



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 13-44

File No. 4-11029

RESOLUTION

WHEREAS, CHEC Limited Partnership is the owner of a 5.89-acre parcel of land known as Tax Map 19 in Grid C-1 and is also known as Parcel 154, said property being in the 1st Election District of Prince George's County, Maryland, and being zoned Heavy Industrial (I-2); and

WHEREAS, on December 3, 2012, CHEC Limited Partnership filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-11029 for CHEC Warehouse was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on April 25, 2013, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on April 25, 2013, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type 1 Tree Conservation Plan (TCP1-019-01), and further APPROVED Preliminary Plan of Subdivision 4-11029, CHEC Warehouse, including a Variation to Section 24-121(a)(3) for 1 parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. A licensed professional land surveyor or property line surveyor must sign and seal the plan.
 - b. Remove the building restriction lines.
 - c. Revise Note 5 to add the right-of-way dedication to the net acreage, and delineate 40 feet from the centerline of Edmonston Road.
 - d. Revise Note 15 to update the stormwater concept plan number to "3266-2011-02" and add the approval date.

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- e. Add the centerline of Somerset Avenue.
 - f. Label historic roads.
 - g. Correct the acreage discrepancy with the tree conservation plan.
 - h. Remove Note 8, and ensure conformance to Section 24-120(a)(5) of the Subdivision Regulations to locate all existing easements on the property.
2. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
- a. Resolve the discrepancy in site area between what is shown on the natural resources inventory and TCP1 (5.93 acres) and what is shown on the preliminary plan (5.89 acres) by showing 5.93 acres on all plans or providing a justification for the change in acreage.
 - b. Revise the worksheet to show the area of previously dedicated land as 0.04 acre in accordance with the approved TCP2.
 - c. Revise the worksheet to be a phased worksheet in accordance with the attached example to account for the clearing done under the previously approved TCP.
 - d. Revise the worksheet, if necessary, to account for any off-site clearing.
 - e. Revise the TCP approval block to type-in the assigned plan number "TCP1-019-01."
 - f. Provide a revision box on the plan, updated each time revisions are made to the plan.
 - g. Revise the specimen tree table to include information on the proposed disposition of the trees (to remain vs. to be removed).
 - h. Remove all forest stand information from the plan (sample points, stand boundary, steep slopes).
 - i. Remove the proposed treeline from the plan.
 - j. Show the public utility easement, if required.
 - k. Show the proposed bioretention in accordance with the approved stormwater management concept.
 - l. Show the 25-foot floodplain building restriction line required by the Department of Public Works and Transportation.

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- m. Revise the TCP1 notes as follows:
 - (1) revise Note 1 to reference the assigned preliminary plan number (4-11029) and to include the last sentence of the standard note.
 - (2) revise Note 7 to indicate that the site is located in the Developing Tier.
 - (3) revise Note 8, per the standard language, to indicate that Edmonston Road is a designated historic road.
 - (4) revise Note 9, per the standard language, to indicate that Edmonston Road is an arterial.
 - (5) provide the standard stormwater management note.
 - n. Have the plan signed and dated by the qualified professional who prepared it.
- 3. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement along the public rights-of-way as delineated on the approved preliminary plan of subdivision.
 - 4. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-019-01). The following note shall be placed on the final plat of subdivision:

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-019-01), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department."
 - 5. At the time of final plat approval, the applicant shall demonstrate dedication of right-of-way along Edmonston Road of 40 feet from the centerline of the right-of-way, with a transition to the existing right-of-way on the northern end of the frontage as shown on the approved preliminary plan.
 - 6. Total development within the subject property shall be limited to uses that would generate no more than 20 AM and 20 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

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7. Development of this site shall be in conformance with Stormwater Management Concept Plan 3266-2001-02 and any subsequent revisions.
8. Residential development of the subject property shall require approval of a new preliminary plan of subdivision.
9. Prior to approval of building permits, in conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2007 *Approved Westphalia Sector Plan and Section Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following, unless modified by the Department of Public Works and Transportation (DPW&T):
 - a. A standard sidewalk along the subject site's entire frontage of Edmonston Road.
 - b. A standard sidewalk along the subject site's entire frontage of Old Baltimore Pike.
 - c. Construct one sidewalk connection along the site's access location from the proposed sidewalk along Old Baltimore Pike to the proposed walkway around the subject building. This connection shall include appropriate ADA (Americans with Disabilities Act) curb cuts and crosswalk striping at the entrance to the site's parking area.
10. The following note shall be included on the final plat of subdivision:

"Edmonston Road and Old Baltimore Pike are designated historic roads."
11. The street construction and building permit plans shall demonstrate the use of full cut-off optics to ensure that off-site light intrusion into residential and environmentally-sensitive areas is minimized. The following note shall be placed on the final plan:

"All street lighting fixtures shall use full cut-off optics and be directed downward to reduce glare and light spill-over."

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Setting**—The property is located at the northwest quadrant of the Edmonston Road and Old Baltimore Pike intersection.

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3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	APPROVED
Zone	I-2	I-2
Use(s)	Vacant	Warehouse (50,000 sq. ft.)
Acreage	5.89	5.89
Lots	0	0
Outlots	0	0
Parcels	1	1
Dwelling Units	N/A	N/A
Public Safety Mitigation Fee	No	No
Variance	No	No
Variation	No	Yes

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on December 21, 2012. The requested variation to Section 24-121(a)(3) of the Subdivision Regulations was accepted on March 20, 2013 and was heard on April 12, 2013 at the SDRC as required by Section 24-113(b) of the Subdivision Regulations.

4. **Community Planning**—The 2002 *Prince George's County Approved General Plan* (General Plan) designates the subject property within the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit-serviceable. The application is in a General Plan designated corridor. The preliminary plan is consistent with the 2002 General Plan Development Pattern policies that recommend employment area development that is transit-serviceable.

The 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment* (master plan) retained the property in the I-2 Zone. The preliminary plan conforms to the land use recommendations of the approved master plan for industrial use.

The master plan places the subject property in the US 1 Corridor, Focus Area 2. The vision for Focus Area 2 is “an environmentally sustainable employment area with enhanced open spaces that showcase best practices in “green” design and technology.”

The following master plan policy and strategies are relevant to this application:

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POLICY 1: Transform the area into a model of environmental sustainability by restoring and expanding existing open space and green infrastructure and by applying best practices in sustainable design.

Strategies

- **Protect, restore and expand existing wetlands, and reintroduce native species to the natural environment.**
- **Establish vegetative buffers that are designed to slow and filter sheet flow from stormwater runoff around industrial uses, especially near waterways and wetlands.**
- **Encourage green building practices and site design, including the use of recyclable materials, solar power and other forms of energy efficiency, green roofs, interconnected green spaces, native landscapes, and other best practices.**
- **Apply best practices in stormwater management, such as green roofs, rain gardens, bioswales and cisterns, to new development and redevelopment.**

This application is proposing the use of bioretention for stormwater management.

Approval of this application does not violate the General Plan's growth goals for the year 2025, upon review of the current Prince George's County General Plan Growth Policy Update.

5. **Environmental**—A Type 1 Tree Conservation Plan (TCP1-019-01) has been received and reviewed. A Natural Resources Inventory (NRI-074-11) was approved for this site on September 12, 2012 and was submitted with this application.

The subject property was reviewed by the Environmental Planning Section (EPS) as part of Preliminary Plans of Subdivision 4-01055, 4-01099, and 4-04166 with TCPI/019/01 for the subject property; however, the applications were withdrawn. A Type II Tree Conservation Plan, TCPII/41/04, was previously approved for rough grading of the site.

The project is subject to the environmental regulations because a new preliminary plan of subdivision is required. The project is subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) effective September 1, 2010.

The current application is for construction of a 50,000-square-foot warehouse building on a 5.89-acre site in the I-2 Zone.

Master Plan Conformance

The master plan for this area is the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment* (master plan). In the master plan, the Environmental Infrastructure section contains goals, policies, and strategies. The following guidelines have been determined to be applicable to

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the current project. The text in **BOLD** is the relevant text from the master plan and the plain text provides comments on plan conformance:

POLICY 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

The project will meet water quality and quantity requirements in accordance with approved Stormwater Management Concept Plan 3266-2001-02 through the use of bioretention.

POLICY 3: Implement the State Storm Water Management Act of 2007 in Subregion 1 as of the adoption of this Plan to enhance the water quality and control flooding in the Anacostia and Patuxent River watersheds.

The Department of Public Works and Transportation (DPW&T) will review the project for conformance with the current provisions of the Prince George's County Code which addresses state regulations.

POLICY 4: Implement more environmentally sensitive building techniques and reduce overall energy consumption.

The use of green building techniques and energy conservation techniques should be used as appropriate.

POLICY 5: Reduce light pollution and intrusion, especially into the Rural Tier and environmentally sensitive areas.

The minimization of light intrusion from this site, located in the Developing Tier, onto an adjacent sensitive wetland area is a special concern. The use of alternative lighting technologies and the limiting of total light output should be demonstrated. Full cut-off optic light fixtures should be used.

Condition: Full cut-off optic street light fixtures shall be used on this site to reduce light intrusion.

POLICY 6: Reduce air pollution by placing a high priority on transportation demand management (TDM) projects and programs.

The TCP1 shows the proposed location of sidewalks on the sites' frontage along Baltimore Avenue (US 1) as an element of transportation demand management.

Conformance with the Countywide Green Infrastructure Plan

The 2005 *Approved Countywide Green Infrastructure Plan* (Green Infrastructure Plan) indicates that none of the property is within the designated network.

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Environmental Review

An approved revision to the Natural Resources Inventory (NRI-074-11) was submitted with the review package and was approved in September 2012. According to mapping research and as documented on the approved NRI, an unregulated concrete channel is located off-site to the west of the subject property. This channel has associated floodplain located on-site; however, because the floodplain is associated with an unregulated channel, no primary management area is located on this property.

No naturally-occurring steep slopes occur on the property; however, an existing stockpile from the previous rough grading of the site exists and is centrally located.

The forest stand delineation indicates the presence of one forest stand totaling 2.64 acres entirely within the floodplain. The site contains three specimen trees, which are to remain.

According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, in a letter dated December 8, 2011, there are no records of rare, threatened, or endangered species found to occur on or in the vicinity of this property. The site is located within the Indian Creek watershed, within the Potomac River drainage basin.

The property is subject to the provisions of the WCO because the gross tract area is greater than 40,000 square feet in size and the property contains more than 10,000 square feet of woodland. A Type 1 Tree Conservation Plan (TCP1-019-01) was submitted with the review package. While the project is not grandfathered with respect to woodland conservation, the requirements of the previously approved TCP need to be accounted for with the current application.

A Type II Tree Conservation Plan, TCP11/41/04, was previously approved for rough grading of the site. The previously approved plan included an off-site woodland conservation requirement of 0.75 acre and an on-site reforestation requirement of 0.43 acre. The site was graded under Permit 13157-2004-G-00; however, EPS has no record of the off-site woodland conservation requirement having been met and the approved NRI shows no indication that the reforestation was ever implemented. Because this TCP11 has been implemented, demonstration that the off-site requirement has been met will be required prior to issuance of any more permits for the site.

The worksheet needs to be revised as a phased worksheet, with the clearing done under the previous approval as Phase 1 and the clearing proposed under the current application as Phase 2.

The TCP1 shows acreage that is different from the approved TCP2. Any land dedicated subsequent to the approved TCP cannot be added to the worksheet because the site is subject to the acreages approved with the previous TCP. Revise the worksheet to show the area of previously dedicated land as 0.04 acre, in accordance with the approved TCP2.

The TCP1 and NRI indicate that the site area is 5.93 acres; however, the preliminary plan indicates that the site area is 5.89 acres. This discrepancy needs to be resolved and the correct acreage must be shown on all plans consistently.

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The plan requires some technical changes to be made in conformance with the WCO. The TCP approval block should be updated to type-in the assigned plan number, "TCP1-019-01." Add a revision box to the plan and note all future revisions. Revise the specimen tree table to include the proposed disposition of the trees (to remain or to be removed). Remove all forest stand delineation information, including the sample points and stand boundary, as well as the steep slopes from the plan. These features were sufficiently shown on the NRI and are not required on a TCP1. Remove the proposed treeline from the plan. The limits of disturbance is sufficient to demonstrate the limits of clearing. The public utility easement should be shown on the plan. The stormwater management concept outlines the required use of bioretention. Show the locations of the required bioretention areas on the plan. Show the 25-foot floodplain building restriction line on the plan. Revise TCP1 Note 1 to reference the preliminary plan number and to include the standard second sentence; revise Note 7 to indicate that the site is located in the Developing Tier; revise Note 8 per the standard language to include that Edmonston Road is a designated historic road; revise Note 9 per the standard language to indicate that Edmonston Road is an arterial; and show the standard stormwater management note.

After all revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revisions made.

Old Baltimore Pike is a designated historic road and has a functional classification of an industrial roadway. Edmonston Road is a designated historic road and has the functional classification of arterial. Any improvements within the right-of-way of a historic road are subject to approval by DPW&T under the 1994 *Design Guidelines and Standards for Scenic and Historic Roads*. Roadway design criteria will be determined for the roadway by DPW&T with consideration for any scenic or historic features of the site which may be identified.

At the time of permit, the frontage of this subdivision will be required to comply with the requirements of the *Prince George's County Landscape Manual*, Section 4.6 for buffering development from special roadways. In the Developing Tier, a minimum 20-foot-wide buffer is required to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings, and plant materials are required to be located outside the public utility easement.

According to the U.S. Department of Agriculture, Natural Resource Conservation Service Web Soil Survey, the predominant soils found to occur on-site include the Urban land Russett-Christiana complex, Urban land Zekiah complex, and Zekiah- Urban land complex. Marlboro clay is not found to occur on this property; however, Christiana complexes are mapped on-site. The county may require a soils report in conformance with County Council Bill CB-94-2004 during the building permit review process.

The site has frontage on Edmonston Road, a master-planned arterial roadway that generates sufficient traffic to result in noise levels above 65 dBA Ldn; however, due to the proposed industrial use, traffic-generated noise is not regulated in relation to the subject application.

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6. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management (SWM) is required. A Stormwater Management Concept Plan, 3266-2001-02, was approved on March 18, 2013 and is valid until May 4, 2013. The concept plan shows the use of bioretention and a bioretention pond. Development must be in accordance with the approved plan or any subsequent revisions as approved by DPW&T.

The approved SWM concept plan is required to be designed in conformance with any approved watershed management plan, pursuant to Subtitle 32, Water Resources and Protection, Division 3, Stormwater Management Plan, Section 172, Watershed Management Planning, of the Prince George's County Code. As such, the requirement of Section 24-130(b)(4) of the Subdivision Regulations, which requires that a subdivision be in conformance with any watershed management plan, has been addressed with the approval of the SWM concept plan by DPW&T.

7. **Prince George's County Department of Parks and Recreation (DPR)**—In accordance with Section 24-134(a)(3) of the Subdivision Regulations, the subdivision is exempt from mandatory dedication of parkland requirements because the development proposed is nonresidential.
8. **Trails**—The proposed preliminary plan was reviewed for conformance with Section 24-123 of the Subdivision Regulations, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment* (area master plan), in order to implement planned trails, bikeways, and pedestrian improvements.

The Planning Board requires that preliminary plans conform to Section 24-123 in terms of bikeway and pedestrian facilities when trails are indicated on a master plan, the county Trails Plan, or where the property abuts an existing or dedicated trail, unless the Planning Board finds that previously proposed trails are no longer warranted.

The MPOT recommends accommodations for bicycles and pedestrians along Edmonston Road extended as road improvements are made. More specifically, the MPOT recommends a continuous sidepath (or wide sidewalk) with designated bike lanes along Edmonston Road. It is anticipated that this facility will be provided comprehensively for the Edmonston Road corridor through a pending Maryland State Highway Administration (SHA) capital improvement project. The MPOT includes the following description of these planned facilities:

Kenilworth Avenue Extended (A-56) Shared-Use Side path and Designated Bike Lanes: These facilities will improve access to Fairland Regional Park and the planned Konterra development (MPOT, page 30).

However, pending completion of the master plan improvements through the SHA project, the subject application is proposing standard sidewalks along both Edmonston Road and Old Baltimore Avenue. As the final alignment of Edmonston Road has not been determined, it is not appropriate to require the full master plan frontage improvements at this time. The sidewalks

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proposed will accommodate pedestrians along both roads until the ultimate master plan improvements are completed by SHA. The provision of one sidewalk connection from Old Baltimore Avenue to the building entrance is recommended to accommodate pedestrians internally on the site. A recommended location is marked in red in the backup.

Based on the preceding analysis, adequate bicycle and pedestrian transportation facilities would exist to serve the proposed subdivision as required under Section 24-123 of the Subdivision Regulations.

9. **Transportation**—The proposal includes a subdivision for a warehouse consisting of an industrial use on one parcel. The applicant proposes up to 50,000 square feet of gross floor area. The trip generation is estimated using trip rates and requirements in the “Transportation Review Guidelines, Part 1” (Guidelines) and in the *Trip Generation Manual, 9th Edition* (Institute of Transportation Engineers). The table below summarizes trip generation in each peak hour that is used for the analysis and for formulating the trip cap for the site:

The traffic generated by the proposed preliminary plan would impact the following critical intersections, interchanges, and links in the transportation system:

- Edmonston Road and Old Baltimore Pike (signalized)
- Edmonston Road and site access (unsignalized)
- Old Baltimore Pike and site access (unsignalized)

The application is supported by weekday peak-hour traffic counts dated December 2012, provided by the applicant. The findings and recommendations outlined below are based upon a review of these materials and analysis conducted by the Transportation Planning Section, consistent with the Guidelines.

The subject property is located within the Developing Tier, as defined in the 2002 *Prince George's County Approved General Plan*. As such, the subject property is evaluated according to the following standards:

- **Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Transportation Guidelines.
- **Unsignalized intersections:** The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds,

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(c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. Once the CLV exceeds 1,150 for either type of intersection, this 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.

The following critical intersections as identified above, when analyzed with existing traffic using counts taken in December 2012 and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Edmonston Road and Old Baltimore Pike	912	854	A	A
Edmonston Road and site access	18.0*	57.0*	--	--
Old Baltimore Pike and site access	future		--	--
*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

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None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program (CTP) or the Prince George's County Capital Improvement Program (CIP). Background traffic has been developed for the study area using several approved developments within the study area. A 1.0 percent growth rate for a period of two years has been assumed; this is a conservative estimate because the historical growth rates for this area indicate no traffic growth. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follow:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Edmonston Road and Old Baltimore Pike	1,016	949	B	A
Edmonston Road and site access	18.0*	57.0*	--	--
Old Baltimore Pike and site access	future		--	--
*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The following critical intersections, interchanges, and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the Guidelines, including the site trip generation as described above and the distribution as follows: 40 percent north along Edmonston Road; 40 percent south along Edmonston Road; 15 percent east along Old Baltimore Pike; and 5 percent west along Old Baltimore Pike, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 5 and Auth Road	1,022	955	B	A
Edmonston Road and site access	27.8*	22.6*	PASS	PASS
Old Baltimore Pike and site access	9.5*	9.6*	PASS	PASS
*In analyzing two-way stop-controlled intersections, a three-step procedure is employed in which the greatest average delay in seconds for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume is computed and compared to the approved standards. According to the Guidelines, all three tests must fail in order to require a signal warrant study.				

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It is found that all of the critical intersections operate acceptably under total traffic in both peak hours. In accordance with this analysis, a trip cap consistent with the trip generation assumed for the site is required.

Plan Comments

The site is adjacent to Old Baltimore Pike and Edmonston Road. Old Baltimore Pike is an undesignated industrial road, and the plan reflects adequate dedication of 35 feet from centerline.

Edmonston Road at this location is part of a planned arterial facility. The 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment* (Subregion 1 Master Plan and SMA) recommends the A-56 facility along this portion of Edmonston Road with four to six lanes and a right-of-way of 120 to 150 feet. This facility is planned to link the Capital Beltway (I-495) to I-95 near Laurel; it is also planned to relieve Baltimore Avenue (US 1). The submitted plan provides for dedication of 40 feet from centerline along most of the site's frontage, with a transition to existing right-of-way on the northern end of the frontage. The master plan, as developed, requires a minimum of 20 feet and a maximum of 40 feet of additional right-of-way.

Given the constraints on the site and the need posed by the master plan, it was determined that the plan should be referred for reservation in accordance with Section 24-139(b) of the Subdivision Regulations. The referrals to SHA and DPW&T were done on December 20, 2012, and the referral responses are attached. SHA determined that there is an active project planning study for the MD 201 Extended/US 1 capacity improvements project that has been on hold since 2008. Given that there are not currently sufficient funds to move the project forward, that agency is unable to purchase, or make plans to purchase, portions of the subject site. Seven alternatives are currently under consideration in the project planning study, and Alternatives 4 West and 5 West, as described in SHA's letter, would have an impact on the subject property.

DPW&T provided a letter indicating that SHA will need to make the final decision regarding right-of-way at this location since that entity will ultimately acquire the right-of-way needed for the future A-56.

Section 24-139(b) requires that an affirmative recommendation from an agency shall "include a map showing the boundaries and area of the parcel to be reserved, and an estimate of the time required to complete the acquisition." In this circumstance, neither agency's response regarding reservation was affirmative in that neither agency provided an estimate of the time required to complete the acquisition. While both agencies were supportive of the use of reservation, neither referral provided sufficient justification for the Planning Board to invoke Section 24-139 and forestall development through the placement of property in reservation. Therefore, it is not recommended that the Planning Board place all or a portion of the subject property into reservation for A-56.

The site has frontage on Edmonston Road to the east and Old Baltimore Pike to the south. Both are designated historic roads in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). Edmonston Road is a master-planned arterial roadway with an ultimate right-of-way

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width of 120–150 feet. Old Baltimore Pike is an undesignated industrial roadway with an ultimate right-of-way width of 70 feet. All rights-of-way are shown with proper widths of dedication as required with this application. Originally, an ultimate right-of-way width of 60 feet of dedication from the existing centerline of Edmonston Road was requested by staff and the Department of Public Works and Transportation (DPW&T), consistent with the Subregion 1 Master Plan and the MPOT. These approved plans reflect an ultimate right-of-way width of 120 to 150 feet. After meeting with the applicant, an agreement was made that the dedication of 40 feet from the existing centerline of Edmonston Road was sufficient and was not in conflict with the recommendations of the master plan and MPOT. The dedication of 40 feet from the centerline will allow for reasonable development of the property and be adequate for the implementation of a narrowed, four-lane, divided facility to be constructed. Construction of the ultimate six-lane facility within a 120–150-foot right-of-way, as recommended in the master plan and MPOT, would be built in the future if the Maryland State Highway Administration (SHA) were to acquire additional right-of-way when funding is available.

Given the findings above, dedication of 40 feet from centerline along Edmonston Road, with a transition to the existing right-of-way on the northern end of the frontage as shown on the submitted plan, be deemed acceptable as a means of fulfilling the right-of-way requirements set out by the master plan for the A-56 facility as shown in the Subregion 1 Master Plan and SMA. This will allow for a narrowed, four-lane, divided facility to be constructed in the future, with the ultimate six-lane facility to be built in the event that SHA can acquire additional right-of-way when funding is available.

A variation request for driveway access from proposed Parcel 1 onto Edmonston Road, the A-56 arterial facility, has been submitted and reviewed. Section 24-121(a)(3) of the Subdivision Regulations requires that lots proposed on land adjacent to an existing or proposed planned roadway of arterial or higher classification be designed to front on either an interior street or service roadway. Parcel 1 does not meet this requirement; it is noted that the applicant is also proposing a driveway onto Old Baltimore Pike. In justifying this variation request, the applicant must meet several legal requirements pursuant to Section 24-113(a) of the Subdivision Regulations. Those requirements are shown in **bold**, with staff's analysis of the applicant's justification below:

- (a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:**

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1. **The granting of the variation will not be detrimental to the public safety, health, welfare, or injurious to other property;**

Direct access to the arterial is proposed at the farthest point from the intersection of Edmonston Road and Old Baltimore Pike. DPW&T has not shown any opposition with this access. The access, along with the other private street access, will need to be reviewed under DWP&T's permit process.

2. **The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The uniqueness of the property is imposed by the presence of the floodplain, which creates a long and narrow developable area between Edmonston Road and the floodplain which is not a condition shared by abutting properties. The property's frontage along Old Baltimore Pike is only 200 feet which results in the driveway from Old Baltimore Pike being quite close to the signalized intersection of Edmonston Road and Old Baltimore Pike. Normally, a driveway within 200 feet or less of a signalized intersection would not be deemed appropriate as a primary access to a property of this size; in this instance, a second driveway location along the arterial road is appropriate.

3. **The variation does not constitute a violation of any law, ordinance, or regulation;**

Granting the variation will not be in violation of any laws, ordinance, or regulation. Access permits to Edmonston Road is regulated by DPW&T, as a county street.

4. **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

The site has very little non-arterial frontage. The proposal is of sufficient size that the second access point is needed to move truck traffic through the site, and provide for the reasonable development of the site.

Based on the preceding findings, adequate access roads will exist as required by Section 24-124 of the Subdivision Regulations.

10. **Schools**—The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the "Adequate Public Facilities Regulations

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for Schools” (County Council Resolutions CR-23-2001 and CR-38-2002), and concluded that the subdivision does not impact school capacity because it is a nonresidential use.

11. **Fire and Rescue**—The proposed preliminary plan of subdivision has been reviewed for adequacy of fire and rescue services in accordance with Subdivision Regulations, Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E), and the following was found:

Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/ Beyond
31	Beltsville	Engine	4911 Prince George’s Avenue	1.29	3.25	Within
31	Beltsville	Ladder Truck	4911 Prince George’s Avenue	1.29	4.25	Within
31	Beltsville	Ambulance	4911 Prince George’s Avenue	1.29	4.25	Within
41	Beltsville	Paramedic	3939 Powder Mill Road	2.95	7.25	Within

Capital Improvement Program (CIP)

The Prince George’s County Capital Improvement Program (CIP) for Fiscal Years 2012–2017 provides funding for replacing the existing Beltsville Fire/EMS Station, Company 31, with a new fire station in the Beltsville area.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

12. **Police Facilities** – The proposed development is within the service area of Police District IV, Beltsville. There is 267,660 square feet of space in all of the facilities used by the Prince George’s County Police Department, and the July 1, 2011 (U.S. Census Bureau) county population estimate is 871,233. Using 141 square feet per 1,000 residents, it calculates to 122,843 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.
13. **Water and Sewer**—Section 24-122.01(b)(1) of the Subdivision Regulations states that the location of the property within the appropriate service area of the *Ten-Year Water and Sewer Plan* is deemed sufficient evidence of the immediate or planned availability of public water and sewer for preliminary plan of subdivision approval.

The 2008 *Water and Sewer Plan* placed this property in dormant water and sewer Category 3, Community System, and will therefore be served by public systems. An active water and sewer Category 3 must be obtained through the Administrative Amendment Procedure, prior to approval of the final plat.

14. **Health Department**—The Prince George’s County Health Department has evaluated the proposed preliminary plan of subdivision and has no comments.

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15. **Public Utility Easement**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the owner's dedication recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The preliminary plan of subdivision correctly delineates a ten-foot-wide public utility easement along the public rights-of-way as requested by the utility companies.

16. **Historic**—A Phase I archeological survey is not recommended on the above-referenced 5.89-acre property located at the northwest quadrant of Edmonston Road and Old Baltimore Pike in Beltsville, Maryland. The application proposes the construction of 50,000 square feet of gross floor area for a warehouse on one parcel. The property is zoned I-2, which provides for highly-intensive industrial and manufacturing uses. Archeological Site 18PR625, a possible eighteenth century mill dam and mill race, was identified on the northern portion of the subject property. However, it appears from aerial photographs that the stream running along Odell Road was channelized in the early 1990s. This channelization probably damaged or destroyed the archeological resource.

There are numerous previously identified prehistoric cultural resources along Indian Creek. However, because of the previous disturbance to the subject property, it is unlikely that any intact cultural resources will be identified. Therefore, a Phase I archeological survey is not recommended on this property. This proposal will not impact any known historic sites, historic resources, documented properties, or known archeological sites.

17. **Residential Conversion**—The subject application is not proposing any residential development; however, if a residential land use were proposed, a new preliminary plan should be required. There exists different adequate public facility tests comparatively between residential and nonresidential uses, and there are considerations for recreational and access components for a residential subdivision.
18. **Background**—The subject site is located on Tax Map 19 in Grid C-1 and is known as Parcel 154. The property consists of 5.89 acres within the Heavy Industrial (I-2) Zone and is located within the 2010 *Approved Subregion 1 Master Plan and Section Map Amendment* (Subregion 1 Master Plan and SMA). The site is currently unimproved. The applicant is proposing to create Parcel 1 for an industrial warehouse use of 50,000 square feet of gross floor area. Proposed Parcel 1 is 5.57 acres.

Parcel 154 was originally recorded in in the Prince George's County Land Records in Plat Book LIB A-64 on September 24, 1891 as Lots 20–22, Lot 40, and Lots 45–52, Block 50; Lots 5–9 and part of Lots 1–4, Block 52; Parcel II; and a portion of Country Road and Edmonston Road. Vacation Petition V-98004 abandoned all of the lots and rights-of-way to create Parcel 154, and was approved by the Planning Board on April 16, 1998.

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The applicant previously submitted three Preliminary Plans of Subdivision, 4-01055, 4-01099, and 4-04166 for the subject property. Those applications proposed to develop the property with industrial uses. Those preliminary plans were withdrawn prior to the Planning Board hearings.


BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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 Bailey, seconded by Commissioner Washington, with Commissioners Bailey, Washington, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, April 25, 2013, in Upper Marlboro, Maryland.

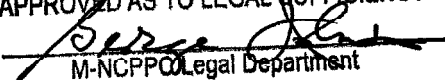
Adopted by the Prince George's County Planning Board this 16th day of May 2013.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:WC:arj

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPCO Legal Department

Date 5/6/13