



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm

PRELIMINARY PLAN

4-02043

Application	General Data	
Project Name: ATMAN INDUSTRIAL PARK, PARCEL C Location: West side of Old Gunpowder Road, approximately 200 feet north of its intersection with Minnick Road. Applicant/Address: Atman ORG, Inc. 7752 Woodmont Avenue, #208 Bethesda, MD 20814	Date Accepted	06/04/02
	Planning Board Action Limit	09/12/02
	Tax Map & Grid	004/F-03
	Plan Acreage	4.69
	Zone	I-2
	Lots	0
	Parcel	1
	Planning Area	60
	Council District	01
	Municipality	N/A
	200-Scale Base Map	219NE05

Purpose of Application	Notice Dates	
INDUSTRIAL SUBDIVISION	Adjoining Property Owners (CB-15-1998)	N/A
	Previous Parties of Record (CB-13-1994)	N/A
	Sign(s) Posted on Site	8/27/02
	Variance(s): Adjoining Property Owners	N/A

Staff Recommendation			Staff Reviewer: Del Balzo
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-02043
Atman Property

OVERVIEW

The subject property consists of approximately 4.69 acres of land in the I-2 Zone. It is part of Parcel "C," recorded in WWW 87 @ 34. The applicant proposes to create a legal building lot for the development of a 5,000-square-foot contractor's office. The property was split by deed post 1982, creating two nonlegal lots. The applicant has attempted to include the owner of the other half of the parcel in the application, to no avail (see Finding 14). Access to the rear residue of the parcel will be provided via an access easement across the subject property.

SETTING

The property is located on the west side of Old Gunpowder Road, approximately 200 feet north of its intersection with Minnick Road. It is surrounded by industrial uses to the north and south. To the west, in Montgomery County, is the proposed Fairland Golf Course Community. The proposed Fairland Golf Community in Prince George's County is further to the south and north of the subject property.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Development Data Summary

	EXISTING	PROPOSED
Zone(s)	I-2	I-2
Use(s)	Vacant	Contractor's Office
Acreage	4.69	4.69
Parcels	1	1
Square Footage/GFA	0	5,000

2. Environmental Issues—Based on aerial photographic observation the site is partially developed, and marginally wooded, with existing forested areas in clusters, especially on the western half, and north-south boundary lines. Adjacent to the site on the east is Old Gunpowder Road, a noise generator. The site is characterized with rolling terrain to the west, which drains into unnamed tributaries of Paint Branch of the Anacostia River watershed. There are no streams, wetlands, Waters of the U.S., and erodible soils associated with the site. There are no rare/threatened/ endangered species located

in the vicinity of this property. The predominant soil type on-site is Galestown series. These soil series generally exhibit slight limitations to development due to steep slopes. There are no historic or scenic roads affected by this proposal. There are no Marlboro Clay outcrops located on or adjacent to the subject property.

This site is not subject to the provisions of the Woodland Conservation Ordinance because the entire site contains less than 10,000 square feet of woodlands and does not have a previously approved Tree Conservation Plan. A Tree Conservation Plan will not be required. A Standard Exemption Letter will be required prior to issuance of any permit.

Noise impacts have been identified on this site which should be addressed if residential uses on the subject property are proposed in the future. The following note should be placed on the final plat:

“If residential uses are proposed on the subject property, a Phase II noise study will be required to evaluate the impacts and provide mitigation measures as required in compliance with State Noise Standards.”

3. Community Planning—The 2002 General Plan placed the property in the Developing Tier. The *1990 Master Plan for Subregion I* recommends Industrial land use for the property. In recognition of the longstanding industrial uses in this area, the *1990 Sectional Map Amendment for Subregion I* retained this property in the I-2 Zone. There are no master plan issues raised by this application.
4. Parks and Recreation—The proposed subdivision is exempt from the requirements of Section 24-134 of the Subdivision Regulations for mandatory park dedication because it is in a commercial zone and no dwellings are proposed.
5. Trails—In conformance with the *Adopted and Approved Subregion I Master Plan* and in conjunction with recent approvals for the nearby Cross Creek and Fairland Golf Community developments, the applicant should construct a hiker-biker-equestrian trail along the subject property’s entire road frontage of Old Gunpowder Road. This trail will tie into the existing trails network at Fairland Regional Park, supplement the planned trails along Old Gunpowder Road at previously approved subdivisions, and provide for safe multimodal transportation along Old Gunpowder Road.
6. Transportation—The applicant proposes to create one parcel for development with a 5,000-square-foot contractor’s office.

The transportation staff determined that the size of the property did not warrant a traffic study, and that other traffic-related data was available from which to draw findings. 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*.

Growth Policy – Service Level Standards

The subject property is located within the Developing Tier, as defined in the Adopted 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.

Staff Analysis of Traffic Impacts

The transportation staff is basing its findings on the traffic impacts at the critical intersection of MD 198 and Old Gunpowder Road, which is signalized. Using data taken from the Fairland Golf Community traffic study (prepared for preliminary plan 4-01070), this intersection operates at Level-of-Service (LOS) C, with a critical lane volume (CLV) of 1,192, in the AM peak hour. In the PM peak hour, the intersection operates at LOS C with a CLV of 1,160.

The transportation staff has reviewed approved development in the area, and assumed a growth rate of 1.0 percent annually over three years along MD 198. Neither the state nor the county programs include capital projects at this location. Under background traffic, the critical intersection operates at LOS C with a CLV of 1,282 in the AM peak hour, and at LOS C with a CLV of 1,286 in the PM peak hour.

The applicant proposes to legally divide the subject half of Parcel “C” from the residue of Parcel “C.” An industrial building, which would remain, exists on the residue. Proposed Parcel E contains a building and some trailers, which would be replaced by a 5,000-square-foot industrial building. Using trip generation rates in the *Guidelines* for industrial development in the I-2 Zone, the proposed use would generate 5 AM (4 in, 1 out) and 5 PM (1 in, 4 out) peak hour vehicle trips. These trips are assumed to be distributed as follows:

70% - north along Old Gunpowder Road
30% - south along Old Gunpowder Road

Given these parameters for total traffic, the critical intersection operates at LOS C with a CLV of 1,285 in the AM peak hour, and at LOS C with a CLV of 1,287 in the PM peak hour. Using the Planning Board’s *Guidelines*, the critical intersection operates at LOS D or better in both peak hours, leading staff to conclude that the critical intersection of MD 198 and Old Gunpowder Road operates acceptably with the development of the subject property.

Old Gunpowder Road is a master plan collector facility. The preliminary plan must reflect dedication of 40 feet from the existing center line. Any trail requirement would presumably occur in addition to this right-of-way. Staff would note that, notwithstanding the typical standard for collector roadway construction, Council Resolution CR-19-1990 approving the Subregion I Master Plan includes revision 6, which indicates that Old Gunpowder Road is to be “a four-lane limited access collector road with an 80' right-of-way and a 20 foot landscaped median.” Further clarification of right-of-way needs and improvements to be constructed within the area of dedication should be obtained from the DPW&T Office of

Engineering.

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

7. Schools—The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001). The proposed subdivision is exempt from APF test for schools because it is a commercial use.
8. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.
 - a. The existing fire engine service at Laurel Fire Station, Company 10, located at 7411 Cherry Lane, has a service response time of 5.69 minutes, which is beyond the 3.25-minute response time guideline.
 - b. The existing ambulance service at Beltsville Fire Station Company 41, located at 3939 Powdermill Road, has a service response time of 6.96 minutes, which is beyond the 4.25-minute response time guideline.
 - c. The existing paramedic service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road, has a service response time of 6.96 minutes, which is within the 7.25-minute response time guideline.
 - d. The existing ladder truck service at Beltsville Fire Station, Company 31, located at 4911 Prince George's Avenue, has a service response time of 7.76 minutes, which is beyond the 4.25-minute response time guideline.

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

9. Police Facilities—The proposed development is within the service area for District VI- Beltsville. In accordance with Section 24-122.1(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Atman Industrial Park development. This police facility will adequately serve the population generated by the proposed subdivision.
10. Health Department—The Health Department has raised several issues. The property is in Water Category 3 and Sewer Category 5 in the 10-Year Water and Sewer Plan, and will be served by public water and a private sewage disposal system. To ensure that the sewage disposal system is unencumbered, the Health Department requests a site plan showing the following information be provided prior to signature approval of the preliminary plan:

- a. All easements, including the location of the existing sewage disposal system for the use of the Earl Center building (on residue). This easement shall contain 10,000 square feet exclusive of the existing concrete pad. Show a 10-foot separation between the easement and the proposed recovery area.
 - b. Locate all water lines that may be serving this and adjoining parcels.
 - c. Designate all slopes, existing a proposed, of 25 percent or greater.
 - d. Show all sewage disposal recovery areas at least 25 feet from the existing drainage ditch.
 - e. Designate the location of the building and proposed parking for this property and any proposed grading.
 - f. Fencing for sewage disposal recovery areas.
11. 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, 27736-2001-00, was approved on August 28, 2002. To ensure that development of this site does not result in on-site or downstream flooding, development must be in accordance with this approved plan.
 12. Public Utility Easement—The preliminary plan does not include the required 10-foot-wide public utility easement. Prior to signature approval, this easement needs to be included on the plan along the public right-of-way and within the on-site access easement.
 13. Cemeteries—The applicant’s engineer has certified that there are no cemeteries on the subject property.
 14. Part-of-Parcel Issue—As noted in this report, the application involves only part of Parcel “C.” With regard to conformance to Subtitle 24 (Subdivision Regulations), the owners of both “halves” of Parcel “C” have what are now viewed as illegal lots that have been created outside of the subdivision process after 1982. The subject application will rectify this situation for the subject property only. In a letter from the applicant’s attorney, the adjoining property owner was invited to join this process, but there is no response in the record. His decline retains the status of his property being considered an illegal lot, for which future permitting (buildings, fencing, etc.) may be in jeopardy. To rectify that situation, that property owner (or a subsequent owner of that property) will need to file another preliminary plan of subdivision to create a record lot as defined by the Prince George’s County Zoning Ordinance.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The following note shall be placed on the final plat:

“If residential uses are proposed on the subject property, a Phase II noise study will be required to evaluate the impacts and provide mitigation measures as required in compliance with State Noise Standards.”

2. At the time of final plat approval, the applicant shall dedicate 40 feet from centerline for right-of-way along Old Gunpowder Road. Improvements within the dedicated right-of-way will be as determined by DPW&T.
3. Total development of this site shall be limited to a 5,000-square-foot industrial building and its related facilities, or other permitted uses which generate no more than 5 AM and 5 PM peak hour vehicle trips. Any development which generates more peak hour vehicle trips than identified herein shall require an additional preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
4. Concurrent with construction of road improvements, the applicant, his heirs, successors and/or assignees shall construct a hiker-biker-equestrian trail along the subject property's entire road frontage of Old Gunpowder Road. This trail will tie into the existing trails network at Fairland Regional Park, supplement the planned trails along Old Gunpowder Road at previously approved subdivisions.
5. Prior to signature approval of the preliminary plan, the stormwater concept plan approval date and number shall be added to the plan. Development of this site shall be in conformance with the approved stormwater concept plan, 27736-2001-00, or any approved revisions thereto.
6. Prior to signature approval, the preliminary plan shall be revised to graphically depict the 10-foot Public Utility Easement along all public rights-of-way and within the on-site access easement.
7. Prior to signature approval of the preliminary plan, the applicant shall submit a site plan to the Health Department, indicating the following:
 - a. All easements, including the location of the existing sewage disposal system for the use of the Earl Center building (on residue). This easement shall contain 10,000 square feet exclusive of the existing concrete pad. Show a 10-foot separation between the easement and the proposed recovery area.
 - b. Locate all water lines that may be serving this and adjoining parcels.
 - c. Designate all slopes, existing and proposed, of 25 percent or greater.
 - d. Show all sewage disposal recovery areas at least 25 feet from the existing drainage ditch.
 - e. Designate the location of the building and proposed parking for this property and any proposed grading.
 - f. Fencing for sewage disposal recovery areas.