

MN
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



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PGCPB No. 03-37(C)

File No. 4-02087

C O R R E C T E D R E S O L U T I O N

WHEREAS, WaWa, Inc. is the owner of a 10.25-acre parcel of land known as Parcel A, Plat Book REP 193@95, Tax Map 164, Grid F-1, said property being in the 11th Election District of Prince George's County, Maryland, and being zoned C-M; and

WHEREAS, on October 2, 2002, WaWa, Inc. filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 2 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-02087 for WaWa Development 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 February 27, 2003, 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 February 27, 2003, 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/53/02), and further APPROVED Preliminary Plan of Subdivision 4-02087, WaWa Development for Parcels B and C with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
 - a. A copy of the approved stormwater management concept approval letter shall be submitted and the number and date of approval shall be noted on the plan.
 - b. The Type I Tree Conservation Plan, TCPI/53/02, shall be revised to indicate the limit of disturbance on the plan and in the legend.
 - c. Note # 14 shall be revised to remove the statement regarding the exemption to the Woodland Conservation Ordinance and add reference to TCPI/53/02.
 - d. Parcel A shall be relabeled as Parcel B and Parcel B shall be relabeled as Parcel C.

2. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the 100-year floodplain. 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 is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

3. The applicant shall provide a fee to Prince George's County, which shall serve as a fair share contribution toward the construction of the Brandywine Special Study Area Station and acquisition of an ambulance. The fee shall be paid prior to the issuance of the first building permits. The fee amount is based upon the construction cost of the station (\$1,275,000) and the purchase price of an ambulance (\$130,000) divided by the total amount of population and employees within the proposed service area at projected buildout in 2006 (10,024). The fair share fee is \$140.16 per employee, which equates to a total of \$10,092 for the entire development; However, this fee may be adjusted prior to the issuance of building permits to reflect the actual size of the development on each lot.
4. US 301/MD 5/McKendree/Cedarville Roads: Reconstruct the eastbound McKendree Road approach in order to provide exclusive right-turn, exclusive through, and exclusive left-turn lanes in accordance with SHA requirements. These improvements shall also include any signal, signage, and pavement marking modifications that may be determined to be necessary.
5. The applicant and/or the applicant's heirs, successors, or assigns shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a road club that will include the applicant, the Montgomery Ward's Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as employment area "C" in the Subregion V master plan, as well as any properties along U.S. 301/MD 5 between T.B. (the intersection of U.S. 301 and MD 5 in Prince George's County) and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Planning Board.

For development of the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of the following:

On Parcel B, a total fee not to exceed an amount calculated as $\$14,942 \times$ (the most recent FHWA Highway Construction Cost Composite Index four-quarter average available at the time of building permit application)/(FHWA Highway Construction Cost Composite Index for first quarter, 1993).

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On Parcel C, a fee calculated as \$1.41 per gross square foot of office development x (the most recent FHWA Highway Construction Cost Composite Index four-quarter average available at the time of building permit application)/(FHWA Highway Construction Cost Composite Index for first quarter, 1993). This fee shall be modified accordingly at the time of detailed site plan if a different use is specified.

Payment is to be made in trust to the road club escrow agent and shall be due, on a pro rata basis, at the time of issuance of building permits. Prior to issuance of any building permit(s), the applicant shall provide written evidence to M-NCPPC that the required payment has been made.

The off-site transportation improvements to be constructed are set forth below. Construction of these improvements shall occur in the numerical sequence in which they appear. Each improvement shall be constructed if and only if sufficient funds for engineering, full design, and construction have been deposited into the road club escrow account by road club members or said funds have been provided by public agencies. The off-site transportation improvements shall include:

- A. Widen US 301/MD 5 from a four-lane road to a six-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently approved SHA plans.
- B. Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T.
- C. Make minor widening/striping improvements to the US 301/MD 5 interchange ramps.
- D. Widen US 301 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northierly to a point approximately 2,500 feet north of MD 381.
- E. Reconstruct the traffic signal at US 301/MD 381.
- F. Install a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by DPW&T and SHA.
- G. Provide a grade separation at the point the spine road crosses US 301 northeast of T.B.
- H. Reconstruct the traffic signal at MD 5/Brandywine Road.
- I. Construction of an interchange in the area of US 301/MD 5 and Cedarville/McKendree Roads.
- J. Construction of an interchange in the area of MD 5 and A-63 north of T.B.

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- K. Construction of A-63 as a six-lane arterial roadway (where off site) between the US 301/MD 5/Cedarville Rd./McKendree Rd. intersection and MD 5 north of T.B.
 - L. Widen US 301/MD 5 from a six-lane road to an eight-lane road beginning at the T.B. interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.
 - M. Widen MD 5 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.
- 6. Total development within Parcel B of the subject property shall be limited to a convenience store/gas station as approved under SE-4362, or equivalent development, which is permitted within the C-M Zone that generates no more than 31 AM and 36 PM peak-hour vehicle trips. Any development other than that identified herein above shall require an additional preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
 - 7. Total development within Parcel C of the subject property shall be limited to 66,000 square feet of medical/professional office space, or equivalent development, which is permitted within the C-M Zone that generates no more than 188 AM and 250 PM peak-hour vehicle trips. Any development other than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
 - 8. The final plat of subdivision shall note that access to Parcel C is via private right-of-way over Parcel B pursuant to Section 24-128(b)(9) of the Subdivision Regulations and that access to Parcel C along the frontage of US 301 shall be denied.
 - 9. Development must be in accordance with the approved Stormwater Management Concept Plan, # 8003180-2000-00, or any future revisions.

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 in the northwest quadrant of the US 301/McKendree Road intersection.
- 3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

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	EXISTING	PROPOSED
Zone	C-M (9.21 acres) and R-R (1.04 acres)	C-M (9.21 acres) and R-R (1.04 acres)
Use(s)	Food and Beverage Store	Food and Beverage Store and Commercial uses
Acreage	10.25 acres	10.25 acres
Parcels	1	2
Development Size	4,694 square feet	66,000 maximum additional square feet

4. **Environmental**—The Environmental Planning Section reviewed the revised Preliminary Plan of Subdivision for WaWa Development, 4-02087, stamped as accepted for processing on November 18, 2002, the forest stand delineation stamped as accepted for processing on December 11, 2002, and the Type I Tree Conservation Plan, TCPI/53/02, stamped as accepted for processing on January 3, 2003.

The subject property was originally reviewed by the Environmental Planning Section in January 2001 as a Special Exception (SE-4362), and subsequently as a Detailed Site Plan (DSP-01020). A Preliminary Plan of Subdivision, 4-01069, created the parcel in its current configuration. The site has a numbered Letter of Exemption from the Woodland Conservation Ordinance requirements (E/19/99) dated April 14, 1999. The proposal is for two parcels in the C-M Zone.

The subject property is located on the north side of McKendree Road, a designated historic road. The site is characterized with terrain gradually sloping down toward the north and into Timothy Branch, a tributary of the Mattawoman Creek in the Potomac River watershed. According to current air photos and from observations made during a field visit, the far northern end of the site is wooded. According to the Prince George's County Soils Survey, the predominant soil types on the site are Beltsville, Bibb, Leonardtown, and Sassafras soils series. According to the sewer service and water service maps produced by the Department of Environmental Resources (DER), the property is in categories S-3 and W-3. There are floodplains, streams, and wetlands on the site. There are no noise issues associated with this use. There are no Marlboro clays located on or adjacent to the subject property. The site is in the Developing Tier according to the adopted General Plan.

The 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 woodlands. A numbered Letter of Exemption from the Ordinance (E/19/99) was issued by the Environmental Planning Section, Countywide Planning Division, dated April 14, 1999. The memorandum from Robert Metzger to Alan Hirsch, dated September 27, 2001, contains the following:

Discussion: This Letter of Exemption should accompany all future applications for plans and permits. However, should any encroachment into woodlands be proposed, the letter of

exemption would no longer be valid, and a detailed forest stand delineation and a tree conservation

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plan will be required.”

A site visit by staff on October 15, 2002, revealed that encroachment has taken place into woodlands that were shown to be preserved on the plan accompanying E/19/99. The woodland line shown on the preliminary plan reflects existing conditions and is different from that shown on E/19/99. The forest stand delineation has been reviewed and meets the requirements of the Woodland Conservation Ordinance. The Type I Tree Conservation Plan, TCPI/53/02, accounts for all previous and future clearing on the site. The TCP proposes to preserve all of the priority woodland on the site, and proposes 0.61 acres of afforestation, and 0.52 acres of off-site woodland conservation. A limit of disturbance is not shown on the plan.

The *Subregion V Master Plan* shows a limited area of natural reserve in the northern portion of the site. The Subdivision Ordinance provides for the protection of streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, adjacent areas of slopes in excess of 25 percent, and adjacent areas of slopes between 15 and 25 percent with highly erodible soils. The plan shows a stream, the minimum 50-foot stream buffers, the 100-year floodplain, wetlands, and the minimum 25-foot wetland buffers. The extended stream buffer follows the limit of the 100-year floodplain on this site.

McKendree Road is a designated historic road. A site plan for SE-4362 has been approved for the site and an alternative compliance plan (AC-99051) was approved on December 1, 1999. The road is approved to be widened to a 120-foot-wide right-of-way in this section. The historic landscape character of this site was is open agricultural fields. The applicant is providing a landscape strip and a D bufferyard from the adjacent active agricultural property. Due to the road improvements required and commercial zoning of the site, preservation of the original road section and the historic landscape is not possible.

According to the Prince George's County Soils Survey, the predominant soil types on the site are Beltsville, Bibb, Leonardtown, and Sassafras soils series. Beltsville soils are highly erodible and subject to impeded drainage and a perched water table. Bibb soils are subject to a high water table, flood hazard, and poor drainage. Leonardtown soils are highly erodible, may have a perched water table, and are subject to poor drainage. Sassafras soils pose no special problems for development. This information is provided for the applicant's information. No further action is needed with regard to this preliminary plan of subdivision. A soils study may be required by DER prior to the issuance of any permit.

The proposed stormwater discharge for the parcel will be directed to the Timothy Branch 100-year floodplain (Zone A-4) as shown on the Firm Flood Insurance Rate Map for Prince George's County, Maryland, Community Panel #245208-0065. Evidence of the concept plan approval should be required prior to signature approval of the preliminary plan.

5. **Community Planning**— In the 2002 General Plan, the property is located in a designated Corridor in the Developing Tier and in a potential future Center (Brandywine). The 1993 Subregion V Master Plan recommends commercial land use for the property. The 1993 Subregion

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V Sectional Map Amendment rezoned this property from the R-A Zone to the C-M and R-R Zones at this location. Special Exception SE-4362 for a food and beverage store with gasoline service was approved on January 29, 2000. The proposed subdivision for a food and beverage store with gasoline service in the C-M Zone is consistent with master plan recommendations for commercial land use in this community and SE-4362. The western and northern part of the property shown in the C-M and R-R Zones is indicated for Timothy Branch or future highway right-of-way. This proposed subdivision is consistent with master plan recommendations for commercial land use between existing US 301 and the proposed relocation of MD 5 to the west.

6. **Parks and Recreation**— The property is exempt from the requirements of Section 24-134 of the Subdivision Regulations for mandatory dedication because only a commercial use is proposed in the commercial zone. Any residential development of the R-R-zoned portion of this property will require the approval of a new preliminary plan.
7. **Trails**— There is one master plan trail issue in the vicinity of the subject site. *The Adopted and Approved Subregion V Master Plan* recommends a multiuse trail along Timothy Branch, which lies directly to the north of the subject site. A portion of the floodplain for Timothy Branch runs through Parcel C. This trail is envisioned in the master plan to provide a connection for recreational trail users and employees of the employment park. At this time, it appears that the most appropriate location of this trail will be on the north side of Timothy Branch, which is off of the subject site. At this location, it will ultimately connect to a proposed trail on the Rosewood Estates subdivision with a minimum of stream crossings. No recommendations are made regarding the planned trail along Timothy Branch for the subject application. There are no master plan trails issues. If road improvements are required along McKendree Road, however, standard sidewalks should be provided.
8. **Transportation**— The Transportation Planning Section reviewed the subject application. The subject property consists of approximately 10.25 acres of land in the C-M and R-R Zones. The applicant proposes to construct a food and beverage store with gasoline service in accordance with Detailed Site Plan DSP-01020 and Special Exception SE-4362 on Parcel A. The second parcel is proposed for commercial development.

No traffic study was requested of the applicant nor was one submitted for review. Staff had information from the recent traffic study for Rosewood Estates, Preliminary Plan 4-02069, available for the review of this case. The findings and recommendations outlined below are based upon a review of 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*.

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

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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.

The application is a preliminary plan of subdivision for two commercial parcels. The first parcel, Parcel B, is proposed to contain a 4,694-square-foot food and beverage store along with a gas station with 16 fueling positions, as was shown on Detailed Site Plan DSP-01020 and Special Exception SE-4362. Under an analysis that was conducted for SE-4362, a 4,694-square-foot food and beverage store with a 16 fueling position service station would generate a total of 194 AM and 222 PM peak-hour vehicle trips. The transportation staff estimates that 163 AM and 186 PM trips are pass-by trips (i.e., already on the road—US 301/MD 5 in front of the subject property), while 31 AM and 36 PM trips are **new** trips. The site was analyzed using the following trip distribution:

Cedarville from the east:	5 percent
McKendree from the west:	5 percent
US 301/MD 5 from the north:	50 percent
US 301/MD 5 from the south:	50 percent

Staff assumed that 40 percent of pass-by trips would occur from southbound US 301/MD 5, while the remaining pass-by trips were assumed to occur proportionally with traffic volumes northbound and southbound during the respective peak hours. This portion of the site has already been approved as a subdivision; therefore, it is counted within the background situation and is not being subjected to a new adequacy test at this time.

The second, Parcel C, is proposed for unspecified commercial development. Parcel C is 7.54 acres in the C-M and R-R Zones; however, approximately one-half of proposed Parcel C is occupied by 100-year floodplain and other environmental features. Utilizing a floor-to-area ratio (FAR) of 0.4 for one-half of the parcel, staff estimates that Parcel C could contain up to 66,000 square feet of medical/professional office space, and Parcel C will be capped at the corresponding level of trips. Under this level of development, the site could generate 188 AM and 250 PM peak-hour vehicle trips. Staff would assume the same trip distribution as that assumed for Parcel B. This is new development, which has never been considered for adequacy, is, therefore, the subject of the adequacy determination for this subdivision.

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The traffic generated by the proposed preliminary plan would impact the signalized intersection of US 301 and Cedarville/McKendree Roads. There are no improvements at this intersection that are currently funded for construction in either the county's Capital Improvement Program or the Maryland Department of Transportation's Consolidated Transportation Program.

The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined LOS D as the lowest acceptable operating condition on the transportation system. The intersection of US 301 and Cedarville/McKendree Roads, when analyzed under existing traffic, was found to be operating at a CLV of 1,247, or level LOS C, in the AM peak-hour and at a CLV of 1,790 and LOS F during the PM peak hour. With growth in through traffic and a considerable amount of approved development, background traffic was found to be operating at a CLV of 1,850 and LOS F in the AM peak hour and at a CLV of 1,985 and LOS F during the PM peak hour. Under total future traffic as developed using the guidelines, adding the impact of the proposed development, the critical intersection was found to be operating with a CLV of 1,837 and LOS F in the AM peak hour and at a CLV of 2,062 and LOS F during the PM peak hour. Therefore, the critical intersection is operating unacceptably, at LOS F, in both peak hours.

The traffic analysis identifies severe inadequacies at the US 301/MD 5/McKendree/Cedarville Roads intersection. In reviewing other nearby properties, the transportation staff has noted ongoing issues regarding poor traffic service levels in this area, and the Planning Board has acted on a number of nearby cases. Reference is made here to the attached memorandum prepared on December 4, 1990. This memorandum documents the assumptions regarding the Brandywine Road Club and its potential member properties and establishes the improvements that are required in the area for adequate public facilities.

According to the attached memorandum, no geographic limits for the road club membership have been defined, but includes property owners within employment area "C," property owners along US 301/MD 5 between T.B. and Mattawoman Creek, and the Brandywine Village M-A-C property, along with any adjacent properties to these, as current or prospective members of the road club. The subject property is along US 301/MD 5 and adjacent to the Brandywine Village M-A-C property (which has since been rezoned).

The December 4, 1990, memorandum sets forth the improvements associated with prospective road club members. Because the points of access for the properties on the east side of US 301 are so similar, all current or prospective road club properties on the east side of US 301 have similar list of road club improvements associated with them. Only in cases where a property does not have direct access to A-63 (otherwise known as the spine road) on-site does the list of improvements change, along with the corresponding payment to the road club. In the case where a property on the east side of US 301 is required to construct the on-site portion of the spine road, a payment of \$1.41 per gross square foot of building space to cover the cost of road club improvements is required. In the case where a property on the east side of US 301 is not required to construct the on-site portion of the spine road, a payment of \$2.07 per square foot to cover the cost of road club

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improvements, plus a share of the cost of the spine road, is required. The \$1.41 figure has been used for properties on the west side of US 301.

In order to ensure that funding is available in the future to construct the facilities needed to provide adequacy, the County Council, in a May 21, 1991, letter, requested that cost estimates and future pro-rata payments include an inflation factor.

In reviewing the traffic study for Rosewood Estates, the State Highway Administration (SHA) largely agreed with the findings of the traffic study. However, SHA also determined that road club and/or SHA funding of major improvements would be far in the future and asked that the Planning Board require that applicant to construct the eastbound McKendree Road approach at US 301/MD 5 with exclusive right-turn, exclusive through, and exclusive left-turn lanes. This is currently a two-lane approach, with the through and left-turn shared. With the adjacent WaWa site deeding additional right-of-way along McKendree Road at this location, there is not likely to be a right-of-way issue. Staff believes that the SHA request is reasonable. Moreover, staff believes that this configuration should be made a condition for the development of Parcel B. By way of cross easements, traffic from Parcel B is very likely to make some use of McKendree Road in accessing the property; therefore, staff believes that the condition is appropriate.

McKendree Road along the frontage of the subject property is a master plan arterial (A-63). Adequate right-of-way dedication has occurred and no further dedication is required of this plan.

US 301/MD 5 along the frontage of the subject property is a master plan arterial (A-64). The Subregion V master plan proposes that the function of existing US 301/MD 5 be shifted onto a new facility, F-9, which follows the rear property line of the subject property. Regarding this future right-of-way, there are several findings at this time:

- A. The plans for SP-01020 and SE-4362 for the convenience store/gas station have been determined to be consistent with the planned alignment for F-9.
- B. The planned rights-of-way have significant impacts to proposed Parcel B. However, the area proposed for grading is generally outside of this right-of-way. Therefore, staff concludes that development within the master plan right-of-way is not imminent.
- C. Concerning the possibility of dedicating the future F-9 right-of-way, staff could not identify a legal basis for requiring the dedication, as the use would not be allowed to gain access to that right-of-way.
- D. Concerning the possibility of reserving the future F-9 right-of-way, staff found that development under the subject preliminary plan within the planned right-of-way not to be imminent. The State Highway Administration (SHA) is studying options for upgrading access controls along existing US 301 or possibly relocating the entire facility.

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Given the above findings, the transportation staff has no recommendation at this time regarding the F-9 facility. Should further re-subdivision of the subject property occur in the future, the transportation staff will once again reexamine F-9 right-of-way needs as they relate to the subject property. Given the proposed development, however, other conditions recommended within this memorandum will serve to regulate potential development within the planned F-9 right-of-way.

Based on the preceding findings, the Transportation Planning Section concluded 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 pertaining to the requirement to be part of the road club for this area.

9. **Schools**—The Historic Preservation 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 Adequate Public Facilities Regulations for Schools (CR-23-2001 and CR-38-2002). The above subdivision is exempt from the adequacy test for public schools because it is commercially zoned and proposes a commercial use only. Development of the R-R-zoned portion of the property is not proposed at this time. Should residential development ever be proposed here, a new preliminary plan must be approved.
10. **Fire and Rescue**— The Historic Preservation and Public Facilities Planning Section (HP&PFS) has reviewed the subdivision plans for adequacy of public facilities.
 - A. The existing fire engine service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road has a service travel time of 4.97 minutes, which is beyond the 3.25-minute travel time guideline.
 - B. The existing ambulance service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road has a service travel time of 4.97 minutes, which is beyond the 4.25-minute travel time guideline.
 - C. The existing paramedic service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road has a service travel time of 4.97 minutes, which is within the 7.25 minutes travel time guideline.
 - D. The existing ladder truck service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service travel time of 9.37 minutes, which is beyond the 4.25-minute travel time guideline.

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*. In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department recommends that a fire suppression system be installed in all

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commercial structures in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.

The staff of the HP&PFP found that the planned Brandywine Special Study Area Emergency Services Facility will be the first due station that will provide ambulance and paramedic service to this development. The cost of this emergency services facility is \$1,405,000.

In order to mitigate the ambulance response time deficiencies, the staff recommends that the applicant participate in providing a fair share contribution toward the construction of the Brandywine Special Study Area Emergency Services Facility. The fee amount is based on the construction cost of the facility (\$1,275,000) and ambulance (\$130,000), divided by the total amount of residential and employment population within the entire service area in 2006 (10,024). The service area includes those areas that will be served by the planned facility. The fair share fee is \$140.16 per person for this development.

2006 service area population/workers=10,024

Station Cost of \$1,405,000/10,024=\$140.16 per person

\$140.16 x 72 workers=\$10,092

The total of 72 workers is based upon 12 workers on Parcel B (information provided by applicant) and 60 employees on Parcel A, based upon its potential as a retail commercial use encompassing approximately of 30,000 square feet, at a rate of one employee per 500 square feet for the 3.63 acre parcel. Consistent with the preceding formula, the amount of the fee may be adjusted at the time of building permit based on the size of the development proposed.

11. **Police Facilities**—The proposed development is within the service area for District V—Clinton. In accordance with Section 24-122.1(c)(1)(A) and (B) of the Subdivision Regulations of Prince George's County, the staff concludes that the existing county police facilities will be adequate to serve the proposed WaWa Development development. This police facility will adequately serve the population generated by the proposed subdivision.
12. **Health Department**— The Division of Environmental Health reviewed the subject application and had no comments to offer.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, previously determined (with Preliminary Plan 4-01069) that on-site stormwater management was required. A Stormwater Management Concept Plan, # 8003180-2000-00, was approved with conditions on March 18, 2001, to ensure that development of this site did not result in on-site or downstream flooding. The plan is valid through March 18, 2004. Future development of Parcel C may require revisions to that approved plan. Development must be in accordance with the approved plan or any future revisions.

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14. **Cemeteries**—Note #10 on the preliminary plan states that “no visible cemeteries or grave sites were observed on or adjacent to the site shown hereon.”

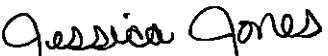
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the adoption of this Resolution.

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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 Eley, seconded by Commissioner Lowe, with Commissioners Eley, Lowe, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 27, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 20th day of March 2003 *and was corrected administratively on December 4, 2014.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:WC:arj

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPD Legal Department

Date 12/5/14

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strike through~~ indicate deleted language