

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 24, 2004, regarding Detailed Site Plan DSP-97057/01 for Bowie Gateway, Lot 12, Block D, Tweeter's, the Planning Board finds:

1. **Request:** Approval of a detailed site plan for a 10,395-square-foot retail store consisting of an 8,495-square-foot Tweeter Audio store and 1,900 square feet of other retail space on a 1.55-acre site in the C-M Zone.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	C-M	C-M
Use(s)	Vacant	Retail
Acreage	1.55	1.55
Lots	1 Lot (12 D)	1 Lot (12 D)
Parcels	0	0
Square Footage/GFA	0	10,395
Dwelling Units:	N/A	N/A

**Other Development Data:**

Parking Spaces:	REQUIRED	PROPOSED
Retail	57 spaces	58 spaces
Of which are: HC spaces	3	4
Standard spaces (9.5' x 19')		54
Loading spaces (15' x 33')	2	1*

\* Note: The site plan should be revised to provide an additional loading space.

3. **Location:** The site is located in the southwest quadrant of the intersection of US 50 and US 301 on Lot 12, Block D in the Bowie Gateway Center, which is in the City of Bowie. The site is within Planning Area 71B and Council District 04.
4. **Surroundings and Use:** The site is adjacent to Mitchellville Road to the west, a retail use to the north, and restaurants to the east and south.

5. **Previous Approvals:** The site received approval of a Detailed Site Plan (DSP-97057,) PGCPB 97-365 for a Lone Star restaurant in December of 1997; however, the restaurant was not constructed. The site also has an approved Preliminary Plan, 4-95038 (PGCPB 95-237) and Conceptual Site Plan, CSP-78020/05 (PGCPB 95-219). The property is known as Lot 12, Block D of the City of Capitals Subdivision, recorded as VJ 182 @ 34 in 1997.

#### COMPLIANCE WITH EVALUATION CRITERIA

6. **Conceptual Site Plan, CSP-78020/05:** The detailed site plan is in conformance with the conditions of the approved Conceptual Site Plan, CSP-78020/05. The following conditions warrant discussion:

10.e. **Building Elevation Signs.** Each building in Blocks B and D shall be permitted two building-mounted signs and one shared freestanding pylon sign. Monument signs shall be coordinated as stated in d. above.

The applicant proposes four building-mounted signs. No pylon signs or monument signs are proposed. The City of Bowie is recommending the approval of three building-mounted signs; two signs for each retail space on the front elevation and one additional sign on the north elevation. The city's reason for allowing three signs is that it enhances the architectural character of the building elevations and increases the visibility of the retail building, a desirable feature since the site does not have frontage along US Route 301". The Urban Design staff also supports the use of three building-mounted signs for the above reasons. The architecture should be revised to eliminate the fourth building-mounted sign on the rear elevation.

**11.e. Materials for future buildings on Block D should be brick, and of a color compatible with that of the Bob Evans Farms, Exxon and McDonald's buildings.**

The building materials will consist of a combination of split-faced block (dark brown and beige), smooth-faced block, green accent tiles, exterior finishing system materials (EIFS) for walls and coping, and glass store front with aluminum framing. The style of the building is contemporary and the materials and colors are compatible with the materials and colors of the Bob Evans, Exxon and McDonald's buildings.

**14. Access to each new lot created by the resubdivision of Lot 7 of Block D shall be limited to one point of ingress/egress. Any additional point(s) of ingress/egress may be permitted as a result of analysis of the Detailed Site Plan for each subject lot and will be guided by the Findings and Conditions of PGCPB Resolution No. 92-246.**

The site has one access point to an existing 30-foot-wide common driveway. The driveway connects to Mitchellville Road and the service lane that parallels US 301, and also serves as access for the Bob Evans and the McDonald's. As configured, the site plan is in conformance with the above condition.

7. **Preliminary Plan of Subdivision, 4-95038:** In a memorandum dated June 9, 2004, (DelBalzo to Wagner), the Subdivision Section has indicated that the detailed site plan is in conformance with the conditions of the approved Preliminary Plan, 4-95038. The following condition warrants discussion:

5. **No building permits for any development located within Lots 5 and 6 of Block B, Lots 2 through 10 of Block C, and Lots 9, 10 and 11 of Block D of the City of Capitals shall be issued in excess of 845,900 square feet of gross floor area of C-M development. To provide evidence of compliance, each Detailed Site Plan submitted for development within this area shall indicate the total approved development, stated in square feet of gross floor area, prior to and including the date of submission of the site plan.**

Tabulation has been provided for Block D, but not for Blocks B and C. This information should be provided prior to certification of the Detailed Site Plan. See Finding 10 below for additional comments with regard to the above requirement.

8. **Zoning Ordinance and Landscape Manual:** The subject application is in conformance with the requirements of the C-M Zone and meets the requirements of Sections 4.2, 4.3, 4.4 and 4.7 of the *Landscape Manual*. The site received approval of alternative compliance from Section 4.3.b. (Perimeter Landscape Strip) along the north property line by the Planning Board with the approval of DSP-97057. This detailed site plan is in substantial compliance with the approved alternative compliance plan.
9. **Woodland Conservation Ordinance:** In a memorandum dated May 24, 2004, (Markovich to Wagner), the Environmental Planning Section offered the following comments:

#### **BACKGROUND**

This site was previously reviewed by the Environmental Planning Section in conjunction with the Preliminary Plan of Subdivision, 4-95038; Detailed Site Plan, DSP-97057; and Type II Tree Conservation Plan, TCPII/116/95, all of which were approved. This plan is for the construction of Tweeter's in accordance with the requirements of the C-M zone. This 1.55-acre application is part of a larger site that totals 44.9 acres.

#### **SITE DESCRIPTION**

This 1.55-acre site in the C-M zone is located to the east of Mitchellville Road approximately 400 feet north of Harbour Way. A review of the available information indicates that no streams, wetlands, 100-year floodplain, severe slopes, or areas of steep slopes with highly erodible soils are found to occur within the limits of this application. Transportation-related noise was not found to impact this site because of its proposed commercial use and due to the large distance to the nearest transportation-related noise generator, US 301. The soil found to occur according to the Prince George's County Soil Survey is Collington fine sandy loam, which has no significant

limitations. According to available information, Marlboro clay does not occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled AEcologically Significant Areas in Anne Arundel and Prince George's Counties, December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the immediate vicinity of this application. This property is located in the Patuxent River watershed and in the Developing Tier as reflected in the General Plan.

#### **ENVIRONMENTAL REVIEW**

1. The Detailed Forest Stand Delineation (FSD) was submitted as part of the review of the Preliminary Plan of Subdivision, 4-95038, and Type II Tree Conservation Plan, TCPII/116/95.

*Discussion: No further information with respect to the Detailed Forest Stand Delineation is required with this application.*

2. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site. The previously approved Tree Conservation Plan, TCPII/116/95 was found to address the requirements of the Prince George's County Woodland Conservation Ordinance and are consistent with this application. No revisions to the previously approved Type II Tree Conservation Plan, TCPII/116/95 is required. There are no existing woodlands or Woodland Conservation Areas located within the limits of this application.

*Discussion: No further information is required with respect to the Tree Conservation Plans.*

3. This site has a Stormwater Management Concept approval that will not impact the approved TCPII.

*Discussion: No further information is required with respect to the Stormwater Management Concept Plan approval.*

#### **Referral Comments:**

10. In a memorandum dated June 15, 2004 (Masog to Wagner), the Transportation Planning Section offered the following comments:

The Transportation Planning Section has reviewed the detailed site plan referenced above. The subject property consists of 1.55 acres in the C-M Zone. The property is located on the east side of Mitchellville Road, approximately 400 feet north of Harbor Way. This property was subdivided as City of Capitals under preliminary plan of subdivision 4-95038. The applicant

proposes to develop a retail building of 10,395 square feet. The site was previously approved for a restaurant of 5,694 square feet.

### **Review Comments**

The site plan is acceptable from the standpoint of access and circulation. From the standpoint of access, the site plan connects to the neighboring lots and should further enhance circulation within Block D of the Bowie Gateway Center. This is consistent with conditions that were imposed on the original conceptual plan, SP-78020.

The underlying preliminary plan includes a square footage cap that covers a large portion of the Bowie Gateway Center. In turn, this relates to a square footage cap for the entire property that was developed for preliminary plan 4-79111, which established a level of 1.6 million square feet, with estimated trip generation of 2,400 peak-hour trips. The square footage cap specified in Condition 5 of preliminary plan 4-95038 of 845,900 square feet is a little difficult to track since there have been succeeding plats which have renumbered various lots. However, within the entire Bowie Gateway Center, with the approval of the subject plan the total square footage would be approximately 820,000 square feet with no vacant lots remaining for development. The trip generation of the entire site would be approximately 907 AM and 2,390 PM trips, which is within the original finding of adequacy for the overall site in 1979.

In summary, the site plan is acceptable and consistent with prior underlying approved plans.

11. The City of Bowie has recommended approval of the detailed site plan with two conditions that have been incorporated into the Recommendation section below.
12. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

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 Detailed Site Plan DSP-97057/01, subject to the following conditions:

1. Prior to certification of the detailed site plan:
  - a. Provide one additional loading space or obtain approval of a departure from parking and loading spaces from the City of Bowie.
  - b. The architecture shall be revised to eliminate the building-mounted sign on the rear elevation.

- c. The tabulation on the cover sheet shall be revised to indicate the total approved development, stated in square feet of gross floor area, prior to and including the date of submission of the site plan for Blocks B, C and D.
- 2. Signage indicating “No Left Turn” or “Right Turn Only” shall be installed at the western site exit.
- 3. The chain-link fence gates for the trash area shall be replaced with board-on-board wooden gates that shall be painted/stained to match the color of the block of the trash enclosure walls. A detail of the board-on-board wooden gates should be shown on the site plan.

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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 24, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of July 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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