

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on January 13, 2005, regarding Comprehensive Design Plan CDP-0101/01 for Central Wholesalers the Planning Board finds:

1. **Request:** The purpose of this application is to incorporate Parcels 42-44, previously under different ownership and used for residential purposes, into the subject comprehensive design plan. The applicant, Central Wholesalers, Inc. has purchased the aforementioned parcels of land, which are also zoned E-I-A, and has filed a comprehensive design plan revision to add the land into the existing CDP. The site is located on the southeast side of Virginia Manor Road, approximately 2,400 feet southeast of Van Dusen Road.
2. **History:** On November 15, 1977, the District Council adopted CR-102-1977, a sectional map amendment to Planning Area 60, which placed the subject property in the E-I-A Zone. The Basic Plan (A-9030, A-9033, A-9034, A-9067 and A-9068) was approved with four conditions and the following land use types and quantities:

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

Prohibited Uses: See CR-102-1977

Permitted Interim Uses: See CR-102-1977

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

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

**The total gross floor area was based on site acreage of 25 acres. Since the site in this application consists of 16.04 gross acres, a maximum of 277,200 gfa is permitted on the site.

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

Specific Design Plan SDP-0102 (PGCPB No. 01-72) was approved by the Prince George's County Planning Board on April 19, 2004, with four conditions.

The applicant has constructed an office/warehouse distribution facility consisting of 91,150 square feet on Phase 1A of the subject property.

The applicant has also filed an application for a preliminary plan to consolidate the parcels into two lots (Lots 2 & 3).

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

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

The following are basic plan conditions that warrant discussion:

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

This condition will be applicable to each specific design plan that is submitted for review.

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

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

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

The residential homes mentioned above have been purchased by the applicant and are part of the same basic plan application that rezoned the subject property to the E-I-A Zone. Buffering is no longer needed since the lots are being incorporated into the comprehensive design plan. Appropriate buffering may be needed in the future if there are incompatible uses along the property boundary. However, at this time, the property is surrounded by industrially zoned land.

- 4. The approval of alternative Basic Plans, A and B (dated June 21, 1977), provides for the needed flexibility in view of the uncertainties of road C-104. The preferred**

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

The Planning Board previously made a finding with regard to the basic plan condition above. In that finding, the Planning Board found that “a new Master Plan was approved in 1990 without any provision for a collector roadway passing near the subject property, only the A-56 facility which is discussed above. As the 1990 Subregion I Master Plan is the plan which is now in effect, there is no need for this Comprehensive Design Plan to take the C-104 facility into consideration.”

4. *In general, the proposed Comprehensive Design Plan will result in a development with a better environment than could be achieved under other regulations.*

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

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

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

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

To the south of the subject property is an existing industrial development in the I-1 Zone. To the east is vacant property in the I-3 Zone. To the north is vacant property in the E-I-A Zone. To the west, across Virginia Manor Road, is vacant land in the M-X-T Zone. The proposed development is compatible with these adjacent properties. The three lots that were originally used for residential purposes are now owned by the applicant and are to be incorporated into the subject comprehensive design plan.

7. *Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:*

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

In general, the amounts of building coverage and open space are consistent with the requirements of the basic plan. The applicant has constructed 91,500 square feet of warehouse/distribution that

is in conformance with the minimum green space requirements of 20 percent of the basic plan. Future development will also be subject to the same requirements.

b. Building setbacks from streets and abutting land uses.

In general, the building and parking lot setbacks from streets and abutting land uses are more generous than in other conventional zones. The following setbacks were approved by the Planning Board with CDP-0101 and apply to the site:

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

c. Circulation access points.

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

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

Stage 1A (Proposed Lot 2) of the development for 91,500 square feet of warehouse/ distribution has been completed. The incorporation of Parcels 42-44 into the CDP does not change the staging of the development.

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

See Findings 12 and 13 for discussion on public facilities.

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

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

11. *The plan is in conformance with an approved tree conservation plan.*

For more information, see Finding 15 below.

Referral Responses

12. In a memorandum dated January 4, 2005 (Masog to Wagner), the Transportation Planning Section offered the following comments:

The Transportation Planning Section has reviewed the comprehensive design plan application referenced above. The subject property consists of approximately 25.5 acres of land in the E-I-A Zone. The property is located along the east side of Virginia Manor Road, approximately one mile north of the Virginia Manor Road/Muirkirk Road intersection. The applicant proposes to develop the property under the E-I-A Zone with an additional 39,015 square feet of warehouse space; the site currently contains 91,150 square feet of industrial space.

The applicant prepared a traffic impact study dated June 2004 and prepared in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The findings and recommendations outlined below are based upon a review of relevant materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the guidelines.

Growth Policy—Service Level Standards

The subject property is located within the developing tier, as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the guidelines.

Unsignalized intersections: The *Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Staff Analysis of Traffic Impacts

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

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

Existing traffic conditions were based on traffic counts done in December 2003. Existing conditions within the study area are summarized as follows:

EXISTING CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)
Van Dusen Road and Contee Road	94.3*	75.5*	-- --
Van Dusen Road and Virginia Manor Road	147.6*	112.8*	-- --
Virginia Manor Road and site access	12.1*	11.8*	-- --
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.			

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

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

- A five percent annual growth factor for through traffic along Van Dusen Road.
- Background (i.e., approved) development in the area.

Background conditions are summarized as follows:

BACKGROUND TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)
Van Dusen Road and Contee Road	341.4*	402.1*	-- --
Van Dusen Road and Virginia Manor Road	457.6*	438.9*	-- --
Virginia Manor Road and site access	28.6*	25.5*	-- --
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.			

The site is proposed for an additional 39,015 square feet of warehouse space. The site trip generation would be 16 AM peak-hour trips (13 in, 3 out) and 16 PM peak-hour trips (3 in, 13 out). Therefore, we obtain the following results under total traffic:

TOTAL TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)
Van Dusen Road and Contee Road	347.2*	407.8*	-- --
Van Dusen Road and Virginia Manor Road	463.5*	447.3*	-- --
Virginia Manor Road and site access	32.1*	28.7*	-- --
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.			

It is noted that two intersections, the Van Dusen Road/Contee Road intersection and the Van Dusen Road/Virginia Manor Road intersection, both operate unacceptably as unsignalized intersections in accordance with the guidelines. In response to the inadequacies, the applicant proffers the following improvements:

Van Dusen Road and Contee Road: The analysis has assumed several lane improvements plus signalization, and it suggests that other parties in the area will construct them. This applicant offers to accept responsibility for one of the approach lane widenings that would be constructed by other parties. However, there is no evidence provided that any of the widening or signalization improvements are bonded. Therefore, in order to ensure adequate transportation facilities at this location, the needed widenings and signalization should be made as conditions of this plan. If these improvements are funded or bonded by other parties, this applicant would not be responsible for them. If evidence of full funding or bonding is provided for any or all of the improvements, they can be dropped from the list.

Van Dusen Road and Virginia Manor Road: The analysis has assumed single-lanes on all approaches, and states that prior studies have established that a signal will ultimately be required at this location. Nonetheless, it appears that signalization, at a minimum, is needed for acceptable operations. While the traffic study proffers a pro-rata fair share payment toward the signal, a partial payment does not ensure that a needed signal will be installed. Therefore, it is necessary to make installation of the signal a condition of the subject development.

Plan Comments

The comprehensive design plan is acceptable from the standpoint of access and circulation.

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

The subject property received its E-I-A zoning under resolution CR-102-1977 approving a sectional map amendment for Planning Area 60. Under CDZ Amendment 1, the Transportation staff notes that the proposed level of development is well within the limits established by the basic plan approval. Condition 4 (termed a basic plan modification) discusses the alignment of C-104, a collector roadway with an uncertain alignment. Since 1977, a new master plan was approved in 1990 without any provision for a collector roadway passing near the subject property; only the A-56 facility discussed above. As the 1990 Subregion I master plan is the plan that is now in effect, there is no need for this comprehensive design plan to take the C-106 facility into consideration.

Transportation Staff Conclusions

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

13. In a memorandum dated January 3, 2005 (Harrell to Wagner), the Public Facilities Planning Section offered the following comments:

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

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

Fire and Rescue Facilities

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

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

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

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

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/ EMS Department determines that an alternative method of fire suppression is appropriate.

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

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

Police Facilities

The proposed development is within the service area for Police District VI, Beltsville. The

Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of 1/02/2004 the County had 823 sworn staff and a total of 101,303 feet of station space. Based on available space there is capacity for 57 additional officers. The staff concludes that the existing County's police facilities will be adequate to serve the commercial use.

14. In a memorandum dated September 23, 2004 (Bailey to Wagner), the State Highway Administration (SHA) indicated that they have no objections to the comprehensive design plan revision.
15. In a memorandum dated January 3, 2005 (Shirley to Wagner), the Environment Planning Section offered the following comments:

Background

The Environmental Planning Section has previously reviewed plans for this site in CDP-0101 and companion cases SDP-0102 and Preliminary Plan of Subdivision 4-01011. CDP-0101 had TCPI/04/01 associated with it. The Planning Board's conditions of approval for CDP-0101, SDP-0102 and Preliminary Plan 4-01011 are found in Resolution No. 01-64; No. 01-72; and No. 01-89, respectively. SDP-0102 had TCPII/25/01 associated with it. The west portion of the site is developed with a warehouse facility and related parking. It was determined earlier this month that TCPI/04/01 was not signed after CDP-0101 was approved. The TCPI was signed on December 8, 2004.

The scope of the review in CDP-0101/01 is for three lots containing 1.31 acres to be included in the overall acreage for a 39,015-square-foot expansion of the existing warehouse. CDP-0101 was for 14.77 acres. There are three lots surrounded on three sides by the original area total 14.77 acres and the expanded area is included in CDP-0101/01.

Site Description

The site is located on the east side of Virginia Manor Road between Van Dusen and Cinder Roads. The site contains 16.04 acres and is zoned E-I-A. Based on 2000 air photos, the original portion of the site (14.77 acres) was mostly wooded, including a manmade pond in the northeast portion of the site. The additional area is partially wooded and contains 1.31 acres in the form of three lots surrounded on three sides by the 14.77 acres. No jurisdictional wetlands, streams or floodplain are on the site. Three soils are associated with the 14.77-acre portion of the site and these include: Beltsville silt loam, Christiana Silt Loam, and Keyport Silt Loam. These soils do not have development constraints associated with them. Marlboro clays are not in vicinity of the site. No significant traffic noise generators are in vicinity of the property. According to the Maryland Department of Natural Resources publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," published December 1997, a rare, threatened or endangered species is known to occur in the project vicinity, but the 14.77-acre portion of the proposal will not affect the habitat area. No historic or scenic roads are in vicinity of this

proposal. The site is in the Indian Creek watershed of the Anacostia River basin and in the Developing Tier of the 2002 adopted General Plan.

Environmental Review

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

1. A forest stand delineation (FSD) was prepared in October 2000 and was found to meet the requirements of the Prince George's County Woodland Conservation Ordinance. However, the FSD previously prepared was only for the 14.77-acre portion of the site. No additional FSD information regarding the expanded area for the 1.31 acres in this revision has been submitted. A simplified FSD for the expanded area of 1.31 acres in the CDP revision is required.

Recommended Condition: Prior to certification of the comprehensive design plan, submit a simplified forest stand delineation (FSD) for the expanded 1.31 acres in the CDP revision.

2. The site is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there are previously approved Type I and Type II tree conservation plans for the original 14.77-acre portion and because the expanded area in this revision is greater than 40,000 square feet and has more than 10,000 square feet of existing woodland on site. Information in TCPI/04/01 for the expanded 1.31 acres will be an 01 revision.

Existing woodland at the site once totaled 12.00 acres. The site's woodland conservation threshold (WCT) is 2.41 acres. A total of 11.45 acres of woodland will be cleared with the inclusion of the 1.31 acres in this revision. The woodland conservation requirement for the site is 6.77 acres. This requirement will be met with the following: 0.55 acre of on-site woodland preservation; 3.58 acres in the form of a fee-in-lieu payment (\$46,783) previously made; and off-site mitigation is increased to 2.64 acres from 1.13 acres previously proposed, based on additional clearing necessary for the proposed expansion to the warehouse.

One minor area of the TCPI needs to be revised. The woodland conservation worksheet shows 0.42 acre of floodplain associated with the existing woodland calculation. However, the site does not contain any floodplain. Revise the worksheet to clarify that there is no floodplain at the site. After this revision has been made, have the qualified professional who prepared the plan sign and date it.

Recommended Condition: Prior to certification of the comprehensive design plan, revise the TCPI as follows:

- a. Update the woodland conservation worksheet to clarify that there is no floodplain associated with the site.*
 - b. After this revision has been made, have the qualified professional who prepared the plan sign and date it.*
3. The original submittal included a stormwater management concept approval letter issued by DER on March 26, 2004. The condition of the approval letter is for the proposed 39,015-square-foot warehouse expansion. An existing stormwater pond built in the previous approval in case #8327609-2000-00 provides the stormwater management for the 14.77-acre portion of the site. On December 20, 2004, a revised stormwater management concept plan was submitted and reviewed. The revised concept plan shows the expanded 1.31 will be treated by the existing method of stormwater management with the existing pond.

Recommended Condition: Prior to certification of the comprehensive design plan, submit a copy of the approved stormwater management concept plan.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/04/01-01), and further APPROVED the Comprehensive Design Plan CDP-0101/01, Central Wholesalers for the above described land, subject to the following conditions:

1. The comprehensive design plan revision is subject to all previous CDP conditions contained in PGCPB NO. 01-64 and the approved CDP Text.
2. Prior to certification of the comprehensive design plan, submit a simplified forest stand delineation (FSD) for the expanded 1.31 acres in the CDP revision.
3. Prior to certification of the comprehensive design plan, revise the TCPI as follows:
 - a. Update the woodland conservation worksheet to clarify that there is no floodplain associated with the site.*
 - b. After this revision has been made, have the qualified professional who prepared the plan sign and date it.*
4. Prior to certification of the comprehensive design plan, submit a copy of the approved stormwater management concept plan.
5. For the purposes of determining transportation adequacy, total development within the subject property under this comprehensive design plan shall be limited to a building or buildings for warehouse/distribution and related uses of no more than 130,165 square feet; or different uses generating no more than the number of new peak-hour trips (53 AM peak-hour trips and 53 PM

peak-hour trips) generated by the above development. Requests for any additional development, regardless of quantity, beyond that which is considered by the transportation staff herein shall require a CDP amendment, and it shall be accompanied by a traffic study which will be processed, referred, and reviewed using standard procedures.

6. **Van Dusen Road and Contee Road:** Prior to the approval of building permits beyond 91,150 square feet within the subject property, the following road improvements shall have full financial assurances by either the applicant or by other parties, have been permitted for construction, and have an agreed-upon timetable for construction with DPW&T:
 - a. On the westbound Contee Road approach, provision of a right-turn lane and a shared through/left-turn lane.
 - b. On the northbound Van Dusen Road approach, provision of a right-turn lane and a shared through/left-turn lane.
 - c. On the southbound Van Dusen Road approach, provision of a left-turn lane and a shared through/right-turn lane.
 - d. Prior to the issuance of any building permits within the subject property, the applicant shall submit an acceptable traffic signal warrant study to the Department of public Works and Transportation (DPW&T) for the intersection of Van Dusen Road and Contee Road. This study requirement may be waived if DPW&T indicates, in writing, that a recent study is available for them to determine signal warrants. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic. If deemed warranted by DPW&T, the applicant shall fund a fair share of the cost of a future traffic signal and/or any physical improvements at that location. The amount of the fair share shall be determined by DPW&T in consideration that the subject property contributes approximately 11 peak-hour trips to this intersection and the Pines of Laurel (Special Exception SE-4391, an application for 650 units of elderly housing), would contribute over 100 trips.

7. **Van Dusen Road and Virginia Manor Road:** Prior to the approval of building permits beyond 91,150 square feet within the subject property, the following road improvements shall have full financial assurances by either the applicant or by other parties, have been permitted for construction, and have an agreed-upon timetable for construction with DPW&T:
 - a. Prior to the issuance of any building permits within the subject property, the applicant shall submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for the intersection of Van Dusen Road and Virginia Manor Road. This study requirement may be waived if DPW&T indicates, in writing, that a recent study is available for them to determine signal warrants. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic. If deemed warranted by DPW&T, the applicant shall fund a

fair share of the cost of a future traffic signal and/or any physical improvements at that location. The amount of the fair share shall be determined by DPW&T in consideration that the subject property contributes approximately 11 peak-hour trips to this intersection and the Pines of Laurel (Special Exception SE-4391, an application for 650 units of elderly housing), would contribute over 100 trips.

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

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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 Harley, seconded by Commissioner Vaughns, with Commissioners Harley, Vaughns and Hewlett voting in favor of the motion, and with Commissioners Eley and Squire absent at its regular meeting held on Thursday, January 13, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of February 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk