

### R E S O L U T I O N

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 March 8, 2001, regarding Specific Design Plan SDP-9024/03 for Konterra Business Campus, Lot 3, Block C, the Planning Board finds:

1. This Specific Design Plan revision is for the purpose of redesigning the site including the building, parking and loading configuration. The original Specific Design Plan (SDP-9024) was approved by the Prince George's County Planning Board on July 19, 1990, and expired in July 1996. Specific Design Plan (SDP-9024/01) was reviewed and approved by the Planning Board on June 11, 1998. That plan proposed two buildings for a total of 259,252 square feet of office/research and development space. A revision was reviewed and approved (SDP-9024/02) that proposed two buildings for a total of 127,575 square feet. This revision to the Specific Design Plan (SDP-9024/03) revises the previous approved plan in site layout, but the amount of development continues to be 127,575 square feet.
2. Containing 10.75 acres of I-3 and E-I-A-zoned land, the proposed development is located at the intersections of Virginia Manor Road and Muirkirk Road, and Muirkirk Road and Muirkirk Meadows Drive. Access is proposed at three points along Muirkirk Meadows Drive. The site is currently used as a driving range.
3. The Basic Plan for Muirkirk Road Employment Park (A-8093, A-8094, A-8792) was approved by the Planning Board on March 17, 1977. On November 15, 1977, the District Council adopted the land use quantities, conditions, considerations and land use types as recommended by the Planning Board and rezoned the properties from the R-R to the E-I-A Zone (CR-102-1977).
4. The original Comprehensive Design Plan (CDP) for Muirkirk Road Employment Park, CDP-8510, was approved by the Planning Board on July 17, 1986 with conditions. On March 23, 1987, the Planning Board's decision in Resolution PGCPB No. 86-167 to approve CDP-8510 was affirmed by the District Council. A total development program of 1,721,000 square feet of gross floor area is approved under the original CDP. Various uses were to be distributed among 13 lots which varied in size from 1.8 to 4.3 acres. Four phases of development were proposed. Phases I and II were defined as development up to 641,000 square feet located within the land area south of Muirkirk Road, and Phases III and IV were defined as development beyond 641,000 square feet located within the land area north of Muirkirk Road.
5. Condition 8 of the original CDP approval provided that development beyond the total maximum for Phases I and II (641,000 square feet) was prohibited until such time as the

Intercounty Connector is constructed. In 1994, the Prince George's County Planning Board approved a revision to the Comprehensive Design Plan (CDP-8510/01) for the purpose of modifying Condition 8, which originally stated the following:

- 8. Development beyond the total maximum of Phases I and II is prohibited until such time as the Inter County Connector is constructed.**

The revision to the Comprehensive Design Plan CDP-8510/01 modified the condition above and substituted the following Conditions of PGCPB No. 94-88:

- 2. Prior to the issuance of any building permits for development beyond the total maximum of Phases I and II, one of the following shall occur:**
  - a. The Intercounty Connector (Master Plan alignment A-44) between I-95 and US 1 has received its "notice to proceed" approval for construction.**
  - b. Ammendale-Virginia Manor Road (between I-95 and US 1) has been advertised for construction.**
  - c. Other transportation or travel demand management projects agreed to by the Department of Public Works and Transportation (DPW&T), the State Highway Administration (SHA) and the Planning Board (or its designee) that have been "advertised" for construction or have been financially secured and permitted by the applicant, his heirs, successors and/or assigns in a manner acceptable to DPW&T and/or SHA.**
- 3. Prior to the issuance of any building permits for Phase III or IV, and if the Intercounty Connector has not received its notice to proceed for construction, the applicant, his heirs, successors and/or assigns shall provide full financial assurances, received a permit to construct and reached an agreement with SHA on a timetable to construct a double left-turn lane from northbound US 1 to Muirkirk Meadows Drive and exclusive double left-turn lanes from Muirkirk Meadows Drive to northbound US 1.**
- 4. Upon receiving reasonable notice from DPW&T at an appropriate time prior to the construction of Ammendale-Virginia Manor Road, all property indicated in DPW&T Right-of-Way Plats 1500, 1501, 1502 and 1503 and identified as Parcels 26 and 191 of Tax Map No. 13 (Liber 5548, folio 921) shall be conveyed to Prince George's County by the applicant, his heirs, successors and/or assigns, in the manner prescribed by DPW&T.**

On July 6, 2000 the Prince George's County Planning Board reconsidered its action on Condition No. 2 of CDP-8510/01. After consideration of the staff recommendation and the testimony from the applicant and the parties of record, the Planning Board substituted the following Condition No. 2:

2. **Prior to the issuance of any building permits for development beyond the total maximum of Phases I and II (641,000 square feet), one of the following shall occur:**
  - a. **The arterial facility within the A-44 alignment between I-95 and US 1 shall be in place, bonded for construction or programmed with 100% construction funding in the next five years in either the current Prince George's County Capital Improvement Program (CIP) or the current State Consolidated Transportation Program (CTP).**
  - b. **Ammendale-Virginia Manor Road (between I-95 and US 1) shall be in place, bonded for construction or programmed with 100% construction funding in the next five years in the current CIP.**
  - c. **Other transportation or travel demand management projects agreed to by the Department of Public Works and Transportation (DPW&T), the State Highway Administration (SHA) and the Planning Board (or its designee) are in place, bonded for construction, or programmed with 100% construction funding in the CIP or the CTP.**
6. The Preliminary Plat for Muirkirk Road Employment Park 4-86056 was approved with conditions by the Planning Board on August 7, 1986. Conditions of approval were fulfilled prior to Final Plat.
7. This Specific Design Plan (SDP-9024/03) is being processed concurrently with a Detailed Site Plan (DSP-01005) and a Conceptual Site Plan (CSP-01004). The subject applications contain land in three separate conditions of subdivision.. Lot 3, Block ■C•, which is the subject of this Specific Design Plan, is found on record plat VJ 165 @ 73, Konterra Business Campus at Muirkirk, recorded in May 2000. The Conceptual Site Plan and the Detailed Site Plan are Lot 154 and part of Lot 153, and are found on record plat SDH 3 @ 87, Virginia Manor Subdivision, recorded in May of 1930. The third portion of the property was shown on VJ 165 @ 73 as proposed Inter-County Connector.

This Specific Design Plan proposes to develop land subject to record plat VJ 165 @ 73. The Specific Design Plan proposes development on land that is currently shown on record plats as part of the proposed Inter-County Connector. A final plat was approved by the Planning Director on February 2, 2001, incorporating this land into Lot 3, Block ■C,• under the provisions of Section 24-108 of the Subdivision Regulations. This new plat includes bearings and distances equal to those shown on the submitted application. This plat must be recorded prior to issuance of building permits. Once the new plat is recorded, no subdivision issues will remain outstanding.

8. The Muirkirk Road Employment Park was renamed Konterra Business Campus, and Specific Design Plan review began in 1990. Most of the Specific Design Plans approved in 1990 have since expired. Only those properties on which construction had commenced are still valid. In 1997, the applicant began the submission of Specific Design Plans that had previously expired. Subsequent Specific Design Plans and revisions to those plans have been approved for the Konterra Business Campus.
9. The proposed two and three story buildings are brick clad with accent bands and are harmonious with all other buildings in the Campus. A system of coordinated project signs, including an entrance sign and building/tenant signs, is proposed throughout the entire development.
10. Pertinent development data is contained in the following table:

Zone	E-I-A Zone
Gross Lot Area	10.17 acres
Area Within a 100-Year Floodplain	.38 acre
Net Lot Area	9.79 acres

Proposed Use: Research and development

Proposed Building Area 127,575 square feet of gross floor area.  
Building N1 80,325 square feet  
Building N2 47,250 square feet

Number of Parking Spaces Required  
(1 sp/250 sq. ft. for the 1<sup>st</sup> 2000 sq. ft.) 8 spaces  
(1 sp/400 sq. ft. for the remainder)  
Total number of spaces required 322 spaces

Number of Parking Spaces Provided 606 spaces

Number of Loading Spaces Required 4 spaces  
Number of Loading Spaces Provided 4 spaces  
Green Area Required (20%) 1.96 acres  
Green Area Provided (46%) 4.5 acres

Interior Landscaping Required (10%) 22,473 sq. ft.  
Interior Landscaping Provided (10.3%) 23,130 sq. ft.

11. The proposed development is in general conformance with approved CDP-8510 and CDP-8510/01. A number of conditions of the Comprehensive Design Plan apply to the review of the Specific Design Plan and warrant discussion:

- **A floodplain study shall be required for Department of Environmental Resources approval prior to Specific Design Plans.**

Comment: A floodplain study was approved by the Department of Environmental Resources (DER) on November 14, 1989.

- **Restrictive slopes and sensitive areas shall be maintained in vegetation to the extent practicable and shown on the Specific Design Plans.**

Comment: There are no steep slopes on this property.

12. This revision to the Specific Design Plan includes provisions for draining surface water to prevent adverse effects on the subject property or any adjacent

property. An existing stormwater management pond for the entire campus was built under the original stormwater management concept (#948010340) approved by the Department of Environmental Resources (DER). A stormwater management concept approval (#008004270) dated March 24, 2000, indicates that the applicant has obtained separate conceptual stormwater plan approval from DER for the subject application.

13. The Natural Resources Division has reviewed the original Specific Design Plan and Tree Conservation Plan (TCP) in the review of SDP-9024/01. Environmental Planning Section indicated that the revised plan creates no new issues in the development of this site as proposed in the revised submittal. The originally approved TCP continues to be valid, and the revised SDP-9024/03 is in conformance with it.
14. This project is subject to Sections 4.3(b) and (c) of the *Landscape Manual*. The plan has been reviewed and conforms to each of these Sections of the *Landscape Manual*.
15. The Transportation Planning Section has reviewed the revised Specific Design Plan and finds that the proposal will impact the road systems. The application proposes to develop the property with 127,575 square feet of R&D/light industrial space. Access and on-site circulation is largely acceptable. The transportation staff recently reviewed SDP-9024/02 for this property. The past application proposed the development of an identical quantity of space. The previous review done in May 2000 addressed transportation findings and staging for the site. Because this site from the standpoint of traffic impact is identical to the previous application, this plan is in conformance with the total quantity of development which has been subjected to a transportation review. The subject property is required to make roadway improvements and contribute to other roadway improvements in the area pursuant to a finding of adequate public facilities made in 1998 for SDP-9024/01 and supported by traffic studies submitted in 1997 and 1998. Insofar as the basis for that finding is still valid, the

transportation staff finds that the subject property will be adequately served within a reasonable period of time with transportation facilities which are existing, programmed, or which will be provided as a part of the development if the development is approved. Furthermore, the submitted plans are in conformance with past approved plans, including the approved Comprehensive Design Plan. This finding is subject to the same set of conditions to which other portions of Konterra have been subject.

#### Transportation Conclusions and Recommendations

The staff finds that the submitted plans are in conformance with past approved plans, including the approved Comprehensive Design Plan. A Specific Design Plan also requires a finding that the site be served adequately within a reasonable period of time by transportation facilities which are existing, programmed or which will be provided as a part of the development. The transportation staff believes that this finding can be made if the subject plan application is approved with the following conditions:

1. Prior to the issuance of any additional building permits on any lot within the Konterra Business Campus property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:
  - a. US 1 and Contee Road intersection: Provide an exclusive left-turn lane from westbound Contee Road onto US 1.
  - b. Signalization: Submit an acceptable traffic signal warrant study to the State Highway Administration (SHA) and/or the County Department of Public Works and Transportation (DPW&T) for the following intersections:
    - i. US 1 and Ammendale Road

- ii. Muirkirk Road and Muirkirk Meadows Road
- iii. Muirkirk Road and Virginia Manor Road

If deemed warranted by the SHA and/or the DPW&T (depending upon the location), the applicant shall bond the signal with the appropriate agency prior to the release of the building permit, and install the signal if directed prior to the release of the bonding for the signal.

2. Prior to the issuance of building permits on any lot within the Konterra Business Campus which would exceed 340,000 square feet on the entire property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:
  - a. US 1 and Contee Road intersection: Provide an exclusive right-turn lane from eastbound Contee Road onto US 1.
  - b. Signalization: Submit an acceptable traffic signal warrant study to the State Highway Administration (SHA) and/or the County Department of Public Works and Transportation (DPW&T) for the intersection of Ritz Way and Virginia Manor Road. If deemed warranted by the SHA and/or the DPW&T (depending upon the location), the applicant shall bond the signal with the appropriate agency prior to the release of the building permit, and install the signal if directed prior to the release of the bonding for the signal.
3. Prior to the issuance of building permits on any lot within the Konterra Business Campus which would exceed 480,000 square feet on the entire property, the following road improvements shall (a) have full financial assurances, or (b) have



been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:

a. US 1 and MD 212 intersection: Provide an exclusive right-turn lane from westbound MD 212 onto US 1.

4. Prior to the issuance of building permits on any lot within the Konterra Business Campus which would exceed 600,000 square feet on the entire property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:

a. US 1 and Muirkirk Meadows Road intersection: Provide an exclusive left-turn lane from northbound US 1 onto Muirkirk Meadows Road.

5. Prior to the issuance of building permits on any lot within the Konterra Business Campus which would exceed 1,000,000 square feet on the entire property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:

a. Muirkirk Road and Muirkirk Meadows Road intersection: Provide an exclusive right-turn lane from westbound Muirkirk Road onto Muirkirk Meadows Road.

b. US 1 and Contee Road intersection: Provide an exclusive left-turn lane from eastbound Contee Road onto US 1.

c. Signalization: Submit an acceptable traffic signal warrant study to the State Highway Administration (SHA) and/or the County

Department of Public Works and Transportation (DPW&T) for the intersection of Ammendale Road and Virginia Manor Road. If deemed warranted by the SHA and/or the DPW&T (depending upon the location), the applicant shall bond the signal with the appropriate agency prior to the release of the building permit, and install the signal if directed prior to the release of the bonding for the signal.

6. Development within Phases III and IV of the Konterra Business Campus, or development which would exceed 641,000 square feet on the entire property, shall conform to Condition 2 of PGCPB No. 94-88 (as amended in 2000) which approved CDP-8510/01.
7. Prior to the connection of the north site access road (Muirkirk Meadows Road extended) to US 1, the applicant, his heirs, assigns or successors shall submit an acceptable traffic signal warrant study for US 1 and the site access road to the State Highway Administration (SHA) and/or the County Department of Public Works and Transportation (DPW&T). If deemed warranted by the SHA and/or the DPW&T, the applicant shall bond the signal with the appropriate agency prior to the connection of the roadway, and install the signal if directed prior to the release of the bonding for the signal.

Comment: These conditions are identical to the conditions contained in the approval of SDP-9024/01 and SDP-9024/02 and are repeated in the Recommendation section.

16. The Public Facilities Planning Section reviewed the Specific Design Plan (SDP-9024/02) for Konterra, Lot 3, Block C and examined the adequacy of existing and programmed public facilities.

Fire Service

The existing fire engine service at Beltsville Fire Station, Company 31 located at 4911 Prince Georges Avenue has a service response time of 3.94 minutes, which is beyond the 3.25-minute response time guideline.

The existing ambulance service at Beltsville Fire Station, Company 31, located at 4911 Prince Georges Avenue has a service response time of 3.94 minutes, which is within the 4.25-minute response time guideline.

The existing paramedic service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road has a service response time of 5.93 minutes, which is within the 7.25-minute response time guideline.

The existing ladder truck service at Laurel Fire Station, Company 10, located at 7411 Cherry Lane has a service response time of 6.45 minutes, which is beyond the 4.25-minute response time guideline.

The above findings are in conformance with the Adopted and Approved Public Safety Master Plan 1990 and the Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed above, the Fire Department recommends that all commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince Georges County Laws.

Comment: This condition was contained in the approval of SDP-9024/01 and continues to apply to the site.

#### Police Service

The proposed site is within the service area of District IV - Beltsville Police Station. Staff concludes that the existing County police facilities will be adequate to serve the proposed business campus.

However, the recommendations for consideration previously made by the Police Department still apply.

The Police Department provided five recommendations for consideration in 1985, at the time of CDZ approval. The five suggestions are as follows:

- I. The Police Department needs to have access totally around the buildings in this type of development to check the security of the buildings.
- II. The use of larger building numbers is recommended. Building numbers have frequently been found to be too small, or nonexistent in other similar types of development.
- III. A sign with the name of the business on both the front and the back of the building is useful in locating specific addresses when an officer is responding to alarms and/or calls for service. Night lighting is needed above the numbers and signs.
- IV. Street names should be clearly identified, otherwise, they can create confusion when only a building number has been provided to the officer and other buildings in the development have the same number.
- V. Bright lighting should be provided in parking areas which can serve as a crime deterrent.

Comment: The Urban Design staff recommends that the site plan and architecture be revised as necessary to demonstrate compliance to these recommendations prior to signature approval.

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 Specific Design Plan for the above-described land, subject to the following conditions:

1. Prior to signature approval, the plans shall be revised as follows:

- a. The architectural elevations shall be revised to comply with the recommendations of the Police Department as stated in Finding 17.
  - b. A minimum ten foot wide, relatively flat planting area shall be provided at the top of the slope along Virginia Manor Road. Evergreen trees shall be provided in this area to screen the loading docks from views from the roadway.
2. Prior to the issuance of any additional building permits on any lot within the Konterra Business Campus property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:
  - a. US 1 and Contee Road intersection: Provide an exclusive left-turn lane from westbound Contee Road onto US 1.
  - b. Signalization: Submit an acceptable traffic signal warrant study to the State Highway Administration (SHA) and/or the County Department of Public Works and Transportation (DPW&T) for the following intersections:
    - i. US 1 and Ammendale Road
    - ii. Muirkirk Road and Muirkirk Meadows Road
    - iii. Muirkirk Road and Virginia Manor RoadIf deemed warranted by the SHA and/or the DPW&T (depending upon the location), the applicant shall bond the signal with the appropriate agency prior to the release of the building permit, and install the signal if directed prior to the release of the bonding for the signal.
3. Prior to the issuance of building permits on any lot within the Konterra Business Campus which would exceed 340,000 square feet on the entire property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:
  - a. US 1 and Contee Road intersection: Provide an exclusive right-turn lane from eastbound Contee Road onto US 1.
  - b. Signalization: Submit an acceptable traffic signal warrant study to the State Highway Administration (SHA) and/or the County Department of Public Works and Transportation (DPW&T) for the intersection of Ritz Way and Virginia Manor Road. If deemed warranted by the SHA and/or the DPW&T (depending upon the location), the applicant shall bond the signal with the appropriate agency prior to the release of the building permit, and install the signal if directed prior to the release of the bonding for the signal.

4. Prior to the issuance of building permits on any lot within the Konterra Business Campus which would exceed 480,000 square feet on the entire property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:
  - a. US 1 and MD 212 intersection: Provide an exclusive right-turn lane from westbound MD 212 onto US 1.
5. Prior to the issuance of building permits on any lot within the Konterra Business Campus which would exceed 600,000 square feet on the entire property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:
  - a. US 1 and Muirkirk Meadows Road intersection: Provide an exclusive left-turn lane from northbound US 1 onto Muirkirk Meadows Road.
6. Prior to the issuance of building permits on any lot within the Konterra Business Campus which would exceed 1,000,000 square feet on the entire property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:
  - a. Muirkirk Road and Muirkirk Meadows Road intersection: Provide an exclusive right-turn lane from westbound Muirkirk Road onto Muirkirk Meadows Road.
  - b. US 1 and Contee Road intersection: Provide an exclusive left-turn lane from eastbound Contee Road onto US 1.
  - c. Signalization: Submit an acceptable traffic signal warrant study to the State Highway Administration (SHA) and/or the County Department of Public Works and Transportation (DPW&T) for the intersection of Ammendale Road and Virginia Manor Road. If deemed warranted by the SHA and/or the DPW&T (depending upon the location), the applicant shall bond the signal with the appropriate agency prior to the release of the building permit, and install the signal if directed prior to the release of the bonding for the signal.
7. Development within Phases III and IV of the Konterra Business Campus, or development which would exceed 641,000 square feet on the entire property, shall conform to Condition 2 of PGCPB No. 94-88 (as amended in 2000) which approved CDP-8510/01.

8. Prior to the connection of the north site access road (Muirkirk Meadows Road extended) to US 1, the applicant, his heirs, assigns or successors shall submit an acceptable traffic signal warrant study for US 1 and the site access road to the State Highway Administration (SHA) and/or the County Department of Public Works and Transportation (DPW&T). If deemed warranted by the SHA and/or the DPW&T, the applicant shall bond the signal with the appropriate agency prior to the connection of the roadway, and install the signal if directed prior to the release of the bonding for the signal.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the Circuit Court 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 and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 8, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of March 2001.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:SL:rmk