

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Comprehensive Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 23, 2005, regarding Comprehensive Design Plan CDP-0101/02 for Gazette Newspapers (Central Wholesalers) the Planning Board finds:

1. **Request:** The purpose of this application is to revise the previously approved comprehensive design plan for Central Wholesaler to incorporate Lot 4 (Parcel 40), previously shown as future development. The applicant, Gazette Newspaper, proposes to construct a 92,213-square-foot printing facility on the site. The site consists of 6.57 acres in the E-I-A Zone and is located on the southeast side of Virginia Manor Road, approximately 2,400 feet southeast of Van Dusen Road.
2. **History:** On November 15, 1977, the District Council adopted CR-102-1977, a sectional map amendment to Planning Area 60, which placed the subject property in the E-I-A Zone. The Basic Plan (A-9030, A-9033, A-9034, A-9067 and A-9068) was approved with four conditions and the following land use types and quantities:

Permitted Uses: All uses of appropriate character and function in accordance with Section 27-499 of the Zoning Ordinance. This section of the Zoning Ordinance contains regulations specific to the E-I-A Zone.

Prohibited Uses: See CR-102-1977

Permitted Interim Uses: See CR-102-1977

Gross Floor Area: A maximum of 440,000 square feet of gross floor area of building space (40 percent of gross tract area) shall be permitted.**

Open Space: A minimum of 20 percent of the net development area must be designated on the comprehensive design plan and specific design plans as permanent open space.

**The total gross floor area was based on site acreage of 25 acres. Since the site in this application consists of 6.57 gross acres, approximately 105,000 square feet of GFA is allocated to the site. (See Finding 12 below for further discussion.)

Comprehensive Design Plan CDP-0101 (PGCPB No. 01-64) was approved by the Prince George's County Planning Board on April 19, 2001, with seven conditions.

Comprehensive Design Plan CDP-0101/01 (PGCPB No. 05-12) was approved by the Prince George's County Planning Board on January 13, 2005, with seven conditions.

Specific Design Plan SDP-0102 (PGCPB No. 01-72) was approved by the Prince George's County Planning Board on April 19, 2004, for an office/warehouse distribution facility consisting of 91,150 square feet in Phase 1A, which has been constructed.

The applicant has constructed an office/warehouse distribution facility consisting of 91,150 square feet in Phase 1A. Phase 1B is currently vacant, but an SDP for that site has currently been submitted for review.

Findings Required by Section 27-521 of the Zoning Ordinance (Findings 3-11 below)

3. *The plan is in conformance with the basic plan and applicable conditions of approval.*

The following are basic plan conditions that warrant discussion:

1. **Commercial sales and service uses, if they are justified, shall be located to best serve the principal on-site uses.**

This condition will be applicable to each Specific Design Plan that is submitted for review.

2. **There shall be no grading of the site or cutting of trees, except on a selective basis by written permission of the Prince George's County Planning Board, when determined necessary for purposes of agricultural or forestry management. Any major stands of trees shall be delineated on the Comprehensive and Specific Design Plans and the developer shall demonstrate to the satisfaction of the Planning Board (or District Council upon review) why it is necessary to remove any mature or specimen trees.**

The applicant has not indicated any intentions of clearing the site prior to the approval of a specific design plan and subsequent grading permit.

3. **Future use or development in the vicinity of Virginia Manor Road shall take into consideration the existing homes in that area and their sources of well water, and their private septic systems. Appropriate buffering and other protective measures shall be provided by the developer.**

The residential homes mentioned above have now been consolidated into the comprehensive design plan for Central Wholesaler and were part of the same basic plan application that rezoned the subject property to the E-I-A Zone.

4. **The approval of alternative Basic Plans, A and B (dated June 21, 1977), provides for**

the needed flexibility in view of the uncertainties of road C-104. The preferred alignment of C-104 is along the subject property's northern boundary as shown in Basic Plan A. At the time of preliminary subdivision plan approval for the subject property, if the applicants cannot reach an agreement with the adjoining property owner (now HIGG Corp.) to jointly construct C-104, then Basic Plan B shall apply.

The Planning Board previously made a finding with regard to the basic plan condition above. In that finding, the Planning Board found that "a new Master Plan was approved in 1990 without any provision for a collector roadway passing near the subject property, only the A-56 facility which is discussed above. As the 1990 *Subregion I Master Plan* is the plan which is now in effect, there is no need for this comprehensive design plan to take the C-106 facility into consideration."

4. *In general, the proposed comprehensive design plan will result in a development with a better environment than could be achieved under other regulations.*

The proposed comprehensive design plan revision incorporates the same design guidelines that were previously approved by the Planning Board for the comprehensive design plan for Central Wholesalers, and, therefore, will result in a better environment than could be achieved under other regulations.

5. *Approval is warranted by the way in which the comprehensive design plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project.*

The comprehensive design plan revision includes the same design guidelines for architecture, signs, lighting, and screening of loading and mechanical units that were approved by the Planning Board for CDP-0101 and CDP-0101/01.

6. *The proposed development will be compatible with existing land use, zoning, and facilities in the immediate surroundings.*

In general, the CDP meets the above requirement. To the south of the subject property is an existing industrial development in the I-1 Zone. To the north is vacant property in the E-I-A Zone. To the west, across Virginia Manor Road, is vacant land in the M-X-T Zone. The proposed development is compatible with these adjacent properties.

Along the eastern property line, the site is adjacent to The Pines of Laurel, a senior housing development with an approved Detailed Site Plan (DSP-01049). The development is currently under construction and there are single-family detached lots proposed within 35 feet of the subject property. The applicant proposes setbacks of 20 feet for the parking lot and 25 feet for the building. These setbacks would be considered substandard in comparison to the requirements of the *Landscape Manual* since the printing facility is considered a high intensity use. Additionally, the loading area for the facility is to the rear of the building and could have a potential negative effect on the adjacent residential development. To mitigate the negative impact of the loading

area and the less-than-standard setbacks, a screen wall should be provided on the property as close to the loading area as possible. The screen wall should be constructed of materials that are attractive and are compatible with the materials of the building and will not only screen the loading activities but, provide some sound mitigation from trucks that use the site on a regular basis.

7. *Land uses and facilities covered by the comprehensive design plan will be compatible with each other in relation to:*

a. *Amounts of building coverage and open space.*

In general, the amounts of building coverage and open space are consistent with the requirements of the basic plan. The applicant will be required to demonstrate during the specific design plan stage that a minimum of 20 percent open space has been maintained in accordance with the basic plan approval.

b. *Building setbacks from streets and abutting land uses.*

In general, the building and parking lot setbacks from streets and abutting land uses are more generous than in other conventional zones. The following setbacks are recommended:

Parking Setbacks:	Front	30 feet minimum
	Side	15 feet minimum
	Rear	20 feet minimum **
Building Setbacks:	Front	30 feet minimum
	Side	30 feet minimum
	Rear	25 feet minimum **

Building Height: 55 feet maximum

** Note: The rear yard setbacks are subject to the provision of a 10-foot-high masonry wall on the subject site to screen the loading area from the adjacent Pines of Laurel development. The screen wall should be provided as close to the loading area as possible. The screen wall should be constructed of materials that are attractive and are compatible with the materials of the building and will not only screen the loading activities but provide some sound mitigation from trucks that use the site on a regular basis.

c. *Circulation access points.*

Circulation access points are in conformance with the access points shown on the approved basic plan.

8. *Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability.*

Currently, there are three lots in the development that will share a common access. Phase 1A of the development, consisting of 91,500 square feet of warehouse/distribution, has been completed. Phase 1B is currently vacant. The subject application will represent Phase 2 of the development. The applicant has submitted a preliminary plan and SDP that are being reviewed concurrently with the CDP. The plans are for a new printing facility for the Gazette Newspaper. The new facility will be able to exist as a unit capable of sustaining an environment of continuing quality and stability.

9. *The staging of the development will not be an unreasonable burden on available public facilities.* See Findings 12 and 13 for discussion on public facilities.

10. *The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9 of this Subtitle.*

The CDP guidelines will ensure that future development will be in conformance with these criteria. A more detailed review will occur at the time of specific design plan.

11. *The plan is in conformance with an approved Tree Conservation Plan.*

For more information, see Finding 15 below.

Referral Responses

12. In a memorandum dated June 14, 2005 (Masog to Wagner), the Transportation Planning Section offered the following comments:

The Transportation Planning Section has reviewed the comprehensive and specific design plans referenced above. The subject property consists of approximately 6.57 acres of land in the E-I-A zone. The property is located along the east side of Virginia Manor Road, approximately one mile north of the Virginia Manor Road/Muirkirk Road intersection. The applicant proposes to develop the property under the E-I-A Zone with a 92,213-square-foot newspaper printing and distribution building. The subject property is part of a larger site with basic plan approval.

The applicant prepared a traffic impact study dated April 2005, and prepared in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development*

Proposals. 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.

Growth Policy—Service Level Standards

The subject property is in 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 is required in the developing tier.

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 traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

- Van Dusen Road and Contee Road (unsignalized)
- Van Dusen Road and Virginia Manor Road (unsignalized)
- Virginia Manor Road and site access (unsignalized)

Existing traffic conditions within the study area are summarized as follows:

EXISTING CONDITIONS		
	Critical Lane Volume	Level of Service

Intersection	(AM & PM)		(AM & PM)	
Van Dusen Road and Contee Road	94.3*	75.5*	--	--
Van Dusen Road and Virginia Manor Road	147.6*	112.8*	--	--
Virginia Manor Road and site access	12.1*	11.8*	--	--
*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. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

The traffic study, at the entrance to the site, did not include the existing traffic to and from the site as an existing condition. The staff's analysis has utilized estimated existing traffic (based upon the existing use on the site) in order to gain an understanding of the traffic operations at the site access.

The submitted traffic study provides an analysis for assessing the background traffic situation. This study considered the following:

- A five percent annual growth factor for through traffic along Van Dusen Road.
- Background (i.e., approved) development in the area.
- Improvements to Contee Road and Van Dusen Road, including potential signalization, were determined to be bonded.

Background conditions are summarized as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
Van Dusen Road and Contee Road	1,127	1,430	B	D
Van Dusen Road and Virginia Manor Road	454.8*	459.8*	--	--
Virginia Manor Road and site access	24.1*	28.7*	--	--
*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. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.				

The site is proposed for a 92,213-square-foot newspaper printing and distribution office. The traffic study suggests trip generation of 54 AM and 48 PM peak-hour trips, based largely on

employment and the start and end of shifts. In 1995, the transportation staff reviewed trip generation for a newspaper printing and distribution facility as a part of its review of CEI Property, Preliminary Plan of Subdivision 4-95027. That facility was also highly oriented toward employee shifts, and the trip generation took account to a great degree of employee movements during the average workday. In that case, a 420,000-square-foot facility was estimated to generate 50 AM and 18 PM peak-hour trips.

The facilities are not, however, completely comparable. The facility proposed under this subdivision would include newsroom, administrative, and copy preparation, and these functions were not a part of the CEI Property facility. This difference would certainly result in an increase in peak-hour trip generation for the subject facility, particularly in the PM peak hour, and, therefore, the trip generation assumed does appear to be reasonable.

To reiterate, the site trip generation would be 54 AM peak-hour trips (29 in, 25 out) and 48 PM peak-hour trips (16 in, 32 out). Therefore, the following results are anticipated under total traffic:

TOTAL TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)
Van Dusen Road and Contee Road	1,139	1,443	D
Van Dusen Road and Virginia Manor Road	474.8*	480.9*	--
Virginia Manor Road and site access	27.5*	31.3*	--
*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. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.			

It is noted that the Van Dusen Road/Virginia Manor Road intersection operates unacceptably as an unsignalized intersection in accordance with the guidelines. In response to the inadequacies, the applicant proffers the following improvements:

Van Dusen Road and Virginia Manor Road: The analysis has assumed single lane approaches on all approaches, and states that prior studies have established that a signal will ultimately be required at this location. Nonetheless, it appears that signalization, at a minimum, is needed for acceptable operations.

It is noted that the traffic study proffers a pro-rata fair share payment toward the signals. A fair share payment toward the signals was made a condition of both CDP-0101 and CDP-0101/01, along with prior subdivisions within the Central Wholesalers development, by the Planning Board, and the identical condition will be carried forward at this time.

Plan Comments

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

This subdivision is being reviewed concurrently with Comprehensive Design Plan CDP-0101/02 and Specific Design Plan SDP-0503. It should be noted that the CDP indicates two separate access points from Virginia Manor Road serving the subject property, one driveway on the northern side that would be new, and one access along the southern boundary that is an existing driveway. DPW&T has indicated that due to sight distance issues, access should be limited to the existing driveway. The elimination of the northern driveway is reflected on the specific design plan.

The subject property received its E-I-A Zoning under resolution CR-102-1977 approving a sectional map amendment for Planning Area 60. Under CDZ Amendment 1, the transportation staff notes that the proposed level of development is well within the limits established by the basic plan approval of 440,000 square feet. Previous CDP/subdivision applications included the development of 130,165 square feet of warehouse/light industrial space. Condition 4 (termed a basic plan modification) discusses the alignment of C-104, a collector roadway with an uncertain alignment. Since 1977, a new master plan was approved in 1990 without any provision for a collector roadway passing near the subject property; only the A-56 facility discussed above. As the 1990 Subregion I Master Plan is the plan that is now in effect, there is no need for this subdivision plan to take the C-106 facility into consideration.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved subject to condition 6 below.

13. In a memorandum dated May 25, 2005 (Harrell to Wagner), the Public Facilities Planning Section offered the following comments:

The Historic Preservation and Public Facilities Planning Section has reviewed this comprehensive design plan in accordance with Section 27-521(a)(7) of the Zoning Ordinance which states that:

The staging of development will not be an unreasonable burden on available public facilities.

Fire and Rescue Facilities

The existing engine service at Laurel Fire Station Company 10, located at 7411 Cherry Lane, has a service travel time of 3.60 minutes, which is beyond the 3.25-minute travel time guideline.

The existing ambulance service at Beltsville Fire Station, Company 31, located at 4911 Prince George's Avenue, has a service travel time of 5.25 minutes, which is beyond the 4.25-minute travel time guideline.

The existing paramedic service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road, has a service travel time of 6.91 minutes, which is within the 7.25-minute travel time guideline.

The existing ladder truck service at Beltsville Fire Station, Company 31, located at 4911 Prince George's Avenue, has a service travel time of 5.25 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.

The existing ambulance service located at Beltsville, Company 31, is beyond the recommended travel time guideline. The nearest fire station Laurel, Company 10, is located at 7411 Cherry Lane, which is 3.60 minutes from the development. This facility would be within the recommended travel time for ambulance service if an operational decision to locate this service at that facility is made by the county.

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*.

Police Facilities

The proposed development is within the service area for Police District VI-Beltsville. The Planning Board's current test for police adequacy is based on a standard complement of officers. As of January 2, 2005, the county has 1,302 sworn officers and 43 student officers in the Academy for a total of 1,345 personnel, which is within the standard of 1,278 officers. This police facility will adequately serve the population generated by the proposed commercial uses.

14. In a memorandum dated June 6, 2005 (Shirley to Wagner), the Environment Planning Section offered the following comments:

The Environmental Planning Section has reviewed the revised comprehensive design plan, CDP-0101/02, and tree conservation plan, TCPI/18/05, stamped as received May 19, 2005. The

Environmental Planning Section recommends approval of CDP-0101/02 and TCPI/18/05 subject to conditions.

Background

The scope of CDP-0101/02 is for development of Parcel 40, an area within the 25.5-acre site not previously included in TCPI/04/01. Parcel 40 has been purchased by Gazette Newspapers for construction of an office/warehouse facility and this parcel has a separate TCPI associated with it. Two companion cases to CDP-0101/02 are concurrently under review and these include preliminary plan of subdivision 4-05021 and SDP-0503 with TCPII/93/05.

Site Description

The site is located on the east side of Virginia Manor Road between Van Dusen and Cinder Roads. The site contains 6.57 acres, is zoned E-I-A, and is further described as Parcel 40 within a 25.5-acre area that comprises CDP-0101. Based on 2000 air photos, the 6.57-acre site is mostly wooded. No jurisdictional streams, wetlands, or 100-year floodplain are on the site. Two soils types are associated with the site and these include Beltsville silt loam and Keyport Silt Loam. These soils do not have development constraints associated with them. Marlboro clays are not in the vicinity of the site. No significant traffic noise generators are in the vicinity of the property. According to the Maryland Department of Natural Resources Natural Heritage Program publication titled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," published December 1997, a rare, threatened or endangered species is known to occur in the project vicinity; however, the 6.57-acre portion of the proposal will not affect the habitat area. No historic or scenic roads are in the vicinity of the proposal. The site is in the Indian Creek watershed of the Anacostia River basin and the Developing Tier of the 2002 adopted General Plan.

Environmental Conditions Of Approval To Be Addressed At Comprehensive Design Plan

The approval of the basic plan by the District Council did not include environmental-related conditions to be addressed during subsequent reviews.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

- a. A detailed forest stand delineation (FSD) was prepared, and it has been found to meet the requirements of the Woodland Conservation Ordinance. One forest stand (Stand 1) has been identified on the FSD plan and it contains 6.43 acres. The stand is a mid-successional Virginia pine forest characterized as a young- to mid-successional coniferous forest. Two specimen trees are located in the stand. Two non-native herbaceous species, multiflora rose and Japanese honeysuckle vine, were found throughout the stand. This stand has a low priority retention rating because it is isolated, is located adjacent to a road, and has no wetlands or other significant environmental

features. A February 2005 review letter from the Maryland Department of Natural Resources suggests that the forest area has forest interior dwelling species (FIDS) habitat. This may be because the forest is near other, larger tracts of forest.

Discussion: No further information regarding the FSD is required.

- b. The site is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on-site, and the plan proposes more than 5,000 square feet of disturbance. TCPI/18/05 has been found to generally address the requirements of the Prince George's County Woodland Conservation Ordinance and requires two revisions.

This 6.57-acre site in the E-I-A Zone has a Woodland Conservation Threshold of 5.44 acres, or 15 percent. The proposed plan shows 6.43 acres of woodland to be cleared. The total woodland conservation required is 3.33 acres and is proposed to be met through the provision of off-site mitigation. TCPI/18/05 requires two minor revisions and is recommended for approval subject to conditions.

Recommended Conditions:

Prior to signature approval of CDP-0101/02, TCPI/18/05 shall be revised as follows:

- (1) At the end of the first sentence in standard TCPI Note 6 refer to the stormwater management concept approval case number for this site issued by DER. Add the second sentence to the same note to read: "It is understood that conceptual design plans for stormwater management will be approved prior to the approval of preliminary plan 4-05021."
- (2) In the worksheet remove the reference to a fee-in-lieu amount because it does not apply to this site.
- (3) After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.

Development of this site shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/18/05). 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/18/05), 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."

- c. A stormwater management concept approval letter from DER has been submitted. This letter is for case # 7356-2004-00 that relates to the Central Wholesalers expansion in CDP-0101/01. A copy of the concept approval letter for the subject 6.57-acre site is required prior to signature approval of companion case preliminary plan 4-05021.

Recommended Condition: Prior to signature approval of preliminary plan 4-05021 a copy of the stormwater management concept plan approval letter shall be submitted.

15. In a memorandum dated May 26, 2005 (Rea to Wagner), the Department of Environmental Resources (DER) has indicated that the plan is consistent with the approved stormwater management concept approval 7356-2004.
16. In a memorandum dated June 2, 2005 (Bienenfeld to Wagner), the archeologist for the Historic Preservation Section has indicated that a Phase I archeological survey is not recommended for the site. A Phase IA archeological study was conducted on the adjacent property to the south in April of 2005 and that review concluded that a Phase I study would not be needed.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/18/05), and further APPROVED the Comprehensive Design Plan CDP-0101/02, Gazette Newspapers (Central Wholesalers) for the above described land, subject to the following conditions:

1. Prior to signature approval of CDP-0101/02, TCPI/18/05 shall be revised as follows:
 - a. At the end of the first sentence in standard TCPI Note 6 refer to the stormwater management concept approval case number for this site issued by DER. Add the second sentence to the same note to read: "It is understood that conceptual design plans for stormwater management will be approved prior to the approval of preliminary plan 4-05021."
 - b. In the worksheet remove the reference to a fee-in-lieu amount because it does not apply to this site.
 - c. After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.
2. Development of this site shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/18/05). 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/18/05), 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.”

3. Prior to signature approval of preliminary plan 4-05021 a copy of the stormwater management concept plan approval letter shall be submitted.
4. 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.

5. The following setbacks are required:

<i>Parking Setbacks:</i>	Front	30 feet minimum
	Side	15 feet minimum
	Rear	20 feet minimum**

<i>Building Setbacks:</i>	Front	30 feet minimum
	Side	30 feet minimum
	Rear	25 feet minimum ** (Excluding the minimum 10-foot-high masonry wall.)

Building Height: 55 feet maximum

**Note: The rear yard setbacks are subject to the provision of a minimum 10-foot-high masonry wall on the subject site to screen the loading area from the adjacent Pines of Laurel development. The screen wall should be provided as close to the loading area as possible. The screen wall should be constructed of materials that are attractive and are compatible with the materials of the building and will not only screen the loading activities but provide some sound mitigation from trucks that use the site on a regular basis.

6. **Van Dusen Road and Virginia Manor Road:** Prior to the approval of building permits within the subject property, the following road improvements shall have full financial assurances by either the applicant or by other parties, have been permitted for construction, and have an agreed-upon timetable for construction with DPW&T:
 - a. Prior to the issuance of any building permits within the subject property, the applicant shall submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for the intersection of Van Dusen Road and Virginia Manor Road. This study requirement may be waived if DPW&T indicates, in writing, that a recent study is available for them to determine signal warrants. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If deemed warranted by DPW&T, the applicant shall fund a fair share of the cost of a future traffic signal and/or

any physical improvements at that location. The amount of the fair share shall be determined by DPW&T in consideration that the subject property contributes approximately 33 peak hour trips to this intersection and the Pines of Laurel (Special Exception SE-4391, an application for 650 units of elderly housing) would contribute over 100 trips.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with the District Council of Prince George=s County within thirty (30) days following the final notice of the Planning Board=s decision.

* * * * *

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 Harley, with Commissioners Eley, Harley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 23, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of June 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk