

R E S O L U T I O N

WHEREAS, Woodward Industrial Park Joint Venture is the owner of a 15.99-acre parcel of land known as Walker Mill Business Park, Lot 14, Block B, NLP 156@36 said property being in the 18th Election District of Prince George's County, Maryland, and being zoned I-I; and

WHEREAS, on July 2, 2001, Woodward Independent Park Joint Venture filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 4 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-01056 for Walker Mill Business was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on September 27, 2001, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on September 27, 2001, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/20/01), and further APPROVED Preliminary Plat of Subdivision 4-01056, Walker Mill Business Park for Lots 15-18, Block B with the following conditions:

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.
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.
3. Detailed site plan 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.
 - (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.
 - B. Provide 12 feet of commercial/industrial landscaped strip along property lines which 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.
 - 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.
- 4. Prior to the approval of the final plat of subdivision, the applicant, his assessors and/or assigns shall submit soil borings to the Environmental Planning Section and the county Health Department. If it is determined that Class III fill exists, on-site remedial activity will be required prior to the approval of the final plat of subdivision.
- 5. 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.
- 6. Prior to signature approval of the preliminary plan, a copy of the approved Stormwater Management Concept Approval Letter shall be submitted.

7. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan, #13784-2001-00.
8. Prior to signature approval the preliminary plat shall be revised:
 - a. To provide the stormwater management concept approval date.
 - b. To note denied access to Walker Mill Road from Lot 17.
9. The final plat of subdivision shall limit access along Walker Mill Road to Lot 18, to the access location demonstrated on the detailed site plan for that lot. Denial of access shall be solely controlled by the detailed site plan and should be located as close to the northwest property line as feasible.
10. The final plat of subdivision shall deny access along Walker Mill Road to Lot 17.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located on the west side of Hazelwood Drive within the northwest quadrant of Walker Mill Road and Hazelwood Drive.
4. EnvironmentalCThe Environmental Planning Section has reviewed the above-referenced Preliminary Plan of Subdivision for Walker Mill Business Park, 4-01056. The plan as submitted addresses all applicable environmental requirements subject to the recommended conditions.

The subject property was originally reviewed by the Environmental Planning Section in 1997 as a Zoning Map Amendment (A-9770). The Preliminary Plan as submitted proposes the subdivision of one existing lot, totaling 15.99 acres in the I-1 Zone, into four individual lots.

The subject property is located on the west side of Hazelwood Drive within the northwest quadrant of Walker Mill Road and Hazelwood Drive. This site is an abandoned sand and gravel mine. The site is relatively flat, partially wooded to the extreme southwest, characterized with terrain sloping toward the north and west, and drains into unnamed tributaries of the Beaverdam Creek watershed. The predominant soil types on the site are Beltsville, Sassafras, sandy loam, and a gravel and borrow pits, an unknown infill type. These soil series generally exhibit slight to moderate limitations to development due to steep slopes, seasonally high water table, high erosion potential and impeded drainage.

According to the Sewer Service and Water Service maps produced by DER, the property is in categories S-3 and W-3. There are no floodplains, streams, Waters of the U.S., wetlands, or noise issues associated with the site. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property.

This property is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 feet of woodland. A Forest Stand Delineation was reviewed in conjunction with the site, and was found to be adequate and meet the minimum requirements for acceptance. The Type I Tree Conservation Plan, TCPI/19/01, was reviewed and found unacceptable. The woodland conservation threshold for the site is 2.40 acres of the net tract. Additionally, 1.69 acres are required due to the removal of woodlands, for a total minimum woodland requirement of 4.09 acres. The plan shows the requirement being met with 0.73 acre of on-site preservation, 0.53 acre of reforestation, and 2.83 acres of off-site mitigation. A revised Tree Conservation Plan will be required to satisfy off-site credits in compliance with the requirements of the Woodland Conservation Ordinance. A Type II Tree Conservation Plan will be required to satisfy off-site woodland credits in compliance with the requirements of the Woodland Conservation Ordinance.

There are no other apparent environmental impacts associated with the proposal.

5. Community Planning CThe subject property is located within the limits of the 1986 *Suitland-District Heights Sectional Amendment*, Planning Area 75B in the Capitol Heights Community. The proposed development is in conformance with the recommended land use of the approved master plan for employment, light industrial. Development of this property will be subject to review by the Planning Board pursuant to CR-147-1985, which approved the Suitland-District Heights Master Plan.

The 1985 *Approved Master Plan for Suitland-District Heights and Vicinity* shows this tract of land as part of an extensive employment area extending from Rollins Avenue to Walker Mill Road, in the Town of Capitol Heights. In approving the master plan (CR-147-1985), the District Council included a number of recommendations that specifically relate to the Walker Mill Business Park property:

- a. All projects within this property shall be subject to site plan review by the Prince George=s County Planning Board. The site plan shall contain a landscaping plan.
- b. 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.
 - (2) The internal organization of the site shall address the following:
 - (a) Minimizing the views of parking, loading, storage and service areas.
 - (b) Providing architectural elevations consistent in materials and treatment on all sides, and with all mechanical equipment enclosed or screened. Screening and enclosures shall be treated as integral elements of building design.
 - (c) Signs shall not be placed above the roof or parapet line. No moving or flashing signs, or signs projecting significantly from a building, shall be permitted. Low ground-mounted and landscaped signs in keeping with the scale of the buildings and the site shall be encouraged in lieu of building-mounted signs.

The plan identifies Walker Mill Road as a proposed arterial highway northeast of its intersection with Silver Hill Road. In approving the master plan, the District Council determined that trucks with weight limits that would require three or more axles should be restricted from using Walker Mill Road for through trips from Ritchie Road to Addison Road. The plan states that Central Avenue and Pennsylvania Avenue provide an adequate alternative for through trips. This would apply to all traffic generated by the proposed industrial park using Walker Mill Road for ingress and egress. However, direct vehicular access from Lot 18 onto Walker Mill Road would not interfere with the intent of the master plan and would not be considered through traffic.

Through the review of several detailed site plans for development within the Walker Mill Business Park, the Planning Board determined a need for a comprehensive design approach at the business park given the concerns stated by the community. Additional standards were set forth by the Planning Board. These standards will require uniform treatment of all lot frontages and the provision of an upscale business park appearance for

the entire business park. The additional requirements within the Walker Mill Business Park are as follows:

- 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.
 - b. Provide 12 feet of commercial/industrial landscaped strip along property lines which 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.
 - 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.
6. Parks and Recreation In accordance with Section 24-134(a) of the Subdivision Regulations, the proposed subdivision is exempt from the Mandatory Dedication requirements because the property is nonresidentially zoned.
 7. Trails There are no master plan trail issues associated with this application.
 8. Transportation The Transportation Planning Section has reviewed the subdivision application for the subdivision of existing Lot 14 Block B of Walker Mill Business Park, which is approximately 15.99 acres of land in the I-1 Zone. The property is located at the northwest corner of Walker Mill Road and Hazelwood Drive. The subdivision has been filed in order to split Lot 14 into four lots. The property was originally subdivided in 1989. No additional development beyond what was proposed in 1997 is proposed by the subject application.

Because no additional development is proposed, no new traffic study was requested of the applicant nor was one received. The findings and recommendations outlined below are based upon a review of relevant materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

Summary of Traffic Impacts

The application is a proposal to resubdivide an existing recorded lot of Walker Mill Business Park, which is zoned I-1, for the purpose of creating four separate lots. No additional development beyond what was proposed in 1989, under Preliminary Plan of Subdivision 4-89052, is proposed by the subject application.

Transportation staff notes that the development is subject to a cap of 580,873 square feet of light industrial uses, or other development which generates no more than 500 trips in either the AM or the PM peak hours. It is important to note that the overall cap was applied to preliminary plan of subdivision 4-89052, which included the subject property (which was Parcels C and D on that preliminary plan) plus recorded lots 9 through 13 of Block B (total 15.60 acres) and Lot 1 of Block C (which was Parcel B on the preliminary plan, with 12.17 acres); Parcel A was conveyed to the county. Therefore the trip cap, which when converted to light industrial square footage translates to an estimated floor area ratio (FAR) of 0.30, represents the FAR which would be anticipated for this type of development. Because the subject site includes 15.99 acres of the 43.76 acres which has been platted, proportionally staff assigns the subject property (15.99/43.76) or 36.54 percent of the previously approved development cap. This would be 212,252 square feet of light industrial uses, or other development which generates no more than 183 AM or PM peak hour vehicle trips.

Because the existing parcel has been previously subdivided, the proposed subdivision would generate no net trips as a result of the resubdivision. There would be no resulting impact on traffic operations at the MD 4/MD 458, MD 458/Marlboro Pike, or the Walker Mill Road/Rochelle Avenue intersections, which were deemed to be the development=s critical intersections in 1989 (and still are considered as such by staff today), as a result of the resubdivision.

The resolution approving Preliminary Plat of Subdivision 4-89052, PGCPB Resolution No. 89-345, contained several transportation-related conditions. It appears that most transportation improvements required have been constructed and are operational. However, staff must carry that condition forward, if only by reference, to ensure that all requirements set by the Planning Board are fully met. It appears that there is an operating vehicle storage yard on Lot 11, Block B; however, transportation staff could not locate an associated Detailed Site Plan for that lot, leading staff to speculate that the use may have existed prior to the 1989 subdivision and the related conditions have therefore never been fully checked under a permit submission.

The plan shows proposed Lot 18 being served by direct access to Walker Mill Road, which is a Master Plan arterial facility. The applicant has made a variation request for direct lot access to an arterial roadway, and due to the easement and the two stormwater facilities, it appears that access options to this proposed lot are indeed very limited. Provided that access occurs as near to the northern lot line as possible, the transportation staff supports the variation.

Adjacent Master Plan facilities have rights-of-way which were previously dedicated through prior plats. Therefore, no additional dedication is required by this plan.

The Transportation Planning Section concludes that adequate access roads will exist as required by Section 24-124 of the Subdivision Regulations if the application is approved with conditions as contained in the Recommendations section of this report.

9. Schools The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998) and concludes that the subdivision is exempt from APF test for schools because it is a commercial use only.
10. Fire and Rescue. The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following.
 - a. The existing fire engine service at District Heights Fire Station, Company 26, located at 6208 Marlboro Pike, has a service response time of 1.52 minutes, which is within the 3.25-minute response time guideline.
 - b. The existing ambulance service at District Heights Fire Station, Company 26, located at 6208 Marlboro Pike, has a service response time of 1.52 minutes, which is within the 4.25-minute response time guideline.
 - c. The existing paramedic service at Silver Hill Fire Station, Company 29, located at 3900 Silver Hill Road, has a service response time of 5.26 minutes, which is within the 7.25-minute response time guideline.
 - d. The existing ladder truck service at Hillside Fire Station, Company 6, located at 1234 Larchmont Avenue, has a service response time of 3.56 minutes, which is within the 4.25-minute response time guideline.

The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance, ladder truck and paramedic service.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

11. Police Facilities. The proposed development is within the service area for District III-Landover police station. In accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county's police facilities will be adequate to serve the proposed

Walker Mill Business Park development. This police facility will adequately serve the population generated by the proposed subdivision.

12. Health Department. The Health Department has concerns that the apparent fill on the subject property is Class III. However, the type of fill cannot be determined until soil borings are completed. If it is determined that Class III fill does exist on site, remedial activity would be required prior to approval of the final plat.
13. Stormwater Management. The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is not required. A Stormwater Management Concept Plan, #13784-2001-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
14. Variation Section 24-121(a)(3) of the Subdivision Regulations establishes design guidelines for lots that front on arterial roadways. This section requires that these lots be developed to provide direct vehicular access to either a service road or an interior driveway when feasible. This design guideline encourages an applicant to develop alternatives to direct access onto an arterial roadway. The subject property has frontage on Walker Mill Road, Hazelwood Drive and Rochelle Avenue. Lots 17 and 18 both have frontage on Walker Mill Road, an arterial roadway. Lot 18 also has frontage on Hazelwood Drive. Lot 18 is recommended to be denied access onto Walker Mill Road. Lot 17 has its only frontage along Walker Mill Drive and the applicant has requested the approval of direct vehicular access to the same.

Section 24-113 of the Subdivision Regulations sets forth the required findings for approval of variation requests. Staff supports the variation to allow access to a proposed arterial in this specific case and makes the following findings:

- a. **That the granting of the variation will not be detrimental to the public safety, health or welfare, or injurious to other property.** One of the purposes of limiting access to an arterial is to enhance public safety, health and welfare. The existing industrial development in the Walker Mill Business Park will not be dramatically altered by the proposal; nor will it create a detriment to the public safety health or welfare, or be injurious to other property.
- b. **The conditions of which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties.** Lot 18 is unique in that it is adjacent to a State Highway Administration stormwater management pond to the east, has an existing dry pond on the north property line and is adjacent to wetlands to the west. The existing dry pond has been approved by the Department of Environmental Resources to be used to support development. In order to alter the access to Lot 18 the redesign of the dry pond would be necessary and encroachment into the wetlands probable. This

situation is not shared by Lots 15, 16, or 18, nor is it shared by any property abutting or adjacent to Lot 17.

- c. **The variation does not constitute a violation of any other applicable law, ordinance, or regulation.** This will not result in a violation of other applicable laws, ordinances or regulations.
- d. **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.** Proposed Lot 18 is somewhat isolated and cut off from the remainder of the property. Because there exists a natural division from the other lots proposed in the subdivision. Proposed Lot 18 is 137 feet wide along the north property line and 325.52 feet wide along its frontage with Walker Mill Road. The State Highway Administration owns property, which contains a stormwater management pond, along the entire east property line of Lot 18. The dry pond for the site is located on the north property line, restricting the ability to provide alternative access for Lot 18 to Hazelwood Drive. If access is denied for Lot 18 to Walker Mill Road, that portion of the property will further be isolated. Further the developer would be forced to redesign or relocate the stormwater management facility that has gained conceptual approval from the Department of Environmental Resources. Staff believe that this could constitute a particular hardship upon the owner.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with Circuit Court for Prince Georges County, Maryland within thirty (30) days following the adoption of this Resolution.

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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 Brown, seconded by Commissioner Lowe, with Commissioners Brown, Lowe, Scott, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 27, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of October 2001.

Trudye Morgan Johnson
Executive Director

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By Frances J. Guertin
Planning Board Administrator

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