

A M E N D E D R E S O L U T I O N

WHEREAS, Elsie and Herbert Cole are the owners of a 29.31-acre parcel of land known as Bellefonte (Lot 107 and Parcel A), said property being in the 9th Election District of Prince George's County, Maryland, and being zoned I-4; and

WHEREAS, on December 3, 2003, Woodyard road Association, LLC, filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for *~~seven~~ seven lots and one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03118 for Bellefonte 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 March 25, 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 March 25, 2004, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

*WHEREAS, by letter dated May 29, 2019, the applicant requested a reconsideration of conditions of approval and associated findings related to a specific transportation improvement; and

*WHEREAS, on June 20, 2019, the Planning Board approved the waiver and request for reconsideration based on other good cause in furtherance of substantial public interest based on a mistake; and

*WHEREAS, on July 18, 2019, the Planning Board heard testimony regarding the reconsideration.

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/35/03), and further APPROVED Preliminary Plan of Subdivision 4-03118, for Lots 1-7 and Parcel A and B with the following conditions:

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1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
 - a. To revise General Note 19 that no direct access to Bellefonte Lane is provided at this time.
 - b. To relabel the plan that Parcels A and B are to be dedicated to the business association and not the homeowners association.
 - c. To provide a note that Parcel B is to be conveyed to DPW&T upon demand for the construction of I-502, a dedicated public right-of-way, and that private access to Bellefonte Lane is not permitted pursuant to Condition 4 of Zoning Ordinance No. 5-1991, File A-9758-C.
 - d. To provide the approved stormwater management concept plan number and approval date.
2. At the time of Detailed Site Plan, a Type II Tree Conservation Plan shall be approved.
3. Prior to building permits the applicant, his heirs, successors and/or assignees shall demonstrate that a business owners association has been established and that the common areas have been conveyed to the association.
4. 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.
5. The final plat of subdivision shall carry a note that development of this property is subject to the conditions of Zoning Ordinance No. 5-1991, File A-9758-C.
6. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
7. Development shall be in accordance with the approved Stormwater Management Concept Plan #7542-2003-00.
8. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer, excluding those areas where variation requests have been approved, and be reviewed by the Environmental Planning Section prior to certification. 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 are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous

trees, limbs, branches, or trunks is allowed.”

9. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
10. 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/35/03), 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.”
11. The following note shall be placed on the Final Plat:

“This site is subjected to noise levels between 70 and 75 dBA (Ldn) from aircraft landing and taking off from Andrews Air Force Base. These noise levels are the maximum allowed for industrial land uses. Interior work spaces are required to be designed to reduce noise levels from exterior sources.”
12. Each building permit shall include a 75 dBA (Ldn) noise contour. Structures for industrial and commercial uses shall be designed to reduce interior noise levels to 55 dBA (Ldn) or less, unless the structure or portions thereof are designed only for storage purposes. If residential or residential-type uses are proposed, the structures shall be designed to reduce interior noise levels to 45 dBA (Ldn) or less. In the event any structure or portion thereof originally designed for storage use only is modified to permit nonstorage use, the structure shall be designed to reduce interior noise levels to 55 dBA (Ldn) or less.
13. Prior to the issuance of building permits for structures on this site, the building permits shall be modified to contain certification by a professional engineer with competency in acoustical analysis that the building shells within the 70 and 75 dBA (Ldn) noise corridors for Andrews Air Force Base have been designed to attenuate noise levels to 55 dBA (Ldn) or less for industrial or commercial structures unless the structure or portions thereof are designed only for storage purposes, and 45 dBA (Ldn) or less for residential structures or structures that contain residential-type uses. In the event any structure or portion thereof originally designed for storage use only is modified to permit nonstorage use, the structure shall be designed to reduce interior noise levels to 55 dBA (Ldn) or less.
14. A conceptual and detailed site plan shall be approved prior to grading or building permit for any use or development of the property.
15. At the time of final plat approval, the applicant shall dedicate right-of-way along MD 223 (Woodyard Road) of 60 feet from the centerline of the existing pavement.

16. At the time of final plat approval, the applicant shall dedicate right-of-way of 70 feet and construct Bellefonte Road Extended within the property as delineated on the proposed preliminary plan of subdivision.
17. The applicant shall provide for any necessary turn lanes and frontage improvements as required by SHA. These may include turn lanes for deceleration and acceleration of vehicles at the site as well as left turn lanes and/or bypass lanes on MD 223. Additional right-of-way dedication to SHA may be required for these improvements.
18. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with SHA:

At the intersection of MD 223 (Woodyard Road) and Old Alexandria Ferry Road, the applicant shall ~~*[widen the southbound approach from the existing one left turn lane and one through/right turn lane to two left turn lanes, one through lane, and one right turn lane. The applicant shall also widen the east leg of MD 223 to receive the double left turns from southbound Old Alexandria Ferry Road and]~~ widen *or restripe northbound Dangerfield Road, *as necessary, to create an exclusive left turn lane.

19. Prior to the approval of the initial building permit on the subject property, the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for the intersection of MD 223 and Site Access Road/Richardson Road. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency.
20. Total development within the subject property shall be limited to 500,000 square feet consisting of 400,000 square feet as an industrial park and 100,000 square feet as a mini warehouse facility, or equivalent development that generates no more than 307 AM and 326 PM peak-hour trips. Any development other than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
21. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall pay a pro rata share of the cost of the road improvements along MD 223 at Rosaryville and Dower House Roads, as described in the Prince George's County Capital Improvement Program for FY 2003-2008 under CIP No. FD669451 (MD 223 Widening). The pro rata share shall be payable to Prince George's County, with evidence of payment provided to the Planning Department with

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each building permit application, based upon gross square footage. The pro rata share shall be \$59.00 per thousand square x (*Engineering News Record* Highway Construction Cost Index at the time of building permit application) / *Engineering News Record* Highway Construction Cost Index for the second quarter 2001).

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 on the north side of Woodyard Road, approximately 500 feet east of its intersection with Alexandria Ferry Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	I-4	I-4
Use(s)	Dwelling	Industrial (500,000 square feet)
Acreage	29.31	29.31
Lots	1	7
Parcels	0	2
Dwelling Units:		
Detached	1	0

4. **Environmental**—This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in size and it has more than 10,000 square feet of woodland. A Forest Stand Delineation (FSD) showing 26 sample areas, 7 forest stands and 2 specimen trees has been reviewed and was found to meet the requirements of the Woodland Conservation Ordinance.

A Type I Tree Conservation Plan, TCPI/35/03, has been submitted, and the plan proposes clearing 19.05 acres of the existing 24.24 acres of woodland. The woodland conservation requirement for this proposal has been correctly calculated as 9.16 acres. The plan proposes to meet this requirement by providing 3.26 acres of on-site preservation, 0.32 acre of on-site reforestation and 5.58 acres of off-site conservation. An additional 1.93 acres of woodland are proposed to be retained on-site; however, most of these areas cannot be used to meet any requirement because the woodlands are in existing conservation easements. The layout will preserve most of the wooded stream buffer and provide wooded buffers to abutting residential properties. The Environmental Planning Section recommends approval of the Type I Tree Conservation Plan, TCPI/35/03.

The property is south of Andrews Air Force Base and aircraft associated with Andrews Air Force Base will create noise levels above state standards. The entire site will be affected by noise levels exceeding 70 dBA (Ldn) and the eastern portion is affected by noise levels exceeding 75 dBA (Ldn). The preliminary plan of subdivision does not approve the specific uses or design layouts for the individual lots. Therefore, the noise analysis can be deferred until detailed site plan review.

The following note should be placed on the Final Plat:

“This site is subjected to noise levels between 70 and 75 dBA (Ldn) from aircraft landing and taking off from Andrews Air Force Base. These noise levels are the maximum allowed for industrial land uses. Interior work spaces are required to be designed to reduce noise levels from exterior sources.”

Each building permit should include the 75 dBA (Ldn) noise contour where appropriate. Structures for industrial and commercial uses shall be designed to reduce interior noise levels to 55 dBA (Ldn) or less. If residential or residential-type uses are proposed, the structures shall be designed to reduce interior noise levels to 45 dBA (Ldn) or less.

This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. A wetlands study including a Jurisdiction Determination was submitted. The wetlands, minimum 25-foot wetland buffers, streams, minimum 50-foot stream buffers, all areas with severe slopes and all areas with steep slopes containing highly erodible soils are shown on the revised Preliminary Plan and the Type I Tree Conservation Plan. The expanded stream buffer as defined in Section 24-130 of the Subdivision Regulations is correctly shown.

At time of final plat, bearings and distances should describe a conservation easement. The conservation easement shall contain the expanded stream buffer, excluding those areas where variation requests have been approved, and be reviewed by the Environmental Planning Section prior to certification.

The plan proposes impacts to stream buffers and wetland buffers. Section 24-130 of the Subdivision Regulations prohibits impacts to these buffers unless the Planning Board grants a variation to the Subdivision Regulations in accordance with Section 24-113. Even if approved by the Planning Board, the applicant will need to obtain federal and state permits prior to the issuance of any grading permit. The additional permit review will assure that the impacts are minimized and that there will be no detrimental effects to public safety, health, or welfare, or be injurious to other property. Staff notes that a stream bisects the property and the existing sanitary sewer main is entirely within the expanded stream buffer. Ten variation requests in conformance with Section 24-113 of the Subdivision Regulations have been submitted.

Each variation is described individually below. However, for purposes of discussion relating to Section 24-113(a) of the Subdivision Regulations, the impacts were discussed collectively.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

- (1) The granting of the variation will not be detrimental to the public safety, health, or injurious to other property;*
- (2) The Conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;*
- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation;*
- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if strict letter of these regulations is carried out;*

Impacts 1, 8, 9 and 10 are associated with stormwater management outfalls. The Stormwater Management Concept Plan, CSD #7542-2003-00, approved by the Prince George's County Department of Environmental Recourses requires bioretention and control of water quantity on-site. Because of the topography of the site, the outfalls must be placed within the expanded stream buffer. The impacts will affect 1,275 square feet, 2,115 square feet, 8,530 square feet, and 1,645 square feet of expanded stream buffer, respectively. The details of construction will be reevaluated during the review of the Stormwater Design Plan and at the time of detailed site plan to further reduce impacts. The proposal is not a violation of any other applicable law, ordinance or regulation because state and federal permits are required prior to construction. The Environmental Planning Section supports variation requests 1, 8, 9 and 10.

Impacts 2, 3, 4, 5 and 7 are to an expanded stream buffer for the construction of sanitary sewer connections to serve the proposed development. These will disturb 6,570 square feet, 5,730 square feet, 4,767 square feet, 5,580 square feet, and 1,720 square feet, respectively. The alignment of the sewer is constrained by the topography of the site and the location of the existing sewer main. Washington Suburban Sanitary Commission will reevaluate the details of construction during the review of the construction permits to further reduce impacts. The proposal is not a violation of any other applicable law, ordinance or regulation because state and federal permits are required prior to construction. Impacts 2, 3, 4 and 5 are also needed to construct in-stream checkdams in conformance with Stormwater Management Concept Plan, CSD

#7542-2003-00. Coupling impacts serve to reduce the combined impact. The Environmental Planning Section supports variation requests 2, 3, 4, 5 and 7.

Impact 6 is for the construction of the principal access to the site and proposes to impact 28,615 square feet of expanded stream buffer. Because the stream bisects the property, any access to serve the northern portion of the site would require a variation request. The details of construction will be reevaluated during the review of the Type II Tree Conservation Plan to further reduce impacts. The proposal is not a violation of any other applicable law, ordinance or regulation because state and federal permits are required prior to construction. The Environmental Planning Section supports variation request 6.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003.

5. **Community Planning**—The subject property is located within the limits of the 1993 Subregion V Master Plan, Planning Area 81A, in the Clinton-Tanglewood Community. The recommended land use for the property is Employment/Industrial. The proposed land use is consistent with the recommendations of the master plan.

The 2002 General Plan locates this property in the Developing Tier. One of the visions for the Developing Tier applicable to this property is to maintain a pattern of employment areas that are increasingly transit serviceable. The proposed preliminary plan is consistent with this recommendation, providing opportunity for employment in a transitional area.

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations the subdivision is exempt from the requirement of the mandatory dedication of parkland because it is a nonresidential subdivision
7. **Trails**—There are no master plan trail issues.
8. **Transportation**—The applicant proposes an industrial park and warehouse facility of approximately 500,000 square feet. The property would be accessed via Woodyard Road (MD 223).

The applicant submitted a traffic study dated June 3, 2003, with a revision date of November 18, 2003. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by 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 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. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.

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 applicant has prepared a traffic impact study in support of the application using new counts taken during April ~~*and May~~ 2003. With the development of the subject property and without improvements, the traffic consultant concluded that two signalized intersections within the study area would operate above acceptable standards—LOS D with a critical lane volume (CLV) of 1,450 or better.

The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections during weekday peak hours:

Coventry Way/Old Alexandria Ferry Road (signalized)
Woodyard Road/Old Alexandria Ferry Road (signalized)
Woodyard Road/Richardson Road (unsignalized)
Woodyard Road/Rosaryville Road (signalized)

The intersection of Woodyard Road/Deborah Street was included in the original traffic study, but was dropped from further consideration and analysis after the applicant proposed the site access point opposite Richardson Road. The following conditions exist at the critical intersections:

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EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Coventry Way/Old Alexandria Ferry Road	854	1,009	A	B
Woodyard Road/Old Alexandria Ferry Road ***	*[1,914] <u>1,111</u>	*[1,447] <u>1,416</u>	*[E] <u>B</u>	D
Woodyard Road/Richardson Road	46.9*	10.7*	--	--
Woodyard Road/Rosaryville Road***	1,295	2,038	C	F
*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 guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

~~***This existing traffic condition represents an average of two traffic counts taken on April 3, 2003, and May 18, 2003. Staff feels that this is more representative of existing traffic conditions at the intersection.]~~

***This critical lane volume is based on a one lane eastbound approach. Traffic queues from the Piscataway Creek bridge block right turning vehicles on eastbound MD 223 from turning south on Rosaryville Road.

Staff field-checked lane configurations at the intersections within the study area and observed AM and PM peak-hour traffic conditions in October 2003 and February 2004.

Background developments included 259 single-family units and a business park (40,000-square-foot office and 80,000-square-foot warehouse). Background traffic along the study area roads was also increased by *0.5 of one percent each year to account for overall growth up to the design year 2008. This is the expected year of full build-out. ~~*[Given these assumptions, background conditions are summarized below:]~~

*In addition, staff has taken note of several items. A construction project along northbound MD 5 had the effect of diverting traffic into the MD 223/Old Alexandria Ferry Road intersection, and staff has adjusted traffic downward on the northbound through and left turn approaches from Dangerfield Road in both peak hours. The Federal Capital Improvement Program includes a project to improve the Pearl Harbor gate for the Andrews Air Force Base (AAFB); this improvement would divert some employee, contractor, and commercial traffic from the Virginia Avenue gate of AAFB to the Pearl Harbor gate. The staff analysis has made adjustments to several traffic movements along MD 223, Old Alexandria Ferry Road, and Dangerfield Road. Finally, staff has noted that the overall counts at the MD 223/Old Alexandria Ferry Road intersection are

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high by about 7.5 percent in the PM peak-hour (they appear normal in the AM peak-hour) and has adjusted all turning movements at the intersection downward, accordingly, during the PM peak-hour.

*Given these assumptions, background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Coventry Way/Old Alexandria Ferry Road	1,043	1,113	B	B
Woodyard Road/Old Alexandria Ferry Road	*[2,214] <u>1,160</u>	*[1,630] <u>1,408</u>	*[E] <u>C</u>	*[E] <u>D</u>
Woodyard Road/Richardson Road	70.5*	11.7*	--	--
Woodyard Road/Rosaryville Road	1,480	2,300	E	F
*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 guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Under background traffic conditions the average vehicle delay exceeds 50.0 seconds at the intersection of Woodyard Road and Richardson Road (AM peak hour). The level of service is unacceptable at two of the three signalized intersections within the study area.

The applicant proposes an industrial park (400,000 square feet) and a mini-warehouse facility (100,000 square feet). The trip rates were obtained from the "Guidelines for the Analysis of the Traffic Impact of Development Proposals" and the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*. The resulting site trip generation would be 307 AM peak-hour trips (229 in, 78 out), and 326 PM peak-hour trips (92 in, 234 out). With site traffic, the following operating conditions were determined:

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TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Coventry Way/Old Alexandria Ferry Road	1,165	1,113	C	B
Woodyard Road/Old Alexandria Ferry Road	*[2,368] <u>1,271</u>	*[1,671] <u>1,490</u>	*[F] <u>C</u>	*[F] <u>E</u>
Woodyard Road/Richardson Road	679.7*	348.3*	--	--
Woodyard Road/Rosaryville Road	1,510	2,364	E	F
*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 guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Staff notes that under total traffic and without any improvements, two of the three signalized intersections and the unsignalized intersection of Woodyard Road/Richardson Road would operate unacceptably.

The applicant proposed several improvements to provide adequacy:

At Woodyard Road (MD 223) and Old Alexandria Ferry Road:

- *• ~~[Lengthen the right turn lane on westbound Woodyard Road to 300 feet.]~~
- Provide a 200-foot northbound left turn lane on Dangerfield Road.
- *• ~~[Widen the southbound approach of Old Alexandria Ferry Road to accommodate a double left turn lane, a through lane, and a right turn lane.]~~
- *• ~~[Modify the receiving lanes on the east leg of Woodyard Road to accommodate the double left turn lanes from southbound Old Alexandria Ferry Road.]~~

Staff notes that the Chesterfield Estates Cluster (PGCPB No.03-226) was conditioned for approval on December 4, 2003, to lengthen the westbound right turn lane on Woodyard Road (MD 223), re-stripe the east leg of MD 223, and re-stripe the northbound lane on Dangerfield Road to provide a separate left turn lane, through lane, and right-turn lane.

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At Woodyard Road (MD 223) and Rosaryville Road, the applicant proposes to pay a pro-rata fair share to the improvements previously allowed at this location. The applicant's consultant is referring to The Prince George's County FY 2004-2009 approved Capital Improvement Program (CIP Project #FD669451), which consists of the widening of MD 223 from Rosaryville Road to Dower House Road. Improvements to the Rosaryville Road intersection are part of this project.

At Woodyard Road (MD 223) and Site Access Road/Richardson Road, provide a two lane approach at MD 223.

The Prince George's County Department of Public Works and Transportation (DPW&T) provided comments on the applicant's traffic study. DPW&T suggested that the applicant modify the signal at Woodyard Road (MD 223) and Old Alexandria Ferry Road/Dangerfield Road to provide for exclusive left turn phases on all approaches in addition to a right turn overlap for the westbound right turns onto Old Alexandria Ferry Road. The State Highway Administration also provided comments on the traffic study. SHA recommended that the applicant:

“At Woodyard Road (MD 223) and Rosaryville Road, widen southbound MD 223 to provide an additional through lane. At Woodyard Road (MD 223) and Old Alexandria Ferry Road, construct an exclusive westbound right turn lane and widen the southbound approach from the existing one left turn lane and one through/right turn lane to two left turn lanes, one through lane, and one right turn lane. The applicant should also widen the east leg of MD 223 to receive the double left turns from southbound Old Alexandria Ferry Road and widen northbound Dangerfield Road to create an exclusive left turn lane.”

SHA recommends that the applicant design and construct the roadway improvements at MD 223 and Old Alexandria Ferry Road/Dangerfield Road and at MD 223 and Rosaryville Road. In addition, the applicant should complete a traffic signal warrant study at the Site Access Road and Woodyard Road opposite Richardson Road to determine if a traffic signal is needed at this location. The applicant would be responsible for the design, cost, and construction of the traffic signal. SHA recommends a traffic signal warrant study at 50 percent and 100 percent occupancy development stages. Since the Planning Department does not routinely review occupancy permits, this requirement should be imposed only at the time of the initial building permit.

TOTAL TRAFFIC CONDITIONS WITH IMPROVEMENTS					
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)		
Coventry Way/Old Alexandria Ferry Road	1,165	1,113	C	B	
Woodyard Road/Old Alexandria Ferry Road	*[1,228] <u>1,176</u>	*[1,439] <u>1,427</u>	C	D	
Woodyard Road/Richardson Road	679.7*	348.3*	--	--	
Woodyard Road/Rosaryville Road**	1,423	2,024	D	F	
Woodyard Road/Rosaryville Road ***	1,235	1,296	C	C	
*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 guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.					

** This improvement provides for a second southbound through lane from MD 223 to Rosaryville Road.

*** The second improvement provides a two-lane approach on eastbound MD 223 to Rosaryville Road. This would lengthen the eastbound right turn lane on MD 223 so that it would function as an exclusive (free flowing) right turn lane.

The table above shows that adequacy would be met if two improvements are provided at the intersection of MD 223 and Rosaryville Road and *~~[a series of improvements are provided]~~ at MD 223 and Old Alexandria Ferry Road/Dangerfield Road.

Site Plan Comments

Only one access point is proposed to serve the site. This would be opposite Richardson Road on MD 223. A portion of I-502 Bellefonte Lane Extended would be constructed to serve the proposed development. The applicant will dedicate 70-foot right-of-way for the construction of this master plan road.

Additional right-of-way will be dedicated on the property and to the business owner's association to accommodate the possible future extension of Bellefonte Lane Extended to Bellefonte Lane. However, staff notes that previous District Council action placed restrictions on this parcel and access through the BOA parcel, which is located on the north end of the parcel. The condition states that Bellefonte Lane shall not be used for access to the property. This condition could possibly be removed in the future, therefore, the applicant is preserving land and right-of-way for the extension of I-502 as called for in the Subregion V Study Area Master Plan (Sept 1993).

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The proposed alignment of I-502 within the site is adequate to serve the seven proposed lots. The southern edge of the property borders MD 223. There will be no direct access to MD 223 from any of the lots. The only access point will be from the site access road.

The applicant may be required to provide frontage and/or safety improvements along Woodyard Road (MD 223), if required by the State Highway Administration. The applicant may also be required to provide any necessary acceleration and deceleration lanes at the site entrance if required by SHA.

The Subregion V Study Area Master Plan (1993) designates Woodyard Road as an arterial roadway (A-53). The section between MD 5 and MD 4 is listed as a four- to eight-lane roadway with 120-foot to 150-foot right-of-way width. The Subregion V master plan recommends the upgrading of Woodyard Road to four lanes as an early need associated with development in the Clinton area as well as the neighboring areas of Melwood and Rosaryville.

Bellefonte Lane Extended (I-502) is listed as a two lane industrial road with 70 feet of right-of-way. It is meant to serve industrial properties adjoining Andrews Air Force Base on the border of the Clinton and Melwood planning areas. It extends from existing Bellefonte Lane to MD 223 and is needed to avoid routing industrial traffic through residential areas, especially those east of Sarakal Road. The area to the east of Sarakal Road is zoned residential; the area west of Sarakal Road is zoned industrial. Sarakal Road is approximately 1,600 feet east of Old Alexandria Ferry Road.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code.

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 and concluded that the subdivision is exempt from APF test for schools because it is a nonresidential use.
10. **Fire and Rescue**— The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue facilities and concluded the following:
 - a. The existing fire engine service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 3.06 minutes, which is within the 3.25-minute travel time guideline.
 - b. The existing ambulance service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 3.06 minutes, which is within the 4.25-minute travel time guideline.
 - c. The existing paramedic service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 3.06 minutes, which is within the 7.25-minute travel time guideline.

- d. The existing ladder truck service at Marlboro Fire Station, Company 45, located at 7710 Croom Road, has a service travel time of 11.26 minutes, which is beyond the 4.25-minute travel time guideline.

In order 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 *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 V-Clinton. 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 June 30, 2002, the county had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 69 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Bellefonte development.
12. **Health Department**—The Health Department notes that a raze permit will be required for the removal of the existing structures on site. The preliminary plan has provided a note indicating this. Any abandoned wells or septic fields must also be properly abandoned.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. The Prince George's County Department of Environmental Resources has approved Stormwater Management Concept Plan #7542-2003-00. The TCP shows stormwater management ponds design for bioretention and water quantity control.
14. The property was rezoned from the R-R Zone to the I-4 Zone in 1991 by the District Council. Zoning Ordinance No.5-1991 set forth seven conditions for the development of this property.

Condition 1 Requires conceptual and detailed site plan (DSP) approval by the District Council prior to any use or development of the property, with particular attention given to the buffering and screening of adjacent residential areas, noise impacts, and building acoustics.

Comment: Section 27-269 of the Zoning Ordinance establishes that the order of approvals for conceptual and detailed site plans may be established by the authority requiring the site plan at the time the site plan requirement is imposed. The condition of the District Council in this case requires the conceptual site plan and detailed site plan prior to "any use or development of the property." Therefore, prior to any grading or building permit a conceptual and detailed site

plan is required, altering the strict application of Section 27-270, Order of Approvals. Section 27-290 would require a conceptual site plan prior to preliminary plan approval and a detailed site plan prior to final plat.

- Condition 2 Limited the uses and intensity of development to a limit of no more than 16 employees per acre.

Comment: This condition relates to the individual uses of the proposed buildings and will be addressed at the time of DSP.

- Condition 3 Limited the number of stories of the building to two and restricted the building coverage to 35 percent.

Comment: Conformance to this condition will be addressed at the time of DSP.

- Condition 4 Established that Bellefonte Lane shall not be used for access to the property.

Comment: The applicant is not proposing access via Bellefonte Lane. Currently the majority of uses on Bellefonte Lane are single-family residential, although generally zoned I-4 and R-R. The master plan recommends land uses consistent with the I-4 Zone; however, the residences along Bellefonte Lane pre-date the industrial zoning of the area. Therefore, the District Council in this condition recognized the sensitive nature of the compatibility of existing and transitioning land uses and restricted access to Bellefonte Lane from this property.

Subsequent to the District Council action on the re-zoning of this property, the District Council approved the 1993 Subregion V Master Plan. The master plan recommends Bellefonte Lane Extended (I-502), an industrial road running through the property that is planned to connect Alexandria Ferry Road to the north with Woodyard Road (MD 223) to the south, this connection will include a connection with Bellefonte Lane.

The applicant has proposed to dedicate and construct the majority of I-502 within the limits of this site, from Woodyard Road, to serve the proposed development of this property. I-502 extends north through the property to the southernmost property line of proposed Parcel B. The applicant has proposed Parcel B (20,000), which fronts Bellefonte Lane, as an open space parcel to be conveyed to the business owners association. To the west and east of Parcel B are existing residences in the I-4 Zone. Parcel B will be held under the ownership of the future business association until such time as the Department of Public Works and Transportation (DPW&T) determines the need for the construction of the master plan connection (I-502) from Woodyard Road to Alexandria Ferry Road, crossing Bellefonte Lane. Parcel B will be conveyed to DPW&T upon demand from the association at such time a need is determined.

In evaluation of this condition (Condition 4) of the ZMA and the recommendations of the master plan for I-502, there is an arguable conflict. The ZMA establishes that this property shall not have access to Bellefonte Lane and the master plan recommends a connection. It could be argued that the intent of this condition was to restrict this property's ability for private access to Bellefonte Lane and that the subsequent master plan recommendation was in concert with this condition, addressing a broader public need for a public street connection. This connection is intended to serve the circulation needs for the I-1 properties in this area once the conversion from residential to industrial takes place, on a larger scale.

Moreover, the surrounding properties are still generally being utilized as single-family residences, and therefore the need for the master plan collector facility to serve the industrial properties is not pressing. The applicant's proposal, like the master plan, provides for the eventual conversion of the surrounding properties to industrial and sets forth a scenario for the implementation of the master plan in furtherance of its goals while protecting the current land uses of the community.

Condition 5 No use shall release into the air any substance that would impair visibility or otherwise interfere with the operation of aircraft (e.g., steam, dust or smoke).

Comment: Conformance to this condition will be ensured through the evaluation of the required DSP.

Condition 6 No use shall produce light emissions, either direct or indirect (reflective), that would interfere with pilot vision.

Comment: Conformance to this condition will be ensured through the evaluation of the required DSP.

Condition 7 No use shall produce emissions that would interfere with aircraft communication or navigational equipment.

Comment: Conformance to this condition will be ensured through the evaluation of the required DSP.

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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley,

Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 25 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of April 2004.

*This is to certify that the foregoing is a true and correct copy of the reconsideration action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioners Doerner and Washington absent at its regular meeting held on Thursday, July 18, 2019, in Upper Marlboro, Maryland. The adoption of this amended resolution based on the reconsideration action taken does not extend the validity period.

*Adopted by the Prince George's County Planning Board this 25th day of July 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:AT:gh

*Denotes Amendment

Underlining indicates new language

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