

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on January 11, 2001, regarding Detailed Site Plan SP-00042 for Walker Mill business Park, Lot 11, Block A, the Planning Board finds:

1. The subject site (Lot 11, Block A), consisting of approximately 4.93 acres, is located on the north side of Prosperity Court at the intersection of Prosperity Way and Prosperity Court in the Walker Mill Business Park. The adjacent property to the north, zoned R-A, is vacant. The adjacent property to the east, zoned I-1, is vacant and the adjacent property to the west, zoned I-1, has a contractor's storage yard.
2. The proposed use is an outdoor storage yard for vehicles (18-wheeler vehicles). The applicant is proposing a six-foot-high board-on-board fence with a six-foot-high chain-link fence behind it along Prosperity Court and the east and west property lines. A six-foot-high board-on-board fence is proposed along the northern property line. The board-on-board fence will be set back approximately 10 feet from the property line along Prosperity Court. A gate is proposed along Prosperity Court for entry into the property.
3. A Preliminary Subdivision Plat 4-87194 was approved on January 7, 1988 (PGCPB No. 88-06) for 43 lots and one parcel on a 74.4-acre parcel of land known as Walker Mill Business Park. Condition #3 of Preliminary Plat 4-87194 reads as follows:

Detailed Site Plans for individual lots shall be approved by the Planning Board prior to building permits. These site plan reviews shall address, but not be limited to, the items listed in the Area Planning Division's memorandum dated September 16, 1987.

The master plan approval, CR-147-1985, which set forth guidelines for development of the subject property, also adopted language identical to that of the above referenced Area Planning memorandum that was specifically for the purposes of providing criteria for review of any proposed development within Walker Mill Business Park.

The memorandum dated September 16, 1987 lists the following design criteria that are applicable to the subject property:

1. *All projects within this subject property shall be subject to site plan review by the Prince George's County Planning Board. The site plan shall contain a landscaping plan.*

The applicant has not submitted a landscape plan. Conditions of approval requiring landscaping have been added and are discussed in Finding 6.

2. *The Planning Board shall review the development to assure its compliance with the following design guidelines:*

- a. *An effective visual buffer created by substantial berms and landscaping shall be provided along Walker Mill Road, Rollins Avenue and Addison Road and along abutting areas which are planned or developed for residential purposes in order to maintain the residential character of surrounding properties.*

This section is not applicable to the subject lot because it is not located on any of the above streets. However, screening of the subject lot is addressed in Finding 6.

- b. The internal organization of the site shall address the following:
- (1) Minimizing the views of parking, loading, storage and service areas.
 - (2) Providing architectural elevations consistent in materials and treatment on all sides, and with all mechanical equipment enclosed or screened. Screening and enclosures shall be treated as integral elements of building design.
 - (3) Signs shall not be placed above the roof or parapet line. No moving or flashing signs, or signs projecting significantly from a building, shall be permitted. Low ground-mounted and landscaped signs in keeping with the scale of the buildings and the site shall be encouraged in lieu of building-mounted signs.

Since there are no buildings on the site, the above design criteria for buildings do not apply to this site. A landscape buffer has been provided along Prosperity Court for minimizing views of parking, loading, storage and service areas. The landscape buffer is discussed in detail in Finding 6.

4. The proposed use, outdoor storage of vehicles, is a permitted use in the I-1 Zone. There is an off-site tree conservation area on the east end of the subject property. This is the off-site tree conservation area for Lot 19. There is an existing utility easement on the west side of the tree-save area. Two bio-retention ponds are proposed on the east and west sides of the property. A six-foot-high chain-link fence is proposed along the utility easement. A landscape buffer has been provided along the north (rear) property line.

5. Section 27-469, I-1 Zone (Light Industrial), of the Zoning Ordinance establishes the following parameters for landscaping, screening and buffering of development in the I-1 Zone:

- (1) At least ten percent (10%) of the net lot area shall be maintained as green area.

The applicant has not provided green area calculations. The landscape buffer in the rear and the existing tree-save area can be considered for green area calculations. A condition of approval has been added to require green area calculations.

- (2) Any landscaped strip adjacent to a public right-of-way required pursuant to the provisions of the Landscape Manual shall not be considered part of the required green area.

The landscaping proposed along the public right-of-way will not be considered a part of the required green area.

6. The proposal is subject to the requirements of Section 4.7 (Buffering Incompatible Uses) of the *Landscape Manual*. The proposed use is considered a high impact use, the adjacent vacant lot to the east is considered a high impact use and the adjacent outdoor storage use to the west is a high impact use. Since these adjacent uses are compatible uses, no landscape buffers are required along these property lines. A *D* landscape buffer is required along the north property line adjacent to the vacant property zoned R-A. The *D* bufferyard requires a 40-foot-wide landscape buffer planted with 160 planting units per 100 linear feet of property line. A 50% reduction in planting units is allowed if a sight-tight fence is proposed along the property line. Therefore, 240 planting units are required. The applicant has provided a sight-tight fence and a 30-foot-wide landscape buffer planted with 180 planting units along the north property line. A condition of approval has been added that the proposed bufferyard be changed to a *D* bufferyard to comply with the requirements of the *Landscape Manual*.

According to the applicability section of the *Landscape Manual*, new uses on sites with existing buildings and addition of square footage of more than 10% of the existing building are subject to the requirements of Section 4.2 (Commercial and Industrial Landscape Strip Requirements) of the *Landscape Manual*. The applicability section does not specifically address new uses on sites with no buildings. The Planning Board had previously made a finding that the requirements of Section 4.2 of the *Landscape Manual* also apply to properties like the subject site that have new uses but no buildings. Therefore, this proposal is subject to the requirements of Section 4.2 of the *Landscape Manual*. A ten-foot-wide landscape strip planted with three shade trees and 28 shrubs would normally be required along Prosperity Court to meet the requirements of the *Landscape Manual*.

The proposal is also subject to the requirements of Section 4.4 (Screening Requirements) of the *Landscape Manual* which requires that all outdoor storage areas be screened from the

streets. Section 4.4 of the *Landscape Manual* provides that screening can be accomplished by any of the following options:

- 6 foot-high sight-tight fence or wall
- 6 foot-high berm
- 6 foot evergreen screen (trees or shrubs, minimum six (6) feet high at planting, minimum nine (9) feet on center, double staggered row)

Staff believes that the recommended elements for screening provided in Section 4.4 of the *Landscape Manual* are minimum standards, and as evidence of this Section 4.4 also provides the following statement:

■Screening in addition to that specified below may also be required if, because of slopes or other specific conditions on the site, the normally required screening measures do not achieve the necessary level of concealment.●

Furthermore, Section 27-469(c)(1) of the Zoning Ordinance provides the following:

■Outdoor storage shall not be visible from the street.●

The proposed plan includes a fence that will provide screening of the loading and storage areas and also includes landscaping that will provide some screening. No buildings or structures, mechanical equipment, or signs are proposed as part of this application. Staff has had recent meetings with surrounding community organizations specifically with respect to compatibility and effectiveness of screening elements, quality of development, and appearance of the lots within the subdivision. Although the subject plan appears to be in conformance with most of the requirements of CR-147-1985, staff is concerned that recent issues raised by these parties are not addressed in the current development proposal.

The design of the proposed solid fence along Prosperity Court has an architectural design that is identical to the fence design approved by the Planning Board for development elsewhere in the Walker Mill Business Park. Staff is concerned with the stability and permanence of wood fencing with respect to wear and deterioration due to weather, and the appearance of the fencing over time along the lot frontages. The proposed fence should be weather resistant and low maintenance. A condition of approval has been added to require the applicant to add notes to the drawings that ensure the previously approved requirements for the proposed fence.

The minimum landscaping required to meet the requirements of Section 4.2 of the *Landscape Manual* will be inadequate in terms of type and quantity. Shade trees planted approximately 35 feet on center will not provide any immediate screening and even upon maturity will only provide seasonal screening which will not be continuous across the entire

property frontage. The proposed shrubs offer no element of screening, and only act as supplemental plantings to the shade trees for the purposes of variety in the landscape strip. Staff believes that the width of the required Commercial and Industrial Landscape Strip should be increased to a minimum of 12 feet to accommodate the type and quantity of plant units necessary to provide an effective and appropriate landscape screen, and that a row of large stock evergreen trees should be planted in the landscape strip with shrubs to add variety to the strip.

The surrounding community has requested that proposed storage yards in the subject subdivision be required to provide and demonstrate immediate 100 percent, year around, opaque screening of all storage areas from visibility at all adjacent rights-of-way upon Detailed Site Plan approval. Therefore, it is recommended that the required landscape strip adjacent to the right-of-way be a minimum of 12 feet-wide, and planted with a row of large stock evergreen trees and supplemental shrubs.

Conditions of approval have been added for providing the recommended fence and landscaping.

7. The Permits Review Section (Hampton to Srinivas, January 2, 2001) has requested minor changes to the site and landscape plans. A condition of approval has been added to require the same.
8. The Community Planning Division (Osei to Srinivas, December 5, 2000), has stated that the proposed development is in conformance with the approved master plan recommendations for Walker Mill Business Park. However, community concerns regarding the quality of past development activities resulted in the approval of Planning Board Resolution Nos. 00-186 and 00-187 (adopted on October 26, 2000) requesting a comprehensive design approach for the entire subdivision. The resolution was approved with three conditions of approval regarding the proposed fence and landscaping for the subject lots. The conditions and the recommendations of the resolution have been incorporated into the findings and conditions for the subject lot.
9. The Transportation Planning Division (Masog to Srinivas, November 28, 2000) has no comments regarding this proposal.
10. The Environmental Planning Section (Metzger to Srinivas, November 20, 2000) has stated that a tree conservation area was established on this site for off-site mitigation of another site (Reference TCPH/51/98). Therefore, this site is exempt from the requirements of the Woodland Conservation Ordinance because it contains less than 10,000 square feet of woodlands. The Section has requested a condition for ensuring tree protection devices. A condition of approval has been added to require the same.
11. The Subdivision Section (Del Balzo to Srinivas, December 18, 2000) has stated that the proposal must be consistent with the condition of approval for Preliminary Plat 4-87194

requiring a Detailed Site Plan for individual lots to be approved by the Planning Board. The applicant has complied with this condition by filing the subject detailed site plan application.

12. The Fire Prevention and Investigation Department (Oladeinde to Srinivas, November 29, 2000) has stated that any area to be protected shall not be more than 500 feet from a hydrant.
13. The Department of Environmental Resources (De Guzman to Srinivas, November 21, 2000) has stated that the proposal is consistent with the Stormwater Management Concept Plan approval # 2000-8005770.
14. Referrals were sent to the Town of Capitol Heights and Town of District Heights. No comments have been received as of this date.
15. With the proposed conditions, the Detailed Site Plan SP-00042 is found to represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

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

1. Prior to certificate approval,
 - a. the site/landscape drawings shall be revised to show the following:
 - (1) green area calculations
 - (2) a 40-foot-wide landscape buffer along the north property line planted with 240 planting units
 - (3) notes stating that the proposed fence shall be a continuous six-foot-high sight-tight wood fence with swinging or sliding gates (solid wood fence in accordance with details shown on Attachment ■A●). The notes shall also include information on measures taken to ensure that the proposed fences are weather resistant and low maintenance.
 - (4) a 12 feet of commercial/industrial landscaped strip along Prosperity Court. Plant materials provided within the landscaped strip shall be evergreen trees planted 10 feet on center, or other acceptable planting arrangement utilizing the same quantity of trees which is approved by the Planning Board or the Urban Design staff as designee of the Planning Board. White pine trees

shall constitute no more than 20 percent of the trees in this landscaped strip.

- (5) cross-sections through the subject site to demonstrate that any area of outdoor storage visible from any adjacent right-of-way shall have the solid wood fence specified in Condition 1a.(3).
- (6) a note indicating that the property is being used for storing vehicles.
- (7) A note stating that the Tree Conservation Area (0.62 acres) in the northeast corner of the property shall remain undisturbed and be protected with orange protection fencing four feet in height. The fencing shall be placed at the limits of disturbance prior to any on-site land disturbing activity.
- (8) A note stating that any incursion into the Tree Conservation Area shall result in appropriate mitigation and fine of \$1.50 per square foot of disturbed area.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, January 11, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of February 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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