

R E S O L U T I O N

WHEREAS, Chetwood Farm is the owner of a 10.71-acre parcel of land known as Parcel A, Parcel 9 and Parcel 56, said property being in the 3rd Election District of Prince George's County, Maryland, and being zoned C-M and I-1; and

WHEREAS, on March 8, 2001, Paul Sheehy 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 4-01023 for Sheehy Auto Store 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 July 12, 2001, 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 July 12, 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 the Type I Tree Conservation Plan (TCPI/16/01), and further APPROVED Preliminary Plat of Subdivision 4-01023, Sheehy Auto Store for Parcel C with the following conditions:

1. Prior to issuance of building permits, the applicant shall conduct a signal warrant study to be reviewed by the State Highway Administration at the intersection of US 301 and Chevy Drive. If the signal is deemed to be warranted and approved by the SHA, it shall be installed at the applicant's expense.
2. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept approval #8329131-2000-00
3. Prior to signature approval the preliminary plat shall be revised:
  - a. To reflect that the subject property is to be know as Parcel C.
  - b. To lessen the delineation of the existing parcels and more clearly define that the subject property is one parcel.
  - c. To revise the revision block to accurately reflect the last revision, in accordance

with this recommendation.

- d. To remove the parking and loading analysis.
4. All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws
5. Prior to signature approval of the Type I Tree Conservation Plan, TCP I/16/01 the plan shall be revised to:
  - a. Show the woodland conservation area.
  - b. Add the worksheet to plan.
6. Prior to the approval of building permits, the site shall be connected to the public sewer system unless alternative timing is approved by the Health Department.
7. The property shall connect to the public water supply system upon availability. At that time the applicant shall determine the disposition of the existing well on site and provide that information to the Health Department.

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 northeast quadrant of the intersection of Robert Crain highway (US 301) and Pennsylvania Avenue (MD 4) in Upper Marlboro.
3. Environmental - The Environmental Planning Section previously approved a Woodland Conservation Exemption for Parcel A only, numbered E/84/00, at the time of application for building permits for the proposed additions. At the time of permit review it was determined that the site was subject to the approval of a preliminary plan of subdivision due to the extent of development. It was not clear at the time of building permit review as to the extent of development. The exemption letter was approved for only a portion of the site and is therefore not a valid exemption letter.

The consolidation of Parcel A, Parcel 9, and Parcel 56 in their entirety as one building site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Tree Conservation Plan is required to satisfy the requirements of the Woodland Conservation Ordinance. A Forest Stand Delineation and Type I Tree Conservation Plan were submitted on May 23, 2001. The Tree Conservation Plan, TCP I/16/01, proposes to meet the requirements of the Woodland Conservation Ordinance

with 1.43 acres of on-site preservation. The Environmental Planning Section recommends approval of TCP I/16/01.

The adjacent highways are significant nearby noise generators but the proposed use is not expected to generate significant noise. There are no streams, or wetlands on the site. The preliminary plan delineates a portion of 100-year floodplain on site, however the applicant has proposed no disturbance to this area. No Historic or Scenic roads are affected by this proposal. No rare/threatened/endangered species are known to occur in the project vicinity.

The property is currently in water and sewer category 4C. The property was in the December 2000 cycle of amendments to the Ten-Year Water and Sewer Plan with a request to change to category 3, however, W-4C and S-4C were approved. Currently the existing development is served by private systems approved by the Health Department.

The soils information included in the review package indicate that no problematic soils occur in the proposed development area. According to the AMap Showing Landslide Susceptibility in Prince George's County, Maryland@ prepared by the U.S. Geological Survey, Marlboro Clay outcrops exist in the southeastern portion of the site. According to maps prepared by the Environmental Planning Section, Marlboro Clay is expected between elevations 50 and 65. At the present time there appears to be no immediate threat of slope failure which might affect the existing development. New development on this site, at existing elevation 40 or higher, should be reviewed for slope stability prior to implementation.

4. Community Planning - The subject property is within the limits of the *Approved 1993 Subregion VI Master Plan*, in Planning Area 79. The master plan land use recommendation for this site us for a commercial use for the existing dealership.

The master plan addresses the subject property (Page 153) by recognizing the existing auto dealership to include the I-1 zoned portion of the property. The development of the I-1 zoned portion of the subject property is recommended to be A...developed in a use which is compatible with the adjoining [subject] auto dealership on US 301.@ The plan further states: ABecause of its visibility from MD 4 it is especially important that a high standard of building and site design be evident in any future use of the property.@ The design emphasis is supported by Master Plan Guideline 11 which states: AScreening should be provided for outdoor storage areas of existing and future ... employment areas bordering roads, with the condition that such screening be of sufficient height and type to block the stored material and equipment from view at ground level.@ As a result of the master plan recommendation the Community Planning Division was supporting the requirement for the review of a Detailed Site Plan.

However, staff has evaluated the site as it relates to the recommendation for a detailed site plan and finds that a DSP is not appropriate at this time. The applicant has proposed three additions to the existing 38,165 square foot building. The existing building is AL@

shaped. The largest of the three additions is proposed at 10,150 square feet. That addition will be located within the existing AL@ and will be screened by the existing building from MD 301 and MD 4. The second of the additions is proposed at 4,200 square feet, which will provide an additional 60 feet of front along the existing buildings face, oriented toward MD 301. The existing building has approximately 370 feet of face along MD 301. The third addition is located along MD 4 and is approximately 1,750 square feet.

Due to the location of the proposed additions, staff believes that the visual impact will be minimal, as it relates to existing development on this site. Also the applicant is proposing to update and make improvements to the existing front facade to ensure compatibility and a uniformed appearance for the building in its entirety, at the time of construction of the proposed additions.

Further, because of the proposed gross floor area the site is now subject to the Prince George=s County *Landscape Manual*. The *Landscape Manual* establishes the criteria for appropriate buffering and screening in Prince George=s County. In addition, the I-1 zoning requires screening of outdoor storage areas from streets, over that required by the *Landscape Manual*. The development of this site should be in conformance with the Landscape manual and the requirements of the I-1 Zone.

5. Parks and Recreation - In accordance with Section 24-134(a), the requirement for the mandatory dedication of parkland applies to residential subdivisions. The subject proposal is for a commercial use and is therefore exempt from the requirement of mandatory dedication.
6. Trails - There are no master plan trail issues associated with this application.
7. Transportation - The application is a preliminary plan of subdivision for a commercial development consisting of a 14,244 square-foot expansion of an existing automotive dealership. The proposed development would generate 36 AM and 46 PM peak hour vehicle trips as determined using Institute of Transportation Engineer=s (ITE) *Trip Generation Manual*, 6th Edition.

The traffic generated by the proposed preliminary plan would impact the unsignalized intersection of US 301 and Chevy Drive. This intersection is not programmed for improvement with 100% construction funding within the next six years in the current Maryland Department of Transportation *Consolidated Transportation Program* or the Prince George=s County *Capital Improvement Program*.

The Prince George=s County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined 50 seconds of delay per car as the lowest acceptable operating condition on the transportation system for unsignalized intersections. The intersection of US 301 and Chevy Drive, when analyzed with a traffic count taken on May 16, 2001, was found to be operating with delays of 169.5 and

24,440.1 seconds during the AM and PM peak hours respectively. With the inclusion of the above-mentioned site trips, the intersection will continue to operate at failing levels-of-service. In light of this fact, staff is recommending that a signal warrant study should be conducted by the applicant. If the signal is deemed to be warranted, and further approved by the State Highway Administration, staff recommends that the signal be installed at the expense of the applicant.

The Countywide Planning Division concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved.

The applicant should conduct a *signal warrant study* to be reviewed by the State Highway Administration. If at that time a signal is deemed to be warranted, and approved by the SHA, it should be installed at the applicant's expense.

8. State Highway Administration - The SHA Project Planning Division provides reference to the 1999 Access Control Study and the Control Study Master Plan Alignment, which reflects and provides for several options for a proposed interchange at US 301 and MD 4. A variety of impacts, some being substantial and others being minimal, are possible at the time of construction of the interchange on this property. However, all of the options have been deemed conceptual pending further study by the SHA. Due to this, the SHA has not requested the dedication or reservation of lands for the implementation of this interchange.
9. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998) and concluded that the proposed subdivision is exempt from an APF test for schools because it is a Commercial use.
10. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and has concluded the following:
  - a. The existing fire engine service at Marlboro Fire Station, Company 20 located at 14815 Pratt Street has a service response time of 2.61 minutes, which is within the 3.25 minutes response time guideline.
  - b. The existing ambulance service at Marlboro Fire Station, Company 20 located at 14815 Pratt Street has a service response time of 2.61 minutes, which is within the 4.25 minutes response time guideline.
  - c. The existing paramedic service at Marlboro Fire Station, Company 20 located at 14815 Pratt Street has a service response time of 2.61 minutes, which is within

the 7.25 minutes response time guideline.

- d. The existing ladder truck service at Marlboro Fire Station, Company 45 located at 7710 Croom Road has a service response time of 5.65 minutes, which is beyond the 4.25 minutes response time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed above in Ad.@ of this Section, 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.

The above 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*.

11. Police Facilities - The proposed development is within the service area for District II-Bowie. In accordance with Section 24-122.1(c)(1) of the Subdivision Regulations, staff concludes that the existing county=s police facilities will be adequate to serve the proposed Sheehy Auto Store development.
12. Health Department - The existing structure on the lot is currently being served by a deep well and an on-site sewage disposal system. Prior to the approval of building permits for the proposed additions, the facility should be connected to the public sewer system. The existing on-site septic tanks and pump chamber should be pumped out and backfilled.

At the time that public water becomes available to this site, it should be connected. The existing well may be used on an interim basis until that time. Once connected to public water, the well may be used for nonpotable uses upon obtaining the approval of the Health Department. If the well is not to be used and is abandoned, the well must be backfilled and sealed by a licensed well driller or the process must be witnessed by a representative of the Health Department. The status of the well must be determined prior to the building permit approval.

13. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is not required. The Stormwater Management Concept case number is #8329131-2000-00, which has been approved. That approval is predicated on the applicant=s proposal that no new impervious area is to be created. Development must be in accordance with this approval.

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 Brown, with Commissioners Eley, Brown, Scott, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 12, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of September 2001.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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