requirements will conform to the requirements specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

- (4) Indicate how the project will provide for pedestrian access to the site by residents of the surrounding community.

A condition of this approval provides for pedestrian access to the site for residents of the surrounding community by providing a walkway connection, a minimum of four feet in width, along the subdivision access road that connects the subject property to the existing sidewalks on Konterra Drive, if its construction is feasible.

- n. **The Maryland State Highway Administration (SHA)**—SHA indicated on January 22, 2015 that they had no comment on the subject project, as all access to it is via a County-owned and maintained roadway.
- o. **The Washington Suburban Sanitary Commission (WSSC)**—In e-mailed comments received January 29, 2015, WSSC offered numerous comments that have been shared with the applicant and will be addressed through their separate permitting process.
- p. **Verizon**—In an e-mail dated January 26, 2015, Verizon stated that they would like a ten-foot-wide public utility easement adjacent, parallel, and contiguous to the right-of-way along all roadways dedicated for public street purposes, free and clear of any surface obstructions.
- q. **Baltimore Gas and Electric (BG&E)**—BG&E did not comment on the subject project.
- r. **The City of Laurel**—The City of Laurel did not comment on the subject project.

16. The required findings for approval of a SDP as required by Section 27-528 of the Zoning Ordinance are as follows:

Section 27-528. Planning Board Action.

- (a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**

- (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**
- (1.1) **For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

The subject project conforms to the requirements of CDP-0101, as revised. For details regarding that conformance, see Finding 8 of this approval. The subject project conforms to the requirements of the Landscape Manual. For details regarding that conformance, see Finding 12 of this approval. The remainder of this finding is inapplicable to the subject project as it does not involve the development of townhomes, nor is it a regional urban community.

- (2) **The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development;**

It may be said that the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate capital improvement program or as provided as part of the private development for the following two reasons:

- (1) The Planning Board reviewed in detail fire and rescue service, the capital improvement program, police facilities, public schools, and water and sewerage facilities, and concluded that the development will be adequately served within a reasonable period of time with existing or programmed facilities either shown in the appropriate capital

improvement program or provided as part of the private development. For details regarding that conformance.

- (2) The Planning Board stated that the approval of Preliminary Plan 4-14010 (PGCPB Resolution No. 15-25) on March 26, 2015 permitted an increase in the trip cap per Condition 9, that construction of the 120,000-square-foot warehouse contemplated herein would not cause the subject property to exceed that newly established trip cap, and concluded that the development will be adequately served within a reasonable period of time with existing public facilities with respect to transportation.

- (3) **Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;**

In a memorandum dated February 9, 2015, DPIE stated that the proposed SDP is consistent with approved Stormwater Management Concept Plan 44786-2013, dated May 20, 2014. Therefore, it may be said that adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.

- (4) **The plan is in conformance with an approved Type 2 Tree Conservation Plan; and**

The subject SDP is in conformance with Type 2 Tree Conservation Plan TCP2-25-01-03, which is herein approved, subject to conditions herein. Therefore, it may be said that the plan is in conformance with an approved TCP2.

- (5) **The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The Planning Board stated that the approved Natural Resources Inventory, NRI-018-05-01, indicated no regulated environmental features other than areas of steep slopes occur on or immediately within 100 feet of this property. Therefore, this otherwise normally required finding need not be made for the subject property.

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 (TCP2-25-01-03), and further APPROVED Specific Design Plan SDP-0102-04 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the specific design plan (SDP), the applicant shall make the following revisions to the plans or provide the following additional documentation:

- a. Remove references to the terminated 25-foot-wide ingress/egress easement (L. 21785/F. 36).
- b. Delineate and reference the existing reciprocal ingress/egress easement serving the site (L. 23642/F. 73).
- c. Revise General Note 4 to provide the existing acreage of Lots 2 and 3 and the proposed acreage for Lots 5 and 6.
- d. Revise General Notes 5, 6, 7, and 15 and any corresponding references in the resolution to reference Lots 5 and 6 instead of Lots 2 and 3.
- e. Change all references to "Virginia Manor Road" to "Konterra Drive."
- f. Reference the approval and resolution information for Preliminary Plan of Subdivision 4-14010.
- g. Show and label the required ten-foot-wide public utility easement along the property frontage.
- h. Include a minimum four-foot-wide sidewalk along the subject property frontage of the existing unnamed access road and connect the new sidewalk to that which was recently constructed by the Prince George's County Department of Public Works and Transportation (DPW&T) on Konterra Drive, and provide lead-in sidewalks from the proposed sidewalk to the proposed building, subject to modification by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). In the event the sidewalk is deemed not feasible, submit evidence to the Planning Board's designee that the feasibility of providing a walkway connection along the existing shared access driveway from Lots 5 and 6 to the existing pedestrian facilities on Konterra Drive has been explored.
- i. Include two u-shaped bicycle racks near the main entrance of the proposed building on a concrete pad and in a well-lit area.
- j. The following revisions shall be made to the Type 2 Tree Conservation Plan, TCP2-25-01-03:
 - (1) Revise Note 3 to read as follows: "A preconstruction meeting is required prior to issuance of grading permits. The Department of Permitting, Inspections and Enforcement shall be contacted prior to the start of any work on the site to conduct a preconstruction meeting where implementation of woodland conservation measures shown on this plan will be discussed in detail."

- (2) Revise Note 4 by changing “Developing Tier” to “Environmental Strategy Area (ESA) 2.”
- (3) Revise the treeline to be consistent with the first forest stand delineation/TCP that set the requirements for the site.
- (4) Consolidate the two TCP worksheets into one phased worksheet on the TCP2.
- (5) Add a footnote to the bottom of the TCP worksheet to indicate that the fee-in-lieu amount is grandfathered and was previously approved under Type II Tree Conservation Plan TCP/25/01-02.
- (6) Update the TCP2 worksheet as necessary, and revise the site statistics table to correctly indicate the existing woodlands on-site per the first forest stand delineation that set the requirements for the site plus any additional woodlands that are now present on-site.
- (7) Revise the TCP2 plan by placing less of a visual emphasis on the proposed stormwater design elements on the plan such that the existing treeline is more visible on the plan.
- (8) Remove the symbols labeled “tree preservation area”, “prop. trees”, “15%–25% slopes”, “25% slopes”, “stream buffer”, “expanded buffer”, “tree protection device”, and “tree preservation sign.”
- (9) Identify the area of off-site clearing on the TCP2.
- (10) Revise the symbols used for the existing and proposed contours on the TCP2 to match those used in the legend.
- (11) Identify the limits of disturbance on the TCP2 using the same symbol that is in the legend.
- (12) Change all references for “Virginia Manor Road” on the TCP2 plan to “Konterra Drive” to accurately reflect the current name of this road.
- (13) Add the standard TCP2 notes pertaining to when off-site woodland conservation is being proposed.
- (14) Remove the note entitled “Approved Under TCP/01 Revision” from the TCP2.
- (15) Revise the TCP2 by eliminating overlapping text.

- (16) Add the standard M-NCPPC approval signature block required for development review cases to the TCP2 plan.
- k. Submit a copy of the approved site development or final stormwater management plan.
- l. Revise the plans to include two benches and two picnic tables in a suitable location on the plan.
- m. Provide the dimensions of the proposed loading spaces in accordance with the requirements of Part 11 of the Prince George's County Zoning Ordinance.
- n. Remove the indication of Bufferyard C from Sheet 1 and the Section 4.7 Schedule for Bufferyard C from Sheet 2 of the landscaping and lighting details of the plan set.
- o. Revise the landscape plan to include the required number of plant units within the required landscape buffer areas per the 2010 *Prince George's County Landscape Manual*.
- 2. Prior to certification of the Type 2 tree conservation plan, a copy of the erosion and sediment control plan shall be submitted for review.
- 3. Prior to issuance of any grading permits, submit evidence that the entire approved fee-in-lieu amount on the Type 2 tree conservation plan has been fully paid.
- 4. All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable statutory provisions.

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.

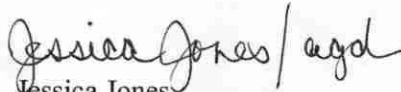
* * * * *

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 Shoaff, seconded by Commissioner Geraldo, with Commissioners Shoaff, Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Washington absent, at its regular meeting held on Thursday, July 30, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of September 2015.

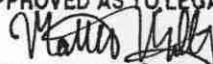
Patricia Colihan Barney
Executive Director

By


Jessica Jones
Planning Board Administrator

PCB:JJ:RG:rpg

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPC Legal Department

Date

8/18/15