

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 March 29, 2001, regarding Comprehensive Design Plan CDP-0101 for Central Wholesalers the Planning Board finds:

1. The applicant, Central Wholesalers, Inc. has filed a Comprehensive Design Plan application for approximately 16.4 acres of land in the E-I-A Zone. The site is located on the southeast side of Virginia Manor Road, approximately 2,400 feet southeast of Van Dusen Road. The applicant intends to name the development, Town Center Business Campus.
2. 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 27-328 (currently 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% of gross tract area) shall be permitted. **

Open Space: A minimum of 20 % 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 a site acreage of 25 acres. Since the site in this application consists of 16.42 gross acres, a maximum of 286,102 gfa is permitted on the site. However, the applicant has only requested 91,150 sf of

warehouse/distribution space at this time. **Any further development beyond 91,150 sf will require a traffic study and revision to the CDP.** (See Finding 12 below for further discussion.)

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.*

Specific conditions which warrant discussion regarding conformance of the Comprehensive Design Plan with the Basic Plan (A-9030, A-9033, A-9034, A-9067 and A-9068) are considered below:

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.**

In a memorandum dated February 16, 2001, (Stasz to Wagner) the Environmental Planning Section indicates that the applicant has provided a Forest Stand Delineation Plan which shows all existing woodlands on the site. The applicant has not indicated any intentions of clearing the site prior to the approval of a Specific Design Plan and subsequent grading permit. However, the applicant has indicated that they will be utilizing a septic system for the development until a public sewer system is made accessible to the site. The Soil Survey for Prince George=s County indicates that the soils on the site (primarily Beltsville Series) have severe limitations for disposal of sewage effluent from septic tanks, including a perched water table and impeded drainage. Staff recommends that prior to the issuance of a grading permit for the site, the proposed septic system be approved by the Prince George=s County Health Department.

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.**

Currently, there are two residential homes on lots that are adjacent to the subject property that were part of the same Basic Plan application that rezoned the subject property to the

E-I-A Zone. The applicant has provided for the necessary buffering techniques to be employed at the time of Specific Design Plan, should those properties remain residential.

According to the latest Water and Sewer Service maps, the property is in category W-6 and S-4. The applicant has submitted an application to change the service to W-4C and S-4C. However, it is staff's understanding that the change will not be approved until mid-April of 2001.

The applicant has also indicated that a septic system will be utilized initially until the sewer system is extended to the site. The applicant has indicated that a perc test has been requested, but that they have not received the results. The Soil Survey for Prince George's County indicates that the soils on the site (primarily Beltsville Series) have severe limitations for development, including a perched water table and impeded drainage. Staff recommends that prior to the issuance of a grading permit for the site, the proposed septic system be approved by the Prince George's County Health Department. Water is available for the site: there is an existing eight inch water line on the site.

- 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.**

For a discussion on the status of C-104, see Finding 12 below.

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 Comprehensive Design Plan incorporates design guidelines that will insure that the development will result in a better environment than could be achieved under other regulations. In addition, the recommended conditions below will further insure that a better environment is achieved.

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 text incorporates design guidelines for architecture, signs, lighting, and screening of loading and mechanical units from Virginia Manor Road. The plan includes a stormwater management pond that is to be designed as an amenity for the use of the employees for passive recreational purposes. The design of the pond should be reviewed at Specific Design Plan and should include, but not be limited to, access to the pond via a minimum 6-foot-wide asphalt path, landscaping and a minimum

of three picnic benches.

All loading areas should be screened from Virginia Manor Road and all access roads by utilizing a combination of matching building materials extended from the building and landscaping.

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

To the south of the subject property is an existing industrial development in the I-1 Zone. To the east is vacant property in the I-3 Zone. To the north is vacant property in the I-3 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. Internal to the site are three lots that were originally zoned residential, but were also rezoned to the E-I-A Zone. Two of the lots are still used for residential purposes. The applicant has provided bufferyards along these property lines that are consistent with the requirements of the *Landscape Manual* in the event that the lots remain residential.

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 intends to develop 91,500 square feet of warehouse/distribution initially, with future development to be determined at a later date, which will require a CDP revision and traffic study. The applicant intends to comply with the minimum green space requirements of 20% of the Basic Plan.

- 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 parking lot setback from Virginia Manor Road should be increased from 20 feet to 30 feet to be consistent with the I-3 Zone. The following setbacks should apply to the site:

<u>Parking Setbacks:</u>	Front	30 feet minimum
	Side	15 feet minimum
	Rear	20 feet minimum
<u>Building Setbacks:</u>	Front	30 feet minimum
	Side	30 feet minimum
	Rear	25 feet minimum
<u>Building Height:</u>		35 feet maximum

c. *Circulation access points.*

In general, circulation access points are in conformance with the access points shown on the approved Basic Plan. However, see finding 12 and 15 below for a discussion on the southern access point from Virginia Manor Road.

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.*

Stage 1A of the development is for 91,500 square feet of warehouse/distribution. Development beyond this stage will require a revision to the CDP and a traffic study.

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.*

In general, the CDP guidelines will insure 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 14 below.

Referral Comments

12. In their memorandum dated March 19, 2001 (Masog to Wagner), the Transportation Planning Section offered the following comments:

The Transportation Planning Section has reviewed the Comprehensive Design Plan

(CDP) application referenced above. The subject property consists of approximately 16.42 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 Muirkirk Road/Virginia Manor Road intersection. The applicant proposes to develop the property under the E-I-A zone with 91,150 square feet of warehouse/distribution space, with the potential for up to 286,102 square feet of space.

The applicant has not prepared a traffic impact study nor was one required by the transportation staff given the applicant's desire to only develop approximately 90,000 square feet of warehouse/distribution space. The applicant desired that staff expedite the current review, and at the request of the applicant, the transportation staff expedited the review by only considering up to 91,150 square feet. Generally traffic studies are only required when a proposed development will generate more than 50 peak hour trips, and this quantity of distribution space would generate fewer than 50 trips. The applicant did conduct peak hour traffic counts at the nearest major intersection, however. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

For larger developments, the Planning Board relies on the applicant to perform the bulk of the analyses needed to demonstrate compliance with necessary findings of transportation adequacy. The Planning Board also relies upon the State's and the County's input into the findings. Therefore, requests for any additional development, regardless of quantity, beyond that which is considered by the transportation staff herein shall require a CDP amendment, and it shall be accompanied by a traffic study which will be processed, referred, and reviewed using standard procedures.

Summary of Traffic Impacts

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

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

The traffic generated by the proposed plan would impact the intersections of Muirkirk

Road/Virginia Manor Road and Van Dusen Road/Virginia Manor Road. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* has defined level of service D (LOS D) as the lowest acceptable operating condition on the transportation system. The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Muirkirk Road/Virginia Manor Road	1037	848	B	A
Van Dusen Road/Virginia Manor Road	52.2*	169.6*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <u>Guidelines</u> , an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations.				

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

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Muirkirk Road/Virginia Manor Road	1322	1329	D	D
Van Dusen Road/Virginia Manor Road	221.3*	416.9*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <u>Guidelines</u> , an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations.				

With site traffic, the following operating conditions were determined:

TOTAL TRAFFIC CONDITIONS		
Intersection	Critical Lane Volume (AM & PM)	Level of Service (LOS, AM & PM)

Muirkirk Road/Virginia Manor Road	1037	848	B	A
Van Dusen Road/Virginia Manor Road	262.8*	465.2*	--	--

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations.

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

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

Plan Comments

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

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

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. 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 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.

Recommendations

Based on the preceding comments and findings, the Transportation Planning Section concludes that the proposed development will not be an unreasonable burden on transportation facilities which are existing, under construction or for which 100% construction funding is contained in the County CIP or the State CTP. Therefore, the transportation staff believes that the requirements pertaining to transportation facilities under Section 27-521 of the Prince George's County Code would be met if the application is approved with conditions 1 and 2 below.

13. In a memorandum dated March 7, 2001 (Williams to Wagner), the Growth Policy and Public Facilities Planning Section has determined that the staging of the development will not be an unreasonable burden on the available public facilities per Sec. 27-521 (a)(7) of the Zoning Ordinance. The Growth Policy and Public Facilities Planning Section concludes:

Fire Service

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

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

The existing **paramedic service** at **Laurel Rescue Squad, Company 49** located at **14910 Bowie Roaa** has a service response time of 6.91 minutes, which is **within** the 7.25 minutes response time guideline.

The existing **ladder truck service** at **Beltsville Fire Station, Company 31** located at **4911 Prince George=s Avenue** has a service response time of 5.25 minutes, which is **beyond** the 4.25 minutes response time guideline.

These findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines For The Analysis Of Development Impact On Fire and Rescue Facilities*.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department recommends that all commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

Police Service

The proposed site is within the service area of District VI- Beltsville. Staff concludes that the existing County's police facilities will be adequate to serve the proposed warehouse.

14. In a memorandum dated March 19, 2001 (Stasz to Wagner), the Environmental Planning Section offers the following comments with regard to the Comprehensive Design Plan for Central Wholesalers:

Site Description

The property is on the eastern side of Virginia Manor Road between Cinder Road and Van Dusen Road. Current air photos indicate that the majority of the site is wooded. The site has an existing manmade pond. No jurisdictional wetlands, streams or floodplain are on the site. Because of the zoning and proposed uses of the property, no significant noise impact is expected from outside noise sources and no significant noise is expected to be generated by onsite activities. A rare/threatened/endangered species is known to occur in the project vicinity, but the habitat area will not be affected by this proposal. According to the Sewer Service and Water Service maps produced by DER, the property is in categories W-6 and S-4; an application to change to W-3 and S-3 is in the December cycle. A Stormwater Concept Plan is under review by DER. The soils map included in the review package for CDP-0101 indicates that no problematic soils occur in the proposed development area. No Historic or Scenic roads are affected by this proposal.

Environmental Review

This site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Tree Conservation Plan is required to satisfy the requirements of the Woodland Conservation Ordinance.

Discussion: The Forest Stand Delineation, which was based upon field work done October 20, 2000, has been reviewed and meets all requirements of the Woodland Conservation Ordinance. The Tree Conservation Plan, TCP I/4/01 proposes clearing of 10.91 acres of the 12.00 acres of existing woodland and has a minimum woodland

conservation requirements of 5.80 acres. TCP I/4/01 proposes to meet the 5.80 acre requirement by providing 1.09 acres of on-site woodland preservation, 1.13 acres of off-site conservation and a fee-in-lieu payment for 3.58 acres in the amount of \$46,783.44.

Staff recommends approval of TCP I/4/01.

15. The District Engineer from the Department of Public Works and Transportation (DPW&T) has indicated that, because of sight distance problems, the proposed southern entrance into the subject property may not be permitted. Staff's recommendation is to place a note on the CDP that states that access to the site from the southern entrance point is subject to DPW&T approval.
16. The Park Planning and Development Division of the Department of Parks and Recreation (DPR) has indicated that they have no comment with regards to the subject application.
17. The City of Laurel was sent a referral of the subject application, but to date there has been no reply.

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/4/01), and further APPROVED the Comprehensive Design Plan for the above-described land, subject to the following conditions:

1. For the purposes of determining transportation adequacy, total development within the subject property under this Comprehensive Design Plan shall be limited to a building or buildings for warehouse/distribution and related uses of no more than 91,150 square feet; or different uses generating no more than the number of new peak hour trips (37 AM peak hour trips and 37 PM peak hour trips) generated by the above development. Requests for any additional development, regardless of quantity, beyond that which is considered by the transportation staff herein shall require a CDP amendment, and it shall be accompanied by a traffic study which will be processed, referred, and reviewed using standard procedures.
2. Prior to the issuance of any building permits within the subject property, the applicant shall submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for the intersection of Van Dusen Road and Virginia Manor Road. This study requirement may be waived if DPW&T indicates, in writing, that a recent study is available for them to determine signal warrants. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic. If deemed warranted by DPW&T, the applicant shall fund a fair share of the cost of a future traffic signal and/or any physical improvements at

that location. The amount, not to exceed \$15,000.00 of the fair share shall be determined by DPW&T in consideration that the subject property contributes approximately 20 peak hour trips to this intersection and the Pines of Laurel (Special Exception SE-4391, an application for 650 units of elderly housing which is currently pending) would contribute over 100 trips.

3. Prior to the issuance of a grading permit for the site, any proposed septic system shall be approved by the Prince George=s County Health Department, unless public sewer is to be utilized.
4. All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George=s County Laws.
5. Prior to CDP certification, the following revisions to the plan shall be made:
 - a. A note shall be placed on the CDP that states that access to the site from the southern entrance point is subject to DPW&T approval.
1. The design of the stormwater management pond shall be reviewed at Specific Design Plan and shall include, but not be limited to, access to the pond via a minimum 6-foot-wide asphalt trail, landscaping, and a minimum of three picnic benches.
7. All loading areas shall be screened from Virginia Manor Road and all access roads by utilizing a combination of matching building materials extended from the building and landscaping.

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 Brown, seconded by Commissioner Lowe, with Commissioners Brown, Lowe, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 29, 2001 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of April 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk