

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 July 19, 2001, regarding Specific Design Plan SDP-9027/02 for Konterra Business Campus, Lot 1 - Block B, 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-9027) 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 January 8, 1998. That plan proposed two buildings for a total of 127,355 square feet of office/research and development space. This revision to the Specific Design Plan (SDP-9027/02) revises the previously approved plan in site layout and reduces the total amount of development on the site to 54,322 square feet.
2. Containing 6.5 acres of E-I-A-zoned land, Lot 1, Block B is located on the south side of Muirkirk Meadows Drive, approximately 600 feet north of US 1. Access is proposed off of Muirkirk Meadows Drive.
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 Georges 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. Lot 1, Block B was recorded in Plat Book VJ 165 @ 77, on June 7, 1993. That final plat of subdivision does not contain any notes that would be applicable to the review of the Specific Design Plan (SDP).
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. 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 one story building is brick clad with accent bands and is 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. The following chart provides the development data for the site:

Zone  
Gross Tract Area

E-I-A Zone  
6.49 acres

Area Within a 100-Year Floodplain	1.39 acres
Net Lot Area	5.10 acres

Proposed Use:	Research and development
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Proposed Building Area	54,322 square feet of gross floor area.
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Number of Parking Spaces Required	139
Number of Parking Spaces Provided	196

Number of Loading Spaces Required	3
Number of Loading Spaces Provided	7

Green Area Required (20%)	1.02 acres
Green Area Provided (27%)	1.40 acres

Interior Landscaping Required (8%)	5806 sq. ft.
Interior Landscaping Provided (8%)	5860 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 approved by the Department of Environmental Resources (DER). A stormwater management concept approval (#4262-2001-00) indicates that the applicant has obtained separate conceptual stormwater plan approval from DER for the subject application.

13. The Environmental Planning Section has reviewed the Specific Design Plan and Tree Conservation Plan (TCP II/105/97) in the review of SDP-9027 and provided the following analysis:

■ This site was previously evaluated by the Environmental Planning Section in conjunction with the review and approvals of Comprehensive Design Plan CDP-8510-01, Preliminary Plan of Subdivision 4-85056, Specific Design Plans, SDP-9204, SDP-9026, SDP-9025, SDP-9027-01, and TCPII/105/97, II/106/97, II/119/97 and II/120/97. SDP-9027-02 is proposing a new building layout and is therefore a revision to SDP-9027-01.

#### ■ Site Description

■ The site is located at the northwest quadrant of Old Baltimore Pike and Muirkirk Road. Lot 1 which totals 6.49 acres is part of the larger 34.56 acre site reviewed with the above referenced plans. A review of the available information indicates that streams and wetlands are located on this site as well as 1.62 acres of floodplain. The primary soils found to occur on this property according to the Prince George's County Soil Survey are the Bibb series. Although the Bibb soils have limitations with respect to high water tables and poor drainage, those areas have been previously graded and filled in accordance with SDP-9027-01. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled ■ Ecologically Significant Areas in Anne Arundel and Prince George's Counties, December 1997, there are no rare, threatened, or endangered species found to occur on this property. There are no scenic or historic roads adjacent to this property. No off-site noise impacts have been identified which would limit the development of this site for this use. The sewer and water service categories are S-3 and W-3.

#### ■ Environmental Review

■ This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there is a previously approved TCP. This property is subject to TCPII/105/97 which was approved with SDP-9027-01. TCPII/105/97 covers several properties and requires that 0.27 acres be reforested on-site.

■ 100-year flood plain is shown along the southern and western property lines of the site plan. Under the Woodland Conservation Ordinance, 100-year floodplain cannot be counted towards meeting preservation requirements but it can be used as reforestation if it does not contain woodlands because reforestation of floodplains is a priority of the ordinance. The 2000 aerial photographs indicate the presence of a wooded area that appears to be within the existing floodplain area. This area is labeled as ■ dense trees ■ on the site plan but the existing tree line is not shown. The TCPII needs to be revised to show the existing tree line and show how the Woodland Conservation Ordinance requirements are being met.

■ SDP-9027-02 creates a new building layout that results in a need to revise the TCPII.

■*Recommended Condition: Prior to certification, TCPH/105/97 shall be revised to: reflect the existing tree line; to reflect the proposed building layout of SDP-9027-02; to show the revised LOD and to illustrate how 0.27 acres of woodland are being provided to meet the Woodland Conservation requirements.*

■This site has wetlands and streams that were impacted from previous development plans. Army Corps of Engineers wetland permits were issued in conjunction with these plans.

■*Comment: no further information is required.*

■1.62 acres of floodplain are located on this site. A Floodplain Study was approved by DER on November 14, 1989. The 100-year floodplain delineated on SDP-9027-02 does not reflect the location of the recorded floodplain on the final plat. SDP-9027-02 should be revised to show the current Liber and Folio of the floodplain and coordinate any other outstanding issues.

■*Recommended Condition: Prior to certification, SDP-9027-02 shall be revised to include the current Liber and Folio of the floodplain and, if necessary revise the location of the floodplain as it was approved in the 1989 study approved by DER.*

■No technical stormwater management concept approval letter was submitted with this plan. Approval of a Stormwater Management Concept is required prior to the approval of the site plan.

■*Recommended Condition: Prior to certification of SDP-9027-02, a copy of the approved Stormwater Management Concept Approval Letter shall be provided.*

Comment: The staff recommends that two of the conditions above be incorporated into the approval of this plan. The condition above regarding the Stormwater management concept approval is not incorporated as a condition because it has been approved as stated in Finding No. 12.

14. This project is subject to Sections 4.2, 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 application referenced above. The following analysis has been provided:

■Access and on-site circulation is acceptable.

■The transportation staff recently reviewed SDP-9027/01 for this identical property. The past application, however, proposed the development of 127,355 square feet of office space on the subject property. The transportation findings for the site have recently been based upon the total development for the entire Konterra site being

capped at 1,360,000 square feet of space. The staff noted in reviewing SDP-9016/02 that the Konterra site has approvals totaling approximately 1,200,000 square feet. As the subject application involves a reduction of 73,000 square feet from the application previously approved, 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-9027/01 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.

■Notwithstanding the above finding, the transportation staff notes that CDP-8510/01, approved in 1994, allows the development of up 1,721,000 square feet over four phases. That CDP approval allows the first two phases, containing up to 641,000 square feet, to proceed without major capital projects in the area. To move into the third and fourth phases, however, the following condition has been placed on the subject property by the CDP approval:

■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 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.

■Transportation and urban design staff agree that this condition represents a phasing according to square footage, and in no way restricts where and when buildings may

be constructed within the Konterra Business Campus. To date, the following represents the development status within the entire Konterra Business Campus site:

Built	397,252 square feet
Permitted and/or under construction	31,520 square feet
Final SDP approval	127,575 square feet
Subject application	54,322 square feet
Other approved SDPs	<u>518,095 square feet</u>
Total	1,128,764 square feet

■Regardless of the status of development within Konterra, (b) above is met by the funding of the Ammendale/Virginia Manor Road project in the Capital Improvement Program. While this additional square footage would not bring the total beyond 641,000 square feet, there is no restriction at this time which would prevent the subject application from obtaining permit approval even if other lots go to the permit stage first.

■The applicant should be aware that any further permits within Konterra are subject to the requirements specified within Conditions 2 and 3 below. While the requirements of Condition 2 should have presumably been satisfied with a past permit application, any further permits should put the property beyond the 480,000 square foot threshold. Therefore, the status of all conditions should be checked at the next permit.

#### ■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 Specific Design Plan application is approved with the following conditions (which are identical to the transportation conditions approved as a part of SDP-9027/01):

- 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) 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.●
16. The Growth Policy and Public Facilities Planning Section has reviewed the Specific Design Plan for public facilities impacts and concluded the following:

**■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 2.79 minutes, which is within the 3.25 minutes 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 2.79 minutes, which is within the 4.25 minutes response time guideline.
- The existing paramedic service at Laurel Rescue Squad, Company 49 located at 14910 Bowie Road has a service response time of 5.21 minutes, which is within the 7.25 minutes 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 6.44 minutes, which is beyond the 4.25 minutes response time guideline.
- These 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, the Fire Department recommends that all commercial structures be fully

sprinkled in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

### **■Police Service**

■The proposed site is within the service area of District VI- Beltsville. Staff concludes that the existing County's police facilities will be adequate to serve the proposed business campus. However, the recommendations for consideration previously made by the Police Department still apply.●

Comment: The resolution of the Planning Board's action on the previously approved revision stated the following:

■According to the Adequate Public Facility Guidelines for police services, the District VI Station will be adequate to accommodate the proposed mixed-use/nonresidential development which is located in Section C, Beat C-3. However, the Police Department did provide 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 has reviewed the site plan and architecture and recommends that these issues be demonstrated 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 Type II Tree Conservation Plan (TCPII/105/97), and further APPROVED Specific Design Plan SDP-9027/02 for the above-described land, subject to 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) 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.

8. Prior to signature approval, the architectural elevations shall be revised to comply with the recommendations of the Police Department as stated in Finding 16.
9. Prior to certification, TCPII/105/97 shall be revised to: reflect the existing tree line; to reflect the proposed building layout of SDP-9027/02; to show the revised LOD and to illustrate how 0.27 acres of woodland are being provided to meet the Woodland Conservation requirements.
10. Prior to certification, SDP-9027/02 shall be revised to include the current Liber and Folio of the floodplain and, if necessary revise the location of the floodplain as it was approved in the 1989 study approved by DER.

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, Maryland within thirty (30) days following the adoption of this Resolution.

\* \* \* \* \*

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 Brown, seconded by Commissioner Scott, with Commissioners Brown, Scott, and Hewlett voting in favor of the motion, Commissioner Lowe voting in opposition of the motion and with Commissioner Eley absent at its regular meeting held on Thursday, July 19, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of July 2001.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:SL:rmk