THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 10-123

File No. DSP-03085/01

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on December 2, 2010 regarding Detailed Site Plan DSP-03085/01 for Walker Mill Business Park, Lot 14B, the Planning Board finds:

1. **Request:** The subject application requests approval for contractor offices and outdoor storage with three buildings in the I-1 Zone.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	I-1	I-1
Use(s)	Vacant	Contractor Offices and Outdoor Storage
Acreage	1.7399	1.7399
Lots	1	1
Building Square Footage/GFA	0	17,725

	Required	Approved
Setbacks		
From Street	25	25
Side Yard	30	30+
Rear Yard	None	N/A
Green Area		
Square Feet	7,579	9,471
Percent	10	12.5

OTHER DEVELOPMENT DATA

	REQUIRED	APPROVED
Total parking spaces	33	33
Loading spaces	2	2

3. **Location:** The site is in Planning Area 75B, Council District 7. More specifically, it is located in the southwest quadrant of the intersection of Rochell Avenue and Hazelwood Drive.

4. **Surroundings and Use:** The subject property is flanked to the west by a contractor storage yard, also a part of Walker Mill Business Park; to the south by existing woodlands and a vacant parcel, also a part of Walker Mill Business Park. A second vacant parcel, also a part of Walker Mill Business Park, is located directly across Hazelwood Drive to the east of the subject site. A third vacant parcel, controlled by the Woodward Industrial Park, is located directly across Rochell Avenue to the northeast, and another contractor storage yard is located to its west on the northerly side of Rochell Avenue. Industrial warehouses are located diagonally across the street from the subject site across the intersection of Hazelwood Drive and Rochell Avenue.

5. **Previous Approvals:** A Preliminary Plan of Subdivision (4-01056) was approved for the subject property on September 27, 2001. The Planning Board adopted PGCPB Resolution No. 01-198 on October 18, 2001. A Stormwater Management Concept Plan (5930-2004) was approved by the Department of Environmental Resources (DER) on March 7, 2004. A detailed site plan was approved by the Planning Board for the project on September 9, 2004 and they adopted a resolution formalizing that approval on September 30, 2004, PGCPB Resolution No. 04-200. The District Council subsequently reapproved the detailed site plan on June 13, 2005. The detailed site plan approval expired after three years or on June 13, 2008, as per the Zoning Ordinance requirement. Since that time, on May 10, 2010, the applicant received technical stormwater management approval.

6. **Design Features:** The design for the site includes three buildings accessed from one access point from Rochell Avenue and one from Hazelwood Drive. Proposed Building A, a 20-foot-tall, 7,875-square-foot building, is located along the southernmost boundary of the site. Proposed Building B sits on the northeasterly frontage of the subject property along Rochell Avenue. Building B is proposed to measure 1,975 square feet and be 20 feet high. Proposed Building C, a 7,875-square-foot building also 20 feet tall, is located toward the Rochell Avenue frontage of the property, but along the site's northwesterly boundary. A 25-foot-wide landscape strip is provided along both the Rochell Avenue and Hazelwood Drive road frontages of the subject property. A proposed concrete dumpster pad, in the central/southern portion of the site, is screened by an enclosure to be constructed of a synthetic material resembling wood. A proposed six-foot-high fence, composed of a similar synthetic material, surrounds the property. A four-foot-wide sidewalk is provided along both the Rochell Avenue and Hazelwood Drive frontages. The center of the property provides a proposed contractor storage/operating area. Parking is provided primarily adjacent to the individual buildings, but also for a stretch along the inside of the buffer along Hazelwood Drive and also along the green area provided on the western side of the southern property line. The building elevations show uniform treatment in a painted galvalume pane siding system, in a color specified as "lightstone," with burnished slate color trim. The design of the buildings is utilitarian with minimal fenestration including few windows and standard and overhead doors punctuating the façades. Due to berming, fencing, landscaping of the peripheries, and the topography of the area, it is thought that the buildings will be minimally visible from eye

level on the streets immediately adjacent to the subject property. However, the level of the architecture should be brought up to minimally acceptable standards in any case. By Condition 1(g) below, the Planning Board requires that the applicant revise the elevation drawings for the project to create more visual interest in the façades, including varied fenestration on the first level and awnings over the windows and doors.

The applicant is providing a 25-foot landscape strip together with a 6-foot-high, sight-tight fence of a durable, low sheen, non-white, non-wood material, set back 25 feet from the property line along both the Hazelwood Drive and Rochell Avenue road frontages.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the I-1 Zone and the site plan design guidelines of the Zoning Ordinance.

   a. The subject application is in conformance with the requirements of Section 27-473, which governs permitted uses in industrial zones. The proposed contractor offices and outdoor storage is a permitted use in the I-1 Zone.

   b. The proposal is also in conformance with the requirements of Section 27-474, Regulations, regarding additional regulations for development in industrial zones.

8. **Preliminary Plan of Subdivision, 4-01056:** The Planning Board approved Preliminary Plan 4-01056 on September 27, 2001. The Prince George's County Planning Board Resolution 01-198 was adopted on October 18, 2001 formalizing the approval. The following conditions of approval apply to the review of the subject detailed site plan.

   1. Total development within proposed Lots 15, 16, 17, and 18 of Walker Mill Business Park shall be limited to permitted uses which generate no more than 183 AM and 183 PM peak-hour vehicle trips. Any development generating impact greater than that identified herein shall require a new Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.

   The condition defines a trip cap for Lots 15, 16, 17, and 18 of Block B to development which would generate no more than 183 AM and 183 PM peak-hour vehicle trips. In reviewing DSP-02002 for Lot 17, it was determined that the approved development would generate 13 AM and 23 PM peak-hour vehicle trips. It does not appear that any other plans have been approved within the area of 4-01056. It is estimated that the subject proposal would generate 35 AM and 33 PM peak hour trips. Therefore, this plan plus the prior approved plan would generate 48 AM and 56 PM peak hour trips. This is well within the cap set for the entire subdivision and therefore, the site plan complies with Condition 1.

2. **In accordance with PGCPB Resolution No. 89-345, Condition 1, File 4-89052, the road improvements identified in Condition 1a, 1b, 1c, and 1d shall be provided prior to the issuance of any building permits.**

The condition references road improvements which are identified in the resolution approving Preliminary Plan of Subdivision 4-89052, and indicates that these improvements must be provided prior to issuance of any building permits. In this case, the improvements must be in place or must otherwise be bonded and permitted with a schedule for construction. The improvements are at MD 458/Rochell Avenue, MD 458/County Road, MD 458/Marlboro Pike, and MD 4/MD 458. These improvements have not been field checked during review of this site plan, although aerial photography suggests that the improvements are substantially complete. While this condition is not enforceable until building permit, the applicant should ensure that all improvements are appropriately constructed or guaranteed prior to that time.

3. **Requires that the DSP review shall be required prior to the issuance of building permits pursuant to CR-147-1985. The following shall be included in the review or the specified information shall be supplied:**

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

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

The subject project is not located on Walker Mill Road, Rollins Avenue, or Addison Road, nor is it located along abutting areas that are planned or developed for residential purposes. Therefore, the above design guideline does not apply.

(2) **The internal organization of the site shall address the following:**

A. **Provide a continuous six-foot high sight-tight wood fence with swinging or sliding gates along property lines, which have frontage on any vehicular right-of-way within the subdivision. Metal security fencing, including chain link, may be located behind and adjacent to the required wood fence if it is not visible from the street.**

The applicant has provided a six-foot-high, sight-tight fence constructed of a durable, low sheen, non-white, non-wood material set back 25 feet from the right-of-way along both Rochell Avenue and Hazelwood Drive. In addition, the applicant has indicated that the proposed gates for the

project are designed as swing gates in a material similar to the fence along Hazelwood Drive, further complying with the requirements of design guideline 3(a)(2)(A). A condition of this approval requires a similar swing gate at the Rochell Avenue entrance.

B. **Provide 12 feet of commercial/industrial-landscaped strip along property lines that have frontage on any vehicular right-of-way. Plant materials provided within the landscaped strip shall be evergreen trees planted 10 feet on center, or other acceptable planting arrangement utilizing the same quantity of trees which is approved by the Planning Board or the Urban Design staff as designee of the Planning Board. White pine trees shall constitute no more than 20 percent of the trees in this landscaped strip.**

The applicant has provided a 25-foot landscape strip along the property lines that have frontage on a vehicular right-of-way. Plant materials provided within this landscape strip include two staggered rows of Leyland Cypress, an evergreen tree planted approximately 15 feet on center, and four to five Winged Euonymus shrubs on either side of each gate accessing the subject property. No White Pine has been utilized in the landscaping scheme. The proposed is an acceptable planting arrangement that meets the requirements of the condition. The planting scheme provides more than enough plant units to fulfill the requirements of Section 4.2 of the *Prince George's County Landscape Manual.*

C. **Provide cross-sections through the subject site to demonstrate that any area of outdoor storage visible from any adjacent right-of-way shall have the solid wood fence specified in condition 1.a.**

The applicant has provided cross sections of the site indicating that lines of sight from the street, due to the setback and height of the fence and landscaping to be installed, make only the upper portions of the buildings at all visible from any adjacent right-of-way. The Planning Board has reviewed the subject project against the above design requirements and found it to be in general conformance.

5. **Requires that prior to issuance of any permit, a Type II TCP shall be submitted that is in conformance with the Type I TCP and designates the location of the 2.83 acres of off-site mitigation. Priority shall be given to the location of the off-site mitigation within the Anacostia watershed.**

The Planning Board has reviewed the Type 2 tree conservation plan (TCP) application, found it in conformance with the above requirement, and is currently reviewing the plan for conformance to the Woodland and Wildlife Habitat Conservation Ordinance.

7. **Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan, #13784-2001-00.**

In a memorandum dated July 29, 2010, a representative of the Department of Public Works and Transportation (DPW&T) stated that the subject project was designed in accordance with the approved Stormwater Management Concept Plan, 13784-2001-00. Further, the representative stated that the subject project was also designed in accordance with a technical plan subsequently approved for the project on May 10, 2010.

9. ***Prince George's County Landscape Manual:*** Section 4.2, Commercial and Industrial Landscaped Strip, of the Landscape Manual applies to the project. The Urban Design staff reviewed the proposed landscape plan and found it to be in general compliance with the applicable sections of the Landscape Manual.

10. **The Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. The subject detailed site plan is consistent with approved Type 2 Tree Conservation Plan TCP2-65-04. Therefore, it may be said that the project is in conformance with the relevant requirements of the Woodland and Wildlife Habitat Conservation Ordinance.

11. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

a. **Historic Preservation**—The proposed revision would have no effect on identified historic sites, resources, or districts.

b. **Archeology**—A Phase I archeological survey would not be recommended for the subject site. The site had formerly been extensively disturbed as a gravel mine and that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of recovering archeological artifacts is low. There are no identified archeological sites within one mile of the subject property and there are no Prince George's County historic sites or resources located within one mile of the subject property. Section 106 of the National Historic Preservation Act (NHPA) may require review if state or federal monies, or federal permits are required for the project.

c. **Community Planning South Division**—The subject application is consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for

the Developed Tier and that the application conforms to the industrial land use recommendations of the 2009 *Approved Subregion 4 Master Plan and Sectional Map Amendment (SMA).* The design guidelines established in PGPB Resolution No. 09-163 for the Walker Business Park, however, were transgressed in the subject project in the following two ways:

1. The existing chain-link fence on the site is not indicated "to be removed."

2. The surface of the parking/outdoor storage area should be specified as a dust-free surface other than gravel.

These two deviations from the design guidelines are corrected by conditions of approval below.

d. **Transportation**—The project meets the requirements of transportation-related Conditions 1, 2, 9, and 10 of Preliminary Plan of Subdivision 4-01056. Finding 8 of this approval has a more detailed description of that conformance.

e. **Subdivision**—The site plan correctly indicates that the property is Lot 1, Block B, recorded in land records in plat book REP 193 @ 52. Preliminary Plan of Subdivision 4-01056 was approved by the Planning Board and PGCPB Resolution No. 01-198, containing ten conditions, was adopted on October 18, 2001. For a detailed description of the relevant requirements of that approval, see Finding 8 of this approval. The record plat reflects an existing 20-foot-wide access easement on Lot 15, Block B which by a condition of this approval is required to be reflected on the detailed site plan.

f. **Trails**—The Planning Board has reviewed the detailed site plan application for conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* and/or the appropriate area master/sector plan in order to implement planned trails, bikeways, and pedestrian improvements.

The Planning Board's findings in this review are as follow:

- None of the prior conditions of approval related specifically to bike, pedestrian, or trail facilities although sidewalks were being proposed along both road frontages. The subject application is covered by both the 2009 *Approved Countywide Master Plan of Transportation* and the 1985 and 1986 *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B.* There are no master plan trails issues identified in either of these plans that impact the subject site.

- The MPOT includes a Complete Streets Section that directs that new road construction be designed to accommodate all modes of transportation, including

pedestrians. The Complete Streets Section includes the following policies regarding sidewalks and frontage improvements (MPOT, page 33).

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

- The subject approval reflects standard sidewalks along its frontages of both Rochell Avenue and Hazelwood Drive. These sidewalks will accommodate pedestrians along these roads and fulfill the intent of the MPOT policies regarding complete streets and sidewalks. The sidewalk network is fragmented in the vicinity of the subject site. However, where frontage improvements have been made, sidewalks have been provided.

- From the standpoint of non-motorized transportation, it is determined that this plan is acceptable, fulfills the intent of applicable master plans and functional plans, fulfills prior conditions of approval, and meets the finding required for a detailed site plan as described in Section 27-274(a)(2)(C) of the Zoning Ordinance.

g. **Permit Review**—The Planning Board finds that the numerous permit-related comments have either been addressed by revisions to the plans or in the conditions of this approval.

h. **Environmental**—The detailed site plan revision is consistent with approved TCP2-065-04 and has been reviewed and found to be in accordance with the new requirements of the Woodland and Wildlife Habitat Conservation Ordinance.

i. **The Prince George's County Fire/EMS Department**—In comments dated September 23, 2010, the Prince George's County Fire/EMS Department offered information regarding required access for fire apparatuses, private road design, and location and performance of fire hydrants.

j. **The Department of Public Works and Transportation (DPW&T)**—In a memorandum dated July 29, 2010, DPW&T offered information regarding design requirements for improvements within the public right-of-way including street tree, street lighting, sidewalks, and storm drainage systems. They also mentioned the need to comply with DPW&T's Utility Policy, coordination regarding master-planned roadways, and providing an access study and/or soils investigation report. In a separate e-mail dated September 15, 2010, a representative of DPW&T stated the subject plan is consistent with the approved technical plan dated April 2009 and approved by DPW&T on May 10, 2010

and the stormwater management concept plan for the project, approved on January 4, 2008.

k. **Verizon**—In an e-mail dated July 23, 2010, a representative of Verizon stated that trees and a stormdrain manhole and pipe need to be removed from the public utility easement (PUE) on Rochell Avenue and that a manhole for a four-inch sewer needs to be removed from the PUE on Hazelwood Drive. A recommended condition below would require revisions to the plans to disencumber the PUEs as suggested above.

l. **Potomac Electric Power Company (PEPCO)**—In an e-mail dated September 21, 2010, a representative of PEPCO offered technical details regarding the agreement to provide service to the site. None of these details however, impact the approval of the subject detailed site plan. PEPCO's referral comments, however, have been provided to the applicant as a courtesy.

m. **The Washington Suburban Sanitary Commission (WSSC)**—WSSC offered no comment regarding the subject project.

n. **The City of Capitol Heights**—The City of Capitol Heights offered no comment.

o. **The City of District Heights**—The City of District Heights offered no comment on the subject project.

12. As required by Section 27-285(b)(1) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type 2 Tree Conservation Plan (TCP2-065-04) and further APPROVED Detailed Site Plan DSP-03085/01 for the above-described land, subject to the following conditions:

1. Prior to signature approval of the plans, the applicant shall make the following revisions to the plans and/or submit the additional requested materials.

   a. The applicant shall specify a durable, non-white, non-wood, low sheen material to be utilized for fencing and around the dumpster enclosure. The details and specifications shall be approved by the Urban Design Section.

   b. The District Council Order dated June 13, 2005 shall be removed from the plan set as the approval has expired and no longer applies.

c. Plans for the project shall be revised to indicate that all chain-link fences on the subject property shall be removed.

d. The paving material for the parking, drive aisle, and outdoor storage area shall be specified as a dust-free surface other than gravel.

e. The detailed site and landscaping plan for the project shall be amended to include the existing 20-foot-wide access easement reflected on the record plat for the property.

f. The plans shall be revised to remove trees and a stormdrain manhole and pipe from the public utility easement (PUE) on Rochell Avenue and a manhole for a four-inch sewer shall be removed from the PUE on Hazelwood Drive. Any trees so removed shall be relocated elsewhere on the detailed site plan.

g. The applicant shall revise the elevation drawings for the project to create more visual interest in the façades, including varied fenestration on the first level and awnings over the windows and doors in a style as represented in the exhibit submitted by the applicant for the "MBM Metal Buildings."

h. The site plan shall be revised to include a swing gate at the Rochell Avenue entrance similar to that provided at the Hazelwood Drive entrance. A detail for the gate shall be provided on the plans indicating use of a durable, non-white, non-wood, low sheen material similar or the same as the adjacent fencing material.

2. The employees driving company owned trucks and equipment entering and leaving this industrial site shall be instructed to utilize MD Route 4, Marlboro Pike and Silver Hill Road whenever possible, unless providing services locally.

3. No company vehicles and/or equipment shall be parked and/or stored in the public right-of-way.

4. No major equipment repair (e.g., engine/transmission overhaul) shall be conducted outside of the buildings within the site.

5. No fuel tanks will be erected and maintained on the subject property. (This condition does not restrict the use of fuel tanks upon and/or within vehicles.)

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Clark, seconded by Commissioner Cavitt, with Commissioners Clark, Cavitt, Vaughns, Squire and Parker voting in favor of the motion at its regular meeting held on Thursday, December 2, 2010, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of January 2011.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Acting Planning Board Administrator

PCB:JJ:RG:arj

APPROVED AS TO LEGAL SUFFICIENCY.
M-NCPPC Legal Department
Date 12/21/10