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## Preliminary Plan 4-06115

Application	General Data
<b>Project Name:</b> DOWER EMPLOYMENT CENTER  <b>Location:</b> Along the southeast corner of Fallard Court, approximately 700-feet east of its intersection with Fallard Drive.  <b>Applicant/Address:</b> PG DOWER, LLC 611 Lighthouse Landing Lane Annapolis, Md 21401  <b>Property Owner:</b> MARION BEVARD c/o THE MICHAEL COMPANIES INC.	Date Accepted: 3/1/07
	Planning Board Action Limit: 5/10/07
	Plan Acreage: 7.94
	Zone: I-1
	Lots: 2
	Parcels: 1
	Planning Area: 77
	Tier: Developing
	Council District: 09
	Election District: 15
	Municipality: N/A
	200-Scale Base Map: 208SE09

Purpose of Application	Notice Dates
Two Industrial lots and one parcel for stormwater management.	Adjoining Property Owners Previous Parties of Record Registered Associations: 1-31-07 (CB-58-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 4-10-07

Staff Recommendation		Staff Reviewer: John Ferrante	
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 4-06115  
Dower Employment Center, Lots 31, 32, and Parcel A

OVERVIEW

The subject property is located on Tax Map 99, Grid E-4, and is known as Parcel 108 and Outlot C. On April 7, 1988, a portion of Fallard Court was abandoned per Vacation Application, V-88023. On September 30, 1988, a plat of re-subdivision was recorded for Dower Employment Center (NLP 141 @ 33), which created Outlot C. The purpose of Outlot C (12,989 square feet) was to contain the portion of land which was previously within the Fallard Court right-of-way and abandoned earlier that year per V-88023. Because Outlot C has street frontage along Fallard Court and separates the most developable portion of abutting Parcel 108 from the Fallard Court right-of-way, the applicant has chosen to include Outlot C, along with Parcel 108, within the limits of this preliminary plan application.

This property has been the subject of a prior preliminary plan of subdivision application. Prior Preliminary Plan Application, 4-88147, was basically identical to the current preliminary plan application, as it proposed two industrial lots and one stormwater management parcel. The prior preliminary plan was disapproved by the Planning Board on November 17, 1988, due to inadequate transportation facilities. The Transportation Planning Section had concluded that even with the limited transportation improvements cited within the traffic study submitted for the prior application, the intersection of MD 223 and Dower House Road, which would serve the development, would still be operating beyond capacity. Furthermore, the MD 4/Dower House Road intersection was determined to be the major critical intersection serving the proposed development. This intersection was operating at an unacceptable level of service, both before and after, the proposed development was included within the calculations, and no improvements for the failing intersection were recommended within the applicant's traffic study. The Planning Board's actions for the prior case can be found within PGCPB Resolution No. 88-545.

The applicant is now proposing to subdivide the property into two lots and one parcel for the development of 80,000 square feet of industrial flex space. Lots 31 and 32 will contain the proposed building, while Parcel A will contain the existing, county maintained, stormwater management facility. The TCPI submitted demonstrates a proposed industrial building consisting of 59,500 square feet. However, based on the submitted traffic study, this preliminary plan application has been tested for the proposed development of an 80,000square-foot building for the purposes of determining transportation adequacy and adequate public facilities.

On April 15, 1988, the property owner conveyed an easement to Prince George's County which was recorded as, Liber 6985 at Folio 924. The easement allowed Prince George's County to access the site, as well as to construct, maintain, repair, operate, and inspect the stormwater management pond located on the property. The applicant is now proposing to convey the parcel to Prince George's County as part of this preliminary plan application. As requested by DPW&T, the applicant submitted a

description and sketch of the Stormwater Management Parcel, (Parcel A, 3.33 acres), to DPW&T on November 24, 2006. Revisions were then requested by DPW&T in late February, and plans were re-submitted to DPW&T on March 1, 2007, for their final review and conveyance.

Residential subdivisions, Equestrian Estates (VJ 186 @ 48) and Windsor Park (NLP 134 @ 95), abut the property along the eastern property line. A 50-foot-wide equestrian/hiker trail easement, located on homeowners association property, does separate the industrially zoned Dower Employment Center from the detached single-family dwellings within these two abutting subdivisions. However, the two uses are not compatible, and the applicant is required to install a landscape bufferyard, in accordance with Section 4.7 of the *Landscape Manual*. The revised preliminary plan submitted for this application correctly delineates the required landscape buffer along the entire eastern property line to separate the proposed industrial use from the adjacent residential subdivisions.

## SETTING

The property is located along the southeast corner of Fallard Court, approximately 700-feet east of its intersection with Fallard Drive. To the north and west is the Dower Employment Center, (NLP 133 @ 8, NLP 151 @ 13), within the I-1 Zone. To the south is Parcel A, within the Queen's Wood Subdivision, (NLP 114 @ 32), and zoned I-1. To the east is the Equestrian Estates Subdivision, (VJ 186 @ 48), and the Windsor Park Subdivision, (NLP 134 @ 95), within the R-R Zone.

## FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	I-1	I-1
Use(s)	Undeveloped w/County SWM Pond	New Industrial Building (80,000 sq. ft.) w/County SWM Pond
Acreage	7.94	7.94
Lots	0	2
Outlots	1	0
Parcels	1	1
Dwelling Units:		
Detached	0	0
Public Safety Mitigation Fee		N/A

2. **Environmental**—The Environmental Planning Section has reviewed the revised Preliminary Plan of Subdivision for Dower Employment Center, 4-06115, stamped as received by the Environmental Planning Section on April 11, 2007, and the Type I Tree Conservation Plan, TCPI/014/07, stamped as received by the Environmental Planning Section on March 9, 2007. The Environmental Planning Section recommends approval of 4-06115 and TCPI/014/07 subject to the conditions.

## BACKGROUND

The Environmental Planning Section previously reviewed this site as an application for a Preliminary Plan of Subdivision (4-88147) that was disapproved. The current application is for 2 lots and 1 parcel within the I-1 Zone.

## **SITE DESCRIPTION**

This 7.94-acre property in the I-1 Zone is located at the terminus of Fallard Court approximately 700 feet east of its intersection with Fallard Drive. There are no streams, wetlands or 100-year floodplain on the property. The site eventually drains into Charles Branch within the Patuxent River watershed. According to the "Prince George's County Soils Survey" the principal soils on this site are in the Beltsville and Sandy Land series. A significant portion of the site had been mined for sand and gravel. Marlboro clay does not occur in this area. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program rare, threatened, or endangered species do not occur on this property or on adjacent properties. No designated scenic or historic roads will be affected by the proposed development. There are no nearby sources of traffic-generated noise. Based on the most recent Air Installation Compatible Use Zone Study released to the public in August 1998 by the Andrews Air Force Base, aircraft-generated noise is significant. This property is located in the Melwood planning area and in the Developing Tier as reflected in the approved General Plan.

### **Environmental Issues Addressed in the Melwood-Westphalia Master Plan.**

The master plan indicates that the property is impacted by aircraft noise from military overflights associated with Andrews Air Force Base. The most recent Air Installation Compatible Use Zone Study (AICUZ) indicates that the property is within the 65-70 dBA (Ldn) noise contours. However, noise mitigation is not required because the proposed use is not residential in nature and standard building methods will reduce interior noise levels to below the threshold for employment uses.

### **Countywide Green Infrastructure Plan**

The property contains regulated areas, evaluation areas, and network gaps within the Countywide Green Infrastructure Plan.

## **ENVIRONMENTAL REVIEW**

A signed natural resources inventory (NRI), NRI/106/06, was submitted with the application. The inventory indicates that there are no streams, wetlands, 100-year floodplain or specimen trees on the property.

The forest stand delineation describes three forest stands totaling 2.40 acres. None of the woodlands are located in priority preservation areas. No further action regarding sensitive environmental features is required.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the site is greater than 40,000 square feet in size and has more than 10,000 square feet of woodland on-site. A Type I Tree Conservation Plan is required.

The Type I Tree Conservation Plan, TCPI/014/07, has been reviewed and was found to require revisions. The plan proposes clearing 1.40 acres of the existing 2.40 acres woodland. The woodland conservation threshold is 1.19 acres. Based upon the proposed clearing the woodland conservation requirement for this proposal is 1.68 acres. The plan proposes to meet a portion of this requirement by providing 0.10 acres of on-site preservation and 0.42 acres of on-site planting. The plan indicates the use of a fee-in-lieu for 0.90 acres; however, this leaves a shortage

of 0.26 acres. An additional 0.90 acres of woodland is shown to be preserved on the portion of the site to be dedicated to the Prince George's County Department of Public Works and Transportation; however, none of this is currently designated to meet any of the woodland conservation requirements. In addition, permission from the Department of Public Works and Transportation has not been provided. These discrepancies need to be resolved prior to signature approval.

There are numerous technical errors with the plan. The area of land to be dedicated to the Prince George's County Department of Public Works and Transportation has been inappropriately deducted from the gross tract area. Because of this improper deduction the calculations shown in the worksheet are incorrect. The TCPI and the preliminary plan have been drawn to different scales and they need to be at the same scale.

The *Landscape Manual* requires a 40-foot-wide minimum landscape buffer along the eastern property line. This area may be used as a designated woodland conservation area if it is planted to meet the density requirements of the Woodland Conservation Ordinance. Inclusion of this area on proposed Parcel A will add approximately 0.27 acres of woodland that can be used to meet the requirement.

According to the "Prince George's County Soils Survey" the principal soils on this site are in the Beltsville and Sandy Land. An examination of aerial photos indicates that the entire site has been disturbed since the publication of the "Prince George's County Soils Survey." This information is provided for the applicant's benefit. A soils report may be required by Prince George's County during the permit process review.

According to the preliminary plan and TCPI, Stormwater Management Concept Plan, CSD #8005630-2000-00, has been approved for this site and the constructed stormwater management facility, which will be dedicated to the Prince George's County Department of Public Works and Transportation, is shown on the TCPI. A subsequent Stormwater Management Concept Plan, CSD #10236-2007, has been submitted, but not yet approved. Two copies of the signed Stormwater Management Concept Plan and the associated concept letter should be submitted prior to signature approval. Any required facilities should be delineated on the TCPI.

## **SUMMARY**

The Environmental Planning Section recommends approval of 4-06115 and TCPI/014/07 subject to conditions.

## **Water and Sewer Categories**

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003, and the site will therefore, be served by public systems.

**Community Planning**—The property is located in Planning Area 77, and is within the limits of the 1994 *Melwood Westphalia Approved Master Plan & Sectional Map Amendment*. The master plan recommends a light industrial land use for the subject property. This application proposes a light industrial land use which is consistent with the land use recommendation within the 1994 *Melwood Westphalia Approved Master Plan & Sectional Map Amendment*.

The 2002 General Plan locates the property within the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low-to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. This property is classified as part of Employment Area 5 within the 1994 Melwood Westphalia Master Plan (See pages 90 and 92). This application proposes an employment area which is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier.

The 1984 Melwood Westphalia Approved Master Plan & Sectional Map Amendment classified this property as I-1, light industrial. This application is located east of Andrews Air Force Base in an area subject to noise impacts from flight operations.

## PLANNING ISSUES

Adequate landscaping should be provided to buffer the adjacent parcels to the east which are zoned rural-residential.

According to the plan, “the 1980 Melwood Special Treatment Area Plan recommended a low-density employment character for this area, mainly because the existing and planned road system would not be adequate to support full development at the potential intensities that could be generated in the I-1 and I-2 Zones. Furthermore, it was partly because the area is in the flight path and high noise area of Andrews Air Force Base and is unsuitable for development.” (p. 92) Nevertheless, the property was zoned I-1 in the 1984 plan in an effort to meet the county’s goal “to create more diversity in job opportunities for local residents and to enhance the economic base of the County and Planning Areas.”

The 1997 Air Installation Compatible Use Zone Study (AICUZ) prepared for AAFB by the US Air Force indicates that this property is located within a 65-70 (Ldn) dBA noise exposure area. According to the plan, at this level of noise exposure the application falls within a moderate noise contour. Areas within the “very high” and “high” noise contours should include construction techniques and materials designed to reduce the adverse impact of such exposure (Plan text pp 106-107).

4. **Parks and Recreation**—In accordance with Section 24-134(a) of the Prince George’s County Subdivision Regulations, this application is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.
5. **Trails**—The Adopted and Approved Melwood-Westphalia Master Plan identifies one master plan trail issue within the vicinity of the subject property. The master plan recommends a hiker-equestrian trail connection from Dower House Road to the planned Charles Branch stream valley trail. This trail is intended to provide access for trail users to Charles Branch, to existing and planned trails within Rosaryville State Park, and along the Patuxent River. This trail has been accommodated on the subdivisions immediately to the east of the subject property with a 50-foot-wide equestrian/hiker trail easement. This easement is appropriately marked and labeled on the submitted preliminary plan and is sufficient to accommodate the master plan trail in the corridor. The preliminary plan submitted also reflects the existing standard sidewalk along the property’s frontage of Fallard Court. No additional recommendations are necessary for the subject application. There are no master plan trails recommendations.

6. **Transportation**—The Transportation Planning Section has reviewed the subdivision application for the Dower Employment Center. The subject property consists of approximately 7.94 acres of land within the I-1 Zone. The property is located at the eastern end of an “elbow” along Fallard Court, and approximately 1,850 feet northeast of the intersection of Dower House Road and Fallard Drive. The applicant proposes an industrial subdivision consisting of two lots and one parcel, and proposes the development of 80,000 square feet of flex space.

Due to the uses proposed, the Transportation Planning Section had deemed that a traffic study should be completed. The resulting study has been referred to the county Department of Public Works and Transportation (DPW&T) and the Maryland State Highway Administration (SHA). While comments from DPW&T have been received in response to the submitted traffic study, no comments from the SHA were received by the time of the writing of this memorandum. Therefore, the findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.”

#### **Growth Policy—Service Level Standards**

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

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

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

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

The intersection of MD 223 and Dower House Road, and the site access point along Dower House Road, were determined to be the critical intersections for the subject property. It was determined that the Sunday analysis should be limited to the site access, while the weekday analysis would be extended to the nearest major intersection. Both critical intersections are unsignalized.

The existing conditions at the study intersections are summarized below:

<b>EXISTING TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM & Saturday)		Level of Service (AM & PM & Saturday)	
MD 4 and Dower House Road	1,975	1,695	F	F
Dower House Road and Marlboro Pike	758	840	A	A
Dower House Road and Fallard Drive	12.2*	12.1*	--	--
MD 223 and Dower House Road	857	1,060	A	B
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

There is a funded project involving the MD 223 and Dower House Road intersection within the County Capital Improvement Program (CIP), and there is a funded project along MD 4 as well. The MD 223 project would consist of widening MD 223 and installing signalization at the intersection. The signalization is currently installed. The MD 4 project will be discussed in more detail; however, it consists of capacity improvements to the mainline of MD 4. Fourteen approved but unbuilt developments that would directly affect the critical intersections were identified. Annual through-traffic growth of 2.0 percent per year was added to account for development and traffic growth in the general area. With background growth added, the following results are obtained:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM & Saturday)		Level of Service (AM & PM & Saturday)	
MD 4 and Dower House Road	2,229	2,244	F	F
Dower House Road and Marlboro Pike	1,089	1,680	B	F
Dower House Road and Fallard Drive	19.7*	17.5*	--	--
MD 223 and Dower House Road	1,244	1,384	C	D
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

An industrial subdivision consisting of two lots and one parcel for the development of 80,000 square feet of flex space is proposed. The proposed development would generate 69 AM (55 in, 14 out) and 69 PM (14 in, 55 out) peak-hour vehicle trips as determined using the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. With the site added to the local roadway network, the following results are obtained:



TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM & Saturday)		Level of Service (AM & PM & Saturday)	
MD 4 and Dower House Road	2,229	2,244	F	F
Dower House Road and Marlboro Pike	1,089	1,680	B	F
Dower House Road and Fallard Drive	19.7*	17.5*	--	--
MD 223 and Dower House Road	1,244	1,384	C	D
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The analysis indicates that the MD 4/Dower House Road intersection would operate inadequately, even with the inclusion of all of the CIP-funded improvement. The applicant has not proffered improvements to bring the intersection to adequacy or to mitigate the site's impact under Section 24-124(a)(6)(B)(i), but rather proposes to pay money toward the CIP project.

With regard to the CIP project (FD666951 in FY2007-2012) at MD 4 and Dower House Road, the project is listed as being 100 percent funded for construction based on funding from the State of Maryland and developer contributions. Unlike some other CIP projects, this CIP project does not identify a dollar amount for a developer contribution, and it does not propose a percentage of the project's overall cost that would be defrayed by developer contributions. Given the unspecific nature of the CIP project in this regard, it is recommended that the recommendation be made for physical improvements needed to attain adequacy rather than for a specific dollar amount. This recommendation is in every way consistent with the recommendations made for Preliminary Plan of Subdivision, 4-05008, for Dower Employment Park, which is actually referenced within the traffic study. The physical improvements needed to achieve adequacy at the MD 4/Dower House Road intersection include the following:

1. At the MD 4/Dower House Road intersection (northbound approach):
  - Provide double left-turn lanes
  - Provide one shared through/left-turn lane
  - Provide one exclusive right-turn lane
2. At the MD 4/Dower House Road intersection (eastbound approach):
  - Provide a left-turn lane
  - Provide five through lanes
3. At the MD 4/Dower House Road intersection (westbound approach):
  - Provide a left-turn lane
  - Provide five through lanes
  - Provide a right-turn lane
4. At the MD 4/Dower House Road intersection (southbound approach):
  - Provide a double left turn lane
  - Provide a shared through-right lanes

With these improvements, the Dower House Road/MD 4 intersection would operate with a LOS/CLV of D/1,438 during the AM peak hour and D/1,317 during the PM peak hour.

The traffic study also proffers the payment of money toward the MD 223/Dower House Road intersection. However, the analysis indicates that the intersection, as currently configured, operates at LOS D or better in both peak hours. While the applicant is free to proffer funding toward MD 223, there is nothing shown that indicates that either money or improvements would be necessary for approval of this plan.

Finally, with regard to the Dower House Road/Marlboro Pike intersection, the traffic study notes that another development, Andrews Employment Center, is solely responsible for the poor service levels noted during the PM peak hour under background and total traffic. The Andrews Employment Park is a platted and recorded subdivision. Under existing conditions, the intersection operates acceptably. Furthermore, at such time as the Andrews Employment Park develops there is a requirement that physical improvements be made at this intersection (Condition 6 of PGCPB No. 95-204). Therefore, a condition will not be required at this location. The need for significant improvements at this location will clearly not be met unless the other much larger property develops, and that property will need to perform the needed improvements when the development is permitted.

DPW&T has indicated that the following improvements must be made to the Dower House Road/Fallard Drive intersection:

- Provision of a southbound left-turn lane along Dower House Road.
- Provision of two approach lanes along the Fallard Drive approach to Dower House Road.

It should be noted that the use of two approach lanes along Fallard Drive was assumed in the traffic study. While the intersection was determined to function adequately without the southbound left-turn lane along Dower House Road, the addition of this improvement would improve the operation of the intersection by enhancing safety. Consequently, DPW&T's recommendation for the provision of these improvements is supportable in the context of finding adequacy for the site.

It is noted that this analysis is limited to a specified quantity of flex office space. The I-1 Zone does allow more trip-intensive uses. Although adequacy has been determined, the plan should be approved with a trip cap consistent with the development quantity that has been assumed.

The site is not within or adjacent to any master plan transportation facilities.

#### **Transportation Staff Conclusions**

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 Historic Preservation and Public Facilities Planning Section have reviewed this subdivision 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 subject application is exempt from a review for schools because it is an industrial use.

8. **Fire and Rescue**—The existing fire engine service at Forestville Fire Station, Company 23, located at 8321 Old Marlboro Pike, has a service travel time of 5.30 minutes, which is beyond the 3.25-minute travel time guideline.

The existing paramedic service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 6.27 minutes, which is within the 7.25-minute travel time guideline.

The existing ladder truck service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 5.30 minutes, which is beyond the 4.25-minute travel time guideline.

The proposed industrial lots will be beyond the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, and ladder truck service.

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 development, unless the Prince George's County Fire/ EMS Department determines that an alternative method of fire suppression is appropriate.

9. **Police Facilities**—The approved 2002 General Plan addresses the provision of public facilities that will be needed to serve existing and future county residents. The Plan includes planning guidelines for police facilities and they are:

Station space per capita: 141 square feet per 1,000 county residents

The police facilities test is done on a countywide basis in accordance with the policies of the Planning Board. There are 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department and the latest population estimate is 825,520. Using the standard of 141 square feet per 1,000 residents, 116,398 square feet of space is needed for space for police facilities. The current amount of space is 267,660 square feet, which is above the guideline.

The proposed development is within the service area for Police District V Clinton.

10. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for the Dower Employment Center and has the following comments to offer.

A detailed summary of the previous sand and gravel operation should be submitted to the Environmental Engineering Program, which includes the years of operation and the extent of excavation and/or fill, so that a determination can be made as to whether an environmental site assessment and testing will be required

11. **Stormwater Management**—The Department of Public Works and Transportation has determined that on-site stormwater management is required. A Stormwater Management Concept Plan #10236-2007-00 has been submitted but not yet approved. Prior to signature approval of the preliminary plan the applicant should submit two copies of the signed and approved SWM Concept Plan with the associated concept approval letter and indicate the approval date on the preliminary plan. Development must be in accordance with that approved plan to ensure that development of this site does not result in on-site or downstream flooding.

12. **Historic**—A Phase I archeological survey is not recommended on this property. 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. Aerial photographs indicate that a stormwater management pond was placed on the southern end of the property between 1965 and 1993. The entire property has been extensively impacted by this recent construction and it is unlikely that any undisturbed archeological sites will be identified. However, the applicant should be aware that there are two archeological sites, 18PR443 and 18PR444, within a one-mile radius of the subject property. In addition, there are three historic sites, Mount Clare (82A-39), Leapley-Teslik House (77-13), Forest Grove M.E. Church and Cemetery (77-1), and one historic resource, St. Luke's Church Site and Cemetery (77-12) within a one-mile radius of the subject property.

Moreover, Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.

13. **Subdivision**—The subject property is zoned I-1. The subject application is not proposing any residential development; however, because different adequate public facility tests exist, and there are considerations for recreational components for residential subdivision, any future consideration for residential development beyond one single-family dwelling should require the approval of a new preliminary plan of subdivision.

## RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised to reflect the current SWM Concept application number (10236-2007-00) within note no. 6 on the TCPI, and provide the approval date on both the preliminary plan and the TCPI.
  - a. Label the underlying Plat reference and square footage on Outlot "C".
2. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
3. Prior to signature approval of the preliminary plan of subdivision, the applicant shall submit two copies of the stormwater management concept plan, signed by DPW&T, and two copies of the concept approval letter for application 10236-2007-00. The stormwater management concept plan approval number and approval date shall be delineated on the preliminary plan and TCPI. Any required stormwater management facilities shall be shown on the TCPI.
4. Prior to signature approval of the Type I Tree Conservation Plan, the Department of Public Works and Transportation shall agree in writing to accept woodland conservation on Parcel A.
5. Prior to signature approval of the preliminary plan, the Type I Tree Conservation Plan, TCPI/014/07, shall be revised to:
  - a. Have the worksheet indicate "previously dedicated land" as 0.00.
  - b. Show the bufferyard required by the *Landscape Manual* along the eastern boundary.

- c. Include all of the 40-foot bufferyard planting area along the eastern boundary line as a woodland conservation area if planting will be provided at the density required by the Woodland Conservation Ordinance.
  - d. Correct the worksheet as needed
  - e. Revise the TCPI to the same scale as the preliminary plan.
  - f. Have the revised plan signed and dated by the qualified professional who prepared the plan.
6. 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/014/07), 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. 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. Total development within the subject property shall be limited to 80,000 square feet of flex space, or equivalent development which generates no more than 69 AM and 69 PM peak-hour vehicle trips. Any development generating a traffic impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
8. MD 4 and Dower House Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county’s capital improvement program (CIP), (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:
- a. At the MD 4/Dower House Road intersection (northbound approach):
    - Provide double left-turn lanes
    - Provide one shared through/left-turn lane
    - Provide one exclusive right-turn lane
  - b. At the MD 4/Dower House Road intersection (eastbound approach):
    - Provide a left-turn lane
    - Provide five through lanes
  - c. At the MD 4/Dower House Road intersection (westbound approach):
    - Provide a left-turn lane
    - Provide five through lanes
    - Provide a right-turn lane

- d. At the MD 4/Dower House Road intersection (southbound approach):
  - Provide a double left turn lane
  - Provide a shared through-right lanes
9. Dower House Road and Fallard Drive: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital improvement program (CIP), (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:
  - a. Provision of a southbound left-turn lane along the Dower House Road approach.
  - b. Provision of two approach lanes along the Fallard Drive approach.
10. 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.
11. Prior to signature approval of the preliminary plan of subdivision, the applicant, his heirs, successors, and/or assignees shall submit an acceptable detailed summary of the previous sand and gravel operation to the Environmental Engineering Program, Prince George's County Health Department, Division of Environmental Health. The detailed summary shall include the years the sand and gravel use was in operation and the extent of excavation and/or fill. Upon the submission and review of the detailed summary, the Environmental Engineering Program, will determine whether an environmental site assessment and testing will be required. The Environmental Engineering Program's concurrence with the detailed summary is required.
12. Prior to the approval of a final plat, Parcel A, (3.3256± acres), shall be conveyed to the Prince George's County Government.
13. Any residential development of the subject property, other than one single-family dwelling, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.

STAFF RECOMMENDS APPROVAL OF TYPE-I TREE CONSERVATION PLAN, TCPI/014/07