

R E S O L U T I O N

WHEREAS, Paul Harvey, et al is the owner of a 14.77-acre parcel of land known as Parcels 41 and 46, Tax Map 9, Grid E2 and E3 said property being in the 10th Election District of Prince George's County, Maryland, and being zoned E-I-A; and

WHEREAS, on January 30, 2001, Central Wholesalers, Inc. filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 1 lot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-01011, Central Wholesalers, Inc. was presented to the Prince George's County Planning Board of April 19, 2001 The Maryland-National Capital Park and Planning Commission by the staff of the Commission on , 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 19, 2001, 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 Preliminary Plat of Subdivision 4-01011, Central Wholesalers, Inc. for Lot 1 with the following conditions:

1. For the purposes of determining transportation adequacy, total development within the subject property under this Preliminary Plat of Subdivision shall be limited to a building or buildings for warehouse/distribution and related uses of no more than 91,150 square feet; or different uses generating no more than the number of new peak-hour trips (37 AM peak-hour trips and 37 PM peak-hour trips) generated by the above development. Any development that generates more peak-hour vehicle trips than that identified herein shall require an additional Preliminary Plat of Subdivision with a new determination of the adequacy of transportation facilities.
2. Prior to the issuance of any building permits within the subject property, the applicant shall submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for the intersection of Van Dusen Road and Virginia Manor Road. This study requirement may be waived if DPW&T indicates, in writing, that a recent study is available for them to determine signal warrants. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic. If deemed warranted by DPW&T, the applicant shall fund a fair share of the cost of a future traffic signal, not to exceed \$15,000, and/or any

physical improvements at that location. The amount of the fair share shall be determined by DPW&T in consideration that the subject property contributes approximately 20 peak-hour trips to this intersection and the Pines of Laurel (Special Exception SE-4391, an application for 650 units of elderly housing which is currently pending), would contribute over 100 trips.

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

AAn automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George=s County laws.@

4. Prior to final plat approval, any abandoned well and septic system shall be backfilled, pumped, and/or sealed in accordance with COMAR 26.04.04.
5. Prior to signature approval of the preliminary plat, the applicant shall satisfy the Health Department that the drums containing the unidentified liquid were removed and properly discarded by a licensed hazardous waste company.

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 along the east side of Virginia Manor Road, approximately one mile north of the Muirkirk Road/Virginia Manor Road intersection.
3. Environmental Issues - The property is subject to the Woodland Conservation Ordinance. A Type I Tree Conservation Plan, TCP I/4/01, is being reviewed with Comprehensive Design Plan, CDP-0101. A Type II Tree Conservation Plan, TCP II/25/01, is being reviewed with Specific Design Plan, SDP-0102. No action on the Tree Conservation Plan is required at the Preliminary Plat stage.

Current air photos indicate that the majority of the site is wooded. The site has an existing manmade pond. No jurisdictional wetlands, streams or floodplain are on the site.

Because of the zoning and proposed uses of the property, no significant noise impact is expected from outside noise sources and no significant noise is expected to be generated by onsite activities. A rare/threatened/endangered species is known to occur in the project vicinity, but the habitat area will not be affected by this proposal. According to the Sewer Service and Water Service maps produced by the Department of Environmental Resources (DER), the property is in categories W-6 and S-4; an application to change to W-3 and S-3 is in the December cycle. A Stormwater Concept Plan is under review by DER. The soils map included in the review package for CDP-0101 indicate that no problematic soils occur in the proposed development area. No

Historic or Scenic roads are affected by this proposal.

There are no other environmental issues at this time.

4. Community Planning - The 1982 *General Plan* placed the property in Policy Category Area 3, Major Employment Area. The 1990 *Master Plan for Subregion I* recommends industrial uses for this property and includes it in the Industrial Park land use category. The 1990 *Sectional Map Amendment for Subregion I* retained the E-I-A Zone.

Although actual design issues will be addressed with the CDP and SDP, the following plan guideline is pertinent to this property:

AIn order to ensure a good image of this area, the uses fronting on the Intercounty Connector, Route 1, proposed A-56, proposed A-6, and Ammendale Road should conform to a particularly high standard of design, both as individual structures and as they blend in among other structures.@

This development will be directly across the street from the Konterra Town Center. It is important that this guideline be observed not only in order to ensure a good image of the property from proposed A-56 but also from the Konterra Town Center.

5. 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 nonresidential zone.
6. Trails - There are no master plan trails issues associated with this application.
7. Transportation - The applicant has not prepared a traffic impact study nor was one required by the transportation staff given the applicant=s desire only to develop approximately 90,000 square feet of warehouse/distribution space. Generally, traffic studies are only required when a proposed development will generate more than 50 peak-hour trips, and this quantity of distribution space would generate fewer than 50 trips. The applicant did conduct peak hour traffic counts at the nearest major intersection, however. 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 (Guidelines)*.

Summary of Traffic Impacts

The application is a plan for an industrial subdivision consisting of 91,150 square feet of warehouse/distribution space. The proposed development would generate 37 AM (30 in, 7 out) and 37 PM (7 in, 30 out) peak hour vehicle trips as determined using the *Guidelines*. The site was analyzed using the following trip distribution:

Van Dusen Road from the north:30%
Van Dusen Road from the west:15%
Virginia Manor Road from the south:45%
Muirkirk Road from the east: 10%

The traffic generated by the proposed plan would impact the intersections of Muirkirk Road/Virginia Manor Road and Van Dusen Road/Virginia Manor Road. The Prince George=s County Planning Board, in the *Guidelines*, has defined level of service D (LOS D) as the lowest acceptable operating condition on the transportation system. The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Muirkirk Road/Virginia Manor Road	1037	848	B	A
Van Dusen Road/Virginia Manor Road	52.2*	169.6*	--	--
*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 <i>Guidelines</i> , an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations.				

Four nearby developments were included in background traffic, along with an annual rate of through-traffic growth of 1.4 percent. The following background traffic conditions were determined:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Muirkirk Road/Virginia Manor Road	1322	1329	D	D
Van Dusen Road/Virginia Manor Road	221.3*	416.9*	--	--
*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 <i>Guidelines</i> , an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations.				

With site traffic, the following operating conditions were determined:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Muirkirk Road/Virginia Manor Road	1037	848	B	A
Van Dusen Road/Virginia Manor Road	262.8*	465.2*	--	--
*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 <i>Guidelines</i> , an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations.				

The Prince George=s County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* has defined level of service D (LOS D) as the lowest acceptable operating condition for signalized intersections on the transportation system. Under total future traffic as developed using the *Guidelines*, adding the impact of the proposed development, the Muirkirk Road/Virginia Manor Road intersection, which is signalized, was found to be operating with service levels of LOS D or better in both peak hours.

However, the analysis indicates that the unsignalized intersection of Van Dusen Road and Virginia Manor Road would operate unacceptably with the development of the subject property. In response to inadequacies identified at unsignalized intersections, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. Discussions with the county Department of Public Works and Transportation (DPW&T), since they provided their comments, indicate that DPW&T fully anticipates that a signal will likely be warranted in the near term at this location. Therefore, DPW&T has indicated to staff that the applicant should fund a fair share of the cost of the future signal at the time of building permit. This fair share will be determined by DPW&T in consideration of the fact that the subject property contributes approximately 20 peak-hour trips to this intersection, while the Pines of Laurel (Special Exception SE-4391, an application for 650 units of elderly housing which is currently pending) would contribute over 100 trips. With such a condition in place, the staff, along with DPW&T, believes that this critical intersection will operate acceptably.

Plan Comments

The *Subregion I Master Plan* includes a recommendation that Virginia Manor Road be upgraded to an arterial facility labeled as A-56 on the Master Plan. In the vicinity of this site, A-56 would be a new alignment slightly west of the existing roadway, and the proposed dedication of 35 feet from center line is acceptable.

Access within the site is acceptable. The applicant should consider moving the southern access to the site slightly north because it is very close to another driveway on an adjacent property. DPW&T has also commented on this driveway; in accordance with a note that will be placed on the Comprehensive Design Plan (CDP), approval of the southern access point is subject to DPW&T review.

The CDP allows for up to 286,000 square feet of development except for a finding of transportation adequacy, which was limited to 91,150 square feet. The proposed level of development is identical to that reviewed under the CDP.

Based on these findings, staff 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 the transportation-related conditions included in this report.

8. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998). The proposed subdivision is exempt from Adequate Public Facilities test for schools because it is a commercial use.
9. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities.
 - a. The existing fire engine service at Laurel Fire Station, Company 10, located at 7411 Cherry Lane, has a service response time of 3.60 minutes, which is beyond the 3.25 minute response-time guideline.
 - b. The existing ambulance service at Beltsville Fire Station, Company 31, located at 4911 Prince George=s Avenue, has a service response time of 5.25 minutes, which is beyond the 4.25 minute response-time guideline. However, the nearest fire station is Laurel, Company 10, which is 3.60 minutes from the development. This facility would be within the recommended response time for ambulance service.
 - c. The existing paramedic service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road, has a service response time of 6.91 minutes, which is within the 7.25 minute response-time guideline.
 - d. The existing ladder truck service at Beltsville Fire Station, Company 31, has a service response time of 5.25 minutes, which is beyond the 4.25 minute response-time guideline.

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

10. Police Facilities - The proposed development is within the service area for District VI-Beltsville. In accordance with Section 24-122.1(c)(1)(A) and (B) of the Subdivision Regulations of Prince George=s County, existing county police facilities will be adequate to serve the proposed Central Wholesalers, Inc. development.
11. Health Department - The property is in Water Category 6 and Sewer Category 4. The applicant has filed an application for category changes. In the interim, the applicant is seeking Health Department approval of temporary well and septic systems. Soil types indicate high or perched water tables and slow permeability, making the prospects for interim septic doubtful. Council action on the requested category change is expected prior to the Planning Board hearing. The result of that action will be included in the record at that time.

The Health Department requires all abandoned well and septic systems to be pumped, backfilled, and/or sealed in accordance with COMAR 26.04.04. The Health Department also noted the existence of two drums on the property containing an unidentified liquid. The liquid must be evaluated and disposed of in an appropriate manner by a licensed hazardous waste company. A copy of the manifest must be submitted to the Health Department prior to signature approval of the preliminary plat.

12. 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, #8327609-2000-00, 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. The approval number and date appear on the preliminary plat.
13. Public Utility Easement - The preliminary plat includes the required ten-foot-wide public utility easement. This easement will be included on the final plat.
14. Access Easement - The property surrounds three deed parcels in the E-I-A Zone, but labeled residential and vacant. These landlocked parcels gain access to Virginia Manor Road by an ingress/egress easement across the subject property. This easement is shown on the preliminary plat and will be reflected on the final plat.

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.

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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 Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 26, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of April 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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