

**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 July 25, 2013 regarding Detailed Site Plan DSP-05070/03 for The Brick Yard (North Portion), the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) for the addition of a 290,000-square-foot manufacturing building, known as "Building K," to the existing industrial Park known as The Brickyard North, with associated site improvements.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
<b>Zone(s)</b>	I-3	I-3
<b>Use(s)</b>	Vacant	Manufacturing/Office
<b>Acreage</b>	52.75	52.75
Number of lots and parcel	8 Lots 1 Parcel	8 Lots and 1 Parcel
<b>Total Gross Floor Area (sq. ft.)</b>	361,464	<b>651,464</b>
<b>Building K Gross Floor Area</b>	-	<b>290,000</b>
Of which Office	-	110,000
Manufacture	-	100,000
Warehouse	-	80,000

**OTHER DEVELOPMENT DATA**

	<b>REQUIRED</b>	<b>APPROVED</b>
<b>Total parking spaces for Industrial Park</b>	923	1,239
<b>Building K parking spaces</b>	534	611*
Of which Handicapped spaces	12	15**
<b>Total loading spaces</b>	25	25
<b>Building K loading spaces</b>	6	6***

**Note:** \*Includes 100 (16.4 percent, which is less than the maximum 30 percent) compact spaces  
\*\*Includes five standard handicapped spaces and ten van-accessible handicapped spaces  
\*\*\*All loading spaces are 12 feet by 45 feet.

3. **Location:** The subject property is part of a larger property known as The Brickyard, which is composed of the two parts: a mixed-use Maryland Area Rail Commuter (MARC) planned community in the south, and an industrial park in the north. The Brickyard property is a long and narrow shape, located between Contee Road and Muirkirk Road, along the CSX railroad. The site covered in this DSP, known as the Brickyard North, is located in the northern part of The Brickyard, approximately 800 feet southwest of the intersection of Contee Road and Mid-Atlantic Boulevard, in Planning Area 62, Council District 1 and also in the Developing Tier of the County.
4. **Surrounding Uses:** The larger Brickyard property is bounded to the west by the rights-of-way (ROW) of CSX Transportation Railroad and Baltimore Avenue (US 1); to the south by the ROW of Muirkirk Road; to the east by a mix of residential communities and various undeveloped light industrially-zoned properties; and to the north by additional industrially-zoned property. The site covered by this revision is located in the southernmost part of The Brickyard North, surrounded to the north by five approved industrial buildings, to the west by the ROW of the CSX railroad, to the south by the Cedarhurst Drive cul-de-sac and one stormwater management pond, and to the east by the proposed Dinosaur Park owned by the Maryland-National Park and Planning Commission (M-NCPPC) in the I-3 Zone.
5. **Previous Approvals:** The larger site of 115.98 acres was the subject of Preliminary Plan of Subdivision 4-04120, approved by the Planning Board (PGCPB Resolution No. 05-155) on July 7, 2005. Subsequently, the Planning Board approved a Detailed Site Plan DSP-05070 (PGCPB Resolution No. 06-34) for the northern part which is an industrial park covering 52.94 acres of land, subject to 19 conditions. The applicant revised Detailed Site Plan DSP-05070 twice subsequent to the original approval. Detailed Site Plan DSP-05070-01 was approved administratively by the Planning Director on March 15, 2007, for a variety of site and architectural modifications. Detailed Site Plan DSP-05070-02 also was approved administratively by the Planning Director on December 27, 2007, for several minor changes. A small portion of the site covered in this application was the subject of another Preliminary Plan of Subdivision 4-07053, which is the preliminary plan for the MARC planned community of 68.4 acres, and which was approved by the Planning Board on March 15, 2008 (PGCPB Resolution No. 08-77). A Detailed Site Plan DSP-07034 was subsequently approved (PGCPB Resolution No. 08-78) by the Planning Board and affirmed by the District Council for a mixed-use MARC planned community for 51 single-family detached houses, 354 townhouses, 860 multifamily apartment units, and a 29,787-square-foot retail/commercial office and other uses, for a project referred to as The Brickyard-MARC community, subject to ten conditions. The 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment for Planning Areas 61, 61 and 62* retained this property in the I-3 Zone. The site also has an approved Stormwater Management Concept Plan 5249-2005-02, which will be valid through April 16, 2016.

6. **Design Features:** The subject site is roughly trapezoidal in shape with one pair of parallel sides aligned with the CSX railroad tracks. The site is accessed from the north through the cul-de-sac of Mid-Atlantic Boulevard, and from the south through the cul-de-sac of Cedarhurst Drive. An internal driveway located on the east side of the site provides a connection between the two culs-de-sac. A six-foot-wide pedestrian path has been provided on the eastern side of the driveway that is connected to the sidewalks on both Cedarhurst Drive and Mid-Atlantic Boulevard.

The proposed building is located in the middle of the site parallel to the CSX railroad tracks. The main pedestrian entrance to the building is located on the south end. A triangular pedestrian plaza is shown to the east of the entrance that is also connected through a pedestrian path to the above-mentioned six-foot-wide pedestrian path. The plaza provides a resting place for guests and future employees. Across the driveway to the southeast of the site, there is a stormwater management pond which is part of a park, known as the Dinosaur Park, owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC). The plaza offers views to the water feature and landscaped areas. Surface parking lots on the rest of the site surround the building.

The proposed two-story building is of typical industrial office design, consisting of office and warehouse/manufacturing spaces with a flat roof. The office space is located in the southern end of the building close to the Cedarhurst Drive cul-de-sac. The triangular plaza area is to the east of the office space. The building is finished with a combination of textured and painted concrete panels, insulated tinted glass and brick veneer. Large tinted glass windows in aluminum frames have been employed for the office space. Metal awnings and brick veneer columns have been used to define the main entrance to the office portion of the building. For the rest of the building where the warehouse/manufacturing spaces are located, limited windows around the other entrances are provided.

### **Signage**

The signage proposed with this DSP includes two building-mounted signs, one on the southern elevation for the main entrance and the other on the northern elevation for the secondary entrance. The two signs are 8 feet by 20 feet illuminated boxes with the acronym name of the enterprise, but no specific sign face area is provided. In accordance with Section 27-613(c)(4) of the Zoning Ordinance, the area of all signs on a building wall facing a street in the I-3 Zone shall not be more than one-square-foot for each one-lineal-foot of building width facing that street. In this case, the proposed building technically faces two culs-de-sac. The frontage on Cedarhurst Drive measures approximately 160 feet. The frontage on Mid-Atlantic Drive measures approximately 260 feet. However, since this elevation is oriented toward the industrial park, a secondary sign is deemed necessary in order to distinguish this building from other surrounding industrial buildings. A smaller, if not identical sign, should be allowed for the secondary entrance. A condition has been included in this resolution to require the applicant to provide the general sign face areas for both the building-mounted signs prior to certification of this DSP.

### **Lighting**

Two types of light fixtures have been proposed in this DSP including pole lights for streets and parking areas and building-mounted lights. There are no details of the proposed lighting fixture on the site plan. The plan note only identifies the lighting fixture as typical. The plan should be revised to include specifications for the proposed lighting fixtures. In addition, the Urban Design Section also recommends that full cut-off optic light fixtures shall be used throughout the development and shall be directed downward to reduce glare and light intrusion. A condition has been included in this resolution that requires full cut-off lights along with the product specification sheet be provided on the landscape detail sheet prior to certification.

### **Green Building Technologies**

A large industrial/office building like the subject development presents many opportunities for the application of green building technologies. This application does not include any information regarding the application of green building techniques. As the Prince George's County Health Department pointed out in their memorandum dated June 7, 2013 (Wise to Zhang), since the site is located within the recharge area for the Patapsco aquifer, to maintain as much green area as possible on this site can have a long-term impact on the sustainability of this important groundwater resource. Green site techniques to maximize the green area and pervious area on the site are highly recommended. Additional green technologies such as those that would improve the building's energy efficiency, day lighting (the practice of placing windows or other openings and reflective surfaces so that during the day natural light provides effective internal lighting), and other innovative environmental technologies in the building and site design should be applied in this development to the extent possible. A condition has been included in this resolution to require the applicant to look into the possible application of various green site and building techniques to the extent possible prior to certification.

7. **The requirements of the Zoning Ordinance:** The subject application has been reviewed for conformance with the requirements of the I-3 Zone and the site design guidelines of the Zoning Ordinance as follows:
  - a. The proposed industrial manufacturing and office uses in this application are permitted uses in the I-3 Zone, but subject to the requirements of the I-1 (Light Industrial) Zone and DSP approval in accordance with Part 3, Division 9 of the Zoning Ordinance (among other requirements as stated in Footnote 49 in Section 27-473(b)) as follows:

**Provided:**

- (A) **The use is located within a development with no less than fifty (50) acres included in the Preliminary Plan.**
  - (B) **The development adjoins properties in the I-1 and I-2 Zones and a railroad right-of-way at the time of Preliminary Plan approval.**
  - (C) **The development shall not be subject to the requirements of Section 27-471(f)(2) or (g).**
  - (D) **The development shall comply with the regulations applicable to the I-1 Zone set forth in Section 27-474, except that the setback from any residentially-zoned property shall be fifty (50) feet.**
  - (E) **The development shall be subject to the approval of a Detailed Site Plan, but not a Conceptual Site Plan. Noise, landscaping, buffering or uses from adjoining residential properties, and preservation and interpretation of any archeological or paleontological resources shall be addressed at the Detailed Site Plan stage.**
  - (F) **Outdoor storage is prohibited unless approved on a Detailed Site Plan and screened from surrounding properties.**
- (CB-92-2004)**

b. The DSP is in conformance with the applicable site design guidelines as stated in Section 27-274 and cross-referenced in Section 27-283 of the Zoning Ordinance regarding the location of parking, loading and circulation, lighting, green area, and grading. Approximately 20 percent of the green areas have been provided on the 'Building K' site, which is 14.7 acres. The DSP also complies with the above requirements as stated in Footnote 49.

8. **Preliminary Plans of Subdivision 4-04120 and 4-07053:** The subject site including the larger Brickyard site was covered by a previously approved Preliminary Plan of Subdivision 4-04120. Subsequently, approximately 68.4 acres of the property, known as the Maryland Area Rail Commuter Service (MARC) planned community included in Preliminary Plan of Subdivision 4-07053, was resubdivided for the development of a mixed-use planned community around a MARC station located in the northeast quadrant of the intersection of Muirkirk Road and Baltimore Avenue (US 1).

**Preliminary Plan of Subdivision 4-04120:** The Planning Board approved 4-04120 with 38 conditions. The following conditions are applicable to the review of this DSP:

2. **A Type II tree conservation plan shall be approved with the appropriate detailed site plan(s).**

This condition was fulfilled at the time of DSP-05070 approval.

3. **Development of this site shall be in conformance with stormwater management concept plan #5249-2005-00 and any subsequent revisions.**

This condition was fulfilled at the time of DSP-05070 approval.

- 10. A detailed site plan shall be approved by the Planning Board for development of the I-2-zoned portion of the property, in accordance with Section 27-270 of the Zoning Ordinance, prior to the final plat.**

This condition was fulfilled at the time of DSP-07034 approval.

- 11. The applicant shall provide a fee to Prince George's County, which shall serve as a fair-share contribution toward the construction of the proposed Blue Ponds Fire and EMS Station and acquisition of an ambulance. The fair share fee is \$22 per employee, which shall be paid prior to the approval of each building permit. The employee yield for each building shall be determined at the time of detailed site plan.**

This condition will be carried forward as a condition of the subject DSP. "Building K" included in this DSP will have 374 employees. A total of \$8,228 should be paid to the County at the time of building permit as a fair share contribution toward the construction of the Blue Ponds Fire and EMS Station and acquisition of an ambulance.

- 12. A Phase I environmental site assessment shall be submitted with the detailed site plan, for referral to the Health Department. The assessment must address the potential for methane generation especially in areas of fill. Based on the Phase I assessment, a determination will be made if a Phase II environmental assessment will be required. If methane proves to be a concern, it shall be addressed either as a separate entity or in combination with a Phase II assessment. The assessment must be completed and an acceptable remediation plan must be in place prior to final plat approval. A note shall be placed on the record plat that would prohibit construction in areas that are or could be impacted by the contamination until it has been determined that the contamination has been remediated. If groundwater contamination is detected in the initial evaluation, a complete hydrogeology study must be conducted to determine groundwater flow and depth to groundwater on the property. The assessment must include a detailed map of the property that indicates the location of the monitoring wells, piezometers, soil borings, ponds, and wetlands, and topography at two-foot contour intervals.**

This condition was fulfilled at the time of DSP-05070 approval.

- 13. Detailed site plan(s) for site development shall provide a pedestrian connection to the MARC station property in either a public use easement or on a business association common open space element, encumbered by a public use easement in the vicinity of Lots 5 and 6, or other location determined appropriate. A second connection should be provided serving pedestrian movements from Mid Atlantic Boulevard to Cedarhurst Drive, using a public or private sidewalk system. Adequate signage shall**

**be required for both connections. The width, design, and timing for the construction of the pedestrian connection shall be determined at the time of review of the site development DSP (not infrastructure). The DSP shall require the recordation of a public use easement.**

A six-foot-wide public use easement (PUE) for the pedestrian connection between Mid-Atlantic Boulevard and Cedarhurst Drive was approved with Detailed Site Plan DSP-05070 on the property dedicated to the Department of Parks and Recreation (DPR) and subsequently was recorded on Parcel A, in Plat Book PM 220-39. In this DSP, the applicant shows a different alignment outside of the M-NCPPC parkland. As noted in the review comments by the Subdivision Section, the applicant should establish a new public use easement to be recorded with the final plat for the property. A condition has been included in this resolution.

- 15. At the time of review of the detailed site plan, the applicant shall submit evidence from the Department of Public Works and Transportation of the denial of access areas for lots fronting on Cedarhurst Drive and the internal public cul-de-sac where proposed. Access easements pursuant to Section 24-128(b)(9) shall be utilized for all lots that are denied direct access to the public street system. The applicant shall work with DPW&T to consolidate points of access along Cedarhurst Drive. The final plat(s) shall carry a note that the use of access easements authorized pursuant to Section 24-128(b)(9) is controlled by the approved DSP for certain lots.**

The subject site included in this DSP fronts on the Cedarhurst Drive cul-de-sac. Since the connection to Cedarhurst Drive was approved with DSP-07034, this DSP reflected the previously approved layout.

- 17. The existing cell tower to remain is subject to Section 27-475.06.02(a)(3)(C) of the Zoning Ordinance. Compliance shall be demonstrated at the time of review of the detailed site plan that includes that portion of the property.**

The subject property covered in this DSP does not include the portion of the property where the existing cell tower is located.

- 19. In conformance with the adopted and approved Subregion I master plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide:**
  - a. A wide sidewalk (six to eight feet wide) along the subject site's entire frontage of Muirkirk Road, unless modified by DPW&T.**
  - b. Standard sidewalks along both sides of the subject site's portion of Mid Atlantic Boulevard, unless modified by DPW&T.**
  - c. A wide sidewalk (six to eight feet wide) along the subject site's entire frontage of Cedarhurst Drive, unless modified by DPW&T.**

- d. A six-foot-wide sidewalk along at least one side of Street A, unless modified by DPW&T.**
- e. A public walkway from the end of Street A to the adjacent MARC property. This trail should be eight feet wide and asphalt and should be within a public use easement or within land otherwise dedicated for a public pedestrian/trail corridor.**

These conditions have been fulfilled with the approval of DSP-07034 for the MARC Planned Community.

- 27. Total development within the subject property shall be limited to uses which generate no more than 1,511 AM and 1,511 PM peak-hour vehicle trips. Phase I shall be identified as any development that generates up to 644 AM and 644 PM peak-hour trips. Phase IA shall be identified as any development that generates up to 1,321 AM and 1,321 PM peak-hour trips. Phase II shall be identified as any development which generates up to the maximum of 1,511 AM and 1,511 PM peak-hour trips.**

In accordance with the review by the Transportation Planning Section (Jenkins to Zhang, July 5, 2013), the addition of 'Building K' is within the trip cap limit established by this condition.

- 28. Approval of any detailed site plan proposing new development shall include a determination by transportation staff of the trip generation of the uses proposed. If the applicant desires a reduction from published trip rates due to the implementation of transportation demand management strategies and/or proximity to MARC facilities or other transit facilities, the applicant must document such reduction at the time of detailed site plan submittal.**

This condition was fulfilled by the approval of DSP-07034 for the MARC planned community.

- 29. At the time of the DSP and final plat(s) for the lots north of the cul-de-sac of Cedarhurst Drive the applicant shall:**
- a. Provide vehicular access to the dedicated parkland via an extended Mid-Atlantic Boulevard (70-foot-wide dedicated public right-of-way), or**
  - b. If Mid-Atlantic Boulevard is not extended to the dedicated park parcel, the applicant shall convey to M-NCPPC a 50-foot-wide fee-simple right-of-way for public access to the dedicated parkland from existing and/or extended Mid-Atlantic Boulevard at a location acceptable to DPR.**



**If Mid-Atlantic Boulevard is dedicated to public use and extended to the park property via a record plat and the applicant subsequently proposes the vacation of that right-of-way, the approval of M-MNCPPC as an abutting property owner will be required. With the vacation petition (24-112), the applicant shall provide an exhibit to DPR for review and approval of the alternative route to the dedicated parkland, as described in B above. The alternative access, 50-foot-wide fee-simple right-of-way, shall be reflected on the new DSP reflecting the modification to Mid-Atlantic Boulevard and conveyed to M-NCPPC at the time of the new final plat reflecting the vacation of Mid-Atlantic Boulevard.**

Mid-Atlantic Boulevard has been extended to the dedicated park parcel (Parcel A) and the right-of-way has been dedicated to public use by record plat PM 220-39.

- 37. At the time of the detailed site plan or infrastructure detailed site plan, whichever is first for those lots that include the required buffer yard along the Montpelier Woods subdivision, a determination shall be made by staff, whether or not the required 50-foot landscaping bufferyard be conveyed to M-NCPPC. If conveyed to M-NCPPC, DPR agrees to allow this 50-foot buffer to satisfy the applicant's *Landscape Manual* requirement adjacent to the Montpelier Woods subdivision.**

This condition was fulfilled at the time of DSP-05070 approval. The revision to DSP-05070 is for addition of 'Building K' and will not change any previously approved Landscape Manual requirements.

**Preliminary Plan of Subdivision 4-07053:** The Planning Board approved 4-07053 with 25 conditions (PGCPB Resolution No. 06-03). Since no land covered in 4-05073 are included in this DSP, none of the conditions is applicable to the review of this DSP.

9. **Detailed Site Plan DSP-05070 and its revisions:** The Planning Board approved DSP-05070 for the Brickyard North, which is the industrial park with 19 conditions. The subject site of DSP-05070 covers 52.94 acres of the Brickyard. Five buildings have been either constructed or approved in the original approval and its two subsequent revisions. The addition of Building K included in this DSP is the third revision to DSP-05070. Of the three approvals for the industrial park, the two revisions DSP-05070-01 and DSP-05070-02 were approved administratively without any conditions. Of the 19 conditions attached to the original DSP-05070 approval, the applicable conditions warrant discussion as follows:

5. **In conformance with the Adopted and Approved Subregion I Master Plan and approved Preliminary Plan 4-04120, the applicant and the applicant's heirs, successors, and/or assignees shall provide:**
- a. **Standard sidewalks along both sides of the subject site's portion of Mid-Atlantic Boulevard, unless modified by DPW&T.**

- b. **A six-foot wide sidewalk along the subject site's entire frontage of Cedarhurst Drive, unless modified by DPW&T.**
- c. **A standard sidewalk along the private drive from Cedarhurst Drive to Mid-Atlantic Boulevard, as shown on the submitted detailed site plan.**

Those conditions have been fulfilled by the prior approvals of Detailed Site Plans DSP-05070 and DSP-07034.

15. **The 50-foot landscaping buffer yard along the south and southeast property lines shall be conveyed to M-NCPPC. DPR agrees to allow the use of this 50-foot buffer to satisfy the applicant's Landscape Manual (Section 4.7) buffering requirement and woodland conservation requirements.**

This condition was fulfilled at the time of the original DSP-05070 approval.

19. **Any significant revision to the site plan or the architectural elevations shall be referred to the Transportation Planning Section for review in order to evaluate whether the number of peak hour trips assigned to the building should be altered.**

This DSP has been referred to the Transportation Planning Section for review. In a memorandum dated July 5, 2013 (Jenkins to Zhang), the Transportation Planning Section concluded that the site plan is within the previously approved trip caps and is acceptable.

10. **Prince George's County Landscape Manual:** Previously approved Detailed Site Plan DSP-05070 fulfilled all 2010 *Prince George's County Landscape Manual* (Landscape Manual) requirements and those approved landscape areas will not be changed. The proposed 'Building K' includes a 14.7-acre area of development that will trigger additional Section 4.2, Commercial and Industrial Landscaped Strip, and Section 4.3, Parking Lot Requirements of the Landscape Manual. In addition, since the original approval of DSP-05070, the Landscape Manual has been updated and additional sustainable landscaping requirements as stated in Section 4.9, Sustainable Landscaping Requirements, have been included that are applicable to this revision.

- a. **Section 4.2 Commercial and Industrial Landscaped Strip**—The development of "Building K" creates two frontages on the public streets that trigger the application of a Section 4.2 commercial and industrial landscaped strip along the culs-de-sac of Cedarhurst Drive and Mid-Atlantic Boulevard. The Landscape Plan shows sufficient planting. However, there are no landscape schedules included on the Landscape Plan. A condition has been included in this resolution to require the applicant to provide the required landscape schedule.
- b. **Section 4.3 Parking Lot requirements**—A large area surrounding proposed 'Building K' is surface parking spaces. Section 4.3(c)(1) requires a parking lot perimeter landscape

strip and Section 4.3(c)(2) requires that a certain percentage of a surface parking lot be interior planting area to be planted with shade trees. The landscape plan shows planting, but does not show the required landscape schedules that provide enough information to demonstrate compliance with the requirements. A condition has been included in this resolution to require the applicant to revise the Landscape Plan to show full conformance with Section 4.3 requirements prior to certification.

In addition, Section 4.3 also requires a minimum of one interior planting island be provided on average every ten contiguous parking spaces. The landscape plan should also be revised to satisfy this requirement.

- c. **Section 4.9 Sustainable Landscaping Requirements**—In accordance with Section 4.9, a certain percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees and shrubs) should be native species (or the cultivars of native species). The minimum percentage of plants of each plant type required to be native species and/or native species cultivars is specified below:

Shade trees	50%
Ornamental trees	50%
Evergreen trees	30%
Shrubs	30%

The landscape plan does not provide the required information. A condition has been included in this resolution to require the applicant to revise the landscape plan to be consistent with the requirements of Section 4.9 prior to certification.

11. **Woodland and Wildlife Habitat Conservation Ordinance and Tree Canopy Coverage**

**Ordinance:** This property is subject to the provisions of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) 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 II tree conservation plan covering the subject site.

- a. The subject property has an approved Natural Resources Inventory (NRI). No changes are needed to the previously approved NRI.
- b. The subject site is covered by the previously approved Type II Tree Conservation Plan TCPII-118-05-07 for the larger site. No clearing is required for the proposed building and associated parking. Since the TCPII covers a larger site, each approval for the smaller site needs to have an updated worksheet to reflect the specific phase where each DSP is located. A condition recommended by the Environmental Planning Section has been included in this report.
- c. The Tree Canopy Coverage Ordinance (TCC) came into effect on September 1, 2010. All activities that require a grading permit after September 1, 2010 must provide the Tree

Canopy Coverage (TCC) percentages required by Section 25-128 of the Tree Canopy Coverage Ordinance. The required tree canopy for this site in the I-3 Zone is ten percent of the site area or a total of 5.275 acres. The existing woodland on the site provides approximately 6.8 acres and the proposed landscaping accounts for 1.81 acres of TCC, for a total of 8.6 acres, which exceeds the requirement for the site.

12. **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. **Community Planning**—The Planning Board found that the application is in:

- Conformance with the 2002 *Prince George's County Approved General Plan*: This application is consistent with the 2002 Prince George's County Approved General Plan Development Pattern policies for the Developing Tier.
- Conformance with the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment*: This DSP conforms to the industrial land use recommendation of the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment*.

The Planning Board encourages the applicant to support the subject property's pedestrian and bicycle accessibility to the Muirkirk MARC Station and pursue low-impact development (LID) stormwater management techniques and environmentally sensitive building techniques. The Planning Board also notices inconsistencies in the gross floor area (GFA) of the proposed building on both the statement of justification and the detailed site plan.

This DSP proposes two phases of development for a total of 290,000 square feet including 260,000 square feet in the first phase and 30,000 square feet in the second phase. The applicant should revise the plan and justification statement to show the correct GFA.

b. **Transportation Planning**—The Planning Board found that the addition of 290,000 square feet to the existing Brickyard Business Park does not exceed the trip caps previously approved with Preliminary Plans of Subdivision 4-04120 and 4-07053. The DSP is acceptable.

**Trails**—The Planning Board reviewed the application's conformance with the 2009 *Approved Countywide Master Plan of Transportation*, the 2010 *Approved Subregion 1 Master Plan and Sectional map Amendment* and previously approved Preliminary Plans of Subdivision for this site. The Planning Board concluded that there are neither specific functional master plan recommendations nor county or state funded capital improvement projects that would affect the subject application.

- c. **Subdivision Review**—The Planning Board reviewed all applicable conditions that were included in two previously approved Preliminary Plans of Subdivision that govern this site, 4-04120 and 4-07053. The Planning Board concluded that Detailed Site Plan DSP-05070-03 is in substantial conformance with the approved Preliminary Plans of Subdivision 4-04120 and 4-07053 and record plats. The Planning Board also noted that the alignment for a pedestrian connection from Mid-Atlantic Boulevard to Cedarhurst Drive is not consistent with the previously recorded easement. A new public use easement (PUE) should be recorded in order to reflect the new alignment. The Planning Board approved the application with two conditions specifically dealing with the easement issue.
- d. **Environmental Planning**—The Planning Board approved Detailed Site Plan DSP-05070-03 and the companion Type 2 Tree Conservation Plan TCPII-118-05-07 with one condition. The condition has been incorporated in this resolution.
- e. **The Historic Preservation**—The Planning Board found that the subject application will have no effect on identified Historic Sites, Resources, or Districts.
- f. **Prince George’s County Health Department**—In a memorandum dated June 7, 2013, the Health Department provided comments on light pollution, railroad-related noise and possible impact on groundwater resources.

Conditions that require full cut-off lighting fixtures interior noise have been included in this report, as well as recommendations to use green building and innovative sustainable site techniques to minimize possible impact on the recharging of groundwater resources.

- g. **Department of Parks and Recreation (DPR)**—In a memorandum dated June 21, 2013, DPR stated that the proposed revisions to the previously approved DSP-05070 have no impacts on the adjacent Dinosaur Park.
- h. **Prince George’s County Department of Public Works and Transportation (DPW&T)**—In a memorandum dated June 10, 2013, DPW&T provided a standard memorandum commenting on issues such as frontage improvement, sidewalks, street trees and lighting, improvement within rights-of-way, sight distance, site access easement, soil investigation, existing utilities relocation, storm drainage systems and facilities in order to be in accordance with the requirements of DPW&T. DPW&T further stated that the DSP is consistent with the approved stormwater management concept plan for the site.
- i. **Prince George’s Police Department**—In a memorandum dated May 30, 2013, the Police Department has no issues with this application.
- j. **Prince George’s County Fire/EMS Department**—In a memorandum dated June 10, 2013, the Fire/EMS Department provided a standard memorandum and listed applicable regulations regarding access for fire apparatus, fire lanes and location and performance of

fire hydrants. Nothing specific to this DSP was mentioned. The subject site plan is in general conformance with the regulations.

- k. **The City of Laurel**—In a memorandum dated May 28, 2013, the City of Laurel had no objection to approval of this application.
13. Based upon the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the subject detailed site plan satisfies the site design guidelines as contained in Section 27-274 (cross-referenced in Section 27-283) and represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. In addition, as required by Section 27-285(b)(4) of the Zoning Ordinance, the Planning Board must also find that the regulated environmental features on a site have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(5). Since there are no regulated features impacted by this addition, this finding is not necessary.

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-118-05-07) and further APPROVED Detailed Site Plan DSP-05070/03 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall:
  - a. Provide the sign face area for the two building-mounted signs.
  - b. Provide full cut-off lighting fixtures along with the product specification sheet on the landscape detail sheet.
  - c. Provide information about how the proposed buildings have applied green building techniques to the extent possible, and have incorporated innovative environmental technologies in the building and site design for the subject property whenever possible. If none have been provided, a statement regarding why these techniques were not used shall be submitted.
  - d. Revise the Landscape Plan as follows:
    - (1) Provide Section 4.2 Landscape Schedules for the site's frontage on Cedarhurst Drive and Mid-Atlantic Boulevard.
    - (2) Provide Section 4.3 Landscape Schedules for full conformance with the requirements of Section 4.3(c)(1) and Section 4.3(c)(2).

- (3) Provide a Section 4.9 Landscape Schedule to show conformance with the native species planting requirements.
    - (4) Provide one interior planting island for every ten contiguous surface parking spaces.
  - e. Provide employee yield information in the site plan notes.
  - f. Revise the detailed site plan (DSP) to clearly show the bearings and distances of all parcels and lots.
  - g. Revise the type II tree conservation plan (TCPII) to correct the acreages in the worksheet for each phase as needed to be consistent with the most recent approvals in each respective phase.
2. Prior to issuance of the building permit, the applicant and the applicant's heirs, successors, and/or assigns shall obtain approval of a final plat for Parcel 428 and 429 to reflect the relocated public pedestrian use easement, and the liber and folio of that easement shall be reflected on the final plat prior to recordation. Prior to approval of the final plat the easement shall be approved by M-NCPPC and shall set forth the rights, responsibilities and liabilities associated with the easement. An executed copy of the easement shall be submitted prior to final plat approval.
3. At the time of issuance of the building permit, the applicant shall pay a fee in the amount of \$8,228 to Prince George's County.

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 Bailey, seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, July 25, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25<sup>th</sup> day of July 2013.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator

PCB:JJ:HZ:arj