

R E S O L U T I O N

WHEREAS, MOR Ammendale, LLC is the owner of a 16.16-acre parcel of land known as Lot 8, Tax Map 13, Grid B-2, said property being in the 1st Election District of Prince George's County, Maryland, and being zoned E-I-A; and

WHEREAS, on June 22, 2004, MOR Ammendale, LLC filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 3 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04083 for Ammendale South 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 September 30, 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 September 30, 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/126/90-01), and further APPROVED Preliminary Plan of Subdivision 4-04083, Ammendale South for Lots 11-13 with the following conditions:

1. Prior to signature approval of the preliminary plan, the TCPI shall be revised as follows:
  - a. Revise the worksheet so that there is no shortage of the total required woodland conservation.
  - b. In the woodland conservation calculations section of the proposed worksheet, indicate the accurate amount of floodplain at the site, and whether any of it was cleared when the site was developed.
  - c. Put the original TCPI signature block back on the plan.
  - d. After all the revisions have been made to the plan, have the qualified professional who prepared the plan sign, date it, and update the revision box.
2. Development of this subdivision shall be in compliance with an approved Type I Tree

Conservation Plan (TCPI/126/90-01). 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/126/90-01) 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.”

3. Total development within proposed Lots 11, 12, and 13 of the subject property shall be limited to 250,000 square feet of light industrial/research and development space, or equivalent development which is permitted within the E-I-A Zone which generates no more than 210 AM and 246 PM peak-hour vehicle trips. Any development generating an 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.
4. The Final Plat shall note a denial of vehicular ingress/egress from/to Ammendale Road along the north side of the property.
5. The Final Plat shall note that access to Lot 13 is provided pursuant to 24-128(b)(9) of the Subdivision Regulations.
6. Concurrent with road improvements, the applicant, his heirs, successors and/or assignees shall provide a standard sidewalk along the subject site’s entire road frontage of Ammendale Road South, unless modified by DPW&T.
7. Bufferyards, limit of disturbance lines, and building restriction lines, as well as the presence of any mature trees and/or significant plantings within the bufferyard or adjacent to the Ammendale Normal Institute Historic Site and its Environmental Setting (60-04), shall be reflected on any specific design plan(s) for Lots 11, 12 and 13.

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 property is located on the southwest side of Ammendale road, approximately 2,500 feet northwest of its intersection with Baltimore Avenue (US 1).
3. **Development Data Summary**—The following information relates to the subject preliminary

plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	E-I-A	E-I-A
Use(s)	Commercial	Commercial
Acreage	16.16	16.16
Lots	1	3
Parcels	0	0
Square-footage	185,228	185,228 (no additional)
Approved square-footage	250,000	250,000 (no additional)

4. **Environmental**—The property is zoned E-I-A and contains 16.16 acres. Based on year 2000 air photos, the site is partially wooded; there are a stream, nontidal wetlands and 100-year floodplain. Three soil types are present and these include Bibb silt loam, Galestown gravelly loamy sand, and Sassafras sandy loam. The Bibb soil is characteristic of hydric conditions. Based on available information, Marlboro clays are not found at this location. There is one significant noise generator in vicinity of the site; Ammendale Road is a proposed arterial road that is county-maintained. There are no scenic or historic roads in vicinity of the site; however, a designated historic site (Ammendale Normal Institute Christian Brothers Residence) is to the south of the subject property. According to the Maryland Department of Natural Resources Natural Heritage Program publication titled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” December 1997, rare, threatened and endangered species are not found at this site. The property is in the Indian Creek watershed of the Potomac River basin; the Subregion I Planning Area, and the Developing Tier of the 2002 adopted General Plan.

**Woodland Conservation**

A Detailed Forest Stand Delineation (FSD) was prepared in December 1989 and was revised in December 1998. At the latter date, the FSD was found to meet the requirements of the Woodland Conservation Ordinance. No further information regarding the FSD is necessary.

The site is subject to the provisions of the Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of woodlands on-site, and the site has a previously approved Tree Conservation Plan. A revised Type I Tree Conservation Plan (TCPI/126/90-01) has been submitted.

The proposed TCPI/126/90-01 has been reviewed and revisions are necessary in order for the plan to be in compliance with the Ordinance. Existing woodland at the site totals 5.96 acres and the Woodland Conservation Threshold (WCT) is 2.42 acres. The proposed amount of woodland to be cleared totals 5.78 acres. The woodland conservation required is 5.55 acres. Of this requirement, 0.18 acre will be provided as on-site woodland preservation, 0.06 acre in afforestation, and the balance is proposed to be provided off-site on another property, totaling 5.31 acres. Woodland conservation information in the worksheet needs to be revised. The worksheet on the current plan has a shortage of 0.04 acre of required woodland conservation. The worksheet should be revised so

that there is no shortage of required woodland conservation. The approved TCPI on file in the Environmental Planning Section includes 0.12 acre of 100-year floodplain at the site. The current TCPI does not contain any acreage as being in the floodplain. In the woodland conservation calculations section of the proposed worksheet, indicate the accurate amount of floodplain at the site and whether any of it was cleared when the site was developed.

### **Wetlands, Streams and Buffers**

A Wetland Evaluation Report prepared by McCarthy and Associates, Inc., dated August 1998, was previously submitted. The conclusion in the report reads as follows:

### **Conclusion**

On July 24, 1998, a site visit was conducted to evaluate whether or not regulated Waters of the United States existed on the property. Wetlands were delineated during the site visit; however, they appear to be located off site, as the sketch provided on Figure 4 attests. Data in Appendix A documents the characteristics of the wetlands delineated. A survey of the delineation will need to be completed to more accurately show the true impact, or lack thereof, of wetlands on the North Ammendale South property. Confirmation of the delineation, by the Corps of Engineers, should be sought before the evaluation can be considered complete.”

Documentation regarding wetlands impacts and the issuance of wetlands permits from the federal or state government was addressed prior to the issuance of county permits after 2000.

### **Noise**

Existing Ammendale Road is a significant traffic noise generator. Ammendale Road is a two-lane, arterial road with paved shoulders. Based on the proposed nonresidential use of the site, impacts from traffic noise are not anticipated.

### **Water and Sewer Categories**

The Water and Sewer Categories are W-3 and S-3 according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources. The property is served by public systems.

5. **Community Planning**—The property is located in the Developing Tier on a designated Corridor, US 1. 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 and developed with a mix of residential and nonresidential uses that are community-oriented in scope. The development should occur at designated nodes and be planned as transit-oriented development. Development nodes have not yet been determined for this portion of the US 1 Corridor. This application is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier.

The 1990 Master Plan for Subregion I recommends industrial park development for the property. The 1990 Sectional Map Amendment for Subregion I retained this property in the E-I-A Zone. The application conforms to the land use recommendations in the 1990 Master Plan for Subregion I.

6. **Parks and Recreation**—The proposal is exempt from the requirements of Section 24-134 of the Subdivision Regulations for mandatory park dedication because it is a commercial use.
7. **Trails**—The Subregion I Master Plan and prior approvals for the subject site recommend a trail/bikeway facility along Ammendale Road. This facility is currently being implemented by DPW&T through a series of capital improvement projects and will include the provision of a master plan trail along the roadway, designated bike lanes, and a standard sidewalk (on the opposite side of the road from the trail). This facility meets the intent of the Subregion I master plan and will safely accommodate pedestrians and bicyclists along this corridor, including the northern portion of the subject site.

The subject property's frontage of eastbound Ammendale Road will include a standard sidewalk with an eight-foot-wide trail on the westbound side. The plan reflects a standard sidewalk along northernmost portion of the subject site's frontage of Ammendale Road south. Staff recommends the continuation of this standard sidewalk along the site's entire frontage of Ammendale Road South to connect to the master plan trail and bike lanes currently being constructed by DPW&T.

The Ammendale Historic Site is immediately to the south of the subject property. The previously approved preliminary plan, 4-97056 (the entire Ammendale South property), required the provision of a trail connection to the historic site via Ceremonial Drive with the use of appropriate signage (Condition 14 b).

The previously approved Basic Plan recommended pedestrian systems linking employment areas to retail uses (Condition 2). In recognition of this, appropriate trail or sidewalk connections may be recommended internal to the site at the time of site plan when more details regarding the site layout are submitted.

The Subregion I Master Plan and prior approvals for the subject site recommend a trail/bikeway facility along Ammendale Road. This facility is currently being implemented by DPW&T through a series of capital improvement projects and will include the provision of a master plan trail along the roadway, designated bike lanes, and a standard sidewalk (on the opposite side of the road from the trail). This facility meets the intent of the Subregion I Master Plan and will safely accommodate pedestrians and bicyclists along this corridor, including the northern portion of the subject site.

### **Sidewalk Connectivity**

A sidewalk is under construction along the site's frontage of Ammendale Road (eastbound) through a DPW&T capital improvement project. A sidewalk is proposed along the subject site's frontage of Ammendale Road South to connect to the master plan facility along Ammendale Road. Additional sidewalk or trail connections may be appropriate internal to the site, per the basic plan Condition 2, which requires pedestrian systems linking employment areas to retail uses. Additional connections may be recommended at the time of site plan.

8. **Transportation**—The applicant has not prepared a traffic impact study nor was one requested by the transportation staff. The findings and recommendations outlined below are based upon a review of all 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*, and in consideration of findings made in connection with past applications.

### **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.

**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 subject application involves a single existing recorded lot that resulted from preliminary plan 4-98073, which includes a condition restricting uses to 250,000 square feet of light industrial/research and development space, or equivalent development which is permitted within the E-I-A Zone which generates no more than 210 AM and 246 PM peak-hour vehicle trips.

During review of SDP-0006, it was determined that the proposed development on that plan (which has since been constructed) was in conformance with the trip cap cited above. That development was in conformance with other transportation-related conditions, and the conditions regarding off-site transportation findings were enforced during review of the SDP as well as the permits.

Access to Lot 13 is proposed via easements across Lots 12 and 11 under the provisions of Section 24-128(b)(9). This is acceptable; existing Lot 8 was developed as a single entity, and the driveways to accomplish this already exist. Furthermore, the only alternative to applying Section 24-128(b)(9) would be to have driveway access onto Ammendale Road. As Ammendale Road along the north side of the subject property is an arterial facility, driveway access is undesirable from the standpoint of safety. The use of the cross easements would be a benign solution to the issue.

There are no outstanding issues regarding the subdivision of land proposed by this plan. Adequate right-of-way along Ammendale/Virginia Manor Roads has already been dedicated, and no further dedication is required of this plan. The off-site roadway improvements, which involved the study and potential installation of traffic signals at US 1/Ammendale Road, Ammendale Road/Virginia Manor Road, and Virginia Manor Road/Ritz Way, have been fully addressed with the approval of past plans and need not be carried forward herein. The trip cap should remain as written, as well as the condition prohibiting driveway access onto Ammendale Road along the north side of the subject property.

### **Transportation 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.

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. The proposal is exempt from the adequacy test for schools because it is a commercial use.
10. **Fire and Rescue**—The Historic Preservation 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 Beltsville Fire Station, Company 31, located at 4911 Prince George's Avenue, has a service travel time of 3.08 minutes, which is within the 3.25-minute travel time guideline.
  - b. The existing ambulance service at Beltsville Fire Station, Company 31, has a service travel time of 3.08 minutes, which is within the 4.25-minute travel time guideline.
  - c. The existing paramedic service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road, has a service travel time of 7.63 minutes, which is beyond the 7.25-minute travel time guideline. The nearest fire station, Beltsville, Company 31, is 3.08 minutes from the development. This facility would be within the recommended travel time for paramedic service if an operational decision to locate this service at that facility is made by the county.

- d. The existing ladder truck service at Laurel Fire Station, Company 10, located at 7411 Cherry Lane, has a service travel time of 8.15 minutes, which is beyond the 4.25-minute travel time guideline

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.

These findings are in conformance with the standards and guidelines contained in the *Adopted and 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 VI-Beltsville. 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. This police facility will adequately serve the population generated by the proposed subdivision.
12. **Health Department**—The Health Department offered no comments on the proposal.
13. **Stormwater Management**— The Department of Environmental Resources (DER), Permits and Review Section, has determined that on-site stormwater management is not required. A Stormwater Management Concept Plan was approved in 1998 (#998002220) that requires that all water quality and quantity control measures for the site will be provided by the existing regional facilities located in the Indian Creek drainage basin. The property has been developed in accordance with that approval.
14. **Cemeteries**—There are no known cemeteries on or adjoining the subject property. However, the applicant should be aware that if burials are found during any phase of the development process, development activity must cease in accordance with state law.
15. **Public Utility Easement**—The preliminary plan includes the required ten-foot-wide public utility easement parallel and contiguous to all public rights-of-way. The easement will be shown on the final plat.
16. **Historic Preservation**—Ammendale Normal Institute, 6011 Ammendale Road, Beltsville, is a massive, three-part brick institutional building built between 1884 (the central block) and 1888 (the flanking wings). The building was designed to serve as a Roman Catholic novitiate and school operated by the Christian Brothers. The Historic Site's 27-acre Environmental Setting, which is the remnant of the novitiate's self-sustaining farm of more than 400 acres, includes the



ceremonial entry lane leading from Baltimore Avenue, large numbers of mature shade trees, and other landscape features. Within the Historic Site's Environmental Setting is St. Joseph's Chapel, a freestanding brick building in the Queen Anne style, completed prior to the novitiate in 1880. Both the novitiate building and St. Joseph's Chapel are listed in the National Register of Historic Places. The property also contains a large cemetery (still in use) and several mid-twentieth-century buildings including a dormitory and a gymnasium adjacent to the novitiate and a one-story office building adjacent to St. Joseph's Chapel (Historic Site 60-07). At the southwest corner of the Environmental Setting is a large, brick barn constructed in the late nineteenth century. The two-story brick barn has a rectangular plan and a clipped gable roof.

In its original configuration, the novitiate building had a mansard roof, a four-story center tower, projecting gables, and outstanding Queen Anne style decorative details including a two-story veranda with ornate iron grillwork. To address the deterioration of the roof and portions of the interior of the vacant building, in 1995, the historic mansard roof was removed and limited amounts of debris were removed from the upper reaches of the interior with the issuance of HAWP #7-94. As part of this HAWP, a temporary roof structure was constructed, the building's windows and doors were closed and ventilated, and an air circulation system was installed to preclude further interior deterioration. A security system was installed in the building that was encircled by a secured fence. Representative building details including windows, doors, glass, and decorative iron and wood trim were removed from the building and cataloged for use in a future restoration or adaptive use project. These materials have been stored on site (in the gymnasium). In the spring of 1998, the stabilized building was severely damaged by fire. Although the temporary roof and the interior structure were destroyed, a large portion of the masonry superstructure remains in place.

In its review of Preliminary Plan 4-98073, Ammendale Business South, Lot 8, the Historic Preservation Commission recommended to the Planning Board several conditions addressing historic preservation issues affecting the property. As contained within the Planning Board's Resolution (PGCPB No. 99-12), these conditions are:

- 5. Buffer yards, limit of disturbance lines, and building restriction lines, as well as the presence of any mature trees and/or significant plantings within the bufferyard or adjacent to the Ammendale Normal Institute Historic Site and its Environmental Setting (#60-4) shall be reflected on any Specific Design Plan(s) for Lot 8.**
- 6. The applicant, his heirs, successors and/or assigns, shall record and document the historic uses of Lot 8 according to National Register of Historic Places standards. Updated National Register documentation shall be provided to the Historic Preservation Commission for its review prior to the release of future grading permits for Lot 8.**
- 7. The location, materials, design, mass, height and details of new construction and related landscaping on Lot 8 and the views of the new construction from the Ammendale Normal Institute Historic Site shall be reviewed for their compatibility**

**with the Historic Site and its Environmental Setting.**

**Archeology**

As part of the required submittals for the previous application affecting the subject property (Preliminary Plan 4-98073), the applicant submitted the required National Register documentation to the Historic Preservation Commission. These materials demonstrate that the area of Lot 8 had been mined for sand and gravel in the 1970s through Special Exception #2671 (1974).

**Conclusions**

Conditions 5 and 7 above (previously approved for Preliminary Plan 4-98073) should be modified to reflect the revised lotting pattern of the subject application. These modified conditions should be included in the Planning Board's approval of the subject application.

The applicant has previously documented the subject property, and the larger property it was historically associated with, as part of the Ammendale Normal Institute to National Register standards. As a result, Condition 6 of Preliminary Plan 4-98073 (Planning Board Resolution No. 99-12) has been satisfied and is no longer relevant.

The location, materials, design, mass, height and details of new construction within Lots 11, 12 and 13 should be submitted to the Historic Preservation Commission for review to determine compatibility with the adjacent Historic Site. This review should include site-line studies of the new construction on Lots 11, 12 and 13, as viewed from the Ammendale Normal Institute Historic Site, to determine the degree to which the new construction will be visible.

The 1999 addendum to the National Register documentation for the Ammendale Normal Institute clarifies that because they have been mined for sand and gravel most recently in the 1970s, proposed Lots 11, 12 and 13 do not represent an area of archeological potential. Consequently, no further archeological investigation of the subject property is warranted.

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 Harley, seconded by Commissioner Vaughns, with Commissioners Harley, Vaughns, Eley, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 30, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of October 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:JD:rmk