

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Subdivision Plat 4-00031
Ballowe Property, Parcels ■E• and ■F•

OVERVIEW

The subject property consists of approximately 5.52 acres of undeveloped land in the C-M Zone. It is found on Tax Map 97, Grid F-1. The property is recorded as Parcel ■D•, Ballowe Property, recorded in 1986 in Record Plat NLP 126 @ 100. The applicant proposes to resubdivide the property into two parcels. Proposed Parcel ■E•, 1.76 acres, is shown on the preliminary plat for the development of a 79-room hotel. No uses are currently proposed for the remaining 3.76 acres, proposed Parcel ■F•, but once recorded, this parcel could be developed in the future with permitted uses in the C-M Zone.

The property is bisected by a stream, classified as Waters of the U.S. The stream generally affects only proposed Parcel ■F•, not proposed for development at this time. The applicant has not requested a variation to disturb the stream; therefore, the staff recommendation includes encumbering most of proposed Parcel ■F• with a Conservation Easement.

Access to the property will be from Mercedes Boulevard. The property also fronts Henderson Way, a primary residential street. Tree Conservation is proposed along the property's Henderson Way frontage, preventing access to the property from the residential neighborhood. To further ensure that no commercial vehicles have direct access to Henderson Way, staff recommends a note be placed on the final plat denying access to Henderson Way.

SETTING

The property is located on the east side of Mercedes Boulevard, south of Auth Road and approximately 1,200 feet east of MD 5. To the north and west are commercial uses in the C-M Zone. A church abuts the property to the east in the R-80 Zone, and a single-family home abuts the northeast corner of the property.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental Issues - This site is subject to the provisions of the Woodland Conservation Ordinance because the total site is more than 40,000 square feet and contains more than 10,000 square feet of woodland. A Tree Conservation Plan, TCPI/12/99, has been submitted for review.

TCPI/12/99 proposes on-site preservation of 1.04 acres of woodland to meet the minimum requirements of the Woodland Conservation Ordinance. The proposal includes retention of 2.04 acres of additional woodland. Should additional woodland be cleared, more woodland will need to be preserved. Staff recommends approval of TCPI/12/99.

The site contains significant natural features, which are required to be protected under Section 24-130 of the Subdivision Regulations. When the property was last reviewed (under a previously withdrawn Preliminary Plat 4-99016) the extent of Waters of the U.S. were not known. The applicant has obtained a Jurisdictional Determination from the U.S. Army Corps of Engineers that indicates the full extent of the stream. As a matter of policy, all Waters of the U.S. are regarded as ■streams• with regard to interpretation of County Code. A minimum 50-foot stream buffer is required.

Staff have the same concern raised during the review of 4-99016. Parcel ■F• will be bisected by a stream. Development of the eastern portion will at the very least need a variation request to allow an internal road crossing (access to Henderson Way is prohibited).

At time of final plat, a Conservation Easement should be described by bearings and distances. The conservation easement should contain all 100-year floodplain and stream buffers, except for approved variation requests, and be reviewed by the Environmental Planning Section prior to certificate approval. The following note should 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 is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

The soils pose no special problems for development. There are no noise impacts associated with this proposal. No historic or scenic roads are impacted by this proposal.

The property is in Water and Sewer Category 3 and will be served by public systems.

2. Community Planning - The *Adopted and Approved Master Plan for Subregion VII* (1981) recommends the property for Service-Commercial land use. The property was rezoned from the C-G Zone to the C-M Zone through the District Council adoption of the 1984 *Subregion VII Sectional Map Amendment*.

There are no master plan issues with this subdivision. For informational purposes, the status of the ongoing master plan process is provided. The property is located within the area subject to the *Adopted Master Plan and Endorsed Sectional Map Amendment for the Heights and Vicinity* (January 2000). The property is proposed to be rezoned to the C-O Zone in the Endorsed Sectional Map Amendment for the Heights. (The C-O Zone requires site plan review for a motel.) The District Council is anticipated to approve the plan and sectional map amendment in the fall of 2000. If the property is rezoned to the C-O Zone prior to the issuance of building permits, the applicant should be aware of the detailed site plan requirement.

3. Parks and Recreation - The property is exempt from the requirements of Section 24-134 of the Subdivision Regulations for mandatory park dedication because it is in a nonresidential zone and no dwellings are proposed.
4. Trails - There are no master plan trail issues associated with this application.
5. Transportation - This application presents an unusual case as it initially appeared that this is the resubdivision of a legal parcel. In its review of a prior application, the transportation staff

initially determined that existing Parcel ■D,• which this plan proposes to split into two parcels, might never have been the subject of a preliminary plat of subdivision and therefore was never subjected to a review of adequate transportation facilities. Preliminary Plat of Subdivision 4-85199, on which the Final Plat was based, only created Parcel ■C.• Further research indicated that this site was legally subdivided under Preliminary Plat of Subdivision 4-77207. That subdivision created two large parcels and set the right-of-way for Mercedes Boulevard, and presumably the question of adequate transportation facilities was appropriately resolved at that time. Therefore, the findings and recommendations outlined below are based upon a review of relevant materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines)*.

The application is a proposal to resubdivide existing Parcel D of Ballowe Property, which is zoned C-M, by creating two new parcels. The existing parcel is recorded and is unimproved. Proposed Parcel ■E,• with a total area of 1.76 acres, is proposed for development as a 79-room hotel/motel. Proposed Parcel ■F,• with a total area of 3.76 acres, has no proposal at this time. The transportation staff assumes that Parcel■F•would contain up to 49,150 square feet of permitted C-M uses.

Because the existing parcel has been previously subdivided, the proposed subdivision would generate no net trips as a result of the resubdivision. There would be no resulting impact on traffic operations at the Auth Road/Mercedes Boulevard intersection, which is the development's critical intersection, as a result of the resubdivision.

Proposed Parcel ■E,• if developed with a 79-room hotel/motel, would generate 51 AM and 63 PM peak hour vehicle trips. Proposed Parcel ■F,• if developed under a floor-to-area ratio (FAR) of 0.3, could contain up to 65,500 square feet of commercial or office space. This quantity of development could generate as many as 174 AM and 219 PM peak hour vehicle trips. Staff recommends limiting development on proposed Parcels ■E• and ■F• to permitted uses which would generate no more than the number of peak hour trips which are stated above.

The Transportation Planning Section concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved with a condition limiting trip generation to 225 AM and 282 PM peak hour trips.

6. Schools - The proposal is exempt from the requirements of Section 24-122.02 of the Subdivision Regulations for adequacy of public schools because it is in a nonresidential zone and no dwelling units are proposed.
7. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the proposed preliminary plat for adequacy of public facilities and concluded the following.
 - a. The existing fire engine service at Silver Hill Fire Station, Company 29, located at 3900 Silver Hill Road, has a service response time of 4.02 minutes, which is beyond the 3.25-minute response time guideline.
 - b. The existing ambulance service at Silver Hill Fire Station has a service response time of 4.02 minutes, which is within the 4.25-minute response time guideline.

- c. The existing paramedic service at Silver Hill Fire Station has a service response time of 4.02 minutes, which is within the 7.25-minute response time guideline.
- d. The existing ladder truck service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service response time of 7.21 minutes, which is beyond the 4.25-minute response time guideline.

These findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed above, the Fire Department recommends that all commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

- 8. Police Facilities - The proposed development is within the service area of the District IV-Oxon Hill. In accordance with Section 24-122.01(c)(1)(A) and (B) of the Subdivision Regulations of Prince George's County, the staff concludes that the existing County police facilities will be adequate to serve the proposed Ballowe Property development. This police facility will adequately serve the proposed subdivision.
- 9. Health Department - The Health Department reviewed this application and offered no comments.
- 10. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #998004030, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. The approval is valid through March 2, 2002. Development must be in accordance with this approved plan.
- 11. Public Utility Easement - The preliminary plat includes the required 10-foot-wide public utility easement along Mercedes Boulevard and Henderson Way. These easements will be reflected on the final plat.

RECOMMENDATION

APPROVAL, subject to the following conditions:

- 1. At time of final plat, a Conservation Easement shall be described by bearings and distances. The conservation easement shall contain all 100-year floodplain and stream buffers, except for approved variation requests, and be reviewed by the Environmental Planning Section prior to approval. 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 is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

2. A note shall be placed on the final plat prohibiting direct access to Henderson Way.
3. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/12/99). 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 (TCP I/12/99), 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/Tree Preservation Policy."
4. A Type II Tree Conservation Plan shall be approved prior to the issuance of permits.
5. Total development of Parcels ■E• and ■F,• as shown on the preliminary plat, shall be limited to permitted uses which generate no more than 225 AM and 282 PM peak hour vehicle trips. Any development other than that identified herein above shall require an additional Preliminary Plat of Subdivision with a new determination of the adequacy of transportation facilities.
6. The final plat shall include the 10-foot Public Utility Easement along Mercedes Boulevard and Henderson Way.
7. Development of this site shall be in accordance with the approved stormwater concept plan, Concept #998004030.
8. The following note shall be placed on the final plat:

■An automatic fire suppression system, in accordance with National Fire Protection Association Standard 13 and all applicable Prince George•s County Laws, shall be provided in all proposed buildings.●

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN, TCPI/12/99.