

R E S O L U T I O N

WHEREAS, Hargrove, Inc., is the owner of a 67.09-acre parcel of land known as Parcel A, (NLP113@80) and Parcel 184, shown on Tax Map 52 and Grid E-1, said property being in the 20th Election District of Prince George's County, Maryland, and being zoned I-1 and R-55; and

WHEREAS, on November 17, 2003, Hargrove, Inc., filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for three parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03112 for Hargrove Subdivision 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 April 1, 2004, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on April 1, 2004, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/73/03), and further APPROVED Preliminary Plan of Subdivision 4-03112 for Parcels A-C with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:
 - a. To delete Parcel D and incorporate that land area into Parcels B and C. The lot line between Parcels B and C shall extend north to Crandall Road from the lot line shown on the proposed preliminary plan.
 - b. To note that access to Crandall Road is denied.
 - c. To indicate that access to Parcels B and C is provided via an access easement across Parcel A pursuant to Section 24-128(b)(9) of the Subdivision Regulations.
2. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
3. Development of this property shall be in conformance with the approved Stormwater Management Concept Plan # 36862-2003-00.

4. 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.
5. The applicant, his heirs, successors and/or assignees shall construct an eight-foot-wide hiker/biker trail along the subject site's entire road frontage of MD 704, if road frontage improvements are required, per the concurrence of SHA.
6. Prior to the final plat of subdivision, the applicant, his heirs, successors and/or assignees shall submit documentation of an inspection by the Health Department that the applicant has removed and properly stored or discarded the trash and debris found on the property.
7. The final plat of subdivision shall indicate denied access from this property to Crandall Road.
8. Industrial development consistent with I-1 zoning shall not have direct vehicular access onto Crandall Road, but shall receive access via cross easements or other legal means onto Hargrove Road.
9. Prior to signature approval of the preliminary plan the FSD text and map shall be revised as follows:
 - a. Provide a statement on the FSD map below the Specimen Tree Table as to how the specimen trees were located.
 - b. Update the revision box on the FSD map with the recent revisions.
 - c. Revise paragraph 3.2 Floodplains, on page 2 of the text to correctly identify the location of the floodplain at the site.
 - d. Have the qualified professional who prepared the map sign and date it.
10. Prior to signature approval of the preliminary plan, the TCPI shall be revised as follows:
 - a. Show the areas of steep slopes and severe slopes on highly erodible soils.
 - b. Revise optional note #6 to refer to the Conceptual Stormdrain Plan assigned by the Department of Environmental Resources (DER). The last sentence in this note should also refer to the preliminary plan case number and read as follows: "It is understood that final design plans for stormwater management will be approved prior to the signature approval of 4-03112."

11. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/73/03). 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/73/03), 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.”

12. At time of Type II Tree Conservation Plan review, the limits of disturbance at the entrance and adjacent to the wetland areas shall be designed to preserve the existing wetlands and their associated 25-foot-wide buffers to the fullest extent possible.

13. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Area, except for the four approved areas of impacts, and shall be reviewed by the Environmental Planning Section prior to certificate 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 are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is permitted.”

14. The final plat of subdivision shall establish a nondisturbance line consistent with the limit of disturbance on the preliminary plan, in the vicinity of Crandall Road. The nondisturbance line is established to buffer the residential development to the north from the industrial uses of this site.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The subject property is located in the northwest quadrant of the intersection of Volkswagen Drive and Martin Luther King, Jr., Highway.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

| | EXISTING | PROPOSED |
|----------------|-----------------|----------------------------------|
| Zone | I-1 & R-55 | I-1 & R-55 |
| Use(s) | Industrial | Industrial |
| Acreage | 67.09 | 67.09 |
| Parcels | 2 | 3 |
| Square footage | 453,950 | 207,500 (new) 661,450 (total) |

4. **Environmental**—The site is subject to the provisions of the Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of woodlands on site. A revised Type I Tree Conservation Plan (TCPI) has been submitted and reviewed. The site contains 67.10 gross acres, of which 0.21 acre is in the floodplain. The net tract area is 65.79 and 1.10 acres (I-1 and R-55 zoning, respectively) based on the total floodplain area. The existing woodland on the site totals 39.04 acres. The current TCPI shows the amount of woodland cleared to be 3.37 acres outside of the floodplain and 0.03 acre inside the floodplain. Woodland conservation provided on the TCPI totals 10.96 acres and is provided in the form of on-site preservation. Additional woodland retained at the site, but not part of any requirements, totals 24.71 acres.

Two minor revisions are necessary to the TCPI to meet the requirements of the Woodland Conservation Ordinance. Areas of severe slopes (slopes 25 percent in grade or steeper) and steep slopes containing highly erodible soils (slopes between 15 and 25 percent grade) have not been identified on the plan. These site features are required to be shown on the TCPI.

An Environmental Features/Forest Stand Delineation map has been submitted with the areas of steep and severe slopes in relation to highly erodible soils. The steep and severe slopes are located predominantly in the vicinity of the proposed new building construction in the northern portion of the site. Sunnyside Sandy Clay Loam (SvD3) soils with a K-factor of 0.32 (10-15 percent slopes) are located in this area. This soil type has limitations for parking lot construction when steep slopes are associated with them. The TCPI shows proposed buildings in vicinity of this soil type; however, the proposed parking lot is not in vicinity of the SvD3 soils.

The Subdivision Ordinance provides for the protection of streams, 50-foot stream buffers, wetlands, 25-foot wetland buffers, 100-year floodplain, adjacent slopes in excess of 25 percent, and adjacent areas of slopes between 15 and 25 percent on highly erodible soils. When a property is located within the Patuxent River watershed these features comprise the Patuxent River Primary Management Areas (PMA), which is to be protected to the “fullest extent possible.” In order to evaluate the protection afforded the PMA, these features had to be accurately identified on the TCPI and preliminary plan. All of the PMA components are shown correctly on the plans; however, the delineation of the PMA is not correct. A minor modification is needed to include the area of wetlands farthest to the west that is connected to the tributary system via a stream. The evaluation below considers this area of the plan and evaluates the proposed impacts.

Five impacts are proposed to the 3.20 acres of PMA that exist on site. These are described as follows:

#1 is for installation of a 54-inch underground storm drainpipe and is proposed to serve as an outfall for the stormwater management basin located in the northeastern portion of the site; #2 is for a stormdrain outfall to convey runoff from the 54-inch pipe to the floodplain/stream buffer located in the eastern end of the site; #3 is for installation of a concrete flume at the site's entrance at Hargrove Road to intercept runoff from the proposed access road and for conveyance to the floodplain to the northeast; #4 is for extension of a stormdrain system and construction of a new outfall into the floodplain located in the east portion; and #5 is for construction of a portion of a shared access driveway, parking area and building.

The proposed impact areas amount to the following:

#1 for approximately 2,170 square feet of temporary disturbance for a clearing strip (ten feet on each side of the stormdrain line); #2 represents approximately 3,643 square feet of permanent disturbance; #3 represents approximately 800 square feet of permanent disturbance; #4 represents a permanent disturbance of approximately 16,008 square feet; and #5 has not been identified as to the approximate square footage to be impacted.

The proposed impacts associated with the installation of necessary utilities and outfalls are appropriate because they are essential to the proper development of the site. Proposed impacts #1-4 as shown on the TCPI have been minimized to the fullest extent possible. Proposed impact #5 is supported because it is for the construction of the access driveway off of Hargrove Road and because the amount of the PMA that remains after impacts #1-4 have occurred is minimal and disconnected.

The area at the entrance of Parcels B and C should remain undisturbed, in the area of the existing wetlands and their associated 25 foot-wide buffers. The preservation of these areas will be evaluated further during the review of the Type II Tree Conservation Plan.

A review of available information finds Marlboro clays are not located on this site. The property is within the Bald Hill Branch watershed, a tributary to the Western Branch in the Patuxent River basin. US 50 is a significant traffic noise generator. There are no scenic or historic roads in vicinity of the site. Correspondence from the Maryland Department of Natural Resources (MDNR) Wildlife and Heritage Program staff acknowledge the presence of forest interior dwelling species (FIDS) in the wooded portion. However, MDNR staff does not have any record of rare, threatened or endangered species as having been identified or surveyed at this location.

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.

5. **Community Planning**—The subject property is located within the limits of the *Approved Master Plan and Sectional Map Amendment for Glenn Dale–Seabrook–Lanham and Vicinity (Planning Area 70)* in the Annapolis Road Community. The master plan land use recommendation for the property is for employment south of Crandall Road and medium suburban residential development north of Crandall Road. The 2002 General Plan locates the property in the Developing Tier, which recommends that employment areas be increasingly transit oriented. The proposed subdivision is consistent with the master plan and General Plan for land uses issues.

The northern portion of the site abuts residentially zoned and developed land. Crandall Road, a residential street, is the demarcation between residential and industrial zoning. The development of the industrially zoned portion of the subject site should be oriented toward MD 704. Though the applicant does not address access, it should be from MD 704 only. There should be no access to Crandall Road.

Guidelines in the master plan that are applicable to this proposal include:

- a. Employment areas should be separated from living areas by the use of appropriate buffering designed and placed to minimize sight, sound and dust.
- b. Encourage the preservation of natural amenities and to incorporate natural features into the development proposal.
- c. Employment activities should be located and designed to minimize effects on adjacent land uses.
- d. Access roads to employment areas should not go through residential neighborhoods.
- e. Structures that are devoted entirely to warehousing should be confined to internal parcels within the employment area and not be visible from surrounding roads.

Site plan review is encouraged if the applicant proposes residential land use in the future. Access to Crandall Road should be denied for this industrial development to ensure conformance to the master plan guidelines. Staff notes that an existing Historic Site is located directly across Crandall Drive from the property. Staff recommends that Parcel D be deleted and the area of land incorporated in Parcels B & C along Crandall Drive to be maintained as a buffer for the Historic Site and the adjoining residences.

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the proposed subdivision is exempt from the requirement of the mandatory dedication of parkland because it consists of a nonresidential development.
7. **Trails**—Three master plan trails/bikeways are located in the vicinity of the subject site. A stream valley trail is recommended along Bald Hill Branch. This trail will be located along the stream valley immediately to the east of the subject site, and can be accommodated in the adjacent

parcel. No recommendations are made regarding this facility for the subject application. This is a long-range trail project that will probably not be implemented for the foreseeable future.

Crandall Road is designated as a pedestrian/bicycle connection from Whitfield Chapel Road to the proposed stream valley trail. A trail connection would be necessary from the end of Crandall Road (at Margie Court) to the future stream valley trail. However, due to severe topographical constraints and the uncertainty about the ultimate location of the stream valley trail, no recommendations are made regarding this proposal. Based on discussions with the applicant and DPR and a review of site maps and topographical maps, it appears unlikely that this connection will be able to be built.

A master plan trail is also recommended along Martin Luther King, Jr., Highway (MD 704). If road frontage improvements are required by SHA, an eight-foot-wide trail is recommended along the subject site's entire road frontage of MD 704. This trail will ultimately connect to the existing trail along MD 450 and the WB&A trail.

8. **Transportation**—The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property consists of approximately 67.09 acres of land in the I-1 and the R-55 Zones. The property is located between MD 704 and Crandall Road at Hargrove Road. The applicant proposes an office/industrial subdivision on the I-1 portion of the property with approximately 263,000 square feet of space.

The transportation staff determined that a traffic study detailing weekday analyses was needed. In response, the applicant submitted a traffic study dated June 2003 that was referred for comment. 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 located within 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. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the guidelines.

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.

Analysis of Traffic Impacts

The traffic study for this site examined the site impact at four intersections:

- MD 704/Forbes Boulevard (signalized)
- MD 704/Hargrove Drive/US 50 WB ramps (signalized)
- MD 704/US 50 EB ramps (signalized)
- MD 704/Whitfield Chapel Road (signalized)

The existing conditions at the study intersections are summarized below:

| EXISTING TRAFFIC CONDITIONS | | | |
|---|-----------------------------------|-------|------------------------------------|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) |
| MD 704 and Forbes Boulevard | 1,135 | 1,158 | B C |
| MD 704 and Hargrove Road/US 50 WB ramps | 1,067 | 919 | B A |
| MD 704 and US 50 EB ramps | 771 | 846 | A A |
| MD 704 and Whitfield Chapel Road | 1,013 | 819 | B A |

The area of background development includes 12 properties in the vicinity of the subject property. There are no programmed improvements in the county’s Capital Improvement Program (CIP) or the state’s Consolidation Transportation Program (CTP). Background conditions are summarized below:

| BACKGROUND TRAFFIC CONDITIONS | | | |
|---|-----------------------------------|-------|------------------------------------|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) |
| MD 704 and Forbes Boulevard | 1,275 | 1,409 | C D |
| MD 704 and Hargrove Road/US 50 WB ramps | 1,402 | 1,274 | D C |
| MD 704 and US 50 EB ramps | 890 | 1,149 | A B |
| MD 704 and Whitfield Chapel Road | 1,106 | 1,048 | B B |

The site is proposed for development with industrial uses. More specifically, the site is proposed for development with a mix of light service industrial and warehouse uses. The traffic study clearly states that 263,000 square feet is desired, but the trip generation in the traffic study is

based only on 207,500 square feet of space. Therefore, the staff analysis adjusts this analysis by assuming 263,000 square feet; with 50 percent light service industrial space and 50 percent warehouse space. The site under this scenario would generate 166 (133 in, 33 out) AM peak-hour vehicle trips and 166 (33 in, 133 out) PM peak-hour vehicle trips. With the trip distribution and assignment as assumed, the following results are obtained under total traffic:

| TOTAL TRAFFIC CONDITIONS | | | | |
|---|-----------------------------------|-------|------------------------------------|---|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| MD 704 and Forbes Boulevard | 1,379 | 1,420 | D | D |
| MD 704 and Hargrove Road/US 50 WB ramps | 1,440 | 1,399 | D | D |
| MD 704 and US 50 EB ramps | 894 | 1,165 | A | C |
| MD 704 and Whitfield Chapel Road | 1,108 | 1,060 | B | B |

Given these analyses, each of the intersections within the study area is shown to operate acceptably in each peak hour, in accordance with the guidelines. Therefore, there are no recommendations for off-site transportation improvements.

Neither SHA nor DPW&T had significant comments on the study.

The current plan continues to display Parcel D as a parcel with split zoning and access via Crandall Road. Crandall Road is a long primary residential street that passes through existing neighborhoods to an intersection with Whitfield Chapel Road. The traffic study did not show site trips assigned onto Crandall Road. Nonetheless, it would be inappropriate for industrial development and its associated traffic to gain access onto Crandall Road. Therefore, industrial/employment development within Parcel D must gain access via cross easements or other legal means to Hargrove Road and should be prohibited from accessing Crandall Road. Residential development within Parcel D should not be subject to this prohibition, nor should any passive uses such as parkland or stormwater facilities.

The site is not within or adjacent to any master plan right-of-way.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded that the subdivision is exempt from the APF test for schools because it is a commercial use.
10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue facilities and concluded the following:

- a. The existing fire engine service at Kentland Fire Station, Company 33, located at 7701 Landover Road has a service travel time of 4.22 minutes, which is beyond the 3.25-minute travel time guideline.
- b. The existing ambulance service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard has a service travel time of 5.36 minutes, which is beyond the 4.25-minute travel time guideline.
- c. The existing paramedic service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard has a service travel time of 5.36 minutes, which is within the 7.25-minute travel time guideline.
- d. The existing ladder truck service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard has a service travel time of 5.36 minutes, which is beyond the 4.25-minute travel time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system 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.

The existing ambulance service located at Glenn Dale Fire Station, Company 18, is beyond the recommended travel time guideline. The nearest fire station Kentland, Company 33 is located at 7701 Landover Road, which is 4.22 minutes from the development. This facility would be within the recommended travel time for ambulance service.

The above findings are in conformance with the standards and guidelines contained in the *Approved Public Safety Master Plan* (1990) and the "Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities."

11. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Hargrove property development.
12. **Health Department**—Prior to the final plat of subdivision, the applicant shall submit documentation of an inspection by the Health Department that the applicant has removed and properly stored or discarded the trash and debris found on the property, including car batteries, tire rims, plastic buckets, and a water heater.

13. **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, # 36862-2003-00, has been approved with conditions 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.
14. The applicant originally proposed four parcels; Parcel D included the entire properties frontage along Crandall Road to the north. Crandall Road is a primary residential street serving the residential development to the north. Crandall Road extends west to Whitfield Chapel Road and serves exclusively residential properties. Access from this industrial site to Crandall Road is not recommended due to possible safety issues associated with the conflict between industrial traffic and residential traffic. Staff recommended that Parcel D be deleted and the land area incorporated into Parcels B and C. Staff suggested that the land area associated with Parcel D, abutting Crandall Road, would be best suited as a buffer between this I-1-zoned property and the R-55-zoned properties to the north.

At the Planning Board hearing residents of the community voiced concerns about industrial development abutting Crandall Road. As a result, the Planning Board required Condition 14, which establishes a limit of disturbance line consistent with the limit of disturbance line on the preliminary plan. This limit of nondisturbance is to be shown on the final plat of subdivision. No clearing, grading or development can occur within the nondisturbance line that is being established as a buffer between the residential uses to the north and the industrial use of this property.

Staff would note that the applicant has indicated a possible future desire to rezone the area that was Parcel D for residential development, as an alternative development scenario. If that portion of the property were rezoned for residential uses, a new preliminary plan of subdivision would be required. At the time of review of the preliminary plan the issues of denied access to Crandall Road and the nondisturbance buffer would be reevaluated. It would be appropriate for residential uses to utilize Crandall Road.

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

* * * * *

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 Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Harley, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 1, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of April 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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