

C O R R E C T E D 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 October 19, 2006 regarding Detailed Site Plan DSP-06026 for NOAA Center for Weather and Climate Protection, the Planning Board finds:

1. **Request:** The subject application is for review of a research office building, which will be used as NOAA Center for Weather and Climate Prediction.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	I-3/TDOZ	I-3/TDOZ
Use(s)	Vacant	Office
Acreage	9.89	9.89
Lots	1	1
Gross Floor Area (Office building)	-	289,550

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total parking spaces	747 (Maximum)	700
Structure parking spaces		668
Surface parking spaces		32
Parking spaces provided		
Regular spaces (9.5' x19')		433
Compact spaces (8'x19')		223
Handicapped spaces	15*	12
Van accessible (16'x19')	-	2

Note: * A condition of approval has been proposed in the recommendation section to require the applicant to provide one additional handicapped parking space prior to certificate approval of this DSP.

3. **Location:** The site is located approximately 1,600 feet west of the intersection of River Road and Kenilworth Avenue (MD 201), on the north side of River Road, in Planning Area 68 and Council District 3. The site is also within the southern part of the transit district development plan

(TDDP), specifically on Parcel 10, of the College Park-Riverdale Transit District Overlay Zone. Parcel 10 is within the jurisdiction of both the City of College Park and the Town of Riverdale Park.

4. **Surrounding Uses:** The subject site is included in Phase I of a larger project known as M Square—The University of Maryland Research Park and is located at the terminus of University Research Court. The site is bounded on the east, west and south sides by Lot 13, Lot 16, and Lot 1, respectively, of the Riverside Subdivision in the I-3 Zone. To the north of the site is a 100-year floodplain easement. Across the easement further to the north is the property in Phase II of the M Square project. The property to the immediate north is Parcel 12A, in the M-X-T Zone of the approved TDDP. The western part of Parcel 12A is developed as the Center for the Advanced Study of Language and the eastern part of Parcel 12A remains undeveloped.
5. **Previous Approvals:** The 1997 *Approved Transit District Development Plan for the College Park-Riverdale Transit District Overlay Zone*, rezoned the subject site from the I-1 Zone to the I-3 Zone and superimposed a Transit District Overlay Zone on the I-3 zoned property. The subject site is part of Preliminary Plan of Subdivision 4-89228, known as Riverside subdivision, for 31 lots and 2 outlots and 6 parcels. Type I Tree Conservation Plan TCPI/9/90 was approved by the Planning Board (PGCPB Resolution No. 90-42(A) (C)) on January 9, 1992. Preliminary Plan of Subdivision 4-89228 was subsequently recorded. On February 1, 2006, the Planning Board approved a resubdivision of a portion of the property. The subject site, which is Lot 14, was recorded on Plat 76 at Plat Book REP 210 on February 13, 2006. A Type II Tree Conservation Plan TCPII/006/06 (which was separated from TCPII/73/90 and assigned a new number) was reviewed and approved with DSP-05078, DSP-05079 and DSP-05080 covers the subject site. The site also has an approved stormwater management concept plan 19146-2006, which is valid through June 7, 2008.
6. **Design Features:** The subject site is roughly triangular in shape, fronting on the cul-de-sac of University Research Court, which provides the only vehicular access to the site. The site is currently wooded and features a seasonal stream along its northern edge. The proposal site plan is composed of two buildings; the proposed office building on the west part of the site and a parking garage in the east part. There is a guardhouse at the main entrance to the site right off of University Research Court. The parking garage and surface parking areas are located close to the site entry in order to limit most vehicular traffic to the entrance area and reserve most of the site for pedestrians. Between the parking garage and the office building there is a rain garden serving as a biofiltration area, which is designed as an amenity. The parking structure steps down in height from four levels to two levels at the point where it is closest to the site's entrance, thereby having the least amount of impact on the streetscape and the entrances to neighboring properties. The lower segment of the garage compliments the massing of the main building's auditorium and provides views from the windows at the lower levels of the building. In addition, a pedestrian trail network provides connections to major entrances of the office building, surface parking areas and the parking garage. The loading docks are located at the western end of the office building and are reached through a separate driveway, which is visually screened from the front drop off / entry plaza of the office building. The on-site woodland conservation area consists of a stand of

mature, mixed hardwood forest over 100 feet deep, located along the northern edge of the property. In accordance with federal building security requirements, a 100-foot security setback is maintained between the perimeter fence and any part of the office building.

The office building is proposed in a modern style of architecture consisting of several sections of different heights. The highest part is five floors, of which four stores will be occupied and one penthouse with a total of 84 feet. The building is designed in a series of curving wings that intersect at a central atrium. The exterior finish material is primarily a highly rated, energy-efficient glass. The layered, curved facades extensive glass and a limited amount of pigmented and patterned precast concrete panel wall generates a fluid, dynamic building image that results in a sharp contrast to the conventional, boxy parking garage to the east. The overall form of the office building is organic in character and creates waves of interior and exterior space across the site. The orientation of the office building is in a primarily north-south direction and the building facades have been designed to minimize the use of energy for cooling in summer and heating in winter. The north elevation features continuous horizontal bands of glass windows that allow sweeping views into the woodland that will not encounter direct sunshine. The south elevation at the building entry is a curtain wall with a system of sunscreens that reduce solar heat gain inside the building. This façade is both sloped and faceted around a long arc to catch and reflect sunlight throughout the day. The lower facade faces south and southwest. It has vertical and angled slit windows, within a facade consisting of pigmented and patterned precast concrete panels. This window pattern adds visual interest and complexity to the exterior appearance of the building. At the eastern end of the south elevation is the auditorium, which is designed as a solid sculptural element to anchor the curve of the main facade. The auditorium's south elevation is finished in a patterned precast concrete panel wall system without any window opening. The other sides of the auditorium are finished with pigmented precast concrete panel walls with various window patterns.

Over 50 percent of the roofing surface is covered with a green roof. The green roof technology along with other sustainable design strategies such as bio-retention, day lighting, and advanced energy modeling has been employed to minimize the environmental impact of this facility. The project is aimed at achieving a Silver Leadership in Energy and Environmental Design (LEED) green building certification.

A comprehensive sign package that includes one entrance monument sign, one vehicular directional sign, one building-mounted primary identification sign with logo and pedestrian directional sign.

The building design proposed in this application is the winning proposal in the design competition sponsored by the federal General Service Administration (GSA). The proposal also has been reviewed by GSA for conformance with federal office building requirements.

COMPLIANCE WITH EVALUATION CRITERIA

7. ***The 1997 Approved Transit District Development Plan for the College Park-Riverdale Transit***

District Overlay Zone (TDOZ): defines long-range land use and development policies, detailed zoning changes, design standards and a Transit District Overlay Zone for approximately 293 acres of land east of the College Park-University of Maryland Metro Station. The land use concept of the transit district development plan divides the district into two general areas based on a 10-minute walking distance from the College Park-University of Maryland Metro Station for the purpose of examining issues and opportunities and formulating recommendations. The area within the 10-minute walking distance is the northern area, which has been envisioned as an urban town center, and the area beyond the 10-minute walking distance is the southern area, which has been envisioned as a suburban campus. Each area has been further divided into land parcels for the purpose of defining the desired land use types, mixes, and character of development.

The subject site is Parcel 10, in the southern area of the transit district development plan. The specific urban design concept for the southern area is that the buildings should relate to the streetscape and/or other buildings to create a suburban campus feel. The TDDP prescribes district-wide development requirements and guidelines for the entire district and parcel-specific standards applicable to each parcel. The design guidelines and standards are also categorized into mandatory development requirements and guidelines and criteria for development.

- a. In accordance with Section 27-548.08(c)(2) of the Zoning Ordinance, the applicant may ask the Planning Board to apply development standards that differ from mandatory requirements in the transit district development plan, unless the plan provides otherwise. The Zoning Ordinance specifically states that the board may amend any mandatory requirements except building height restrictions and parking standards, requirements which can only be amended by the District Council under procedures in Part 10A, Division 1. The Planning Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots. The applicant has not requested any amendments to building height restrictions and parking standards.

In approving the transit district site plan, the Planning Board must find that the mandatory requirements, as amended, will benefit the proposed development and the transit district and will not substantially impair implementation of the transit district plan, and the Planning Board must find that the site plan meets all mandatory requirements that apply.

The subject application conforms to most of the recommendations and requirements except for those from which the applicant has requested an amendment.

Parcel-related requirements for Parcel 10

Parcel 10 in the Approved Transit District Development Plan for the College Park-Riverdale TDOZ has been further subdivided into eight lots. The subject site is Lot 14. Some of the parcel-related requirements are not applicable to the subject site. Only those applicable requirements for which the applicant has requested amendments are discussed below:

S-7 Streetscape: As per internal road section

Comment: The subject site is Lot 14, which is one of the lots within Parcel 10 as described in the TDDP. As discussed in Finding 9 below, Parcel 10 was subdivided into eight lots on a cul-de-sac instead of a standard street. The subject site is located at the terminus of the cul-de-sac and has a very narrow frontage. Due to the security requirements for this federal facility, no additional internal roads servicing other properties are proposed to go through the site. The pedestrian access to the site is also restricted. The configuration of the site and the layout of the building do not allow the extension of an additional road through the site. The staff agrees with this amendment.

**S-231 Front Building Setback
Internal Roads**

14 feet minimum from the face of the curb of Haig Drive extended

30 feet maximum from the face of curb of Haig Drive extended if additional pedestrian or streetscape amenities are provided.

Comment: The site has a very narrow street frontage which limits compliance with the setback requirements above. The proposed building is approximately 260 feet from the front street line of University Research Court (formerly Haig Drive). A separate pedestrian path connecting to the sidewalk on both sides of University Research Court to the main entrance area of the office building and two secondary entries to the office building located between the office building and parking garage. The pedestrian path is ADA accessible. The staff agrees with this amendment.

S-233 A minimum 50-foot buffer from the 100-year floodplain shall be provided. Preservation of existing trees and afforestation within this buffer are preferred rather than reforestation. The area of woodland conservation required that is not met with the 50-foot buffer will be determined at time of detailed site plan.

Comment: Approximately 4,000 square feet of the rear drive aisle encroaches into the 50-foot buffer area. The building generator pad is also located within the buffer area. At its narrowest point, the required 50-foot buffer is reduced to 20 feet. A review by the Environmental Planning Section (Metzger to Zhang, October 2, 2006) indicates that the planner does not support the amendment to this requirement because the planner is of the opinion that an alternative location can be found for the placement of the proposed improvements. A condition has been proposed by the Environmental Planning Section to require the applicant to revise the site plan to show a compliance with this requirement

prior to certificate approval. This condition has been included in the recommendation section of this report.

S-240 Internal road circulation:

An internal road network should be created that is pedestrian-friendly and minimizes views of parking lots while maintaining direct pedestrian access from the building to the road without crossing parking lots or driveways. This internal road network may provide vehicular and pedestrian access between the two existing median breaks along River Road at Haig Drive and to the north of the Rivertech Court.

Comment: As previously discussed, the location, site layout, and security requirements for this federal facility prevents a standard street through Parcel 10. The site plan proposes a small surface parking lot and a parking structure close to the restricted-access entrance area in order to minimize automobile impact on site circulation. Two separate pedestrian paths connecting to sidewalks on both sides of University Research Court provide a connection from the office building to the road without crossing the parking lot. The small surface guest parking lot is screened from view from University Research Court by a combination of landscaping and a steel picket security fence with anti-ram concrete base and columns. The applicant has requested a partial amendment to this requirement and the staff agrees with the request.

District-Wide Development Requirements and Guidelines

S-7 The streetscape design for the Internal Road extended through Parcel 10 shall be designed as indicated on Figure 13.

Comment: See the above discussion for compliance with Parcel-related Development Requirements and Guideline S-7 (a similar requirement). Staff agrees with the amendment to this requirement.

S-9 The building shall be set back within the maximum range only to accommodate sidewalk cafes, plazas, courtyards or other pedestrian-oriented amenities.

Comment: See the above discussion for S-231 (a similar requirement). Staff supports the amendment.

S-11 Side setbacks between buildings on the same parcel shall be a minimum of 20 feet and a maximum of 45 feet to allow for site amenities such as plazas or courtyards or environmental features, such as woodlands and wetlands. (See Figure 14.) Vehicular access and parking shall be

prohibited between buildings except to accommodate vehicular access to the property if no other route is available.

Comment: The proposed office building and the structured parking garage are shown on the site plan approximately 50 feet from each other. No vehicular access and parking are proposed between the office building and garage. The applicant requests a partial amendment to the first half of this guideline to allow an additional five feet of setback. The staff agrees with this amendment.

S-15 Parking lots should not be located within the front setback and must be screened from the street.

Comment: The majority of the parking for the site is within a planned parking structure. A small visitor's surface lot is planned on the eastern side of the property next to the parking structure. This parking lot is within the side yard it may also be considered in front of the building. The small surface parking area is screened from University Research Court with a combination of landscaping and security fence and will not be visible from River Road. The staff supports the amendment.

S-17 Buildings should relate to other buildings on-site and on neighboring parcels to create pedestrian spaces, such as plazas, courtyards or malls.

Comment: The building design for the NOAA facility satisfies the campus designation on Map 29. The site plan contains open space, structured parking, sidewalks, and plazas between the two buildings. The subject site will be connected to other buildings by the sidewalks on both sides of University Research Court. The closest building to the subject site is about 85 feet east of the property line. The staff agrees with the applicant that the proposed site plan meets the intent of this requirement.

S-39 Chain link fencing or barbed wire visible from the street shall be prohibited.

Comment: In accordance with security requirements for a federal facility of this nature, chain-link fencing is utilized on the site. Ornamental fencing is used in the area at the entrance to the site. The chain-link fencing will not be visible from River Road. The site is approximately 700 feet away from River Road and sits behind the existing USDA building. The applicant has made an effort to use decorative fencing around the entrance area. The staff agrees with the amendment, however, the staff believes that the decorative fencing should be upgraded to incorporate the texture and color palette of the research building so that to be more visually attractive and compatible. The same type of fencing should be extended from the north end of parking garage to the north end of the property because this portion of the perimeter fence is facing the office building on the adjacent property. A condition has been proposed in the recommendation section of this report.

Due to the triangular shape of the site, the long side of the site is orientated toward the

rear of the existing USDA building and undeveloped Lots 15, 16 & 17. The sites plan shows chain-link fencing along this side with hydroseeding in front of the fence. The staff believes an additional landscape buffer should be provided to screen or minimize the exposure of chain-link fence. A condition has been proposed in the recommendation section of this report.

S-57 Parking lot should be located behind buildings

S-59 Connect parking lots between neighboring parcels by driveway

S-61 Locate parking structures in the interior of the parcels.

Comment: The subject application utilizes a combination of structured parking and surface parking to minimize environmental impact. Because of the irregular shape of the site, it is not possible to locate the parking behind the building. Each lot of Parcel 10 is to be accessed by University Research Court. Due to the security requirements for the proposed federal facility, interconnectivity among neighboring parking lots is not programmed. The subject site is an internal lot of Parcel 10. The intents of S-57, S-61 have been partially met by the proposed parking layout. The staff agrees with the amendments to S-57, S-59, and S-61.

S-100 Masonry is the preferred building wall material. Glass curtain walls are discouraged along the street level.

Comment: The subject site is located at the end of a cul-de-sac street and is about 900 feet away from River Road. The proposed building is finished with a combination of primarily energy-efficient glass and pigmented and patterned precast concrete panels. Various sustainable design strategies have been applied in the design and the applicant is strived to obtain a Silver LEED green building certification. As discussed previously, this design is a winning entry of a design competition sponsored by the General Service Administration. The Urban Design Section agrees with the applicant's amendment request.

S-127 Locate building service areas to the rear (preferably) or to the sides of the building. Screen these areas with decorative walls and landscaping in accordance with the *Prince George's County Landscape Manual*.

Comment: The shape of the site limits the location of the proposed service areas to the western side of the site. Due to the design of the site, most of the service area is screened either by the building or by the landscaping around the main entrance area to the building. However, the service area is not screened from the future development in the south of the site because no landscaping has been proposed along the site's southern boundary, only a hydroseeding area shown on the site plan for the entire southern boundary line. A condition has been proposed in the recommendation section to require

the applicant to provide adequate landscaping to screen the security fence along with the proposed service areas from the future development on the undeveloped lots.

S-155 Buildings should be designed so that police can drive completely around them.

Comment: The subject site has been conceived as a secured access-controlled federal facility. The design of the site does not provide paved access to the north side of the building. The design strives to maintain a secure perimeter buffer area and prevents a full circular drive around the building. The applicant requests a waiver of this guideline and indicates that the intent of the guideline is to provide a safe- built environment. The Urban Design Section agrees with the applicant and supports the amendment.

- b. The applicant has stated that the subject DSP conforms to the rest of the standards and does not request an amendment to the following standards. However, the staff believes that the following development standards warrant discussion:

Parcel-related requirements for Parcel 10

S-238 The stream trail shall be sited to minimize removal of trees and to take advantage of views. In locating the trail, long, straight sections shall be avoided. The trail should be paved in bituminous concrete or crushed stone.

Comment: The applicant has not requested amendments to this requirement, however the plan does not conform. A review by the Transportation Section indicates that the trail is a major component of the transit district's pedestrian network, and will provide a valuable connection to the existing M-NCPPC trail network. A condition has been proposed by the trails planner to require the construction of the stream valley trail on the subject property.

S-237 Provide access from the stream trail to the buildings.

Comment: Due the security requirements for this federal facility, the site plan shows only one restricted-access entrance to the subject site from University Research Court. No direct access from the stream trail to the subject site has been provided. The applicant has not requested an amendment to this requirement but based on the program requirements of this site, the staff supports the amendment based on security requirements of the federal government.

District-Wide Development Requirements and Guidelines

S-22 Access to neighboring properties shall be provided.

Comment: Both vehicular and pedestrian access to neighboring properties is limited due to security requirements for the proposed federal facility. Pedestrian access to neighboring properties will be provided through sidewalks on both sides of University Research Court. Staff concurs with the applicant's request for an amendment to this requirement. However, the staff concerns with the pedestrian network envisioned by the TDDP. The applicant should explore the possibility of providing an alternative pedestrian route or providing important links to enable the completion of a pedestrian connection between the College Park Metro Station and University Research Court.

S-23 Streetscape amenities shall be coordinated between neighboring properties

Comment: University Research Court provides access to all lots within Parcel 10. Currently, University Research Court is under construction. Streetscape amenities such as bus stop, trash receptacles are to be provided at the terminus of the cul-de-sac. None of the amenities has been included in the approval of three detailed site plans on the east side of University Court. The above-noted amenities are to be provided by the subject applicant along the site frontage, and the applicant should revise the site plan to reflect the locations of the amenities.

S-35 Street trees shall be provided along the length of the street frontage and along interior roads and driveways in a parcel.

Comment: Pursuant to this requirement, street trees are a component of the required streetscape, for street, internal road and access driveways. The site plan should be revised to provide street trees as space permits along internal driveways in accordance with the requirement of S-36. A condition has been proposed in the recommendation section of this report.

S-37 Trash receptacles and benches shall be provided where appropriate, such as at building entrances, drop-off area, bus stops, plazas, and courtyards.

S-139 Trash receptacles shall be placed in strategic locations to reduce litter accumulation. Detailed Site Plans shall show the number and location of the trash receptacles.

Comment: Trash receptacles and benches are not shown on the plan. The site plan should be revised to provide trash receptacles and benches in accordance the requirements of S-37 and S-139. A condition has been proposed in the recommendation section of this report.

S-70 Bicycle racks or lockers shall be located near building entrances

S-72 Within parking structures, a separate, secure indoor bicycle parking area shall be provided.

Comment: The above two requirements further specify the Parcel-Related Requirements and Guideline S-235 regarding bicycle facilities. A condition has been proposed in the recommendation of this report in accordance with the requirements of S-70, S-72 and S-235.

S-89 Parking structures located along street frontages must meet the mandatory requirements and guidelines for architecture.

Comment: The proposed parking garage is located in the eastern part of the site and is not technically located along a street. But the garage is visible from the cul-de-sac at the end of University Research Court. The site plan shows a parking garage, which is finished with raw concrete without any decorative treatment. The architecture and materials for the garage should be upgraded to use similar texture and color scheme of the office building. A condition has been proposed in the recommendation section of this report.

8. **Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the TDO Zone and Part 10B Airport Compatibility of the Zoning Ordinance:

- a. Section 27-548.08 (c), Required findings, states that the following findings shall be made by the Planning Board when approving a detailed site plan in the TDOZ:

(A) **The transit district site plan is in strict conformance with any mandatory development requirements of the transit district development plan.**

Comment: The detailed site plan is in conformance with all applicable mandatory development requirements of the transit district development plan.

(B) **The transit district site plan is consistent with, and reflects the development guidelines and criteria contained in the transit district development plan.**

Comment: The subject site plan is also consistent with, and reflects most of the development guidelines and criteria contained in the transit district development plan. For those requirements that cannot be met, the applicant has requested an amendment from the Planning Board in accordance with Section 27-548.08(c)(2) of the Zoning Ordinance. See above Finding 7 for a detailed discussion on the amendment of standards and requirements.

(C) **The Transit District Site Plan meets all of the requirements of the transit district development plan, and applicable regulations of the underlying zone.**

Comment: With the conditions in the recommendation section, and approval of the requested amendments above including building setback requirements discussed below,

the detailed site plan will meet this requirement.

- (D) The location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone.**

Comment: The detailed site plan, if amended with the conditions in the recommendation section, will be in compliance with this requirement. The building and parking locations, open spaces, landscaping, pedestrian and vehicular circulation on site, and the loading area as shown meet the design intent and vision of the TDDP for a suburban campus and are designed to maximize safety and efficiency.

- (E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the transit district and with existing and proposed adjacent development.**

Comment: The detailed site plan meets this requirement. The proposed main building is a research office building and is compatible with other existing office buildings in the transit district. The other structure proposed is a parking garage that will serve the office building. With the conditions in the recommendation section regarding the improvement of the elevation, the parking garage is also compatible with other structures in the transit district.

- b. The subject application is located within the Aviation Policy Area (APA) 6 of College Park Airport as defined in Section 27-548.35. The applicable regulations regarding APA 6 are discussed as follows:

Section 27-548.42. Height requirements

- (a) Except as necessary and incidental to airport operations, no building, structure, or natural feature shall be constructed, altered, maintained, or allowed to grow so as to project or otherwise penetrate the airspace surfaces defined by Federal Aviation Regulation Part 77 or the Code of Maryland, COMAR 11.03.05, Obstruction of Air Navigation.**
- (b) In APA-4 and APA-6, no building permit may be approved for a structure higher than fifty (50) feet unless the applicant demonstrates compliance with FAR Part 77.**

Comment: District-wide Development Requirements and Guidelines of the TDDP for the College Park-Riverdale TDOZ P4 and P5 have a specific maximum height for the entire Transit District. The maximum building height varies per parcel. In Parcel 10,

which is located further south of the College Park Airport, the maximum building height is 84 feet. The subject DSP proposed a research building with the highest portion of building measured at five stories and 84 feet. The proposed parking garage also has a combination of a two-story section and a four-story section with a maximum height of 66 feet. Both the office building and parking garage are within the height limit of TDDP, but are all above the height limit of Section 27-548.42. Since Section 27-548.42 was adopted after the approval of TDDP for College Park-Riverdale TDOZ, a condition is recommended to require the applicant to provide evidence that the proposed project complies with FAR Part 77 prior to certification. The site plan may be revised at the time of certification to reduce or eliminate any perceived obstruction identified by FAA or MAA.

- c. Section 27-548.04. Relationship to other zones states that the Transit District Overlay Zone shall be placed over other zones on the Zoning Map, and shall modify specific requirements of those underlying zones. Only those requirements of the underlying zones specifically noted in this subdivision and elsewhere in this subtitle are modified. All other requirements of the underlying zones are unaffected by the Transit District Overlay Zone.

The subject site has an I-3 underlying zoning designation. The I-3 regulations regarding buildings, landscaping and other improvements are as follows:

I-3 ZONE REGULATIONS	Required	Provided
Net Lot Area (Minimum in square feet)	87,120	430,995
Lot Frontage on a cul-de-sac (Minimum in feet)	75	110
Building Coverage (Maximum % of net lot area)	45	20.5
Green area (Minimum % of net lot area)	25	46.7
Setbacks (Minimum in feet)		
From street: All except Freeway/Parkway	30	-
From adjoining land in any nonresidential zone: all yards	20	(Garage 62.5 feet) 15*

* Note: The applicant has requested an amendment to the above standard.

The application is consistent with all above regulations regarding buildings, landscaping and other improvements except for the side setbacks from the adjoining land in any nonresidential zones, and between unattached buildings. In this case, a parking garage has been proposed in the eastern part of the site and is located only 15 feet from the side eastern property line. A minimum 20 feet plus additional setback as a result of additional building height is required. A total of 62.5 feet setback from the side eastern property line is required for the garage.

As discussed previously, the proposed garage is highly visible from both the office buildings on

the adjacent site and on the eastern property. The proposed garage is finished with plain concrete, without decorative details. The Urban Design Section believes additional treatment similar to the side elevations of the office building on-site in regard to texture and color scheme should be applied on the four sides of the parking garage. A condition of approval has been proposed in the recommendation section of this report.

One of the purposes of the Transit District Overlay Zone is to provide flexibility in design and layout of buildings and structures, and to promote a coordinated and integrated development scheme. The subject application as discussed previously is part of a larger project known as M Square, which is a coordinated and integrated development jointly proposed by the University of Maryland and the team of Corporate Office Properties Trust and Manekin, LLC. The proposed development as a research office on this site is consistent with the vision of M-Square project and TDDP.

Since the closest building, which is an office building on the adjacent Lot 13, is approximately 100 feet away, and the subject site is an internal lot within Parcel 10 and is away from River Road, the amendment to the side setback for the proposed parking garage and between unattached buildings will benefit the proposed development and the transit district and will not substantially impair implementation of the transit district plan.

9. **Preliminary Plan of Subdivision 4-89228 and Final Plat 76 @ REP 210:** The Planning Board approved the Preliminary Plan of Subdivision 4-89228, known as Riverside subdivision with 23 conditions. On February 13, 2006, a Final Plat was recorded as 76 @REP 210 to re-subdivide Lots 2 through 9, Block C, of the Riverside subdivision into Lots 11 through 17, Block C, with seven final plat notes. Of the 23 conditions of approval attached to Preliminary Plan of Subdivision 4-89228, the conditions relating to the review of the subject detailed site plan is as follows:

3. **Development of this site shall be limited to the equivalent of two million square feet of office space. Phase I will contain the equivalent of 705,448 square feet of office space and Phase II will contain the equivalent of 1,294,552 square feet of office space. Phase I shall contain the 470,448 square feet allocated in Final Plat 5-91250 (Phase 1A), plus an additional 235,000 square feet allocated in Final Plat 5-91259 (Phase I B).**

Comment: Three detailed site plans (DSP-05078, 79 and 80) have been approved so far for three office buildings with a total gross floor area of 315,000 square feet in this subdivision. The subject project contains an office building of 289,550 square feet and a parking garage which has a six-story section and a four-story section with a total of 215,880 square feet. A review by the Transportation Planning Section (Mokhtari to Zhang) indicates that total office space gross floor area approved so far including this site plan will be 929,266 gross square feet, which is well below the threshold set for this subdivision, but will trigger the need to construct the additional set of improvements identified by the Transportation Planning Section as Phase II improvements. A condition of approval has been proposed to require the phasing information provided on the

site plan. In addition, a condition requiring Phase II transportation improvements has been proposed by the Transportation Planning Section as the result of this DSP approval. This transportation-related condition has been included in the recommendation section of this report.

- 12. Prior to the issuance of any building permits, a Detailed Site Plan for each lot shall be approved by the Planning Board. This plan shall address, but not limited to, the following;**
- a. Orientation of building on lots and architectural features;**
 - b. Tree preservation areas and supplemental plantings;**
 - c. Landscaping and streetscaping techniques; and**
 - d. Parking and loading**

Comment: The subject detailed site plan was filed to meet this condition. This is a full scale detailed site plan and contains not only information regarding building orientation, architectural elevations, tree preservation areas, landscaping and streetscaping designs, parking and loading, but also has information about on-site vehicular and pedestrian circulation, grading, preservation of floodplain and streams, access to the site, relationship to other site and buildings, lighting plan, fence designs, signage and other site-related features.

- 16. The total inbound AM peak hour traffic of the subdivision shall be limited 720 vehicle trips for Phase 1A, 360 vehicle trips for Phase 1B, and 1980 vehicle trips for Phase II, equaling a total site limitation of 3060 vehicle trips.**

Comment: In accordance with the Transportation Planning Section review, the proposed development is well within both the development and parking caps established by TDDP and Riverside Subdivision approval. The subject DSP complies with this condition in terms of trip generation.

- 17. The total on-site parking for the entire development of this subdivision shall be limited to 1,400 spaces for Phase 1A, 700 spaces for Phase 1B, and 3,850 spaces for Phase II, equaling a total of 5,950 spaces for the entire site.**

Comment: Riverside Subdivision is located in the southern area of the Approved Transit District Development Plan for the College Park-Riverdale TDOZ, which was approved by the Planning Board after the approval of Riverside Subdivision. The transit district development plan has a similar parking space cap for the entire TDOZ. However, in accordance with District-wide Development Requirement and Guideline P-15, the total parking provided for Parcels 3, 5, 8, 9, 10 and 11 should not exceed levels established by the Planning Board as part of the approval of the Riverside subdivision, equaling a total of 5,950 spaces. Pursuant to the TDOZ Plan, the maximum surface and structure parking spaces in the southern area of the district is limited to 6,955 spaces, of which 1,005 spaces are allocated to Parcel 4. The TDOZ Plan and approved parking cap in Riverside Subdivision is consistent. The previously approved three detailed site plans reduced the unallocated parking of 5,950 by 950 spaces. The subject DSP proposes a total

of 700 spaces and therefore is still within the parking caps. However, as noted by the Transportation Planning Section, the approval of 700 parking spaces included in this DSP will reduce the available parking for all undeveloped lots in Parcel 10 and Parcel 8 to 910 spaces.

Of the seven final plat notes on Plat 76@REP 210, the conditions related to the review of the subject detailed site plan are as follows:

2. Development of this subdivision shall be in accordance with the approved conceptual stormwater management plan No. 11324-2004-01

Comment: A review by the Department of Environmental Resource concludes that the subject DSP complies with the approved conceptual stormwater management plan.

4. Development of this site is subject to conditions established by Prince George's Planning Board Resolution Number 90-42(A) (C)

Comment: The site plan is in general compliance with conditions in the Prince George's Planning Board Resolution Number 90-42(A) (C). See above for a detailed discussion.

5. Prior to the issuance of any permits, a Detailed Site Plan shall be approved by the Prince George's Planning Board.

Comment: This subject detailed site plan was filed to satisfy this condition.

10. **Detailed Site Plans DSP-05078, DSP-05079 and DSP-05080:** These three detailed site plans were approved by the Planning Board for Lots 11, 12 and 13, along with a Type II Tree Conservation Plan, TCPII/006/06, which covers a larger property formerly known as Parcel 10 in the Approved Transit District Plan. The approved TCPII/006/06 encompasses the subject site. The Type II Tree Conservation Plan TCPII/006/06-01 for the subject DSP is a revision to the approved TCPII/006/06. Condition 10 of approval attached to the above three detailed site plans are TCPII-related and are also applicable to the review of TCPII/006/06-01 submitted with the subject DSP. Condition 10 includes seven sub-conditions, which require the revision to TCPII/006/06 prior to certification of the three detailed site plans. As of writing of this report, the staff has learned that DSP-05079 has been certified and most of Condition 10 has also been fully addressed on TCPII/006/06. However, a review by the Environmental Planning Section indicates that several revisions should be reflected on TCPII/006/06-01. Two conditions are recommended by the Environmental Planning Section have been included in this report.
11. **Landscape Manual:** The site plan is subject to Section 4.2 Commercial and Industrial Landscape Strip Requirements and Section 4.3 Parking Lot requirements of the *Landscape Manual*.
- a. Section 4.2 Commercial and Industrial Landscape Strip requires a landscape strip to be provided on the property adjacent to all public rights-of-way. The subject site is fronting University Research Court and the applicant has selected Option 2, which provides a

landscape strip of a minimum of 10 feet wide and a maximum of 20 feet wide and has an average width at least 15 feet. The Landscape Plan meets the requirements of Section 4.2, however, the Urban Design Section recommends additional ornamental trees should be provided to enhance the visual appearance of the main entrance area. A condition has been proposed in the recommendation section of this report.

- b. Section 4.3 (b) requires a landscaped strip be provided between a parking lot and the adjacent property to be a minimum of five feet wide for sites over 10,000 square feet. The Landscape Plan shows 500 linear feet of parking lot perimeter along the east boundary line adjacent to the office property. The Landscape Plan complies with the requirements of Section 4.3 (b).

Section 4.3(c) requires a certain percentage of parking lot to be used for internal green planting areas if the total area of the parking lot is larger than 7,000 square feet. The Landscape Plan shows a total of 17,000 square feet of parking area. Per Section 4.3 (c), five percent of the 17,000 should be used as interior planting area with one shade tree per 300 square feet; but the Landscape Plan provides 18.7 percent of green area with 11 shade trees, which is well beyond the requirements of Section 4.3 (c).

- 12. **The 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 there is a previously approved Type I Tree Conservation Plan TCPI/9/09, which was approved in conjunction with the approval of Preliminary Plan of Subdivision 4-89228.

- a. A Detailed Forest Stand Delineation (FSD) for this site was submitted and reviewed in conjunction with the Preliminary Plan of Subdivision and TCPI for this site and was found to address the requirements for a Detailed Forest Delineation in compliance with Woodland Conservation Ordinance. No further action is required with this DSP
- b. The Type II Tree Conservation Plan, TCPII/006/06-01, submitted with this application is a revision to the previously approved Type II Tree Conservation Plan TCPII/006/06 for a larger project known as M Square University of Maryland Research Park. The TCPII has been reviewed and was found to require revisions to show the subject development. A second review by the Environmental Planning Section of the revised plans indicates that TCP II/006/06-01 is in general conformance with the requirements of the *Woodland Conservation and Tree Preservation Ordinance*, if the deficiencies as identified in the conditions of approval are adopted.

- 13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. The Community Planning Division in a memorandum dated August 30, 2006, indicated that the application is consistent with the 2002 General Plan Development Pattern

policies for the Developed Tier, but did not conform to several development standards of the 1997 *Approved Transit District Development Plan for the College Park-Riverdale Transit District Overlay Zone*.

Comment: As discussed in the above Finding 7, those development requirements identified by the Community Planning Division have been fully analyzed in this report. The applicant has requested amendments to both the districtwide and the parcel-specific requirements and the staff has provided an evaluation and recommendation of each request as stated in the recommendation section of this report.

- b. The Transportation Planning Section in a memorandum dated September 27, 2006, provided a detailed review of the applicable, transportation related requirements of the 1997 *Approved Transit District Development Plan for the College Park-Riverdale Transit District Overlay Zone* (TDOZ) and conditions attached to previously approved Preliminary Plan of Subdivision 4-89228 and indicated that by approving this DSP, both the development and parking caps imposed by the transit development plan and previously approved preliminary plan will be observed. However, this DSP will trigger the Phase III transportation improvements because the total approved development will be 39,550 square feet over the Phase III threshold and will reduce the available parking to 910 spaces for all remaining undeveloped lots (Lots 10, 15, 16, and 17) within Parcel 10 and Parcel 8 in the TDDP. The transportation planner concludes that the proposed detailed site plan is in conformance with applicable TDOZ mandatory development requirements and the plan will be adequately served within a reasonable period of time with existing, programmed, or planned transportation facilities. The Transportation Planning Section recommends seven conditions of approval. * ~~[- of which six conditions have been incorporated in the recommendation section of this report. * However, since the subject site is part of a larger project known as M-Square—The University of Maryland Research Park, which has a previously approved transportation-related improvement plan for the entire project, the timing of transportation improvements for this DSP will be subject to the same conditions as previously applied in other approved detailed site plans such as DSP-05078, DSP-05079 and DSP-05080 in the M-Square project area.~~

Comment: Condition 6, recommended by the Transportation Planning Section requires a 24-foot-wide driveway with sidewalks on both sides to be placed along the site's southern boundary area, and an additional connection to Lot 16. This recommendation is based on the TDDP, which conceptually shows a loop street through Parcel 10. The TDDP provides for two possible access points off River Road. One access point has been realized through the construction of University Research Court and has been recorded in the record plat. The other access point off River Road is located between Lots 15 and 17. The record plat 76@ AEP210 does not reflect the loop street concept. The Urban Design Section agrees with the applicant that a loop street through the subject site is not practical given both the unique shape of the site and the security concerns of federal facility.

In a separate memorandum from the Transportation Planning Section dated September 28, 2006, regarding master plan trail compliance, the trails planner provided a comprehensive review of all trails and pedestrian circulation related development requirements and guidelines. The trails planner recommends approval of this DSP with four conditions that have been incorporated into the recommendation section of this report.

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~striketrough~~ indicate deleted language

- c. In a memorandum dated September 28, 2006, the Subdivision Section indicated that the subject detailed site plan has been filed in response to Condition 12 attached to the subdivision approval for 4-89228 including the subject site. The DSP is in conformance with the record plat. The Subdivision staff had no other comments on this application.
- d. In a memorandum dated October 2, 2006, Environmental Planning Section recommended approval of DSP-06026 subject to two conditions that have been included into the recommendation section of this report.
- e. In a memorandum dated July 24, 2006, the Permit Section provided no comments on this application.
- f. In a memorandum dated July 23, 2006, the Department of Environmental Resources (DER) noted that the site for Riverdale, NOAA, DSP-06026 is consistent with the approved stormwater concept plan #19146-2006.
- g. In a memorandum dated September 11, 2006, the Department of Public Works and Transportation indicated that the property is located within the Town of Riverdale Park and there is no impact on county-maintained roadways.
- h. In a memorandum dated October 18, 2006, The City Council of the City of College Park recommended approval of this project, subject to two conditions as follows:
 - 1. *Prior to certificate approval of the Detailed Site Plan, the applicant shall:*
 - a. *Show a connection from the office building to the stream valley trail along the northern edge of the site. A gate with appropriate security measures shall be provided to allow for employee access from the trail.*
 - b. *Replace the chain-link fence along the southern perimeter of the property with a decorative fence compatible with the fence used at the main entrance area. A chain-link fence is permissible along the northern perimeter of the site if it is constructed within the tree buffer area. If this is not allowed, a decorative fence shall be provided instead of chain link.*

- c. *Add a parking schedule to the plan showing the status of the project in relation to other development within the Transit District Development Plan (TDDP) for compliance with Table 12 (maximum parking caps) of the TDDP.*
- 2. *Revise condition 4b of the Technical Staff Report to include the following language:*
 - Submit an acceptable Transportation Demand Management (TDM) plan for the proposed site with financial assurances and timetables to include the provision of bus shelters, the construction of a comprehensive trail system to facilitate bicycle/pedestrian access to the metro, the hiring of a full-time, on-site commuter program manager with the responsibility to promote the use of public transit, market a carpool matching program for employees, promote and coordinate the formulation of car/van pools, promote staggered work hours for employees, designate preferential parking spaces for car pools and van pools, and prepare annual reports on the effectiveness of the Plan. Prior to the issuance of a Use and Occupancy Permit for NOAA, a bus shelter shall be provided along the cul-de-sac of University Research Court and a trail constructed to connect the trail at the northwestern edge of the site to either River Road or 51st Avenue as indicated in the TDDP parcel specific requirements for parcel 10 (S-236),*

Comment: *The above two conditions have been incorporated into the conditions of approval for this DSP with a slight modification of Condition 2 by the Planning Board. As a result, the applicant agrees to provide a connection from the office building to the stream valley trail along the northern edge of the site.*

- i *The City of Greenbelt provides no comments on this application.*
 - j. *In a memorandum received on October 10, 2006, the City of Riverdale Park expressed the Mayor and City Council's support for this project.*
 - k. *As of the writing of this report, the City of University Park had not responded to the referral request.*

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/006-06-01) and further APPROVED Detailed Site Plan DSP-06026 for the above-described land, subject to the following conditions:

- A. Staff recommends APPROVAL of the alternative development district standards for:

Parcel-related requirements for Parcel 10

1. S-7 (to allow the applicant to retain the current entrance point to the site without providing a through road).
2. S-231 [to increase the building setback (to 50 feet) beyond the maximum allowed distance (of 45 feet) from the front street line].
3. S-237 (to not require a pedestrian connection from the subject site to the stream valley trail, due to security reasons).
4. S-240 (to allow the restricted vehicular entrance and to connect the internal pedestrian network to the sidewalks along both sides of University Research Court).

District-Wide Development Requirements and Guidelines

5. S-7 (to allow the applicant to retain the current entrance point to the site without providing a through road) similar to S-7 under Parcel-related requirements.
6. S-9 [to increase the building setback (to 50 feet beyond) the maximum allowed distance (of 45 feet) from the front street line] similar to S-231 under Parcel-related requirements.
7. S-11 (to allow the building setback further than the minimum and maximum range of 20 to 45 feet) similar to S-9 above.
8. S-15 (to allow the proposed surface and structured parking to be located to the east side of the research building).
9. S-22 (to not provide access to the neighboring properties, due to security reasons).
10. S-39 (to allow the use of chain-link fence for the perimeter of the site except for the main entrance area, where the decorative fencing is used).
11. S-57, S-59, S-61 (to allow the proposed surface and structure parking located to the east side of the research building without a connection to the adjacent properties, due to security reasons).
12. S-100 (to allow the applicant to use a combination of glass and pre-cast concrete panels as the primary finish materials).
13. S-127 (to allow the service area to be located on the west side of the research building with additional landscaping and screening).

14. S-150 (to eliminate the need for a complete drive around the building for police surveillance due to the fact that the access to the site is restricted).
 15. I-3 regulation (to reduce the parking garage set back from 62.5 feet to 15 feet from the eastern property line).
- B. Staff recommends DISAPPROVAL of the alternative development district standards for:
1. S-233 (to allow a 30-foot encroachment into the 50-foot-wide buffer yard at its narrowest point)
- C. Staff recommends APPROVAL of DSP-06026, for NOAA Center for Weather and Climate Prediction, Riverdale Park, and TCPII/006/06-01, subject to the following conditions:
1. Prior to certificate approval of this detailed site plan, the applicant shall
 - a. Provide an additional parking space for the handicapped.
 - b. Add notes to the plan as follows:
 - (1) To indicate that this site is within the Aviation Policy Area (APA) 6 of College Park Airport.
 - (2) To provide total gross floor area information for Parcel 10 on the site plan, including the subject DSP and previously approved cases, along with the development caps for each phase.
 - c. Provide bicycle racks accommodating a minimum of 20 bicycles at a location near or convenient to the building entrance and/or in the parking garage, per Development Requirements S-70, S-72, S-235. This location shall be marked and labeled on the approved plans, and details and specifications shall be added.
 - d. Provide shower and changing facilities for employees on-site, per Development Requirement S-175. The applicant shall indicate how this recommendation is being met for the planned office building. If meeting the requirement is not practical or feasible on site, this shall be documented and included in the file of the detailed site plan.
 - e. Mark and label the stream valley trail along the subject site's portion of the stream along northern edge.
 - f. Provide written determination by the Federal Aviation Administration and/or the Maryland Aviation Administration that the proposed project complies with FAR part 77. The site plan may be revised to reduce or eliminate any perceived

obstruction identified by FAA or MAA, subject to the approval of the Planning Board or designee, in consultation with the City of College Park.

- g. Show a dedicated left turn lane from University Research Court into the subject property to allow for vehicle stacking at the entrance to the NOAA facility, subject to DPWT, MNCPPC Transportation Staff and Town of Riverdale Park review and approval.
- h. Provide additional ornamental trees along the landscape strip in front of the site's entrance area, and landscaping along the southern boundary area to provide screening for the security fence and the service areas.
- i. Enhance through exterior finish and/or decorative treatment, the four elevations of the proposed parking garage compatible with the office building architectural elevations. The design scheme shall be reviewed and approved by the Planning Board or its designee.
- j. Revise the plans to maintain the 50-foot-wide floodplain buffer in woodland preservation or reforestation areas behind the western end of the office building.
- k. Revise the Type II Tree Conservation plan as follows:
 - 1) Reflect the same scale with DSP
 - 2) Show details of tree protective devices.
 - 3) Revise the worksheet accordingly to address any changes made to the plan.
 - 4) Have the plan signed and dated by the qualified professional who prepared the plan.
- l. Revise the site plan and landscape plan to comply with requirements of S-35 and S-36 regarding street trees as space permits and the requirement of S-37 and S-139 regarding benches and trash receptacles to be reviewed and approved by the Urban Design Section.
- m. Show a connection from the office building to the stream valley trail along the northern edge of the site. A gate with appropriate security measures shall be provided to allow for employee access from the trail.
- n. Replace the chain-link fence along the southern perimeter of the property with a decorative fence compatible with the fence used at the main entrance area. A chain-link fence is permissible along the northern perimeter of the site if it is constructed within the tree buffer area. If this is not allowed, a decorative fence shall be provided instead of chain link. The DSP shall be revised to show clearly the type of the fence to be installed.
- o. Add a parking schedule to the plan showing the status of the project in relation to

other development within the Transit District Development Plan (TDDP) for compliance with Table 12 (maximum parking caps) of the TDDP.

2. The applicant and the applicant's heirs, successors, and/or assignees shall construct the stream valley trail along the subject site's entire portion of the stream along northern edge. This trail shall be a minimum of eight-feet wide and asphalt, and shall be connected to the planned trail on the adjacent property (approved DSP-05078). This trail shall also be sited to minimize removal of trees and to take advantage of views. The trail shall be constructed of bituminous concrete on porous asphalt.
3. The ADA accessible route shall have a surface treatment consistent with district wide development requirements and guidelines S-31 and S-32 regarding material and pavement pattern of sidewalks and crosswalks.
4. Prior to the issuance of any building permits within the subject property, applicant and/or the M Square developer, his heirs, successors, and/or assignees shall
 - a. Provide payment of \$115 per parking space for the proposed 32 surface parking spaces to the Prince George's County Department of Public Works and Transportation (DPW&T). The required fee per each surface parking space is expressed in 1997 dollars, and shall be adjusted for inflation at the time of payment, using the latest *Engineering News Record* highway construction cost index. The collected fee shall be applied toward the financing of shared parking structures within the transit district, as noted on pages 128 and 129 of the 1997 approved CP-R TDDP.
 - b. Submit an acceptable transportation demand management (TDM) plan for the M Square project, including the proposed site, with financial assurances and timetables to include the provision of bus shelters, the construction of a comprehensive trail system to facilitate bicycle/pedestrian access to the metro, hiring of a full time, on-site commute program manager with the responsibility to market a carpool matching program for employees, promote and coordinate the formulation of car/van pools, promote the use of public transit, promote staggered work hours for employees, designate preferential parking spaces for car pools and van pools, and prepare annual reports on the effectiveness of the Plan. The TDM plan, in addition to other items, shall provide that prior to the issuance of a Certificate of Occupancy for the NOAA office building, a bus shelter shall be provided along the cul-de-sac of University Research Court (unless shuttle bus service is provided to the building entrance at NOAA) and a trail shall be constructed to connect the trail at the northwestern edge of the site to either River Road or 51st Avenue as indicated in the TDDP parcel specific requirements for Parcel 10 (S-236).
 - c. Submit an acceptable traffic signal warrant study to DPW&T for the intersections of River Road with University Research Court. 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 signals are deemed warranted by DPW&T, the applicant shall bond the signals prior to the release of any building permits within the subject property and install them at a time when directed by DPW&T. The requirements for the signal warrant study may be waived by DPW&T if that agency determines in writing that there are sufficient recent studies available to make a determination regarding this signal. DPW&T may review and approve a design for a roundabout at River Road and University Research Court in lieu of requiring a traffic signal warrant study.

~~*[5. Prior to the issuance of any building permits, the following road improvements shall be constructed or fully bonded for construction by the applicant, his heirs, successors and/or assigns, or be fully funded in the CIP or CTP (and/or in combination with others). The bonding requirement may also be satisfied by a binding financial agreement that is acceptable to the appropriate governmental agency:~~

- ~~a. Provision of double left turn along northbound MD 201 (Kenilworth Avenue) at River Road~~
- ~~b. Provision of third through lane along southbound MD 201 at Calvert Road (Paint Branch Parkway)/Good Luck Road~~
- ~~c. Provision of a double right turn along eastbound River Road at MD 201~~
- ~~d. Widening of northbound MD 201 to provide for the third through lane beginning at River Road and extending north to Pontiac Street. Provision this improvement shall include replacement of the existing northbound right turn lane to eastbound Good Luck Road.~~
- ~~e. Provision of Southbound dedicated right turn lane on MD 201 at River Road~~
- ~~f. Provision of third through lane along MD 201 southbound beginning at Pontiac Street and extending south to River Road.]~~

*5. Prior to the issuance of any building permits within the subject property the applicant shall demonstrate compliance by (a) having full financial assurances through either private money or full funding in the County or State capital program, (b) having been designed per DPW&T and/or SHA standards, and (c) having been permitted with a construction timetable acceptable with the appropriate operating agency the needed road and intersection improvements as stated in the Prince George's County Planning Board Resolution No. 90-42(A)(C) adopted for Preliminary Plat No. 4-89228, and updated by the letter agreement dated July 28, 1998, signed by SHA, DPW&T, and MNCPPC modifying the phasing of the needed road improvements.

*Denotes Correction

Underlining indicates new language
[Brackets] and ~~striethrough~~ indicate deleted language

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.

* * * * *

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 Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Squire, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, October 19, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of November 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:HZ:bjs