

R E S O L U T I O N

WHEREAS, Larry A. & Linda L Brannon are the owners of a 6.06-acre parcel of land known as Parcel 138, Tax Map 45 in Grid F-2, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned C-O; and

WHEREAS, on February 15, 2006, Fairwoods Office Park, LLC. filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 lot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-05144 for Fairwoods Office Park 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 June 22, 2006, 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 June 22, 2006, 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/11/06), and further APPROVED Preliminary Plan of Subdivision 4-05144, Fairwoods Office Park, including a Variation from Section 24-113, for Lot 1 with the following conditions:

1. Prior to approval of the final plat, the applicant must demonstrate the relocation of the Magruder-Brannon House to the site approved by the Historic Preservation Commission. If it is determined that the house is not going to be relocated the HPC will have to reestablish the environmental setting for the house.
2. Prior to the issuance of grading permit the applicant will provide evidence via the historic area work permit that the Magruder-Brannon House will be relocated to a location approved by the Historic Preservation Commission.
3. A limited detailed site plan review by the Planning Board or its designee is required prior to the issuance of building permits to include landscaping requirements and architectural compatibility with existing development in the surrounding area.

4. Prior to certificate approval of Preliminary Plan 4-05144, the TCPI shall be revised as follows:
 - a. At the end of the first sentence in note 1, refer to the subject preliminary plan number in place of reference to the phrase “(Prince George’s County).”
 - b. In the second sentence of note 6, replace the reference to “TCP-I” with the phrase “Preliminary Plan 4-05144.”
 - c. After these revisions have been made, have the qualified professional who prepared the plan sign and date it.
5. Development of this subdivision shall be in compliance with Approved Type I Tree Conservation Plan TCPI/011/06. The following note shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/011/06), or as modified by the Type II tree conservation plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005.”
6. If road frontage improvements are required along MD 193, appropriate pavement markings and/or signage (to be determined by SHA) are encouraged to accommodate cyclists on the designated on-road bikeway.
7. A standard sidewalk connection shall be provided along at least one side of the entrance road from the existing master plan trail along MD 450 to the internal sidewalks and/or parking lot.
8. 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.
9. Phase I archeological investigations shall be conducted according to Maryland Historical Trust (MHT) guidelines, *The Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994) as well as the Prince George’s Planning Board’s *Guidelines for Archeological Review* (May 2005). Archeological excavations shall be spaced along a regular 15-meter or 50-foot grid, and excavations should be clearly identified on a map to be submitted as part of the report. The archeological investigation shall address the possibility that graves may be located on this property. The archeological consultant shall be made aware that extensive files, including a chain-of-title, are available at the Planning Department.
10. A Type II Tree Conservation Plan shall be approved with the detailed site plan.
11. The Transportation and Public Facilities Planning Division concludes that there will be adequate

public facilities for roads as required by Section 24-124 of the Prince George's County Code if the application is approved with the following conditions:

- Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency

At the MD 450—Bell Station Road/Fairwood Parkway intersection

On the Bell Station Road approach provide:

- A left turn lane
- A shared left-thru lane
- A shared right-thru lane

On the Fairwood Parkway approach provide:

- A left turn lane
- A shared left-thru lane
- A right turn lane

If any or all of these improvements at this intersection are objected to by SHA, then the entire application shall be subjected to a new adequacy test.

At the MD 193 – Bell Station Road

At the time of full build out of the subject property, if deemed necessary by SHA, the applicant shall conduct a traffic signal warrant study and install said signal if determined by SHA to be warranted.

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 subject property is known as Parcel 138 on Tax Map 45, Grid F-2. It is 6.06 acres in size and zoned C-O.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

| | EXISTING | PROPOSED |
|------|----------|----------|
| Zone | C-O | C-O |

| Use(s) | Residential | Commercial (108,642 square feet) |
|----------------|-------------|-------------------------------------|
| Acreage | 6.06 | 6.06 |
| Lots | 0 | 1 |
| Parcels | 1 | 0 |
| Dwelling Units | | |
| Detached | 2 | 0 |
| Mitigation | | No |

4. **Subdivision**—the Subdivision section has reviewed the preliminary plan 4-05144 and has determined that development of this site is contingent upon relocation of the Magruder-Brannon House, a designated historic site. When the house is relocated a detailed site plan should be required to ensure conformance to landscaping and architectural requirements for the area. In the event the house is not relocated the Historic Preservation Commission will have to reestablish the environmental setting for the house.
5. **Environmental**—The Environmental Planning Section has reviewed revised plans for Preliminary Plan of Subdivision 4-05144 and Type I Tree Conservation Plan TCPI/011/06, stamped as received on May 25, 2006. The site contains no regulated features. The Environmental Planning Section recommends approval of Preliminary Plan 4-05144 and TCPI/011/06 subject to conditions found at the end of this memorandum.

Background

The Environmental Planning Section has not reviewed previous applications for the subject property. The proposal is for the construction of three office buildings with an integrated parking lot.

Site Description

This 6.06-acre site is located on the east side of MD 193 and the west side of MD 450. In relation to the latter highway, the site is approximately 200 feet south of the Bell Station Road/Fairwood Parkway intersection. The property is zoned C-O. Based on a review of Year 2000 aerial photos, the site is approximately 30 percent wooded. Based on available information, no regulated environmental features—such as a stream, non-tidal wetlands, areas of 100-year floodplain, and steep and severe slopes—are associated with the site. According to the Soils Survey of Prince George's County, two soil series are present at the site; these include Adelphia Fine Sandy Loam and Collington Fine Sandy Loam (three types in the latter series). Collington soils are sometimes associated with development constraints when steep slopes are involved and parking lots are proposed. Based on available information, Marlboro clay is not found at this location. Both MD 193 and MD 450 are arterial roads and traffic noise generators; however, impacts are not anticipated. There are no designated scenic or historic roads in the vicinity of the site. According to available information from the Maryland Department of Natural Resources, Natural Heritage Program, rare, threatened and endangered species are not found in the vicinity of the site. According to the 2005 *Countywide Green Infrastructure Plan*, no network features such as Regulated Areas or Evaluation Areas are associated with the property. The site is in the Lottsford

Branch watershed of the Patuxent River basin and the Developing Tier of the 2002 *Prince George's County Approved General Plan*.

Environmental Review

A staff signed natural resources inventory (NRI/150/05) was included in the initial preliminary plan submittal. Information on the NRI indicates that no regulated environmental features are associated with the site. The preliminary plan and TCPI have been reviewed in relation to the NRI. The property to the south has a stream and areas of 100-year floodplain associated with it. At the time the NRI for the subject site was signed, it was made known that a floodplain study was pending for the property to the south. As a result of the subject NRI, preliminary plan, and TCPI comparison review, the following note was placed on the plan:

“If the floodplain study being prepared for the property to the south reveals floodplain on this site, the NRI should be revised.”

The pending study does not reveal floodplain on the site. The revised preliminary plan and TCPI both show the extent of 100-year floodplain on the adjacent property. A comparison of the two revised subject plans in this respect shows the floodplain delineations are the same on both plans. No further information regarding the 100-year floodplain in relation to the subject property is required.

The site contains 1.80 acres of existing woodland and one forest stand was identified, with yellow poplar being the dominant tree species. Two specimen trees were located at the site. The stand has a good forest structure rating; however, due to the lack of environmental features, and the fact that the stand is fragmented in relation to MD 193 and MD 450, it is not priority woodland.

The site is subject to the Woodland Conservation and Tree Preservation Ordinance because the gross tract area is in excess of 40,000 square feet, and there are more than 10,000 square feet of existing woodlands on-site. A revised Type I tree conservation plan (TCPI) has been submitted and reviewed. Two minor revisions to the current TCPI are necessary in order to meet the requirements of the ordinance.

The 6.06-acre site in the C-O zone has a woodland conservation threshold (WCT) of 15 percent or 0.91 acres. The site has 1.80 acres of existing woodland and no areas of 100-year floodplain. As currently designed the site has a woodland conservation requirement of 2.04 acres. The current plan shows all of this requirement will be met in the form of off-site mitigation on another property.

The standard TCPI notes the need for two minor revisions. The end of the first sentence in note 1 should refer to the subject preliminary plan number instead of “(Prince George’s County).” The reference to “TCP-I” in the second sentence of note 6 should be replaced with the phrase “Preliminary Plan 4-05144.” After these revisions have been made, the qualified professional who prepared the plan should sign and date it. The TCPI should be revised prior to certificate approval of Preliminary Plan 4-05144. As revisions are made to the plans submitted, the revision

boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

Development of this subdivision should be in compliance with approved Type I Tree Conservation Plan TCPI/011/06. A note detailing the restrictions of the tree conservation plan should be placed on the final plat of subdivision.

An unapproved copy of the stormwater management concept plan was included in the initial preliminary plan submittal. A copy of the concept plan approval letter was included in the most recent plan submittal. The concept plan case number from the Department of Environmental Resources (DER) is 46719-2005-00. The concept plan approval letter was issued on March 26, 2006, and is valid until March 22, 2009. Because the TCPI shows all the proposed woodland clearance at the site, and because the site's woodland conservation requirement will be met entirely with off-site mitigation, no further information regarding stormwater management is necessary.

MD 193 and MD 450 are arterial roads generally regulated for noise impacts. Because of the zoning of the property and the commercial nature of the proposed buildings at this site, noise impacts are not anticipated. No further information is required regarding traffic noise impacts.

Water and Sewer

The Department of Environmental Resources (DER), Development Services Division, has determined that the 2001 Water and Sewer Plan designated this property in Water and Sewer Category 5. An application 05/W-26, known as the Fairwood Office Park, was included in the December 2005 cycle of amendments, requesting Category 4. The December 2005 cycle was heard on April 2, 2006. The County Council approved the request to water/sewer Category 4 via Cr-21-2006. notice is pending. Category 3 must be obtained prior to final plat. Water and sewer line extensions are required to serve the property and must be approved by the Washington Suburban Sanitary Commission before approval of a final plat.

6. **Community Planning**—This application is located 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. The proposal is not inconsistent with the 2002 General Plan development pattern policies for the Developing Tier. While the master plan recommends office commercial development for the subject property, it also recommends that the relocation of historic resources be considered only as a last resort to avoid negative impacts such as imminent demolition. (See page 107, Guideline 6.) The intent of the master plan is to keep the Magruder-Brannon House 70-30 on this site. It specifically addresses this historic property on page 106 under the recommendation section, which reads: "The planned interchange at MD 193 and MD 450 should be designed to minimize the encroachment of the right-of-way on the two adjacent historic sites (Marietta and Magruder-Brannon) in the area. The design should allow for a significant landscape buffer to minimize the potential noise and visual impacts." Notwithstanding this discussion in the master plan, the Historic Preservation Commission has conceptually approved

the relocation of this historic house.

7. **Parks and Recreation**—According to Section 24-134(a) of the Prince George’s County Subdivision Regulations, the above referenced subdivision is exempt from mandatory dedication of parkland requirements because it consists of non-residential development.
8. **Trails**—The Glenn Dale-Seabrook-Lanham and Vicinity Master Plan recommends two master plan trails in the vicinity of the subject site. MD 193 is designated as a Class III bikeway. The existing wide asphalt shoulders along this portion of MD 193 currently serve as this on-road bicycle facility. Wide shoulders exist along both sides of MD 193 from Lanham-Severn Road (MD 564) to MD 450. The state has also implemented signage and pavement markings along the MD 193 corridor to accommodate bicycle traffic. If road frontage improvements are required along MD 193, staff recommends the retention of the wide asphalt shoulders or the provision of bicycle striping or pavement markings in the event that an acceleration/deceleration lane is added.

The master plan also recommends a Class II trail along MD 450. This trail has been completed along the subject site’s frontage through a recent State Highway Administration (SHA) road improvement project. This trail exists from Race Track Road in Bowie to Forbes Boulevard in Seabrook. Staff recommends a standard sidewalk connection from the existing master plan trail to internal sidewalks proposed along the buildings. This sidewalk could be on either the north or south side of the entrance road and would accommodate pedestrians without forcing them to walk in the entrance road or on the grass.

9. **Transportation**—The Transportation Planning Section has reviewed the Preliminary Plan of the above-referenced property. The subject property consists of 6.06 acres, within the C-O Zone. The property is located between Glenn Dale Boulevard (MD 193) to the west, and Annapolis Road (MD 450) to the east. The site is approximately 1,500 feet north of the MD 450/MD 193 intersection.

The subject application proposes the construction of two medical office buildings totaling 105,342 square feet, and a drive-in bank totaling 3,300 square feet of gross floor area. The applicant presented staff with a traffic study that was prepared in January 2006.

Traffic Study Analyses:

The study identified the following intersections as the ones on which the proposed development would have the most impact:

| EXISTING CONDITIONS | | |
|---------------------|-----------|-----------|
| Intersection | AM | PM |
| | (LOS/CLV) | (LOS/CLV) |

| | | |
|--|--------------|--------------|
| MD 450—Glenn Dale Road (MD 953) | B/1020 | A/842 |
| MD 450—Glenn Dale Blvd. (MD 193) | A/972 | B/1103 |
| Glenn Dale Blvd. (MD 193)—Bell Station Road ** | C/22.8 secs. | E/48.3 secs. |
| MD 450—Bell Station Road/Fairwood Pkwy. | A/961 | B/914 |
| ** Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service “E” which is deemed acceptable, corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1450 or less is deemed acceptable as per the <i>Guidelines</i> . | | |

The traffic study, in collaboration with staff, identified 12 background developments whose impact would affect some or all of the study intersections. In addition, a growth rate of 1 percent was applied to the existing traffic counts at the subject intersections. A second analysis was done to evaluate the impact of the background developments on existing infrastructure. The analysis revealed the following results:

| BACKGROUND CONDITIONS | | |
|--|---------------|-------------|
| Intersection | AM | PM |
| | (LOS/CLV) | (LOS/CLV) |
| MD 450—Glenn Dale Road (MD 953) | C/1195 | B/1045 |
| MD 450—Glenn Dale Blvd. (MD 193) | C/1229 | D/1453 |
| Glenn Dale Blvd. (MD 193)—Bell Station Road ** | F/99.00 secs. | F/*** secs. |
| MD 450—Bell Station Road/Fairwood Pkwy. | D/1349 | E/1563 |
| ** Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service “E” which is deemed acceptable, corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1450 or less is deemed acceptable as per the <i>Guidelines</i> . | | |

Using the *Guidelines For The Analysis Of The Traffic Impact Of Development Proposals*, and the Institute of Transportation Engineers’ (ITE) *Trip Generation Manual*, the study has indicated that the proposed development of 105,342 square feet of medical office, and a drive-in bank totaling 3,300 square feet of gross floor area would be adding 341(265 in; 76 out) AM peak-hour trips and 480(166 in; 314 out) PM peak-hour trips at the time of full buildout. A third analysis was done, whereby the impact of the proposed development was evaluated. The results of that analysis are as follows:

| TOTAL CONDITIONS | | |
|--|---------------|-------------|
| Intersection | AM | PM |
| | (LOS/CLV) | (LOS/CLV) |
| MD 450—Glenn Dale Road (MD 953) | C/1203 | B/1063 |
| MD 450—Glenn Dale Blvd. (MD 193) | D/1382 | D/1539 |
| Glenn Dale Blvd. (MD 193)—Bell Station Road ** | F/104.8 secs. | F/*** secs. |
| MD 450—Bell Station Road/Fairwood Pkwy. | D/1385 | E/1591 |

The traffic study concluded that all of the signalized study intersections would operate at “E” levels-of-service or better under future conditions. It further stated that the unsignalized site access intersections would also operate with minor approach vehicle delays. The study did conclude however, that the unsignalized intersection of MD 193 and Bell Station Road would operate with unacceptable delays along both minor approaches under background as well as total future conditions. The study claimed that recent signal warranty analyses have revealed that signalization was NOT warranted for this intersection

Staff review and comments

Upon review of the applicant’s traffic study, staff does not concur with many of its findings and conclusions. The basic premise of the study is that the development is located within the Developed Tier, and consequently, the minimum threshold for adequacy is set at level of service (LOS) “E”. This assumption by the traffic study is incorrect. The subject property is located within the Developing Tier and should therefore be evaluated based on a LOS “D” threshold. The traffic study consultant was apprised of this flawed assumption and was directed by staff to re-evaluate the traffic impact based on the LOS “D” threshold.

On June 5, 2006, staff received an addendum to the traffic study. That addendum represented an analysis of the MD 450 / Bell Station Road-Fairwood Parkway intersection based on a LOS “D” threshold. In an effort to meet said threshold, the following lane configurations were assumed:

On the Bell Station Road approach provide:

- A left turn lane
- A shared left-thru lane
- A shared right-thru lane

On the Fairwood Parkway approach provide:

- A left turn lane
- A shared left-thru lane
- A right turn lane

Based on these assumed lane configurations, the traffic study concluded that the intersection would operate with a LOS/CLV of D/1323 during the AM peak hour and D/1449 during the PM peak hour. The amended traffic study offered no improvement to the unsignalized intersection of MD 193 and Bell Station Road.

In response to staff's request, the study was reviewed by two other agencies, the State Highway Administration (SHA) and the Department of Public and Transportation (DPW&T). Since all of the studied intersections are under the control of SHA, the staff of DPW&T suggested that the left turn lanes on southbound MD 193 at Bell Station Road, and eastbound MD 450 onto MD 193 should be built to SHA standards. These concerns will be addressed by SHA at the time of permitting for access to either state road. The SHA in its review recommended that the applicant provide standard acceleration and deceleration lanes at both access points to the subject property. SHA also concurs with the traffic study that a traffic signal is not warranted at the intersection of Bell Station Road and MD 193. It is worth noting, however, that as of this writing, neither agency has commented on the new analysis of the MD 450 / Bell Station Road-Fairwood Parkway intersection. This lack of response is due to the fact that the information has only been submitted to staff and the agencies since June 5, 2006. While staff agrees with the conclusion of the most recent analysis, it is with the caveat that the SHA must also share in its concurrence. Another point that is noteworthy is the fact that the unsignalized intersection of Bell Station Road and MD 193 is projected to operate with delays greater than 50 in some of its movements under background and total traffic conditions. SHA concurred that signalization was not warranted, but offered no opinion on improvements that could ameliorate the potential delays.

TRANSPORTATION STAFF FINDINGS

The application is a preliminary plan of subdivision for a commercial development consisting of two medical office buildings totaling 105,342 square feet, and a drive-in bank totaling 3,300 square feet of gross floor area. The proposed development would generate 341(265 in; 76 out) AM peak hour trips and 480(166 in; 314 out) PM peak hour trips at the time of full build-out. The traffic generated by the proposed preliminary plan would impact the following intersections:

- MD 450—Glenn Dale Road (MD 953)
- MD 450—Glenn Dale Blvd. (MD 193)

- Glenn Dale Blvd. (MD 193)—Bell Station Road **
- MD 450—Bell Station Road/Fairwood Pkwy.

None of the intersections, identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation *Consolidated Transportation Program* or the Prince George's County *Capital Improvement Program*:

The subject property is located within the developing tier as defined in the 2002 approved 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;

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.

As indicated in the traffic study and the amended study, all of the signalized intersections within the study area will operate adequately, based on the policy LOS "D" threshold. Because the analysis for the MD 450—Bell Station Road/Fairwood Parkway intersection assumed changes to the existing lane configuration, any approval to this property must be predicated on explicit concurrence of SHA for these changes. The study has indicated that the unsignalized intersection of Bell Station Road and MD 193 currently operates adequately, but will experience delays under future traffic conditions. Neither the SHA nor the DPW&T offered any improvements that could be undertaken by the applicant to remedy the potential delays at this intersection.

The following is an analysis of the variations for vehicular access to MD 193 and MD 450. The text in **bold** represents the text from the Subdivision Ordinance.

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

- (1) **The granting of the variation will not be detrimental to the public safety, health, or injurious to other property;**

Comment: Both access points have been review by the State Highway Administration and have been designed to facilitate right in/right out movements. This will help facilitate safe and efficient movements along these roadways.

- (2) **The Conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

Comment: It is not generally applicable that a single property has access to two roads that are both classified as arterial roadways.

- (3) **The variation does not constitute a violation of any other applicable law, ordinance, or regulation;**

Comment: Both of the access points must be permitted for construction by the State Highway Administration in accordance with their requirements.

- (4) **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 strict letter of these regulations is carried out;**

Comment: Because the only road frontage available to the subject property is that of an arterial, to deny the variations would render the property undevelopable and therefore be a particular hardship.

TRANSPORTATION STAFF CONCLUSIONS

The Transportation and Public Facilities Planning Division concludes that there will be adequate public facilities for roads as required by Section 24-124 of the Prince George's County Code if the application is approved with the following conditions:

- Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency

At the MD 450—Bell Station Road/Fairwood Parkway intersection

On the Bell Station Road approach provide:

- A left turn lane

- A shared left-thru lane
- A shared right-thru lane

On the Fairwood Parkway approach provide:

- A left turn lane
- A shared left-thru lane
- A right turn lane

If any or all of these improvements at this intersection are objected to by SHA, then the entire application shall be subjected to a new adequacy test.

At the MD 193—Bell Station Road

At the time of full build out of the subject property, if deemed necessary by SHA, the applicant shall conduct a traffic signal warrant study and install said signal if determined by SHA to be warranted.

10. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for school facilities in accordance with Section 24-122.02 of the Subdivision Regulations, CB-30-2003, and CR-23-2003 and concluded that the above subdivision is exempt from a public facilities review for schools because it is a commercial use.
11. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. 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. **Fire and Rescue**—The Historic Preservation & Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance.

The existing fire engine service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard, has a service travel time of 1.90 minutes, which is within the 3.25 minutes travel time guideline.

The existing paramedic service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard, has a service travel time of 1.90 minutes, which is within the 7.25 minutes travel time guideline.

The existing ladder truck service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service travel time of 6.32 minutes, which is beyond the 4.25 minutes 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 should 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 1990 *Approved Public Safety Master Plan* and the "Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities."

13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that private stormwater management is required. Stormwater Management Concept Plan 46719-2005-00 has been approved with the condition that SHA approval is required for the proposed culverts at MD 193 and MD 450. Development must be in accordance with this approved plan.
14. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for the Fairwoods Office Park and has recommended that two abandoned shallow wells associated with the one story block house and any abandoned well associated with the historic house must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative from the Health Department as part of the raze permit. Any well associated with the historic house should be located on the preliminary plan. Any abandoned septic system serving the existing houses must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the septic systems should be located on the preliminary plan. A raze permit is required prior to the removal of any of the structures on site and can be obtained through the Department of Environmental Resources, Office of Licenses and Permits. Any hazardous materials located in any structures on site must be razed. A note needs to be affixed to the preliminary plan requiring that structures be razed and the well and septic systems properly abandoned before the release of the grading permit.
15. **Archeology**—Phase I (Identification) archeological investigations are recommended on this property.

Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, *The Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole, 1994) as well as the Prince George's Planning Board's *Guidelines for Archeological Review* (May 2005). Archeological excavations need to be spaced along a regular 15-meter or 50-foot grid, and excavations should be clearly identified on a map to be submitted as part of the report. The archeological investigation should address the possibility that graves may be located on this property. The archeological consultant should be made aware that extensive files, including a chain-of-title, are available at the Prince George's County Planning Department, M-NCPPC.
16. **Historic Preservation**—The Historic Preservation and Public Facilities Planning Section has reviewed the subject area and has found that the subject property is a designated historic site, the Magruder-Brannon House 70–30). This historic house, constructed circa 1912, is an asymmetrical T-shaped two-story frame cross-gabled house, which embodies characteristics of an early twentieth century farm residence. The Magruder-Brannon House was designated a historic site in 1985. The environmental setting is Parcel 138, which is 6 ± acres. The Historic Preservation Commission (HPC)

approved in concept HAWP 18-05, October 18, 2005 that the Magruder-Brannon House be moved. The HPC considered and approved this application at its meeting on May 16, 2006, and would like to forward the following recommendations, based on the staff report and the testimony of the applicant, preservation organizations, and adjoining property owners at the meeting. The HPC approved the relocation of the Magruder-Brannon House and the reconfiguration of the environmental setting to another property. The environmental setting for this property has been deleted and this property no longer has historic site status

Findings

The preliminary plan proposes a 4-story office building, associated parking, and ingress/egress. The notes indicate the applicant's intention to move the Magruder-Brannon House to another property (Note 17 below).

"17. Existing structures, sidewalks and driveways on site will be removed. The applicant is working with the Historical Preservation Commission of Prince George's County, Maryland, to relocate the historical house to another site."

To approve the moving of the historic house and reconsider the environmental setting, the HPC must hold a hearing and approve any reconfiguration.

Among the historic preservation guidelines in the Glen Dale-Seabrook-Lanham and Vicinity Master Plan is the following:

"As environmental settings are defined for Historic Sites, it may be appropriate to establish a larger setting than the minimum acreage per dwelling unit allowed under existing zoning. The setting should be defined to incorporate significant outbuildings and natural features."

The proposal to move the historic house will require approval by the HPC of a new environmental setting. A proposal is currently being considered as HAWP 18-05-01.

The Planning Board has issued a directive that the possible existence of slave quarters and slave graves, as well as archeological evidence of Native American habitation, must be considered in the review of development applications, and that potential means for preservation of these resources should be considered.

The subject property was certainly a part of the 600-700 acre Marietta antebellum plantation. Therefore, it should be investigated for potential archeological significance associated with antebellum habitation by enslaved African Americans, as well as the potential for archeological significance associated with Native American habitation.

17. **City of Bowie**—The City of Bowie has reviewed the preliminary plan and has offered no comments.

18. **Glenn Dale Citizens Association**—The community has provided staff with a letter outlining four major concerns regarding the proposal for Fairwoods Office Park. The Glenn Dale Citizens Association opposes the removal of the Magruder-Brannon House from its existing site; the design concept of the proposed office park; and removal of trees. The association requested a detailed site plan to address the aforementioned design issues. All four of the issues have been adequately addressed in other sections of this staff report. While the citizens association opposes removal from the site of the Magruder-Brannon House, the HPC has approved the concept of its removal to another nearby property. The Subdivision staff has recommended a detailed site plan as a part of the development plan due to the relocation of the historic site. This recommendation satisfies the request by the Citizens' Association and addresses their concern about the concept design of the proposed office park. Tree conservation concerns are addressed via the Environmental Planning staff memorandum and subsequent recommendations.

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.

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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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Eley, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, June 22, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of July 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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