THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
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PGCPB No. 2022-23 File No. SDP-0519-01

R E S O L U T I O N

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 February 17, 2022, regarding Specific Design Plan SDP-0519-01 for Brandywine Village, the Planning Board finds:

1. **Request:** The subject application is for approval of 97,597 square feet of a 115,947-square-foot integrated shopping center and has been filed to extend the validity of Specific Design Plan SDP-0519, to obtain additional time for the construction of the shopping center. No modifications to the prior approval are proposed with this application.

2. **Development Data Summary:**

	PREVIOUSLY APPROVED	**APPROVED**
Zone	L-A-C/R-M	L-A-C/R-M
Use(s)	Vacant	Integrated Shopping Center
Gross tract area of this SDP	17.45 acres (4.83 in R-M Zone)	17.45 acres (4.83 in R-M Zone)
Gross Floor Area by use		
Office/Retail	10,500	10,500
Office/Retail	10,500	10,500
Bank	3,650	3,650
Retail	4,190	4,190
Retail	3,200	3,200
Retail	4,200	4,200
Grocery Store	61,357	61,357
Total Gross Floor Area (GFA)	**97,597 sq. ft.**	**97,597 sq. ft.**
Parcels/Lots	2	2

OTHER DEVELOPMENT DATA

Parking and Loading Spaces

Use	Required	Provided
Integrated Shopping Center 25,000–400,000 square feet for entire 115,947 square feet	464	500
Handicap-Accessible	11*	24
Total Parking Spaces	**464**	**524**
Loading	**Required**	**Provided**
115,947 sq. ft. Integrated Shopping Center** 3 spaces for first 100,000 + 1 additional for each additional 100,000 square feet	**4**	**6**
Total Loading Spaces	**0**	**0**

Note: *The number of handicap-accessible parking spaces is included in the total number of parking spaces.

**The total number of loading spaces is calculated for the entire shopping center including the portion within the Commercial Shopping Center (C-S-C) Zone.

3. **Location:** The property is part of a larger development known as Brandywine Village, which is split-zoned in the Local Activity Center (L-A-C), Residential-Medium (R-M), and the C-S-C Zones. The subject application is located on the northern portion of the overall Brandywine Village Shopping Center, on a property that is known as Parcel A and Lot 1, as recorded in Plat Book PM 226 page 77, in July 2008. The boundary of this SDP is located within the L-A-C and R-M zoned portion of Lot 1 and Parcel A in Planning Area 85A and Council District 9. More specifically, the property is located on the south side of Chadds Ford Drive, approximately 100 feet west of its intersection with US 301 (Robert Crain Highway).

4. **Surrounding Uses:** The subject property is bounded to the north by Chadds Ford Drive with vacant property to be developed commercially and single family attached residential dwellings in the subdivision of Chadds Ford Landing in the L-A-C Zone; east by Robert Crain Highway with the Brandywine Crossing Shopping Center beyond; south by Clymer Drive and property in the C-S-C Zone with commercial uses beyond; and west by the dedicated, but undeveloped right-of-way of General Lafayette Boulevard. Parcel A was previously conveyed to the Maryland-National Capital Park and Planning Commission (M-NCPPC) by the applicant but remains part of this application as originally approved.

5. **Previous Approvals**: The subject application was part of a larger assemblage of land known as Brandywine Village, which originally consisted of 277 acres. The boundary of the subject application is for the northern portion of Lot 1 and Parcel A for a development known as Brandywine Village Shopping Center. On November 29, 1977, the Prince George's County

District Council adopted Prince George's County Council Resolution CR-108-1977 for the entire 277 acres. Subsequently another application, A-9878 was filed to rezone a portion of the property from the Major Activity Center Zone to the Employment and Institutional Area (E-I-A) Zone. The District Council adopted the Sectional Map Amendment for the *Approved Master Plan for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A, and 85B* on September 14, 1993, rezoning the 212-acre site to the E-I-A, L-A-C, and R-M Zones, as embodied in CR-60-1993.

Comprehensive Design Plan CDP-0102 was approved by the Prince George's County Planning Board for the entire 212-acre parcel on October 11, 2001 (PGCPB Resolution No. 01-186). This CDP included 11 lots, open space, and a community lake. The application was amended in January of 2005, CDP-0102-02, by the Planning Board (PGCPB Resolution No. 05-22) and included the commercial component that is the subject of this application.

Preliminary Plan of Subdivision (PPS) 4-04112 (PGCPB Resolution No. 05-38) was approved on January 27, 2005, for the construction of a 115,947-square-foot integrated shopping center on Lot 1.

Consistent with the CDP and PPS, on April 12, 2007, SDP-0519 was approved for the construction of a 115,947-square-foot integrated shopping center on Lot 1. The subject application has been filed to restart the validity period of the SDP to obtain additional time to construct the shopping center.

The site also has a Stormwater Management (SWM) Concept Approval, 8840-2004-01, which is valid through January 22, 2024.

6. **Design Features:** No modifications to the prior approval are proposed with this application, which only proposes development on a portion of Lot 1. The overall property is being developed as an integrated shopping center, crossing the L-A-C, R-M and C-S-C-zoned portions of Lot 1. The development within the C-S-C-zoned portion is shown on the SDP for informational purposes, but is not included in the area of subject application. The southern portion of the shopping center is being reviewed by a separate application.

   The SDP portion of the shopping center is accessed from a two-way driveway off of Chadds Ford Drive to the north, or from the extended shopping center development on the southern C-S-C-zoned portion of the site, which is accessed from Clymer Drive. The SDP portion of the integrated shopping center includes a 56,200-square-foot Giant Food store as a primary retail anchor along the western portion of Lot 1, with 4,200 square feet of retail space adjacent to its north and 4,190 square feet of retail to its south. An additional 27,850 square feet of retail and office pad sites are proposed along the eastern portion of Lot 1 facing Robert Crain Highway. A parking lot fills the space in between serving all buildings. Loading and service areas are mostly located behind the main building to the west.

Lighting
The photometric plan submitted with this SDP shows the lighting levels and illumination for the building, parking, and pedestrian walkways on site. The proposed lighting is designed to provide sufficient illumination and reduce glare onto adjoining properties and roadways.

Architecture
The varied buildings range in height from approximately 22 to 40 feet tall and are generally rectangular with flat roofs. The western building with primary anchor features a tower flanking each end of the building with raised roofs to accent the entrances. Finish materials include prefinished standing seam metal roofs, exterior insulation finishing system cornice, fabric awnings or metal canopies, prefinished aluminum storefront window systems, ground-faced concrete masonry, aluminum coping, and a brick water table, as well as the use of brick pilasters to provide vertical accents on the building's façade. Signage is limited to one per tenant, except for the grocery store, and composed of surface-mounted channel letters. The enhanced treatment of the water table is not proposed on the western rear elevation of the building, which is not visible from the public realm. The pad sites and freestanding office/retail buildings use similar finish materials and roof treatments.

Signage
The building-mounted signage proposed includes channel letter signs and is generally acceptable. The signage is proposed above the entrances to the individual retail locations. The Planning Board requires that details be provided, showing the general dimensions and square footage of these signs, to fully evaluate conformance with the sign requirements for building-mounted signs. A proposed condition has been included herein requiring the applicant to provide scaled details of all the signs and elevation drawings showing their location on the façades, in accordance with the applicable sign requirements. No free-standing signs are proposed with this application.

Loading and Trash Facilities
Loading is required for the development and is proposed in appropriate locations to limit visibility from the public roadways and nearby residential dwellings. Trash facilities are also proposed in appropriate locations and proposed to be screened by enclosures. However, a detail for these enclosures has not been provided and is needed. Therefore, a condition is included herein requiring the applicant to provide details of the proposed enclosures.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment (Basic Plan) A-9878:** The requirements of Basic Plan A-9878 have been reviewed and the SDP amendment is generally in conformance with that approval. The basic plan for Brandywine Village, as approved in the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*, included a commercial shopping center with a maximum square footage of 115, 000 and was approved in 1993. The basic plan was approved with a total of 26 conditions. Many of these conditions have been addressed with the approval of the CDP, PPS, and SDP-0519. Those which remain applicable and warrant discussion are summarized, as follows:

Condition 13 requires that the applicant participate in the Brandywine Road Club. This condition was carried forward in CDP-0102-02 and has been carried forward with this application.

Condition 14 limits the total development of the site to 115,000 square feet of retail space. The 97,597 square feet proposed by the subject application is within that maximum.

Condition 18 requires the closure of the intersection of Chadds Ford Drive and MD 5/US 301 upon the completion of construction of General Lafayette Boulevard, between McKendree Road to the south and master plan arterial right-of-way, A-55, to the north.

This condition was carried forward in CDP-0102-02 and PPS 4-04112 and discussed in detail in findings below.

8. **Prince George's County Zoning Ordinance:** The subject SDP has not been revised from the prior application and has been filed to extend the validity of the SDP to obtain additional time for the construction of the shopping center. The findings of SDP-0519 and compliance with the applicable requirements of the Zoning Ordinance remain unchanged and are adopted herein by reference. SDP-0519-01 is in conformance with the requirements of the Zoning Ordinance in Section 27-495 for uses in the L-A-C Zone, and Section 27-486 for regulations in the L-A-C Zone.

a. Section 27-528(a) of the Zoning Ordinance sets forth the following criteria for approval of an SDP:

(1) The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);

The subject application was found in conformance with the approved CDP, as was determined by the Planning Board in its approval of SDP-0519. The subject SDP proposes no changes to the previously approved plan. Therefore, it can be said that this application is also in conformance with the CDP. The development included in this application proposes site elements such as architecture, site details, landscaping, lighting and is in conformance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual), as discussed in Finding 12 below.

(1.1) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;

The subject application is not in a Regional Urban Community. Therefore, this provision is not applicable.

(2) 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, provided as part of the private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;

In accordance with the adopted memorandum (Thompson to Bishop, dated November 10, 2021), conformance to Section 24 and adequate public facilities was found with the approval of PPS 4-04112, and this application will not change those prior findings. Therefore, it is determined that the development will be adequately served within a reasonable period of time with existing or programmed public facilities.

(3) Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;

The application has an approved SWM Concept Plan, 8840-2004-02, and is consistent with that approval. Therefore, adequate provisions have been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

(4) The plan is in conformance with an approved Type 2 Tree Conservation Plan; and

In a memorandum adopted by the Planning Board, dated January 18, 2022 (Schneider to Bishop), it was noted that the subject project is in conformance with the prior SDP and Type II tree conservation plan (TCPII), and no additional woodland clearing is proposed with this application.

(5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

In a memorandum adopted by the Planning Board, dated January 18, 2022 (Schneider to Bishop), it is noted that the regulated environmental features are preserved and/or restored, to the fullest extent possible, in accordance with the requirements of Section 24-130 (b)(5) of the Prince George's County Subdivision Regulations. The impacts proposed to the regulated environmental features on this site are consistent with those approved with PPS 4-04112 and TCPII-126-98-06.

9. **Comprehensive Design Plan CDP-0102-02:** The Planning Board has reviewed the subject plan against the requirements of CDP-0102-02 and found the plan to be in conformance, with no conditions being relevant to this SDP amendment.

10. **Preliminary Plan of Subdivision 4-04112:** PPS 4-04112 was approved, subject to 15 conditions. The conditions relevant to review of this SDP are listed below in **bold** text. The project's conformance to these conditions follows each one, in plain text:

2. A Type II tree conservation plan shall be approved with the approval of the specific design plan.

TCPII-126-98-10 was submitted with the application. The Planning Board notes that the revised TCPII is in conformance with the prior applications, and approved it.

3. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan and any subsequent revisions.

SWM Concept Plan 8840-2004-01, approved April 4, 2008, was submitted with the application. This plan covers both the 14.76 acres of this SDP and the 3.61 acres zoned C-S-C to the south. A SWM approval letter, 8840-2004-02, approved January 22, 2021 was also submitted, indicating re-approval of the SWM concept plan. Given that there have been no changes to the site layout between SDP-0519 and SDP-0519-01, and that the SWM concept plan was reapproved, no changes are needed to the SWM concept plan. In addition, the Planning Board notes that the subject application is grandfathered from current SWM requirements because the overall area was previously approved, and no further action regarding SWM is required with this SDP review.

4. Development of this property shall conform to the conditions of Basic Plan A-9878, CDP-0102/02, and District Council Resolution No. CR-60-1993.

The conditions of approval of Basic Plan A-9878 were incorporated into CR-60-1993. SDP-0519-01 has been found in conformance to these approvals as discussed and conditioned herein.

6. At the time of review of the SDP, a determination shall be made if a Community Oriented Police Office is warranted within the community and if office space should be made available to the Police Department for a Community Police Station as required by CR-60-1993.

At the time of SDP-0519, no community police station was requested or required. The Planning Board reviewed the subject application and noted that the current test for police adequacy is based on a standard for square footage of police stations, relative to the population. The national standard is 141 square feet of space per officer. There is 267,660 square feet of space in all the facilities used by the Prince George's County

Police Department. Based upon 141 square feet per officer, the County needs 209,949 square feet, which is met. Therefore, no additional office space is required.

7. The SDP shall address the requirement (CR-60-1993) that the applicant employ the use of audible alarms, fencing and private security to prevent crimes during the construction phase of development.

The resolution of approval for SDP-0519 required the applicant to use audible alarms, fencing and private security to prevent crimes during the construction phase of development, specifying that a note to this effect should be added to the plans (Condition 5a of PGCPB Resolution No. 07-83). This note remains on the current plans (Miscellaneous Note 9 on the coversheet). The SDP amendment is therefore in conformance with this condition.

8. Development of this property shall be in conformance with approved Stormwater Management Concept Plan 21274-2003-01 and any subsequent revisions.

A copy of approved SWM Concept Plan 8840-2004-01 and letter was submitted with the application. The Planning Board reviewed the SWM concept plan and notes that the environmental conditions associated with this approval have been addressed.

11. Prior to the submittal of the required specific design plan (SDP) or any grading or clearing on site, the applicant shall submit a Phase I archeological investigation to the Planning Department staff for review and concurrence, and if determined to be needed, a Phase 11 and Phase ID investigation. The SDP and final plat, if necessary, should provide for the avoidance and preservation of the resources in place and appropriate plat notes should be required ensuring the mitigation of any adverse effect upon these resources. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines.

SDP-0519 found that a Phase I archaeological survey conducted in 1992 did not include all the property in the SDP, and so additional archaeological work was required as a condition of approval (Conditions 1a to 1e). The applicant stated in their statement of justification that the required work has been completed. However, a Phase I archeological study was not submitted with this SDP amendment, and it was noted that due to the lack of intact features and soil deposits, no further work is necessary. The proposed development will not affect any significant archeological or historic resources.

15. At the time of review of the SDP, a detailed analysis of pedestrian and trail facilities for the subject site will be conducted.

The pedestrian and trail facilities shown on the plan are unchanged from those analyzed and approved at the time of SDP-0519.

11. **Specific Design Plan SDP-0519:** The Planning Board approved SDP-0519 subject to six conditions. The conditions that are relevant to the review of this SDP are discussed, as follows:

2. Prior to approval of the subject specific design plan, it shall be revised to show the dedication of Parcel B to M-NCPPC. This plan shall include the parcel boundaries and acreage and shall be reviewed and approved by the Department of Parks and Recreation prior to certification of the specific design plan.

Parcel A was conveyed to M-NCPPC, as required by this condition, and the remaining land area was established for development as Lot 1. The northern part of Lot 1 is subject to PPS 4-04112, which governs the development proposed by this application.

4. The applicant and/or the applicant's heirs, successors, or assignees shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a road club that will include the applicant, the Montgomery Wards Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area "C" in the Subregion V Master Plan, as well as any properties along US 301/MD 5 between T.B. (the intersection of US 301 and MD 5 in Prince George's County) and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Planning Board. For development on the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of the following:

A fee calculated as $1.24 per gross square foot of space X (Engineering News-Record Highway Construction Cost index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

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

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

a. Widen US 301/MD 5 from a four-lane road to a six-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently approved SHA plans.

b. Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T.

c. Make minor widening/striping improvements to the US 301/MD 5 interchange ramps.

d. Widen US 301 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.

e. Reconstruct the traffic signal at US 301/MD 381.

f. Install a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by DPW &T and SHA.

g. Provide a grade separation at the point the spine road crosses US 301 northeast of T.B.

h. Reconstruct the traffic signal at MD 5/Brandywine Road.

i Construction of an interchange in the area of US 301/MD 5 and Cedarville/McKendree Roads.

j. Construction of an interchange in the area of MD 5 and A-63 north of T.B.

k. Construction of A-63 as a six-lane arterial roadway (where off-site) between the US 301/MD 5/Cedarville Rd./McKendree Rd. intersection and MD 5 north of T.B.

l. Widen US 301/MD 5 from a six-lane road to an eight-lane road beginning at the T.B. interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.

m. Widen MD 5 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 30 I/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.

This condition has been carried forward in this reapproval of the SDP.

12. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of the Landscape Manual, specifically Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The required plantings and schedules are provided on the plan in conformance with the Landscape Manual.

13. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is subject to the provisions of the Woodland Conservation Ordinance because the property has a previously approved tree conservation plan. A revised TCPII has been submitted with this application. The overall TCPII area has been implemented in phases and the subject TCPII was implemented with clearing and infrastructure improvements with the "07" revision of the TCPII. The approved TCPII-126-98-07 for the application area and woodland conservation worksheet shows a total of 9.89 acres of net tract woodlands and 3.51 acres of 100-year floodplain woodlands. The "07" TCPII revision cleared 9.10 acres of woodland and 0.09 acre of 100-year floodplain woodlands, resulting in 0.66 acre of on-site woodland preservation and 4.21 acres of off-site woodland mitigation required. This off-site requirement has been met as part of a previous permit requirement. No additional woodland clearing is proposed with this application and "10" revision to the TCPII. No changes are required to the TCPII.

14. **Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance requires a minimum percentage of tree canopy coverage (TCC) on projects that require a building or grading permit for 5,000 square feet or greater of gross floor area or disturbance. The property is split zoned, R-M, C-S-C, and L-A-C. The tree canopy coverage is based on the gross tract area and is required to provide a minimum of 15 percent in the R-M Zone and 10 percent in the C-S-C and L-A-C Zones. The overall site is 18.35 acres, and the required schedule has been provided with the required amount of tree canopy coverage. However, it is noted that this schedule is not separated by zone or approval. Therefore, a condition is included herein requiring the applicant to separate the areas of TCC by zone on the schedule, showing conformance to Section 25-128 of the Prince George's County Code.

15. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:

    a. **Community Planning**—The Planning Board adopts a memorandum dated January 13, 2022 (Calomese to Bishop), and notes that master plan conformance is not required for this application.

    b. **Historic Preservation**—The Planning Board adopts a memorandum dated December 9, 2021 (Stabler and Smith to Bishop), and notes that Phase I and II archeological investigations were conducted on the subject property in 1992 and in 2007. One archeological site, 18PR416, was recorded. Due to the lack intact features and soil deposits, it is determined that no further work was necessary on site 18PR416. The

subject property has since been graded in preparation for development. The proposed development will not affect any significant archeological or historic resources.

c. **Transportation Planning**—The Planning Board adopts a memorandum dated January 27, 2022 (Patrick to Bishop), and notes that the transportation-related issues of adequacy and access were addressed with the approval of PPS 4-04112, and the subject SDP amendment is in conformance with the approved PPS, CDP, and basic plan. The Planning Board determines that this plan is acceptable and will be served by adequate transportation facilities, if revised to provide Americans with Disabilities Act accessible ramps and crosswalks at all access points along drive aisles and provide inverted U-shaped (or a similar style) bicycle rack on the site plan. Conditions related to these improvements have been included herein.

d. **Subdivision**—The Planning Board adopts a memorandum dated January 13, 2022 (Diaz-Campbell to Bishop), and notes that the subject application is the subject of PPS 4-04112, which approved one parcel for development of 116,600 square feet of gross floor area for a local activity center use. A new PPS is not required at this time because the 97,597 square feet of commercial development proposed with this SDP are within the entitlement of the PPS. Due to the scope of the application, no conditions to the SDP have been required.

The plat recorded in Plat Book PM 226 page 77 was prepared in accordance with Section 24-108(a)(3) of the Subdivision Regulations, to adjust the common lot lines of Outlot 3 of Brandywine Village (the northern 14.76 acres of the subject property) and Parcel A of the 301 Commercial Center (the southern 3.61 acres). The lot line adjustment resulted in Parcel A of the current plat being established for conveyance to M-NCPPC, and the remaining land area being established for development as Lot 1. The northern part of Lot 1 is subject to PPS 4-04112, while the southern part is subject to PPS 4-05130, with the dividing line marked by the boundary between the L-A-C and C-S-C zones.

e. **Permits**—The Planning Board adopts a memorandum dated December 27, 2021 (Bartlett to Bishop), and notes that the permit-related issues have been addressed by the applicant in revisions to the DSP or have been included as conditions herein.

f. **Environmental Planning**—The Planning Board adopts a memorandum dated January 18, 2022 (Schneider to Bishop), in which an analysis of the prior approvals was provided, and it was noted that no additional environmental requirements were identified for this application.

g. **Special Projects**—The Planning Board adopts a memorandum dated November 10, 2021 (Thompson to Bishop), which provides a comprehensive analysis of the SDP's adequate public facilities, summarized as follows:

Police Facilities
The subject property is served by Police District V, Clinton, located at 6707 Groveton Drive in Clinton, Maryland. Per Section 24-122.01(c)(1)(A) of the Subdivision Regulations, the Planning Board's current test for police adequacy is based on a standard for square footage of police stations relative to the population. The national standard is 141 square feet of space per officer. There is 267,660 square feet of space in all the facilities used by the Prince George's County Police Department. Based upon 141 square feet per officer, the County needs 209,949 square feet, which is met by the current 267,700 square feet.

The July 1, 2017 (United States Census Bureau) county population estimate is 912,756. Using the national standard of 141 square feet per 1,000 residents, it calculates to 128,698 square feet of space for police facilities. The current amount of space, 267,660 square feet, is within the guideline. Per Section 24-122.01(e)(1)(A) of the Subdivision Regulations, the Police Department is required to have 1,420 officers, or 100 percent of the authorized strength of 1,420, on and after December 31, 2006. There are 1,450 sworn officers as of September 16, 2021, which is within the guideline.

Fire and Rescue
The subject property is served by Brandywine Volunteer Fire/EMS, Company 840, located at 13809 Brandywine Road, in Brandywine, Maryland. Per Section 24-122.01(d)(1)(A) of the Subdivision Regulations, a five-minute *total response time* is recognized as the national standard for fire/EMS response times. The five-minute *total response time* arises from the 2020 Edition of the National Fire Protection Association (NFPA) 1710 Standards for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. This standard is being applied to the review of nonresidential subdivision applications.

According to NFPA 1710, Chapter 3 Definitions, the total response time and travel time are defined as follows:

3.3.53.6 ***Total Response Time.*** The time interval from the receipt of the alarm at the primary PSAP (Public Safety Answering Point) to when the first emergency response unit is initiating action or intervening to control the incident.

3.3.53.7 ***Travel Time.*** The time interval that begins when a unit is en route to the emergency incident and ends when the unit arrives at the scene.

According to NFPA 1710, Chapter 4 Organization:

4.1.2.1: The fire department shall establish the following performance objectives for the first-due response zones that are identified by the AHJ (authority having jurisdiction):

(1) Alarm handling time completion in accordance with 4.1.2.3 (4.1.2.3.1: The fire department shall establish a performance objective of having an alarm answering time of not more than 15 seconds for at least 95 percent of the alarms received and not more than 40 seconds for at least 99 percent of the alarms received, as specified by NFPA 1221).

(2) 80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response.

(3) 240 seconds or less travel time for the arrival of the first engine company at a fire suppression incident.

Prince George's County Fire/EMS Department representative, James V. Reilly, stated in an email (Reilly to Thompson) that, as of December 2, 2021, the subject project passes the four-minute travel test from the closest fire/EMS station, when applying the national standard, with an associated total response time under five minutes from the closest fire/EMS station, Brandywine Volunteer Fire/EMS, Company 840. In accordance with Section 24-122.01(e)(1)(C) of the Subdivision Regulations, the Department provided a statement that adequate equipment exists.

h. **Prince George's County Fire Department**—The Planning Board adopts an email dated December 2, 2021 (Reilley to Thompson), in which the Fire Department stated that the subject project passes the four-minute travel test from the closest fire/EMS station and that adequate equipment exists.

i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopts a revised memorandum dated January 25, 2022 (Giles to Bishop), in which DPIE offered comments related to roadway improvements and noted that SDP-0519-01 is consistent with the approved SWM Concept Plan 8840-2004-2.

j. **Prince George's County Police Department**—At the time of the writing of this approval, the Police Department did not offer comments on the subject application.

k. **Prince George's County Health Department**—At the time of the writing of this approval, the Health Department did not offer comments on the subject application.

l. **Maryland State Highway Association (SHA)**—At the time of the writing of this approval, SHA did not offer comments on the subject application.

m. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board adopts a memorandum dated December 9, 2021 (Stecher to Bishop), in which WSSC offered recommendations that have been provided to the applicant and will be addressed during WSSC's separate permitting process.

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 Type II Tree Conservation Plan TCPII-126-98-10, and further APPROVED Specific Design Plan SDP-0519-01 for the above-described land, subject to the following conditions:

1. Prior to certification of this specific design plan, the applicant shall provide the specified information, or make the following revisions to the plans:

    a. Provide scaled details of all the signs, in accordance with the applicable sign requirements.

    b. Provide a tree canopy coverage schedule separated by zone, in conformance with Section 25-128 of the Prince George's County Code.

    c. Revise the parking schedule to calculate the number of proposed and required number of parking spaces using only whole numbers per Section 27-569 of the Prince George's County Zoning Ordinance.

    d. Provide all drive aisle and entrance widths.

    e. Indicate the handicap-accessible parking space dimensions in the parking schedule using the following dimensions:

        - VAN: 11 feet by 19 feet with a 5-foot striped access aisle (the length of the space) or 8 feet by 19 feet with an 8-foot striped drive aisle.

        - CAR: 8 feet by 19 feet with a 5-foot striped access aisle (the length of the space).

    f. Mark handicap-accessible parking spaces on the site plan with a V for (van) or a C for (car).

    g. Provide details for trash enclosures.

    h. Provide crosswalks at all access points along drive aisles.

    i. Provide Americans with Disabilities Act accessible ramps perpendicular to the street at all crosswalks.

    j. Replace wavy style bicycle racks with inverted U-shaped, or a similar style bicycle rack that permits two points of connection to support and secure a bicycle.

2. The applicant and the applicant's heirs, successors, and/or assignees shall contribute toward and participate in the construction of certain additional off-site transportation improvements, as identified hereinafter. These improvements shall be funded and constructed through the formation

of a road club that will include the applicant, the Montgomery Wards Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area "C" in the Subregion V Master Plan, as well as any properties along US 301/MD 5 between T.B. (the intersection of US 301 and MD 5 in Prince George's County) and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Planning Board. For development on the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of the following:

- A fee calculated as $1.24 per gross foot of space X (Engineering News-Record Highway Construction Cost index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

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

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

a. Widen US 301/MD 5 from a four-lane road to a six-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently approved Maryland State Highway Association plans.

b. Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by the Prince George's County Department of Public Works and Transportation.

c. Make minor widening/striping improvements to the US 301/MD 5 interchange ramps.

d. Widen US 301 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.

e. Reconstruct the traffic signal at US 301/MD 381.

f. Install a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by the Prince George's County Department of Public Works and Transportation and the Maryland State Highway Association.

g. Provide a grade separation at the point the spine road crosses US 301 northeast of T.B.

h. Reconstruct the traffic signal at MD 5/Brandywine Road.

i. Construction of an interchange in the area of US 301/MD 5 and Cedarville/McKendree Road.

j. Construction of an interchange in the area of MD 5 and A-63 north of T.B.

k. Construction of A-63 as a six-lane arterial roadway (where off-site) between the US 301/MD 5/Cedarville Rd./McKendree Rd. intersection and MD 5 north of T.B.

l. Widen US 301/MD 5 from a six-lane road to an eight-lane road beginning at the T.B. interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.

m. Widen MD 5 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.

3. Prior to the approval of the first building permit for the project, the applicant shall provide evidence from the Prince George's County Police Department regarding their desire or intent to locate a community police station in the project, so as to enable the Urban Design Section as designee of the Prince George's County Planning Board to make the determination required by Condition 6 of the relevant preliminary plan of subdivision.

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.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, February 17, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of March 2022.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:rpg

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner
M-NCPPC Legal Department
Date: March 7, 2022