

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific 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 Specific Design Plan SDP-0503 for Gazette Newspapers (Central Wholesalers), the Planning Board finds:

1. **Request:** The subject application is for a 92,213-square-foot printing facility in the E-I-A Zone. The site is located on the east side of Virginia Manor Road, approximately 2,400 feet south of the intersection with Van Dusen Road.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	E-I-A	E-I-A
Use	Vacant	Printing Facility
Acreage	6.57	6.57
Lots	1	1
Building Square Footage/GFA	0	92,213

	<b>REQUIRED</b>	<b>PROVIDED</b>
Parking	184 spaces	184 spaces
Loading	5 spaces	13 spaces
Green Area	20 percent	34 percent

3. **Surroundings and Use:** To the south of the subject property is an existing industrial development in the I-1 Zone. To the east is a senior housing development in the I-3 Zone, currently under construction. 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.
4. **Design Features:** The printing facility will consist of a two-story, tilt-up, concrete structure with 70,485 square feet on the first floor and 21,728 square feet on the second floor. The printing press will be located on the second floor. Offices, storage and distribution will be located on the first floor. Loading will be located to the rear of the building with most of the parking in front of the building. A stormwater management pond will be provided along Virginia Manor Road, which will alleviate flooding that has been a problem along that stretch of the road. Access to the site is from Virginia Manor Road via an existing 25-foot-wide access easement. DPW&T has denied the applicant direct access to Lot 4 from Virginia Manor road because of limited sight distance.

## COMPLIANCE WITH EVALUATION CRITERIA

5. **Basic Plan:** The proposed specific design plan is in conformance with the approved basic plans, A-9030, 9033, 9034, 9067, and 9068, in regard to land use types, quantities and conditions of approval.
6. **Comprehensive Design Plan:** The specific design plan is in general conformance with the comprehensive design plan, CDP-0101/02, and applicable conditions of approval. With regard to the issue related to buffering along the eastern property line, the applicant should provide a 10-foot-high masonry screen wall to screen the loading area from the adjacent residential development.
7. **Preliminary Plan:** The specific design plan is in conformance with preliminary plat of subdivision 4-05021 and applicable conditions of approval.
8. **Zoning Ordinance:** In general, the specific design plan is in conformance with all applicable regulations of the Zoning Ordinance with the exception of Section 27-579 regarding the location of loading spaces and access to loading. This provision requires that no loading space or access to loading be located within 50 feet of a residential zone or land proposed to be used for residential purposes on an approved detailed site plan, as is the case with the subject property. The site is adjacent to a proposed senior housing development along the eastern property line with an approved detailed site plan. The specific design plan currently shows access within 39 feet of the senior housing development. The plan should be revised so that access to loading is not within 50 feet of the residential development to the east, in accordance with Section 27-579 of the Zoning Ordinance.

The Zoning Ordinance also requires that the Planning Board approve the design standards for all signage for the development at the time of specific design plan. In approving the signs, the Planning Board must find that the proposed signs are appropriate in size, type and design, given the proposed location and the uses to be served, and are in keeping with the remainder of the development.

The applicant proposes only building-mounted signage at this time. However, details of the signage have not been provided. The applicant should provide details of the signage prior to certification of the specific design plan.

#### REQUIRED FINDINGS OF SECTION 27-528 OF THE ZONING ORDINANCE

9. The required finding for transportation is “The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.” In a memorandum dated June 14, 2005 (Masog to Wagner), the Transportation Planning Section offered the following comments with regard to adequate public facilities for transportation:

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		
Intersection	Critical Lane Volume (AM & PM)	Level of Service (LOS, 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 (LOS, 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*	--	--
<p>*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 <i>Guidelines</i>, 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.</p>				

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 plan 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 (LOS, AM & PM)	
Van Dusen Road and Contee Road	1,139	1,443	B	D
Van Dusen Road and Virginia Manor Road	474.8*	480.9*	--	--
Virginia Manor Road and site access	27.5*	31.3*	--	--
<p>*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.</p>				

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.

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, but should also be reflected on the comprehensive 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 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 2 in the Recommendation section below.

10. The required finding for fire, ambulance, paramedic, and police facilities is "The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development." In a memorandum dated May 25, 2005 (Harrell to Wagner), the Countywide Planning Division offered the following comments with regard to adequate public facilities for fire, ambulance, paramedic and police facilities:

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.

11. In a memorandum dated May 26, 2005 (Rea to Wagner), the Department of Environmental Resources indicated that the specific design plan is consistent with the approved stormwater management concept plan, 8042-2005. Therefore, adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.

12. **Woodland Conservation Ordinance:** In a memorandum dated June 7, 2005, the Environmental Planning Section offered the following comments with regard to the Woodland Conservation Ordinance and other environmental issues:

The Environmental Planning Section has reviewed specific design plan SDP-0503 and the Type II Tree Conservation Plan, TCPII/93/05, stamped as received on May 19, 2005. The Environmental Planning Section recommends approval of specific design plan SDP-0503 and TCPII/93/05 subject to the conditions in the Recommendation section below.

### **Background**

The scope of SDP-0503 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 and TCPII associated with it. Two companion cases to SDP-0503 are concurrently under review and these include CDP-0101/02 with TCPI/18/05 and preliminary plan of subdivision 4-05021.

### **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 vicinity of the site. No significant traffic noise generators are in 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 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 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 natural resources inventory (NRI) was prepared and signed on May 18, 2005, and was submitted with preliminary plan 4-05021. The subject plans appropriately reflect the information contained on the signed NRI.

**Discussion:** No further information regarding the NRI 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, and there are more than 10,000 square feet of existing woodland on-site. TCPII/93/05 has been found to generally address the requirements of the Prince George's County Woodland Conservation Ordinance; however, several minor revisions are necessary.

This 6.57-acre site in the E-I-A Zone has a woodland conservation threshold of 5.44 acres or 15 percent. The site has 6.43 acres of existing woodland and the proposed plan shows all of the woodland to be cleared. The total woodland conservation required is 3.33 acres and is proposed to be met in off-site mitigation. TCPII/93/05 is recommended for approval subject to conditions.

The standard TCPII notes do not include Note 5 regarding the proposed off-site mitigation to address this aspect of the plan. Renumber Note 5 to Note 6. The worksheet has reference to a fee-in-lieu amount that relates to TCPI/04/01 and the legend has a symbol to identify the trees cleared in TCPI/04/01. Because this site has a different TCPI associated with it than the balance of the site, the two references to TCPI/04/01 should be removed.

After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.

**Recommended Condition:** Prior to certificate approval of SDP-0503 revise TCPII/93/05 as follows:

- (1) Add standard TCPII Note 5 to address the proposed off-site mitigation. Renumber the current Note 5 on the plan to Note 6.
- (2) On the worksheet remove the reference to the fee-in-lieu amount.
- (3) On the legend remove the reference to trees cleared in TCPI/04/01.
- (4) After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.

- 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.

**Discussion:** This issue is addressed with the preliminary plan case.

13. **Referral Comments:** The subject application was referred to concerned agencies and divisions. The referral comments are summarized as follows:

**Archeology:** In a memorandum dated June 2, 2005, the archeologist for the Historic Preservation and Public Facilities Planning Section has indicated that a Phase I archeological study for the development will not be required.

**Community Planning:** The Community Planning Division has indicated that the subject application conforms to the land use recommendation of the 1990 master plan for Subregion I.

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 II Tree Conservation Plan (TCPII/93/05), and further APPROVED Specific Design Plan SDP-0503 for the above-described land, subject to the following conditions:

1. Prior to certification of the specific design plan, the following revisions are required:
  - a. Provide a minimum 10-foot-high masonry wall with materials complementary to the building between the subject property and the senior housing development to the east. The wall should be placed approximately 20 feet off the eastern property line for maximum effect.
  - b. Provide outdoor lighting for the parking lot and building that consist of full cut-off fixtures and prevent light spillage onto the adjacent residential properties.
  - c. Provide sign details and location for all signs proposed for the development.
  - d. Revise the plan so that access to loading is not within 50 feet of the residential development to the east, in accordance with Section 27-579 of the Zoning Ordinance.
2. **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.

3. Prior to certificate approval of SDP-0503 revise TCPII/93/05 as follows:
  - a. Add standard TCPII Note 5 to address the proposed off-site mitigation. Renumber the current Note 5 on the plan to Note 6.
  - b. On the worksheet remove the reference to the fee-in-lieu amount.
  - c. On the legend remove the reference to trees cleared in TCPI/04/01.
  - d. After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.
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.

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