

R E S O L U T I O N

WHEREAS, Delano Road, LLC, is the owner of a 1.03-acre parcel of land known as Lot 29, WWW 65@60, being located on Tax Map 108 and Grid A-4, said property being in the 9th Election District of Prince George's County, Maryland, and being zoned I-1; and

WHEREAS, on May 7, 2004, Stehle Engineering Corporation filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for one lot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04069 for Bellefonte 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 July 15, 2004, 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 July 15, 2004, 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/46/04), and further APPROVED Preliminary Plan of Subdivision 4-04069, for Lot 29 with the following conditions:

1. Total development within the subject property shall be limited to 14,000 square feet of warehouse and related office facilities, or equivalent development which generates no more than 10 AM and 10 PM peak-hour vehicle trips. Any development generating a greater impact than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
2. An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

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 site is located on the south side of Delano Road, approximately 1,100 feet northeast of its intersection with Old Alexandria Ferry Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	I-1	I-1
Uses	Vacant	Warehouse/Contractor's Office
Acreage	1.03	1.03
Lots	1	1
Parcels	0	0

4. **Environmental**—A review of the information available indicates that there are no streams, wetlands, or floodplain on the subject property. The site eventually drains into Tinkers Creek in the Potomac River watershed. According to the *Prince George's County Soil Survey* the soils are in the Beltsville series. There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources—Natural Heritage Program. There are no nearby sources of traffic-generated noise. The subject property is located between the 70 and 75 dBA noise contours established by the Andrews Air Force Base AICUZ study. No historic or scenic roads are affected by this proposal. The site is in the Developing Tier according to the adopted General Plan.

#### **Tree Conservation**

A simplified Forest Stand Delineation encompassing the 5.21 acres of Lot 29 and part of Lot 42 indicates that there are 4.79 acres of woodland. The FSD shows an area now utilized as a contractor's storage yard on Lot 42 that was cleared after the enactment of the Woodland Conservation Ordinance without a Letter of Exemption or a Tree Conservation Plan. There are no priority preservation areas, as defined in the Prince George's County Woodland Conservation and Tree Preservation Ordinance on the site.

This site 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 square feet of woodland. A Type II Tree Conservation Plan, TCPII/16/04, was submitted with DSP-03080. The plan accounts for the clearing proposed to develop Lot 29 and the clearing previously completed on Lot 42. The woodland conservation requirement has been correctly calculated as 1.34 acres. The plan proposes to meet the requirement by providing 1.34 acres of on-site preservation and will retain an additional 1.65 acres of woodland that is not part of any requirement. The proposed woodland conservation areas will serve as buffering should development be proposed in the future on Lot 42. The Type I Tree Conservation Plan conforms to the approved Type II Tree Conservation Plan.

#### **Noise**

This property, which is located just south of Andrews Air Force Base, is within the 70 to 75 dBA

noise contour associated with the flight path of aircraft. Based on the proposed use of the property as a contractor's office and outside storage yard, this noise impact will not be required to be attenuated. This site is also located within the limits of Accident Potential Zone I (APZI) for Andrews Air Force Base. The development of this site as a contractor's office with outdoor storage and limited office space is consistent with the uses for APZI according to Table 4-2 (Land-Use Compatibility) of the 1998 Andrews AFB AICUZ Study.

### **Soils**

According to the *Prince George's County Soil Survey* the soils on the site are in the Beltsville series. Beltsville soils have a K factor of 0.43 and are considered highly erodible.

### **Wetlands**

A wetlands study was submitted with the application. The study describes the methodology used to delineate the isolated wetlands area in the southwest corner of the site. After a careful review of soils maps, historic air photos, topography of the site, and the history of development in the area, the Environmental Planning Section has determined that the wetland area is not due to normal circumstances and is an accidental result of recent development in the area. The area shown as a wetland is not jurisdictional under county code.

### **Water and Sewer Categories**

The property is in water category W-3 and sewer category S-3 according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources, and the development will utilize public systems.

5. **Community Planning**—The property is in Planning Area 81A/Clinton. The 2002 General Plan places the property in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. The 1993 Subregion V Master Plan recommends very low-intensity, land extensive industrial uses for this area in Employment Area A (p.74). The plan text contains extensive discussion of the impact of flight operations at Andrews Air Force Base and recommendations of the 1989 Air Installation Compatible Use Zone (AICUZ) study identifying this area in Accident Potential Zone I and the 70-75 Ldn noise level contours. Noise levels in excess of 65 Ldn are identified as unsuitable for residential uses. This application conforms to the master plan recommendation.

### **Employment Area Guidelines**

Guidelines for development in employment areas are contained in the master plan on page 68. Guidelines relevant to review of this application include:

- “1. Existing and proposed employment areas should be protected by all practical means from

encroachment by other permanent land uses. Incompatible land uses should be phased out of employment areas.”

- “10. Employment area sites should be developed and maintained in accordance with an overall design plan, based on principles of proper site design.
- “11. New, expanded or redeveloped employment areas should be park-like in character, with landscaping and well-sited structures, and served by a well-designed internal circulation system”
- “13. Screening should be provided for outdoor storage areas on existing and future industrial properties adjacent to residential properties and for employment areas bordering roads, with the condition that screening be of sufficient height and type to block the stored materials and equipment from view at ground level.
- “14. Industrial land developers should be encouraged to preserve natural amenities and to incorporate natural features into their development proposals.”

A recent visit to this area (November 2003) reveals that the conversion from residential to industrial land uses, which has been in progress for over a decade, is nearly complete. Most of the small residential homes have been converted to small commercial service or industrial contractors. Open storage of vehicles related to these businesses is a common use. The quality of the redevelopment leaves a lot to be desired, and the problem is compounded by inadequate and poorly maintained screening, landscaping, fencing, buffering, and parking, as well as poorly maintained buildings with peeling paint, deteriorated siding and roofs, broken windows and screens. A rigorous site plan and code enforcement program should be considered.

In addition, the street pavement in the public right-of-way for both Delano Road and Poplar Lane has been allowed to deteriorate to the point where it resembles a pothole-ridden gravel driveway instead of a public street. There are no curbs, gutters or sidewalks, thus allowing cars and trucks to easily be driven into the front yards for parking. A public works project to install these lacking street improvements should also be considered.

## **AICUZ**

The AICUZ study referenced in the master plan text has been updated to reflect changing operations at Andrews Air Force Base. The current AICUZ study is dated 1998 and identifies the subject property as in Accident Potential Zone I (APZI) and in the 75-80 Ldn noise contour (somewhat worse than in 1989). Low-intensity industrial uses, including appropriate interior noise reduction techniques, are appropriate for this location. Guidelines for development in areas impacted by high noise levels are contained in the Environmental Envelope chapter of the master plan on page 140. Guidelines relevant to this review include:

- “12. Developers shall be encouraged to include careful site planning and construction techniques which are designed to reduce the adverse impact of point and non-point source

noise that exceeds the State's current maximum allowable levels for receiving land uses.”

6. **Parks and Recreation**—The site is exempt from mandatory dedication because it is a non-residential development.
7. **Trails**—There are no master plan trail issues regarding the subject application.
8. **Transportation**—Due to the size of the subdivision, staff has not required that a traffic study be done. The staff did request traffic counts of the applicant, and turning movement counts at the critical intersection dated June 2004 were provided. Therefore, the findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

#### **Growth Policy - Service Level Standards**

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

**Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better is required in the Developing Tier.

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

#### **Staff Analysis of Traffic Impacts**

The intersection of Old Alexandria Ferry Road and Delano Road is determined to be the critical intersection for the subject property. This intersection is the nearest intersection to the site and would serve all of the site-generated traffic. The critical intersection is unsignalized. The transportation staff has available counts taken by the applicant in 2004. These counts indicate that the critical intersection operates with a maximum delay in any movement of 29.4 seconds during the AM peak hour. During the PM peak hour, the intersection operates with a maximum delay of 22.1 seconds. There are no funded capital projects at this intersection in either the county Capital Improvement Program or the state Consolidated Transportation Program that would affect the critical intersection. There are several approved but unbuilt developments that would affect the intersection. With background growth added, the critical intersection would operate as follows: AM peak hour—41.2 seconds of delay; PM peak hour—43.0 seconds of delay.

With the development of up to 14,000 square feet of warehouse/shop/office space, the site would

generate 10 AM (8 in and 2 out) and 10 PM (2 in and 8 out) peak-hour vehicle trips. The site was analyzed with the following trip distribution: 70 percent—northwest along Old Alexandria Ferry Road, and 30 percent—southeast along Old Alexandria Ferry Road. Given this trip generation and distribution, staff has analyzed the impact of the proposal. With the site added, the critical intersection would operate as follows: AM peak hour—43.9 seconds of delay; PM peak hour—45.1 seconds of delay. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections; it is determined that this intersection operates acceptably as an unsignalized intersection under existing, background, and total traffic. Although adequacy has been determined, the plan should be approved with a trip cap consistent with the development quantity that has been assumed.

The site is not within or adjacent to any master plan transportation facilities. The site plan (DSP-03080) has already been reviewed by transportation staff, and site access and circulation are acceptable.

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

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003. The proposed subdivision is exempt from the adequacy test for schools because it is a nonresidential use.
10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities.

The existing fire engine service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 3.70 minutes, which is beyond the 3.25-minute travel time guideline.

The existing ambulance service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 3.70 minutes, which is within the 4.25-minute travel time guideline.

The existing paramedic service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 3.70 minutes, which is within the 7.25-minute travel time guideline.

The existing ladder truck service at Marlboro Fire Station, Company 45, located at 7710 Croom Road, has a service travel time of 12.46 minutes, which is beyond the 4.25-minute travel time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service

discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

The above findings are in conformance with the standards and guidelines contained in the *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 Police District V-Clinton. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed development.
12. **Health Department**—The Health Department reviewed the application and had the following comment to offer:

"A significant amount of domestic trash and other debris was found on the property and should be removed and properly stored or discarded."
13. **Stormwater Management**—A Stormwater Management Concept Plan, CSD #11223-2003-00, has been approved by the Prince George's County Department of Environmental Resources.
14. **Cemeteries**—There are no known cemeteries on the subject property.
15. **Public Utility Easement**—The preliminary plan shows a ten-foot-wide public utility easement adjacent to Delano Road.
16. **Prior Approvals**—Zoning Map Amendment Application A-9741 rezoned this site from residential to industrial. One of the conditions of zoning approval requires detailed site plan review for new businesses with particular attention to buffering and screening for remaining residential uses, as well as acoustical buffering for new business uses. The property is also the subject of a Detailed Site Plan, DSP-03080.

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

\* \* \* \* \*

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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley,

PGCPB No. 04-167  
File No. 4-04069  
Page 8

Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 15, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of September 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:TEL:meg