

RESOLUTION

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 March 29, 2001, regarding Detailed Site Plan - 01006 for Largo Park, Lot 3, Block A, the Planning Board finds:

Based upon evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. The subject application is for an office building in the I-3 Zone. The site contains 5.87 acres and is located on the south side of Apollo Drive at its intersection with Mercantile Lane.
2. The Detailed Site Plan is in conformance with the Conceptual Site Plan, SP-79029.
3. The Detailed Site Plan is in conformance with Preliminary Plat of Subdivision 4-88054 and applicable conditions of approval.
4. The following is the development data for the site:

| | |
|--|------------------------|
| Zone | I-3 |
| Proposed Use | Office |
| Gross Tract Area | 5.87 acres |
| Net Tract Area | 5.87 acres |
| Max. Building Coverage Permitted | 45% or 115,154 SF |
| Building Coverage Provided | 10% or 25,400 SF |
| Green Area Required | 25% or 63,974 SF |
| Green Area Provided | 44% or 112,019 SF |
| Parking required: | 247 spaces |
| Handicapped | 7 spaces |
| (201-300 parking spaces requires 7 handicapped spaces) | |
| Parking Provided: | 366 spaces |
| Standard Spaces | 244 spaces |
| Compact Spaces | 115 spaces |
| Handicapped Spaces: | 7 spaces |
| Loading Required | 1 space |
| Loading Provided | 1 space |
| Internal Parking Lot Green Required | 10% = 10,381 sq. ft. |
| Internal Parking Lot Green Provided | 10.7% = 11,281 sq. ft. |

The proposed architecture for the site will consist of a four-story office building constructed with pre-cast concrete panels of buff or sand color with tinted or reflective blue or green glass. The entrance to the building is oriented to the intersection of Apollo Drive and Mercantile Lane. A covered walkway is located at the main entrance to the building. A vehicle drop-off in front of the building will be constructed of pavers or similar materials that provide texture to the surface. The loading area is screened from public view with the use of a screen wall to match the materials of the building.

5. The Permit Review Section had numerous comments which have been addressed.
6. The subject site has an approved Stormwater Management Concept Plan #8330635-2000.
7. The *1990 Largo-Lottsford Master Plan* indicates that the subject application implements the master plan recommendations.
8. The Department of Public Works and Transportation had not responded to our referral request at the time of the writing of the staff report.
9. The Transportation Section verbally indicated in a telephone conversation on March 16, 2001 (Whitmore to Masog), that the subject application was acceptable as submitted.
10. The Environmental Planning Section in a referral dated March 13, 2001 (Markovich to Whitmore), offered the following comments:

■The Forest Stand Delineation (FSD) submitted with this application required additional information with respect to the composition of the existing woodland areas. The additional information subsequently submitted to the Environmental Planning Section on February 14, 2001, has been reviewed and the FSD has been found to satisfy the requirements as set forth in the Woodland Conservation and Tree Preservation Technical Manual.

■This property is not exempt from the Prince George's County Woodland Conservation Ordinance because the lot is over 40,000 square feet gross tract area, there is more than 10,000 square feet of existing woodland, and there will be more than 5,000 square feet of woodland clearing. A Type II Tree Conservation Plan (TCP/II/14/01) has been submitted and reviewed for conformance with the Prince George's County Woodland Conservation Ordinance. The application proposes clearing 0.63 acre of the existing 0.65 acre of woodland. The requirements are proposed to be satisfied by a combination of on-site reforestation and off-site mitigation at an unidentified location. The reforestation as proposed would involve planting 220 tree seedlings which in some instances would be very appropriate, but is not considered appropriate on a commercial site where it is likely that different individuals or contractors will be doing the grounds maintenance.

■Although the requirements for an application may be satisfied at off-site locations, it is appropriate for an attempt to be made to satisfy the requirements on the subject property. According to information provided on the plans the applicant is providing 118 more parking spaces than required. A reduction in the number of spaces would allow for most if not all of the requirement to be met on-site. In addition, Article VI, Section G of the Site Development of the Protective Covenants for Largo Park states "The natural beauty of the Park will be enhanced by the preservation of as many native trees as reasonably possible, especially along site boundaries, parking and landscaped areas." The condition has been evaluated with respect to the species of the trees present and the overall condition of those trees. Based on the size, species and condition of the existing woodlands on the subject property it is doubtful that the woodlands would provide the desired effect of maintaining the natural beauty of the site. It should be noted that a 35-foot wide reforestation area along the abutting property line with the Largo Post Office would provide the same benefits as referenced by the Protective Covenants.●

11. In general, the Detailed Site Plan meets the requirements of the Zoning Ordinance for development in the I-3 Zone.

Section 27-474, Regulations of the Zoning Ordinance, sets forth certain design criteria for the I-3 Zone. The Detailed Site Plan is in conformance with the criteria with the exception of Section 27-474(b) Table 1 - Setbacks (Minimum in Feet), footnotes 2 and 3 which require a 20-foot setback plus one (1) foot for each foot of building height up to a maximum of seventy-five (75) feet, including surface parking and loading areas, except that fifty percent (50%) of this additional required yard may be used for surface parking.

VARIANCE REQUEST

The applicant requests two variances from Section 27-474(b) in accordance with the criteria set forth in Section 27-230 of the Prince George's County Zoning Ordinance to reduce the base setback (yard) for both the western property and southern property line. The Zoning Ordinance requires that the minimum setback (in a yard adjoining non-residential property) to the parking lot must be twenty (20) feet. The subject application indicates that the parking lot edge along the western property line (adjacent to Lots 2 and 4, Block A, Largo Park) is twelve (12) feet from the property line. Therefore the applicant is requesting a variance from 20 to 12 feet and to increase the area allowed for surface parking from 50 percent of the additional required yard up to 59 percent (2,882 square feet of additional surface parking) along the west property line shared with Lot 2 and 4, Block A. Along the southern property line (adjacent to Lot 1, Block B, Capital Commerce Park), the subject application proposes an increase to the area allowed for surface parking from 50 percent of the additional required yard up to 66.5 percent (6,443 square feet of additional surface parking).

Section 27-230 sets forth the following criteria for approval of the variance:

1. A specific parcel of land has exceptional narrowness, shallowness or shape, exceptional topographic conditions or other extraordinary situations or conditions.

In response to the first criterion the applicant submits that the triangular shape of the site, which tapers to a very narrow frontage on Arena Drive, results in a site with a very high proportion of side yard compared to street frontage. (This site has 65 percent of its perimeter in side yard, compared to the two other lots in the block, which have a side yard percentage of only 25 percent). For taller building projects the parking setback requirements in the I-3 Zone result in larger green space requirements in the side yard than at the street frontage because of the side yard setback requirements' relationship to building height. Due to the high side yard proportion and the applicant's desire to build a four-story building, the zoning regulations burden the site with an unusually large side yard green area requirement. This requirement in effect discourages the construction of the taller (Class A) building, and encourages the relocation of green area on the site away from the building at the project main entrance drive and in the parking lot interior, into the side yards, where its impact to the quality of the project is less significant. To be required to comply with the parking setback requirements along the western property line (adjacent to Lots 2 and 4, Block A) would require the relocation of the building centerline axis to the east (moving it off the Mercantile Lane centerline). This result would cause the building to be misaligned with the main driveway entrance and the Mercantile Lane centerline, making for a less attractive and less logical site design.

The Planning Board acknowledges that while this site is triangular in shape, it is larger than other parcels within this office development; therefore, staff does not agree that this parcel has an exceptional shape. However, there are circumstances concerning the location of the driveway entrance and the siting of the building that have created constraints for the design of the site. The existing intersection of Apollo Drive and Mercantile Lane to a large extent dictates the location of the building and entrance drive into the subject site. To locate the driveway entrance off-center of the existing intersection could cause potential traffic problems.

The applicant is proposing a high-quality office building on a well-designed site, which has considerable merit. The building is located on the south side of the intersection of Apollo Drive and Mercantile Lane, where it will have a strong architectural presence. The entrance is oriented toward the above-referenced intersection, with a strong vertical entry design statement that incorporates an attractive pedestrian area and auto drop-off. The parking is distributed evenly around the building. A 30-foot landscaped strip mitigates the view from the intersection of Apollo Drive and Mercantile Lane. The loop circulation through the site works well. The parking lot is heavily landscaped with larger islands and more green space than is required. The loading is located away from the majority of pedestrian activity and has been appropriately screened. The variance requested will not result in a shortage in the amount of total green space provided on the site. The total green space provided in the proposed plan will exceed the required by 10,381 square feet (approximately 0.6 percent

excess, approximately 1,100 square feet). In fact, the variance requested allows for a more effective distribution of the required green space on the site, to locations which will have a more positive impact on the success of this project, such as around the building and on the interior of the parking areas. This project will be a commendable addition to Largo Park and clearly meets the intent of the I-3 Zone for a campus-like setting.

2. The strict application of the Subtitle will result in peculiar and unusual practical difficulties to or exceptional or undue hardship upon the owner of the property.

In response to the second criterion the applicant submits that a strict application of the parking setback requirements of the Prince George's County Zoning Ordinance would result in the loss of approximately 9,325 square feet of developable area on this site. This would result in the reduction of approximately 29 possible parking spaces. The number of parking spaces shown is required to allow for the variety of tenant uses anticipated (and allowed in the I-3 Zone). This is supported by the applicant's past experience with other office building projects in the Largo Park subdivision. An example is the Executive Terrace project located at 1400 and 1450 Mercantile Lane (DSP-86096) and Largo Park, Lot 1, Block A, located at 9500 Arena Drive. At the Executive Terrace project, the tenant mix in the fully occupied project, which includes general office, medical and assembly uses, results in a required parking ratio of 3.8 spaces per 1,000 square feet, and the 9500 project, while not fully leased, has a similar tenant mix. A similar tenant mix is anticipated in the subject project. The applicant desires to build a high quality office project, but this loss of parking spaces would threaten the financial viability of this project and create an undue hardship on the owner of the property.

The Planning Board staff concurs with the applicant's evaluation.

3. The variance will not substantially impair the intent, purpose or integrity of the general plan or Master Plan.

In response to the third criterion, the applicant submits that the office use proposed in this application is allowed in the I-3 Zone and is envisioned in the Master Plan for this site. The requested variance does not propose any change to the allowed uses in the I-3 Zone and therefore does not impair the intent, purpose or integrity of the *General Plan* or Master Plan. The Planning Board concurs with the applicant's evaluation.

The Urban Design Staff recommends that the Planning Board approve the variance to Section 27-474 (b) Table 1 - Setbacks (Minimum in Feet), footnotes 2 and 3. A variance should be granted for a reduction in the minimum yard setback from 20 feet to 8 feet for the western property line; and a variance should be granted for the increase in the surface parking area from 50 percent of the additional required yard (16,172 square feet) to 59 percent (19,054 square feet) for the western property line. The variance for the southern

property line should be granted for the increase in the surface parking area from 50 percent of the additional required yard (19,586 square feet) to 66.5 percent (26,029 square feet).

12. The Detailed Site Plan is in general conformance with the applicable sections of the *Landscape Manual* except for Section 4.7, Buffering Incompatible Uses.

An office use is considered a medium intensity use. The site directly west of the subject property contains an existing warehouse which is considered a high intensity use. Under Section 4.7.b., Table IV, Note 1, of the *Landscape Manual*, ■Where a greater building setback is required by the Zoning Ordinance to compensate for the height of the building, one (1) additional foot of landscaped yard shall be required for every three (3) feet of required building setback in excess of the setbacks required above (in Table IV).• In this case, the building setback requirement is 75 feet. The building setback required by the *Landscape Manual* is 30 feet. One third (1/3) of the excess building setback (45 feet)3) would require 15 feet of additional bufferyard for a total of 35 feet. The full landscape yard (20 feet) required by the *Landscape Manual* for a ■B• bufferyard has been provided on the adjacent site to the north (Lot 2, Block A), as approved by the Planning Board for SP-92029. The applicant should ask for Alternative Compliance from 3 feet of the remaining 15 feet of required buffer for a total buffer width of 12 feet.

13. The Detailed Site Plan will, if approved subject to the proposed conditions, represent a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. Section 27-471(d)(2) of the Zoning Ordinance requires the approval of signage for the property at the time of Detailed Site Plan. The design for the signage was not completed as of the writing of this staff report; however, the applicant intends to have signage for review and approval by the Planning Board hearing date.

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 - 01006 and further approved Variance Application No. - 01006A subject to the following conditions.

1. Prior to certification of the Detailed Site Plan and/or Tree Conservation Plan, the following revisions or information shall be supplied:
 - a. The 0.22-acre reforestation area around the Stormwater Management Pond shall be modified to include additional planting areas along the southeastern bank of the pond and adjacent to the woodland area being retained and labeled ■Retained but not part of any requirement.●

- b. The planting schedule for all on-site reforestation areas shall be revised to reflect a planting rate of 400 caliper inches per acre with a minimum tree size of 1-inch caliper and no less than 50 percent of the caliper inches being trees 2. inches caliper or larger.
 - c. Add a note to the plan indicating that no reforestation protective fencing shall be required because all plant materials in the reforestation areas are greater than 1 inch caliper.
 - d. Add a sign detail to the plan and show the location of reforestation signs around the perimeter of all reforestation areas. The spacing of the signs shall not exceed 100 linear feet.
 - e. Identify the location of the off-site mitigation area that will be used to satisfy the balance of the Woodland Conservation requirements. The applicant shall provide the off-site mitigation in the Patuxent River watershed or provide the Environmental Planning Section with documentation to justify the use of a mitigation area in an alternative watershed.
2. Prior to certificate approval, the applicant shall apply for Alternative Compliance from Section 4.7, Buffering Incompatible Uses, for the western property line, with the Planning Director having final approval authority as designee of the Planning Board.

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 Eley, with Commissioners Lowe, Eley, Brown, and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 29, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of April, 2001

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Executive Director

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