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County Executive

PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

LEGISLATIVE COMMENT

DATE: November 17, 2024

TO: Jennifer A. Jenkins, Council Administrator

THRU: Rhonda L. Weaver, County Attorney

FROM: Angie Rodgers, Deputy Chief Administrative Officer for Economic Development

RE: CR-096-2024 and CR-97-2024

In anticipation of the County Council's consideration of CR-096-2024 and CR-097-2024 concerning the designation of undeveloped parcels in the Town of Forest Heights as an "urban renewal area" and application of a Payment of Lieu of Taxes ("PILOT") to support the redevelopment of those parcels, we are following up in writing on questions raised in the November 12th Committee of the Whole as well as in a subsequent meeting with Councilmember Ed Burroughs.

Under separate cover, the Office of Law is providing additional legislative comment regarding the Council's legal authority to designate the parcels as an urban renewal area. These same arguments were a critical threshold to the administration's decision to explore a PILOT for the resulting project. The legal argument is key, but recommending this support for the Town of Forest Heights also represents a key policy decision. The National View site is not simply a collection of undeveloped parcels. The Town of Forest Height chose to designate it as an "Urban Renewal Area" due to the long history of the parcels being undeveloped and resulting in overgrowth of vegetation and dilapidated buildings on the property. Much of this is due to the problematic scope of the land, requiring tens of millions of dollars in investment just to get it shovel ready. The state law that grants the Town of Forest Heights the ability to designate such sites for urban renewal is important; it gives them agency to determine what happens in their own municipality. And particularly when the municipality decides to exercise this authority in a place where it overlaps with the County's economic development goals, we think it is important to use the tools at the County's disposal to assist the municipality in reaching its goals.

The Town of Forest Heights Council found that the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise As they now have

the long awaited opportunity to partner with a thoughtful developer for such a site, the Town has voted in its own interest to further the development through an Urban Renewal Designation.

Historical Representation

The developer, Petra, has also worked thoughtfully with the family to incorporate historic representation into the eventual project and respect its past. There are no historical protections on any of the buildings within the National View property. Still, there is an (undesigned) historic site referenced as the Butler property, and the developers have proactively worked to ensure the appropriate interpretative signage will be installed in the area of the foundation of the Butler House.

When the site was first documented by the archeologist hired by the developer, Dr. Phil Hill with ATC, the Historic Preservation Commission reviewed the Phase I report and visited the property. At that point the HPC determined that there were no buildings worth protecting or restoring.

Dr. Hill has been working with Dr. Stabler at HPC through the Phase I, Phase II, and Phase III reports and obtaining the appropriate Historic Area Work Permits that described what was agreed upon regarding the documentation and removal of the ruins.

The developer has the Historic Area Work Permit to remove the remaining ruins and will document that removal. This work will be the last chapter of the Phase III report.

Archeological investigations commonly include identification and description of standing structures. During the fieldwork, three structures were identified within the site, which include: 1851 Butler House, 1940's cape cod Butler home and remnants of outbuilding structure. Additionally, the site may include a family cemetery, but the determination has been inconclusive. 116 shovel tests were performed and produced artifacts. Between these and excavation of eight 3-foot test units a total of 5,161 artifacts were recovered.

Through these actions, the developer has gone through great lengths to ensure the Butler family history has been respected and recognized, in close consultation with the surviving members. Specifically, Petra has worked with HPC to include appropriate signage throughout the site to ensure the history of the area, the site, and the Butler family story is told in a way that is complementary to the development and meets the standards that HPC sets for this type of project and situation. Petra has also offered space inside to both augment this storytelling as well as potentially display artifacts from the extensive archeological work that has been performed on site. They have had a number of meetings with members of the Butler family over the course of their ownership of the land and sought their input very early in this process and will continue to do so. Photos and descriptions are included in the exhibits that follow for your reference.

We look forward to the Council's full consideration of these resolutions. If you have questions or concerns, please contact Angie Rodgers, Deputy Chief Administrative Officer for Economic Development at (240) 623-4297.

EXHIBITS ON THE FOLLOWING PAGES:

Exhibit A: 1851 Butler House

Exhibit B: 1851 Butler House (Rear)

Exhibit C: 1940's Butler Family Home

**EXHIBIT A:
1851 BUTLER HOUSE**

Site 18PR1150 (Butler Site A) is a mid-nineteenth through twentieth-century African American farmstead and domestic site situated in the center of the 10-acre Butler property. The site area overlies an upland ridgetop covered with a mature forest and overgrown areas once serving as the yards surrounding two of the Butler family's houses. The houses were built between 1851 and the 1940's. The earlier house was originally built to function as a post office. However, by 1853, Henry Butler added to the structure, made it his home, moved his family there, built a few outbuildings, and began tilling the soils. The material recovery is typical of a domestic occupation and is composed of a wide array of artifact types dominated by bottle and container glass, window pane glass, nails, and whiteware ceramics. The material recovery also includes many artifacts and associated material types affiliated with the modern period. The site includes several cultural features, including a block septic tank, a modern concrete well, an older brick well, and a domestic midden. The former three are located in the yards of the 1851 house, whereas the midden is situated north of the house. Two other impacts to the landscape include historic Bald Eagle Drive fronting the site on its west side. The other site component is a possible early Butler family cemetery area that is open, contains specimen border trees, a row of mature boxwood, and a ground cover of periwinkle. In total, 116 shovel test produced artifact recoveries. Between these units and the excavation of eight 3-foot test units, a total of 5,161 artifacts were recovered during the fieldwork.



Photograph of the ruinous condition of the 1851 Butler's house

**EXHIBIT B:
1851 BUTLER HOUSE (REAR)**



Figure 4-8. Photograph Depicting the Rear Side of the 1851 Butler House (Structure 2) [facing west]

**EXHIBIT C:
1940'S BUTLER FAMILY HOME**



Figure 4-9. Photograph Depicting the Side and Rear of the 1940's Butler Family House (Structure 1) [facing southwest]