



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 15-119

File No. 4-15017

RESOLUTION

WHEREAS, Silver Branch, LLC is the owner of a 14.44-acre parcel of land known as Tax Map 87 in Grid B-3, said property being in the 12th Election District of Prince George's County, Maryland, and being zoned Light Industrial (I-I); and

WHEREAS, on September 16, 2015, Silver Branch, LLC filed an application for approval of a Preliminary Plan of Subdivision for Lot 3 (4.33 acres) and Lot 4 (10.11 acre-lots); and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-15017 for Gilpin Property 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 November 19, 2015, for its review and action in accordance with the Land Use Article of the 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 November 19, 2015, 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 Type 1 Tree Conservation Plan (TCP1-007-15), and further APPROVED Preliminary Plan of Subdivision for Lot 3 (4.33 acres) and Lot 4 (10.11 acres) with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised to make the following technical corrections:
 - a. Provide the location of the District of Columbia marker SE 6 (PG:76A-01/8) on the plan.
 - b. Clearly label the Prince George's County line on sheet 2 of 3.
 - c. Revise General Note 8 to show the correct acreage of regulated environmental features in accordance with the NRI.
 - d. Provide the right-of-way width for Southern Avenue on the plan.
 - e. Provide the easements shown on the NRI and label as "abandoned" per Equity Case No. C-9990.

- f. Label the middle existing driveway as "To Be Removed."
 - g. Remove reference to the "Developed Tier" from General Note 11.
 - h. Provide the acreage of adjusted land area between Lots 1 and 2 on the plan drawing.
2. Development of this site shall be in conformance with Stormwater Management Concept 19266-2015 Plan and any subsequent revisions.
3. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement along all public rights-of-way.
4. Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan (TCP1) shall be revised as follows:
- a. Provide the location of the District of Columbia marker SE 6 (PG:76A-01/8) on the plan.
 - b. The wetland and wetland buffer symbols shall be shown on the TCP plan as shown in the legend.
 - c. Add the existing treeline to the TCP plan.
 - d. Show the required vicinity map on the TCP plan.
 - e. Revise the LOD to exclude the area of "Woodland Preserved-Not Credited" located on the eastern property line, or show as cleared. Revise the worksheet as necessary.
 - f. Revise the PMA acreage for consistency with the acreage shown on the revised NRI, 46,939 square feet
5. Prior to signature approval of the PPS, the NRI shall be revised as necessary to show the correct acreage of on-site PMA.
6. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-007-2015). The following note shall be placed on the Final Plat of Subdivision:

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-007-2015 or most recent revision), or as modified by the Type 2 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 and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject

property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

7. Any residential development of the subject property shall require approval of a new subdivision prior to approval of any building permits.
8. The following note shall be placed on the Final Plat of Subdivision:

"This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and Folio reflected on the Type 2 Tree Conservation Plan."

9. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

10. Total development shall be limited to uses that would generate no more than 48 AM and 51 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

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 with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located at the border of Prince George's County and the District of Columbia on Tax Map 87 in Grid B-3 and is composed of Lots 1 and 2 – Gilpin Property, recorded in Plat WWW 40-1 in February, 1961 in the County Land Records. Lot 2 includes a parcel of land (Lots 6 through 10 and part of Lot 5, Block 1 and all of Lots 1 through 8, Block 2, as shown on Plat 25-82 – Southern Hills Manor and all of Brandywine Street) having been abandoned by Equity Case No. C-9990. The property consists of 14.44 acres of land within the Light Industrial (I-1) Zone. The site is currently developed with 58,430 square feet of gross floor area (GFA) for industrial use. This preliminary plan of subdivision (PPS) proposes the addition of 98,831 square feet of GFA for industrial use and a lot line adjustment between existing Lots 1 and 2 (proposed Lot 3 and 4). The proposed total GFA is 157,261 square feet. Pursuant to

Section 24-111(c)(3) of the Subdivision Regulations, a final plat of subdivision approved prior to October 27, 1970 shall be resubdivided prior to issuance of a building permit for the development of more than 5,000 square feet of GFA, resulting in this application.

Proposed Lot 3 (4.33 acres) and Lot 4 (10.11 acres) are located just southeast of the intersection of Southern Avenue and Wheeler Road. The entire site (Lots 3 and 4) is generally triangular in shape and has approximately 1,328.88 feet of frontage along the eastern side of Southern Avenue, which is under the authority of the District of Columbia. This edge of Southern Avenue is the boundary between the County and the District of Columbia. Three vehicular access driveways are located on the site's frontage along Southern Avenue. One driveway is proposed to be removed, which is supported by the Planning Board. The PPS proposes a lot line adjustment between existing Lots 1 and 2 (proposed Lot 3 and 4) to accommodate the proposed additional GFA. The proposed adjustment, for the accommodation of a new building, will result in an increase of one acre of land from existing Lot 1 to existing Lot 2. The existing building (64,861 GFA) will be located on proposed Lot 3 (4.33 acres) and the proposed building (92,400 GFA) will be located on proposed Lot 4 (10.11 acres). In accordance the definition of a "Lot" provided in Section 27-107.01 of the Zoning Ordinance, which specifies that a "Lot" shall be made up of one (1) or more entire "Record Lots," the proposed development on Lot 3 and 4 together has been reviewed as one "Lot" for conformance to the applicable zoning and Subdivision Regulations. Subsequent site plans will include both Lots 3 and 4 for review purposes. The applicant has stated that retaining the two existing lots is preferable to allow for separate ownership interests of the two buildings within this single site.

Pursuant to Section 27-475.04 of the Zoning Ordinance, a Detailed Site Plan shall be approved for consolidated storage developments in accordance with Part 3, Division 9, of Subtitle 27.

Detailed Site Plan DSP-13008-01 has been submitted and is tentatively scheduled for the Planning Board hearing on December 17, 2015.

3. **Setting**—The subject site is located in the southeastern quadrant of the intersection of Southern Avenue and Wheeler Road. To the south of the site is C-S-C zoned property that is developed with a shopping center and vacant R-O-S zoned property. To the east of the site is developed R-55 zoned property.
4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	EXISTING	APPROVED
Zone	I-1	I-1
Use(s)	58,430 GFA for industrial use	157,261 GFA total for industrial use (98,831 GFA proposed)
Acreage	14.44 acres	14.44 acres
Lots	2	2
Outlots	0	0
Parcels	0	0
Dwelling	0	0
Public	No	No
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on October 9, 2015, as required by Section 24-113(b) of the Subdivision Regulations.

5. **Community Planning**—This site is located within the Established Communities growth policy area of the Prince George's County Growth Policy Map in the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035). As described in Plan Prince George's 2035, established communities should have context-sensitive infill and low- to medium-density development. This property is also located in the 2000 *Approved Heights and Vicinity Master Plan and Sectional Map Amendment* (SMA). This application, with its proposed industrial uses, is consistent with the land use recommendations of Plan Prince George's 2035 and the Heights and Vicinity Master Plan.
6. **Urban Design**—Consolidated storage is a permitted use in the I-1 Zone in accordance with Section 27-475.04 which includes the following requirements:

Section 27-475.04 states the following:

- (a) **Beginning June 23, 1988, a Detailed Site Plan shall be approved for consolidated storage developments in accordance with Part 3, Division 9, of this Subtitle to insure compliance with the provisions of this Section. Consolidated storage constructed pursuant to a building permit issued prior to this date; consolidated storage for which grading permits were issued prior to this date, subject to Subsection (b); and consolidated storage for which applications for building permits were filed on September 22, 1987, and which are actively pending as of October 25, 1988, subject to Subsection (b), need not meet these requirements.**

A consolidated storage use already exists on the site, as approved with DSP-13008. Therefore, an expansion of that use will require a revision to the detailed site plan (DSP).

Conformance with the remainder of this section and other applicable Zoning Ordinance requirements will be reviewed with the DSP.

In accordance the definition of a "Lot" provided in Section 27-107.01 which specifies that a "Lot" shall be made up of one (1) or more entire "Record Lots," the proposed development has been reviewed as one "Lot" for conformance to the applicable zoning and subdivision regulations including building setbacks and access. Additionally, the pending DSP review will consider Lots 3 and 4 as one "Lot" for review purposes, in accordance with this definition. However, subsequent revisions to the DSP may be approved which review Lots 3 and 4 separately for conformance to the applicable zoning regulations as deemed appropriate at such time.

Conformance with the 2010 Prince George's County Landscape Manual

The subject proposal includes an increase in impervious surface and gross floor area for the property which would then be subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). More particularly, this application would be subject to Section 4.2, Requirements for Landscaped Strips along Streets, Section 4.4, Screening Requirements, Section 4.7, Buffering Incompatible Uses, and Section 4.9 Sustainable Landscaping Requirements. Conformance with these requirements will be evaluated with the DSP.

Tree Canopy Coverage Ordinance

The subject proposal includes more than 5,000 square feet of new gross floor area or disturbance. Therefore, compliance with the Tree Canopy Coverage Ordinance must be demonstrated and will be evaluated with the DSP.

7. **Environmental**—A Natural Resources Inventory, NRI-029-13, for this project area was approved on April 1, 2013. A Tree Conservation Plan, TCP2-018-13 was previously reviewed as a companion case to Detailed Site Plan DSP-13008, and was found to be in conformance with the Woodland Conservation Ordinance (PGCPB Resolution No. 13-93). The DSP was remanded to the Planning Board by the District Council for further evidence and testimony regarding conformance with the applicable master plan. The Planning Board affirmed they had no authority to reconsider the DSP and returned the case to the District Council who elected not to review (PGCPB Resolution No. 14-35). The DSP was subsequently certified in accordance with PGCPB Resolution No. 13-93. The applicable conditions of approval of DSP-13008 and TCP2-018-13 can be found in PGCPB Resolution No. 13-93. The project is subject to the environmental regulations of Subtitles 24 and 25 that came into effect on September 1, 2010 because the application is for a new preliminary plan.

This 14.44-acre site in the I-1 Zone is located on the southeastern corner of Southern Avenue and Wheeler Road and adjacent to the District of Columbia boundary. According to mapping research and as documented on the approved NRI, there are regulated environmental features present on-site that include wetlands, 100-year floodplain and their associated buffers. This site drains to Oxon Run within the Potomac River Basin. There are several areas of steep slope on the property. The predominant soils on the site, according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), are the Beltsville-Urban

land complex, Christiana-Downer complex, Croom gravelly sandy loam, Grosstown-Urban land complex, Issue-Urban land complex, Potobac-Issue complex and Sassafras-Urban land complex. According to available information, Marlboro clay is not located on-site, but Christiana complexes are found to occur on this property. The Maryland Department of Natural Resources, Natural Heritage Program provided correspondence to the applicant on February 6, 2013 indicating there are no rare, threatened, or endangered (RTE) species on or in the vicinity of this property. No specimen trees were identified on-site through the NRI process. There are no nearby noise sources and the proposed use is not expected to be a noise generator. There are no designated scenic or historic roads adjacent or within the site area.

Master Plan Conformance

The site is located within the Established Communities Area of the Growth Policy Map and Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035).

The site is also located in the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* (Master Plan SMA). The Environmental Infrastructure section of the Master Plan contains recommendations and guidelines. An environmental goal is stated as "To protect and enhance the environmental qualities of the planning area by preserving natural environmental assets as the integral part of the community." The following recommendations in **BOLD** are applicable to the current project.

Recommendation 1: Woodland Preservation – The existing woodlands in Natural Reserve Areas must be retained. Other existing woodlands should be retained to the extent possible in order to maintain or increase the current percentage of woodland. Furthermore, the expansion of woodlands through afforestation and reforestation is encouraged in the implementation of the greenways and open space program linkages.

According to the approved Master Plan, no natural reserve areas occur onsite. Per the revised TCP, additional clearing is proposed for the expansion; however, the plan proposes to continue to exceed the minimum Woodland Conservation threshold onsite. The retention area includes the Priority Management Area (PMA) and adjacent woodlands, including the majority of steep slopes on the site. No afforestation or reforestation is required at this time.

Recommendation 2: The County should pursue efforts to minimize development impacts on contiguous woodland areas adjacent to Henson Creek and the Oxon Run Tributary through land acquisition for parks, where feasible, and through appropriate land use recommendations.

The site contains wooded PMA that includes floodplain associated with a tributary of Oxon Run. The TCP proposes to preserve the entirety of the onsite PMA with no impacts. Land acquisition shall be addressed by the Department of Parks and Recreation, as deemed necessary.

Recommendation 3: Stormwater Management – The County should ensure that stormwater is properly managed, and major streams and detention/retention basins should be monitored for water quality and flow characteristics. The plan recommends the development of five stormwater management ponds as shown on the plan map.

Recommendation 4: Alternative solutions to provide remedial action for on-site stormwater management may be necessary, until such time as the Department of Environmental Resources (DER) implements the proposed potential regional stormwater management ponds in the planning area.

With regard to Recommendations 3 and 4, the stormwater management design is conceptually and technically reviewed and approved by the Department of Permitting, Inspections and Enforcement (DPIE) to address surface water runoff issues in accordance with Subtitle 32 Water Quality Resources and Grading Code, which requires that Environmental Site Design (ESD) be implemented to the maximum extent practicable (MEP) in accordance with the Stormwater Management Act of 2007. The site has an approved Stormwater Management Concept Plan (19266-2015). Several microbioretention facilities are proposed to treat the ESD volume.

Recommendation 5: Noise Attenuation – In areas of 65 dBA (Ldn) or greater, residential development proposals should be reviewed and certified by a professional acoustical engineer stating that the building shell of habitable structures located within a prescribed noise corridor will attenuate ultimate exterior noise level to an interior level not to exceed 45 dBA (Ldn), especially in the AICUZ designated noise corridor.

The proposed development use is commercial, not residential, in nature.

Recommendation 6: Air Quality: The County should continue to participate aggressively in metropolitan efforts to prevent further air quality deterioration and should support all available measures to improve local air quality.

Air quality is a regional issue that is currently being addressed by the Metropolitan Council of Governments.

Recommendation 7: Proposed developments should meet stringent standards and guidelines and the potential environmental impacts of human activities should be identified as early as possible in the planning process. The constraints of Natural Reserve and Conditional Reserve Area must be adhered to.

There are no Natural Reserve or Conditional Reserve Areas located on-site or on the adjacent properties. The proposed impacts due to the expansion are being addressed through Subtitles 24, 25, and 32. No impacts to regulated environmental features are proposed.

Conformance with the Countywide Green Infrastructure Plan

According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains Evaluation and Network Gap Areas within the designated network of the plan. The proposed woodland conservation and retention areas will preserve portions of the existing woodland in the Evaluation Area and Network Gap Area. Properties to the south of the subject property contain a stream valley, which are Regulated Areas of the Countywide Green Infrastructure Plan. Therefore, preservation of forest on the southern end of the subject property will create contiguous protected woodlands adjacent to the stream valley.

Environmental Review

A Natural Resources Inventory, NRI -029-13, was approved for the site April 1, 2013. The site contains wetlands, wetland buffer, 100-year floodplain, and areas of steep slopes. The symbol for the wetland and wetland buffer are not shown on the plan as shown on the legend. The acreage of the PMA on the revised NRI (46,939 square feet) and the TCP1-007-2015 (45,939 square feet) vary slightly. This minor inconsistency shall be addressed prior to approval of the TCP1.

This site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The site contains a total of 9.66 acres of woodlands. The site has a woodland conservation threshold of 2.09 acres and a total requirement of 2.62 acres. The TCP1 proposes to meet the requirements with on-site woodland preservation (2.62 acres). An additional 4.95 acres of woodland will be preserved, but not credited. Therefore, a total of 7.6 acres of woodland is proposed to remain on the subject site.

One area of woodland shown as "Woodland Preserved-Not Credited" is within the proposed Limit of Disturbance (LOD). This area should be removed from the LOD and shown as cleared, which would require the acreage of "Woodland Preserved-Not Credited" to be reduced to exclude it. If the area is proposed to remain, the LOD must be revised. The area is a narrow strip of woodland along the property line, east of the existing warehouse structure.

The subject property was previously subject to a Detailed Site Plan application (DSP-13008) and TCP2-018-13. A Woodland Conservation Easement (1.51 acres) was recorded in the County Land Records in Liber 36197 at Folio 466 per TCP2-018-13. The PMA shown on the TCP1 is consistent with previously approved TCP2; however, the proposed additional clearing with the current application yields increased woodland conservation requirements beyond what has already been recorded under TCP2-018-13. As such, prior to signature approval of the revised TCP2, the current woodland conservation easement will need to be vacated and the new easement must be recorded.

The site has frontage on Southern Avenue (located in the District of Columbia) and Wheeler Road (collector roadway) which is located north of the property. These roads are not regulated for traffic related noise and the application does not propose residential development. No additional information is required with regard to noise.

8. **Primary Management Area**—According to mapping research and as documented on the approved NRI, there are regulated environmental features present on-site including wetlands, 100-year floodplain and their associated buffers. This site drains to Oxon Run within the Potomac River Basin. Several areas of steep slope areas occur on-site.

The site contains a Primary Management Area (PMA) that is required to be preserved to the fullest extent possible per Section 24-130(b)(5). The Subdivision Regulations requires that: "...all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible." The regulated environmental features on the subject property include the delineated PMA.

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

All wetland areas, 100-year floodplain, and the majority of steep slopes are located within the PMA. The PMA and adjacent woodlands are proposed for preservation or retention. Based on the proposed limits of disturbance, the regulated environmental features have been preserved to the fullest extent possible because no impacts are proposed.

9. **Stormwater Management**—The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) has approved a Stormwater Management Concept Plan, 19266-2015-00, to ensure that development of this site does not result in on-site or downstream flooding and that stormwater control is provided on-site. The approved concept shows the use of micro-bioretenion to treat stormwater for the entire project. Development of this site shall conform to that approval or any subsequent amendments.

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection, and preservation of drinking water, stormwater, and wastewater systems within the County, on a countywide level. These policies are not intended to be implemented on individual properties or projects, and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans; County ordinances for stormwater management, 100-year

floodplain, and woodland conservation; and programs implemented by DPIE; the Prince George's County Health Department; the Prince George's County Department of the Environment (DoE); the Prince George's Soil Conservation District; the M-NCPPC, Planning Department; and the Washington Suburban Sanitary Commission (WSSC) are also deemed to be consistent with this functional master plan.

10. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, mandatory dedication of parkland is not required for the subject site because it consists of nonresidential uses.
11. **Trails**—This PPS has been reviewed for conformance with Sections 24-123 and 24-124.01 of the Subdivision Regulations, the 2009 Approved Countywide Master Plan of Transportation (MPOT), and the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* (Master Plan SMA) in order to implement planned trails, bikeways, and pedestrian improvements. The proposed development is not located within a community center or corridor per the Adequate Public Facility Review Map of Plan Prince George's 2035. Therefore, it is not subject to the requirements of Section 24-124.01, "Transportation Review Guidelines, Part 2, 2013."

There are no master plan trails issues that impact the subject site. There is an existing sidewalk on Southern Avenue for the entire frontage of the subject property in order to safely accommodate pedestrians. The concrete material of the sidewalk is carried across the site's vehicular access driveways to further delineate the crossings as part of the pedestrian realm. Furthermore, there is an existing sidewalk linking the public sidewalk along Southern Avenue with appropriate destinations on the subject site, such as the building entrance and parking lot. These existing facilities adequately accommodate pedestrians. It should be noted, however, that the entire right-of-way for Southern Avenue (including the sidewalk along the frontage of the subject site) is under the jurisdiction of the District of Columbia and is beyond the scope of this application.

The planned Barnaby Run Trail lies to the south of the subject site. The Maryland-National Capital Park and Planning Commission (M-NCPPC) owns land along this stream valley to the south and east of the subject property. Some of this land immediately abuts the subject property. However, it appears that the headwaters of Barnaby Run end on the property to the south of the subject application. Furthermore, this future stream valley trail is probably most appropriate in the residential communities to the south and east of the subject site where parkland has been acquired, not within the industrially zoned consolidated storage property. There are no additional master plan trail or sidewalk recommendations.

12. **Transportation**—The subject site has frontage is on Southern Avenue, a four-lane undivided roadway which is under the authority of the District of Columbia. The property currently and three vehicular access driveway along Southern Avenue. One driveway is proposed to be removed, which is supported by the Planning Board. This development will be served by surface parking. Access to the parking spaces and the overall site circulation are acceptable.

The PPS proposes expansion of an existing consolidated storage facility. The size of the expansion will be 98,831 square feet. Based on recommendation from the *Trip Generation Manual, 9th Edition* (Institute of Transportation Engineers), the planned development will add 30 AM and 32 PM trips during the peak hours. The signalized intersection of Southern Avenue and Wheeler Road (located 300 feet north of the site) is deemed to be critical to the development. Based on a May 12, 2015 peak hour turning movement count, the intersection operates with a LOS/CLV of C/1221 and B/1052 during the AM and PM peak hours. While these levels of service represent adequacy based on the "Guidelines," the intersection is located entirely outside the County, and therefore beyond the jurisdiction of the Planning Board. A trip cap of 48 AM and 51 PM peak-hour trips is recommended for the total on-site development of 157,261 square feet of GFA.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Subdivision Regulations.

13. **Schools**—The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the "Adequate Public Facilities Regulations for Schools" (County Council Resolutions CR-23-2001 and CR-38-2002), and concluded that the subdivision will have no impact on school clusters because it is a nonresidential use.
14. **Fire and Rescue**—The PPS has been reviewed for adequacy of fire and rescue services in accordance with Sections 24-122.01(d) and 24-122.01(e)(1)(E) of the Subdivision Regulations.

Section 24-122.01(e)(1)(E) states that "A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month."

The proposed project is served by Oxon Hill Fire/EMS, Company 842. This first due response station located at 1100 Marcy Avenue, Oxon Hill, Maryland, is within the maximum seven-minute travel time for nonresidential land uses.

Capital Improvement Program (CIP)

There are no Prince George's County CIP projects for public safety facilities proposed in the vicinity of the subject site.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the "Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities."

15. **Police Facilities**—The proposed development is within the service area of Police District IV, Oxon Hill. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department and the July 1, 2014 (U.S. Census Bureau) county population estimate is 904,430. Using the 141 square feet per 1,000 residents, it calculates to 127,524 square feet of space for police. The current amount of space 267,660 square feet is within the guideline.

16. **Water and Sewer Categories**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The 2008 *Water and Sewer Plan* placed part of this property in water and sewer Category 3, Community System. The site will therefore be served by public water and sewer service. The site is located in Sustainable Growth Tier 1 which also requires public service systems.
17. **Health Department**—The Prince George’s County Health Department has evaluated the PPS and recommends that the applicant remove any trash debris from the site at the time of grading permits.
18. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when public utility easements (PUEs) are required by a public utility company, the subdivider should include the following statement on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The PPS correctly delineates a ten-foot-wide PUE along the public right-of-way as required, which will be reflected on the final plat prior to approval.

19. **Historic**—The existing building on the subject property was built in 1961 for the Henry B. Gilpin Company. The building was designed by the architectural firm of Chatelain, Gauger & Nolan and was constructed by E.A. Baker Co. The firm of Chatelain, Gauger & Nolan was formed in 1956 by Leon Chatelain, Jr., with partners Earl V. Gauger and James A. Nolan. This architectural and engineering firm was well known for its institutional and commercial buildings and also designed the Kiplinger Editor’s Park Building formerly located at 3401 East-West Highway in Hyattsville.

The Henry B. Gilpin Company was one of the largest and oldest wholesale drug companies in the country. Participants at an open house ceremony on May 6, 1962 included Maryland Governor Tawes and Dr. William S. Apple, Secretary and General Manager of the American Pharmaceutical Association. The new Gilpin building at 901 Southern Avenue contained 59,000 square feet of space and was equipped with conveyor systems for rapid handling of products. The Gilpin building was sold to Jack R. Tribble and Associates, an appliance and electrical components distribution firm, in November 1981. Harvey Memorial Baptist Church of Washington, D.C. acquired the building in August 2002.

The former Gilpin building was operated as a church from 2002 until recently. District of Columbia boundary marker SE 6 (#76A-018) is located on the western edge of the subject property. The site of the boundary stone is not shown on all of the plans and should. This boundary stone is one of 40 milestones marking the boundary between Maryland and Virginia and the original 100 square miles allotted for the City of Washington. The Maryland boundary stones were set in 1792. The 36 surviving boundary stones were listed in the National Register of Historic Places on November 1, 1996. Each stone has a three-foot easement around it that is considered

federal property. The District of Columbia Department of Transportation accepted legal responsibility for the stones from the Department of Interior in 2003.

Phase I archeological survey is not recommended on the property. Aerial photographs show that the subject property was extensively graded in the 1960s. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low.

20. **Use Conversion**—The subject application is not proposing any residential development; however, if a residential land use were proposed, a new subdivision is recommended. There exists different adequate public facility requirements comparatively between residential and nonresidential uses, and there are other considerations for a residential subdivision not considered in the review of commercial, industrial, and mixed-use development including recreational components, noise, and access. A new subdivision is recommended if residential development is to be proposed.

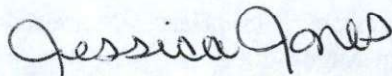
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

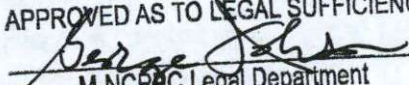
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Shoaff, Bailey and Hewlett voting in favor of the motion at its regular meeting held on Thursday, November 19, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of December 2015.

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:WM:ydw

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department
Date 11/24/15