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Preliminary Plan 4-04027

Application	General Data
Project Name: KONTERRA AT SWEITZER LANE Location: Dead end of Frost Place, approximately 800 feet west of Sweitzer Lane. Applicant/Address: Konterra Reality, LLC. 6985 Muirkirk Meadows Drive Beltsville, MD. 20705	Date Accepted: 04/7/04
	Planning Board Action Limit: 06/15/04
	Plan Acreage: 35.92
	Zone: I-3
	Lots: 4
	Outparcel: 2
	Planning Area: 60
	Tier: Developing
	Council District: 01
	Municipality: N/A
	200-Scale Base Map: 219NE06

Purpose of Application		Notice Dates	
INDUSTRIAL SUBDIVISION		Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003)	02/24/04
		Sign(s) Posted on Site:	05/26/04
Staff Recommendation		Staff Reviewer: Del Balzo	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-04027
Konterra at Sweitzer Lane, Lots 3–6 and Outparcels “A” and “B”

OVERVIEW

The subject property consists of approximately 35.92 acres of land in the I-3 Zone. It is currently identified as Lot 2, Konterra at Sweitzer Lane, REP 195@38, recorded in 2002. The applicant proposes to resubdivide the property into four lots for up to 250,000 square feet of office space. The property is developed with one 50,000-square-foot office building so new development will not exceed 200,000 square feet. Preliminary Plan 4-99030 was approved in 1999 to allow the construction of the existing office building.

SETTING

The property is located at the western end of Frost Place, generally west and north of Sweitzer Lane and Van Dusen Road. The property is surrounded by I-3-zoned land, with office uses and developing sites to the north and east and a BG&E substation to the west.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	I-3	I-3
Uses	Office	Offices
Acreage	35.92	35.92
Lots	2	4
Outparcels	0	1
Square-footage	50,000	250,000 (total)

2. **Environmental**—A review of available information indicates a stream, 100-year floodplain, wetlands, and steep and severe slopes are found to occur on the property. The soils found to occur according to the Prince George’s County Soil Survey include seven soils in the Aura and Croom gravelly loams, Beltsville silt loam, Bibb silt loam, Croom gravelly sandy loam, Leonardtown silt loam, Christiana silt loam, and Sassafras gravelly loam. The Bibb and Leonardtown soils are characteristic of poorly drained soils. The following soils have K-factors (erodible) of 0.37 or greater when steep slopes are associated with them: Aura and Croom gravelly loams, Beltsville silt loam, Croom gravelly sandy loam, Leonardtown silt loam, and Christiana silt loam. According to available information, Marlboro clay is not found to occur on this property. 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, indicates there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no scenic or historic roads in vicinity of the site. I-95 is recognized as a traffic noise generator; however, this noise generator will not impact the proposed use for office buildings. The property is in the Bear Branch watershed of the Patuxent River basin and in the Developing Tier of the 2002 adopted General Plan.

Woodland Conservation

The Detailed Forest Stand Delineation submitted with application CSP-99025/02 was found to be in compliance with the Prince George's County Woodland Conservation and Tree Preservation Ordinance.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on-site, and the site has a previously approved TCP. The Type I Tree Conservation Plan, TCPI/25/99-01, was reviewed and requires revisions.

This 35.92-acre property in the I-3 Zone has a net tract area of 35.42 acres and a Woodland Conservation Threshold of 15 percent, or 5.31 acres. The site contains 27.60 acres of existing woodland, of which 0.50 acre is in the floodplain. The current TCPI shows the amount of woodland to be cleared at 18.07 acres. The woodland conservation requirement is 9.83 acres and this will be met on-site with 7.53 acres of woodland preservation and 2.30 acres of reforestation. Required revisions will result in changes to these numbers.

Two aspects of the TCPI need to be revised. The site is located in the Bear Branch watershed of the Patuxent River basin. The current TCPI does not accurately show the Patuxent River Primary Management Area (PMA) in the vicinity of the existing storm drain outfall northeast of the existing one-story building. The PMA delineation line should be drawn across the storm drain easement area to include all of it, because the location of the PMA does not change even though impacts to the PMA are proposed or have been previously approved.

A proposed woodland conservation area (the 2.30 acres for reforestation) is shown as located partially where trees exist in Stand 4. Reforestation to meet the site's woodland conservation requirements where woodland already exists is not allowed. Provide for reforestation where no woodland currently exists and count the existing woodland as preserved. After these revisions have been made, the plan should be signed and dated by the qualified professional who prepared the plan.

Conservation Easement

In the vicinity of proposed building #2, an existing conservation easement is identified. The plan indicates the "conservation easement to be abandoned." This easement was established on the final plat for the PMA. In this proposal, the future placement of proposed building #2 will be sited where the conservation easement was established, resulting in an adjustment to the PMA delineation. However, information submitted in the aforementioned CSP-99025/02 revision and the subject preliminary plan indicates that soil borings and testing were performed to determine the extent of steep slopes with highly erodible soils. Results of the soil tests warrant moving the PMA line to the north to make additional room in this area for proposed building #2. During this resubdivision process, the conservation easement area will be modified (reduced), and eventually

the final plat will show an adjusted conservation easement line resulting in no future impacts to the PMA.

Noise

I-95 is a traffic noise generator. However, based on the proposed nonresidential uses of the property, the traffic noise does not exceed state noise standards for the uses proposed.

Water and Sewer Categories

The property is in Water Category W-3 and Sewer Category S-3; it will be served by public systems.

3. **Community Planning**—The property is in Planning Area 60/Northwestern Area. It is in the Developing Tier as defined by the 2002 General Plan. The vision for the Development Pattern in the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier.

The 1990 Master Plan for Subregion I recommends industrial park use. The 1990 Sectional Map Amendment for Subregion I rezoned this property to the I-3 Zone. This application conforms to the land use recommendations in the 1990 Master Plan for Subregion I.

The master plan recommends a new interchange on I-95 at the point where Van Dusen Road currently crosses I-95. The interchange will connect a proposed extension of Contee Road to the interstate. Construction of an interchange could impact the eastern portion of this property. The Transportation Planning Section has determined, however, that none of the alternative interchange designs currently under consideration by the State Highway Administration for this interchange affect areas that are proposed to be developed under this plan.

The master plan also recommends two new roads to be built to industrial standards. One of these, Sweitzer Lane (C-105), runs from Van Dusen Road north to MD 198. The other, Frost Lane (I7), was planned to connect Sweitzer Lane to a future road (I-5), which would be at the western edge of the property. The Transportation Planning Section has previously determined, however, that the area can be adequately served without the I-7 facility (see Finding 6).

4. **Parks and Recreation**—The site is exempt from the requirements of Section 24-134 of the Prince George's County Subdivision Regulations for mandatory park dedication because it is industrially zoned and developed.
5. **Trails**—There are no master plan trails issues associated with this application.
6. **Transportation**—The transportation staff determined that a traffic study detailing weekday analyses was needed. In response, the applicant submitted a traffic study dated January 2004 that was referred for comment. Comments from the county Department of Public Works and Transportation (DPW&T) are included in the file. Comments from the State Highway Administration (SHA) have not been received. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

Growth Policy—Service Level Standards

The subject property is located within the Developing Tier, as defined in the General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections subject to meeting the geographical criteria in the guidelines.

Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Analysis of Traffic Impacts

The traffic study for this site examined the site impact at four intersections:

- MD 198/Sweitzer Lane (signalized)
- Sweitzer Lane/Chevy Chase Drive (unsignalized/four-way stop control)
- Sweitzer Lane/Frost Place (unsignalized)
- Van Dusen Road/Sweitzer Lane (unsignalized)

The existing conditions at the study intersections are summarized below:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 198 and Sweitzer Lane	1,338	1,453	D	E
Sweitzer Lane and Chevy Chase Drive	32.4*	28.7*	--	--
Sweitzer Lane and Frost Place	15.4*	12.7*	--	--
Van Dusen Road and Sweitzer Lane	62.2*	17.6*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

The area of background development includes five developments in the area. It is believed that West Laurel Acres and Wyndham Woods are built out; however, since the study was scoped the Bond Mill Station subdivision was approved with 30 residences, along with Sandy Spring Estates

with 18 residences. Therefore, the analysis at the MD 198/Sweitzer Lane intersection is adjusted to account for the difference. With regard to the adjacent office park, the study assumes 114,000 square feet of general office is approved (generating 225 AM and 208 PM trips); staff's estimate is 107,000 square feet of flex space and 47,000 square feet of general office space (generating 172 AM and 167 PM trips). Given that the applicant's assumption for the office park is greater than staff's, the applicant's analysis will be used. Generous traffic growth of 2.5 percent per year was assumed along US 301. There are no programmed improvements in the county Capital Improvement Program (CIP) or the state Consolidated Transportation Program (CTP). Background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 198 and Sweitzer Lane	1,462	1,623	E F
Sweitzer Lane and Chevy Chase Drive	68.1*	49.3*	-- --
Sweitzer Lane and Frost Place	19.8*	14.7*	-- --
Van Dusen Road and Sweitzer Lane	99.2*	23.2*	-- --
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.			

The site is proposed for development with office development in the I-3 Zone. The site is proposed to be developed with 200,000 square feet of general office space, which would generate 400 (360 in, 40 out) AM peak-hour vehicle trips and 370 (70 in, 300 out) PM peak-hour vehicle trips. With the trip distribution and assignment as assumed, the following results are obtained under total traffic:

TOTAL TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 198 and Sweitzer Lane	1,587	1,699	E F
Sweitzer Lane and Chevy Chase Drive	133.4*	99.1*	-- --
Sweitzer Lane and Frost Place	41.9*	38.3*	-- --
Van Dusen Road and Sweitzer Lane	137.9*	32.4*	-- --
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.			

The traffic study identifies several inadequacies within the study area. Each will be further discussed below:

MD 198/Sweitzer Lane:

The applicant proposes the construction of a third westbound through lane along MD 198 through the Sweitzer Lane intersection. The applicant also proposes the construction of a third left-turn lane at the westbound MD 198 approach onto southbound Sweitzer Lane. This would presumably involve widening southbound Sweitzer Lane to receive the three turning lanes. In the AM peak hour, these improvements would provide LOS D with a CLV of 1,338. In the PM peak hour, these improvements would provide LOS D with a CLV of 1,445.

Sweitzer Lane/Chevy Chase Drive:

The traffic study does not address possible improvements at this intersection. The analysis does, however, indicate that this intersection operates unacceptably as an unsignalized intersection. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. In their comments, DPW&T did recommend that signal warrants be reviewed at this location. Therefore, a condition will be recommended in this regard.

Van Dusen Road/Sweitzer Lane:

The traffic study does not address possible improvements at this intersection. The analysis does, however, indicate that this intersection operates unacceptably as an unsignalized intersection. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. This intersection operates with two lanes on each approach; however, the westbound approach suffers from poor pavement that may require repair if it is to effectively operate as a through lane and a left-turn lane. Therefore, a condition will be recommended in this regard.

DPW&T largely concurred with the results of the study, and only added a requirement that signal warrants be studied at Sweitzer Lane and Chevy Chase Drive, and this comment has been incorporated into the staff's recommendation. There are no SHA comments to date. While staff will accept the proffered improvements at MD 198/Sweitzer Lane, it should be understood that SHA may object to the improvements for operational reasons. The intersection is very near the ramps to the I-95/MD 198 interchange, and SHA has great concern about introducing unsafe weaves onto roadways that intersect the interstate highway system. If SHA denies the road improvements, permits may not be issued and a new preliminary plan may be required to ensure adequacy.

Plan Comments

Since the submittal of the original plan, the subdivision plan has been revised to show four lots. In particular, there is a great concern that the area shown as residue on the original plan is now shown as Lot 6. This proposed lot is squarely within the proposed right-of-way of the future I-95/Contee Road interchange, which is currently the subject of a project planning study by SHA. All build alternatives under study have a significant impact upon this proposed lot. Had this been shown as a lot on the original subdivision, it would have been reviewed for possible right-of-way

reservation. It is noted that conceptual site plan CSP-99025/02 shows no development on proposed Lot 6; therefore, in order to be developed, the conceptual plan must be revised. It is appropriate that the designation for Lot 6 be changed to one that implies no current right of development. Also, since the entire 250,000 square feet of development is shown on the conceptual plan on other areas of the site, it is appropriate to require through a condition that any development within the area of Lot 6 would require a new preliminary plan.

The subject site is significantly affected by roadway facilities that are included on the *Subregion I Master Plan*. These were discussed at the time that preliminary plan 4-99030 was reviewed, but with the new lotting pattern they should be reviewed anew. These facilities include:

- A-5, Contee Road Extended, crosses the southern portion of the site in an east-west direction, crossing I-95 at the location of the existing Van Dusen Road overpass.
- C-105, Sweitzer Lane, crosses the southern portion of the site in a north-south direction. Existing Sweitzer Lane is located on an easement between the southern boundary of the Maryland 95 Corporate Park and existing Van Dusen Road. The future Sweitzer Lane would intersect A-5 at nearly a 90 degree angle, and this right-of-way has been dedicated.
- Much of the subject property between C-105 and I-95 is within the right-of-way of a planned interchange between I-95 and Contee Road, as discussed above. This interchange has Interstate Access Point Approval with a conceptual design, but the final design and the linkage of this interchange to other roadway facilities is under study by SHA.
- I-5 is a north-south roadway between MD 198 and the future A-5 facility, intersecting A-5 opposite the entrance to a planned "Upscale Regional Mall," as shown on the Subregion I Master Plan.
- I-7 is an east-west roadway between Sweitzer Lane and I-5. Although the published plan conceptually shows this facility mostly south of the subject property, the transportation staff has, since the Maryland 95 Corporate Park plan was approved in 1985, shown this roadway as an extension of existing Frost Place.

The transportation staff believes that I-5 is desirable as a future reliever to Sweitzer Lane and as a direct access from MD 198 to the planned "Upscale Regional Mall." Therefore, provision should be made, at a minimum, for 70 feet from the western edge of the BG&E access roadway right-of-way. This results in a variable width right-of-way along the western side of the subject property between 0 and 35 feet. The staff cannot require dedication because this right-of-way does not connect to any other existing right-of-way and because the applicant does not intend to have access to it. Reservation is not desirable because it is not likely that either DPW&T or SHA would purchase the right-of-way within the reservation period. The plan reflects this area as Outparcel A, and this is acceptable.

The transportation staff has reviewed the I-7 facility in depth and has noted several issues regarding this facility, which is planned to connect the Maryland 95 Corporate Park to I-5:

- The actual comprehensive plan included as a part of the Subregion I Master Plan shows this facility generally south of the subject property.

- The conceptual plan and the preliminary plan for the adjacent Maryland 95 Corporate Park made a provision for this facility along Frost Place, a publicly dedicated right-of-way which stubs into the subject property.
- The applicant, on the original CSP-99025 and DSP-99027, planned a building within the most direct path between the end of Frost Place and the proposed I-5 facility. That building is the existing structure shown on CSP-99025/02 and proposed Lot 3 of the subject plan.
- The applicant did suggest two alternative alignments for I-7 through the subject property at the time that 4-99030 was reviewed. Neither of these alternatives was deemed acceptable due to environmental impacts and/or nonfunctionality.
- Future traffic projections conducted by the transportation planning staff have suggested that I-7 would not carry more than 2,000 vehicles per day between Sweitzer Lane and I-5, even when other nearby properties are developed in accordance with the master plan.
- There is little additional developable land along Sweitzer Lane that is not included as background development within the traffic study. The Subregion I Master Plan includes planned improved connections at the southern end of Sweitzer Lane.

In consideration of these facts, the Transportation Planning Section has determined that the area, when fully developed, can be adequately served without the I-7 facility. Therefore, the staff finds that the submitted plans need not reflect the I-7 facility in order to comply with master plan recommendations.

Transportation Conclusions

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with conditions requiring the necessary improvements.

7. **Schools**—The Historic Preservation and Public Facilities Planning Section reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003. The proposed subdivision is exempt from the adequacy test for schools because it is a commercial use.
8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section reviewed the subdivision plans for adequacy of public fire and rescue facilities.
 - a. The existing fire engine service at Laurel Fire Station, Company 10, located at 7411 Cherry Lane, has a service travel time of 4.93 minutes, which is beyond the 3.25-minute travel time guideline.
 - b. The existing ambulance service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road, has a service travel time of 6.06 minutes, which is beyond the 4.25-minute travel time guideline.
 - c. The existing paramedic service at Laurel Rescue Squad, Company 49, has a service travel time of 6.06 minutes, which is within the 7.25-minute travel time guideline.

- d. The existing ladder truck service at Beltsville Fire Station, Company 31, located at 4911 Prince George's Avenue, has a service travel time of 14.06 minutes, which is beyond the 4.25-minute travel time guideline.

These findings are in conformance with the standards and guidelines contained in the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

The entire development is beyond the recommended response times from existing facilities that provide ambulance service. This finding is based on using the existing road system and stations. The staff also found that the planned Blue Ponds Emergency Services Facility, which is shown in the General Plan, will be the first due station that will provide ambulance service to this development.

To mitigate the ambulance response time deficiencies the staff recommends that the applicant participate in providing a fair-share contribution toward the construction of the Blue Ponds Emergency Services Facility.

The fee amount is based upon the total cost of the facility of \$1,275,000 plus ambulance (\$131,000) unit divided by the total amount of residential and employment population within the service area in 2006. The service areas include those areas that will be served by the planned facility. The fair share fee is \$22 per projected employee, for ambulance service and facility.

2006 Service Area Population/Workers = 64,841
Station/Ambulance \$1,406,000 / 64,841 = \$22 per person
(250,000 sq. ft./550 sq. ft. per person) = 454 employees
454 employees x \$22 per employee = \$9,988.00

9. **Police Facilities**—The proposed development is within the service area for Police District VI-Beltsville. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.
10. **Health Department**—The Health Department noted that there is a significant amount of domestic trash and other debris that needs to be removed and properly discarded. In addition, there is some fill on the site. An environmental engineer needs to be on site during the excavation and grading of the site to identify any material in the fill that may be hazardous.
11. **Stormwater Management**—The Department of Environmental Resources, Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #8006110-1999-01, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. The approval is valid through June 30, 2004. A revision or extension may be necessary. Development must be in accordance with this approved plan or any revisions thereto.

12. **Cemeteries**—There are no known cemeteries on or adjoining the subject property. However, the applicant should be aware that if burials are found during any phase of the development process, development activity must cease in accordance with state law.
13. **Public Utility Easement**—The preliminary plan does not include the required ten-foot-wide public utility easement. Prior to signature approval, the plan needs to be revised to include this easement.
14. **Parking Calculations**—The preliminary plan includes parking requirement calculations. Because this is not a site plan for review and because on-site parking is not generally an issue for preliminary plans outside transit district overlay zones, these calculations should be removed.
15. **Urban Design Issues**—The Urban Design Section reviewed the application and found that the proposal is in general conformance with the approved Conceptual Site Plan, CSP-99025/02. A detailed site plan is being processed at this time.

All development must be in conformance with the conceptual site plan, this preliminary plan, the approved detailed site plan, the *Landscape Manual*, and the Zoning Ordinance. Section 27-474(a)(1)(e) of the Zoning Ordinance limits building coverage to 45 percent and requires 25 percent green area on all lots. Lot 3 may not satisfy those requirements. At the time of detailed site plan, the applicant should demonstrate how Lot 3 satisfies those requirements; lot lines may need to be adjusted to assist in this effort.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan:
 - a. The preliminary plan shall be revised as follows:
 - (1) Remove the parking calculations.
 - (2) Include the required ten-foot-wide public utility easement parallel and contiguous to all public rights-of-way.
 - (3) Include the approved stormwater management concept plan approval number, date, and expiration date.
 - b. The Type I Tree Conservation Plan shall be revised as follows
 - (1) Revise the location of the PMA to be across the existing storm drain easement.
 - (2) Provide reforestation where no woodland currently exists and count preserved woodlands toward meeting the requirements.
 - (3) After these revisions have been made, have the qualified professional who prepared the plan sign and date it.

2. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/25/99-01). The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/25/99-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

3. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Preservation Area, except for areas of approved disturbance, and shall be reviewed by the Environmental Planning Section prior to approval. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

4. **MD 198 and Sweitzer Lane:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

- a. Provision of a third westbound through lane through the MD 198/Sweitzer Lane intersection, to be constructed according to SHA standards.
- b. Provision of a third left-turn lane at the westbound MD 198 approach onto southbound Sweitzer Lane. This shall include widening southbound Sweitzer Lane to receive the three turning lanes. This shall be constructed according to SHA standards, with coordination with DPW&T to determine the length of the third receiving lane along southbound Sweitzer Lane.

The improvements in A and B above shall include any signal modifications, signage, or pavement markings that are determined to be necessary by the appropriate operating agency.

5. Prior to the approval of any further detailed site plans on the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for the intersection of Sweitzer Lane and Chevy Chase Drive. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by DPW&T. This requirement shall not apply to any minor revision to DSP-99027.
6. Prior to the approval of any further detailed site plans on the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for the intersection of Contee Road and Sweitzer Lane. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T at that time, the applicant shall bond the signal prior to

the release of any building permits within the subject property and install it at a time when directed by DPW&T. This requirement shall not apply to any minor revision to DSP-99027.

7. Total development within the subject property shall be limited to 250,000 square feet of office development within proposed Lots 3, 4, and 5 that generates no more than 400 AM and 370 PM peak-hour vehicle trips. Any development on Lot 6, other than that identified herein above, shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
8. Development shall be in conformance with the approved Stormwater Management Concept Plan, #8006110-1999-01, or any approved extensions or revisions thereto.
9. The following note shall be placed on the final plat:

“An automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”
10. Prior to the issuance of the next building permit, the applicant, his heirs, successors and/or assignees shall provide a fee of \$9,988 to Prince George's County, which shall serve as a fair-share contribution toward the construction of the proposed Blue Ponds station and acquisition of an ambulance.

STAFF RECOMMENDS APPROVAL OF THE TYPE I TREE CONSERVATION PLAN,
TCPI/25/99-01