



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Preliminary Plan 4-04047

Application	General Data
<b>Project Name:</b> <b>ROUTE 301 REALTY CORPORATION PROJECT</b>  <b>Location:</b> West side of Crain Highway (US 301), 400± feet south of its intersection with Mount Oak Road.  <b>Applicant/Address:</b> Rifkin, Livingston, Levitan & Silver Norman Rivera 6305 Ivy Lane, Suite #500 Greenbelt, MD. 20770	Date Accepted: 03/31/04
	Planning Board Action Limit: 09/17/04
	Plan Acreage: 6.29
	Zone: C-M
	Lot: 1
	Election District: 07
	Planning Area: 74B
	Tier: Developing
	Council District: 04
	Municipality: None
200-Scale Base Map: 204NE14	

Purpose of Application	Notice Dates
COMMERCIAL SUBDIVISION	Adjoining Property Owners Previous Parties of Record Registered Associations: 02/10/04 (CB-58-2003)
	Sign(s) Posted on Site: 06/22/04

Staff Recommendation	Staff Reviewer: Tom Lockard
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APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-04096  
Route 301 Realty Corporation Project, Lot 1

OVERVIEW

The subject property consists of approximately 6.29 acres of land in the C-M Zone. It is a proposal to combine two parcels (Parcels 128 and 26) into a single lot to be developed as a car dealership. The vast majority of the development would be contained on Parcel 128, while Parcel 26, which is environmentally constrained, will remain virtually undeveloped. There is a 20-foot-wide right-of-way for ingress/egress running across the southern end of the site that provides access to an otherwise landlocked parcel, Parcel 103.

SETTING

The property is located on the west side of Crain Highway (US 301), 400± feet south of its intersection with Mount Oak Road. It is undeveloped and predominately wooded. Access is to be provided to Crain Highway via a right-in/right-out channelized driveway. Surrounding properties are developed with the following uses:

- North** - Undeveloped land in the C-M Zone
- East** - Across Crain Highway is an auto sales lot in the C-M Zone
- South** - A car rental business and auto dealership, both in the C-M Zone
- Southwest** - A single-family residence in the C-M Zone
- Northwest** - Single-family residences (Glen Allen Subdivision) in the R-R Zone

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	C-M	C-M
Uses	Undeveloped	Auto Dealership
Acreage	6.29	6.29
Parcels	2	0
Lots	0	1
Square Footage	0	29,800

2. **Environmental**—A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. Although US 301 is a transportation-related noise generator, the proposed use of this site as a car dealership will not be adversely impacted by the noise. The primary soil found to occur according to the Prince George's County Soil Survey is Monmouth fine sandy loam. Although this soil series has limitations with respect to slow permeability, the proposed development of this site will not be impacted. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication entitled "Ecologically 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 close proximity to this property. This property is located in the Mill Branch subwatershed of the Patuxent River Basin and in the Developing Tier as reflected in the adopted General Plan.

### **Woodland Conservation**

The Forest Stand Delineation (FSD) submitted with this application was found to address the requirements for a Forest Stand Delineation in accordance with the Prince George's County Woodland Conservation and Tree Preservation Ordinance. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is greater than 40,000 square feet and there are more than 10,000 square feet of existing woodlands. This 6.29-acre property has a net tract area of 3.8 acres and a Woodland Conservation Threshold of 15 percent, or 0.57 acres. In addition, there are replacement requirements of 0.58 acre for the clearing of woodlands above the Woodland Conservation Threshold and for clearing woodland in the 100-year floodplain. The 1.15-acre requirement is proposed to be satisfied by 1.00 acres of on-site preservation in priority retention areas and 0.15 acre of off-site mitigation at a location to be determined. Type I Tree Conservation Plan TCPI/32/04 was found to address the requirements of the Prince George's County Woodland Conservation Ordinance and is recommended for approval.

### **Noise**

This property is located within the transportation-related noise impact zone associated with US 301. Based on the Environmental Planning Section's Noise Model, the calculated 65 dBA Ldn noise contour is located approximately 565 feet from the centerline of US 301's southbound lane. That line encompasses approximately 85 percent of the land area included in this application. However, because of the proposed use of this site as a car dealership, the noise does not rise above the state noise standards for this use.

The subject property could be considered a noise generator, due to the possibility of having an outdoor speaker system. However, the noise generated by such a system would not exceed the state noise standard of 65 dBA Ldn at the property line.

### **Patuxent River Primary Management Area**

Streams, wetlands, 100-year floodplain, steep slopes with highly erodible soils, and severe slopes are found on this property. These features along with their respective buffers compose the Patuxent River Primary Management Area, or PMA. The individual features composing the PMA have been correctly shown and the ultimate limits of the PMA have been correctly shown

on the plans as required. The Wetland Delineation Report submitted was reviewed and was found to correctly reflect the existing conditions. An approved 100-year floodplain study was submitted for this site. No additional information is required with respect to the delineation of the Patuxent River Primary Management Area.

The Subdivision Ordinance, Section 24-130(b)(5), requires that the PMA be preserved in a natural state to the fullest extent possible. The TCPI proposes impacts to the PMA for the construction of a stormwater management outfall, a sewer connection, and for the construction of a portion of the proposed parking lot. The Letter of Justification submitted has addressed each of the proposed PMA impacts and demonstrated that each of the impacts has been minimized to the fullest extent possible.

The stormwater management and sewer outfalls are both required in order to develop this property, and the locations of the outfalls have been placed so that the area of PMA disturbance has indeed been minimized without eliminating the functionality of these structures. The impact for the parking lot is required because of the irregular shape of the PMA where the floodplain component of the PMA jogs into the developable portion of the site within a small ravine that is 20 by 50 feet in size. Approximately one-half of the small ravine would be impacted by the construction of the proposed parking lot. Avoidance of the small ravine would require the loss of several parking spaces and an irregular-shaped parking lot that would have some areas of restricted traffic flow. The Environmental Planning Section supports the proposed PMA impacts.

### **Light Pollution**

The City of Bowie recommends the approval of a detailed site plan to address site layout issues and light pollution. Staff supports the inclusion of the condition recommended by the City of Bowie to require a detailed site plan for the subject application to address issues related to site layout and lighting.

### **Water and Sewer Categories**

The property is in water category W-4 and sewer category S-4, according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources. Category 3 must be obtained prior to the recordation of a final plat. It is served by public systems.

3. **Community Planning**—The property is in Planning Area 74B/Community I. The 2002 General Plan places the subject property in 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. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. The site is subject to the recommendation of the 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan, which calls for a service-commercial use. This site is addressed specifically in the master plan as part of the “Walker Pontiac Area.” This application conforms to the master plan recommendation for service-commercial use.

### **Planning Issues**

While this preliminary plan application is in conformance with the master plan recommendation for service-commercial development, it fails to show several master plan elements, including:

- The recommended master plan alignment for A-61, an arterial highway that parallels US 301.

**Comment:** According to the Bowie-Collington-Mitchellville and Vicinity Master Plan, the southbound lanes of existing US 301 will be a part of arterial A-61, which will serve local traffic when US 301 is rebuilt as a freeway. In the vicinity of the subject property, A-61 is accommodated within the existing right-of-way and no additional dedication is necessary.

- Substantial landscape buffers along the north and west property lines, although the vast majority of this area is within the PMA and is shown as undeveloped.

**Comment:** If this application is approved, detailed site plan approval will be required to ensure adequate buffering is provided between the subject property and adjoining residentially developed properties.

4. **Parks and Recreation**—The site is exempt from mandatory dedication because it is a commercial development.
5. **Trails**—There are no master plan issues identified in the 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan.
6. **Transportation**— The applicant submitted a traffic study dated November 11, 2003. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

#### **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 applicant has prepared a traffic impact study in support of the application using counts taken during October 2003. With the development of the subject property, the traffic consultant concluded that the proposed use would not adversely affect traffic conditions along US 301 if

intersection improvements and traffic signal modifications were made at the intersection of US 301 and Mitchellville Road.

The traffic impact study that was prepared and submitted on behalf of the applicant analyzed the following intersections during weekday peak hours:

- US 301 SB/Mount Oak Road (unsignalized)
- US 301/Enterprise Access/Median Break NB (unsignalized)
- US 301/Enterprise Access/Median Break SB (unsignalized)
- US 301/Mitchellville Road/Queen Anne Bridge Road NB (signalized)
- US 301/Mitchellville Road/Queen Anne Bridge Road SB (signalized)

The following conditions exist at the critical intersections:

<b>EXISTING TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
US 301 SB/Mount Oak Road	27.2*	21.7*	--	--
US 301/Enterprise Access/Median Break NB	38.9*	45.5*	--	--
US 301/Enterprise Access/Median Break SB	60.3*	113.7*	--	--
US 301/Queen Anne Bridge Road NB	1,378	1,376	D	D
US 301/Mitchellville Road SB	1,212	1,382	C	D
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.</p>				

Staff visited the site and field checked the lane configurations and traffic operations at the intersections included in the traffic study. The intersection of Mount Oak Road provides right in, right out movements along the southbound lanes of US 301. This is an unsignalized, three-legged intersection with no median break on US 301. The Enterprise Access Road and median breaks on US 301 provide access to existing auto dealerships and allow left turning movements and U-turns on the southbound and northbound lanes of US 301.

The southbound and northbound lanes of US 301 at the Mitchellville Road/Queen Anne Bridge Road intersection are separated by a median strip approximately 100 feet wide. The two traffic signals were analyzed separately in the traffic study. The traffic consultant provided traffic counts and critical lane analysis for both the northbound and southbound legs of the intersection.

Background and total traffic conditions for the intersection of US 301 and Mitchellville Road/Queen Anne Bridge Road were calculated the same way.

Background developments included the Amber Ridge Shopping Center (180,000 square feet of retail), Covington (89 single-family units), Glen Allen (36 single-family units), Mill Branch Service Station, Pin Oak (141 townhouses), and the Bowie Town Center (540,000 square feet of office). Background traffic or through traffic along US 301 was also increased by three percent annually up to the year 2006. This is the expected year of full build-out. There are no funded capital improvements in the area, so the resulting transportation network is the same as was assumed under existing traffic. Given these assumptions, background conditions are summarized below:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
US 301 SB/Mount Oak Road	34.2*	27.9*	--	--
US 301/Enterprise Access/Median Break NB	56.4*	65.5*	--	--
US 301/Enterprise Access/Median Break SB	84.8*	298.0*	--	--
US 301/Queen Anne Bridge Road NB	1,577	1,547	E	E
US 301/Mitchellville Road SB	1,350	1,638	D	F
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.</p>				

Based on background traffic conditions, the US 301/Queen Anne Bridge Road intersection will operate at LOS E during the AM and PM peak hours. The US 301/Mitchellville Road intersection will operate at LOS F during the PM peak hour. The average vehicle delay exceeds 50.0 seconds at the US 301/Enterprise Access Road median break on both sides of US 301 during the AM and PM peak hours.

The site is proposed for development as an auto dealership of 29,800 square feet with associated improvements. Planned uses include a new car sales center and service facilities. The consultant assumed a 20 percent pass-by rate for these uses, which is reasonable. Trip rates were based on local trip rates that were found at three nearby automobile dealerships in the Bowie area. The resulting site trip generation would be 51 AM peak-hour trips (34 in, 17 out) and 62 PM peak-hour trips (27 in, 35 out). As mentioned, the traffic consultant assumed that 80 percent of these trips will be new trips destined for the auto dealership and that 20 percent of the trips would already be on US 301. With the 20 percent pass-by rate applied, the resulting trip generation would be 41 AM peak-hour trips (27 in, 14 out) and 50 PM peak-hour trips (22 in, 28 out).

The traffic study assumes an auto dealership of 37,500 square feet with associated improvements. A portion of this, 7,700 square feet, is proposed on another nearby parcel. Although the additional square footage is included in the traffic study, it is not part of the current proposal, the Route 301 Realty Corporation Project. Therefore, the traffic study represents 9 more new trips during the AM peak hour and 13 more new trips during the PM peak hour, accounting for the additional 7,700 square feet.

The resulting site trip generation is 64 AM peak-hour trips (42 in, 22 out) and 78 PM peak-hour trips (34 in, 44 out). As mentioned, the traffic consultant assumed that 80 percent of these trips will be new trips destined for the auto dealership and that 20 percent of the trips would already be on US 301. With the 20 percent pass-by rate applied, the resulting trip generation would be 52 AM peak-hour trips (34 in, 18 out) and 62 PM peak-hour trips (27 in, 35 out). With the site traffic cited in the traffic study the following operating conditions were determined:

<b>TOTAL TRAFFIC CONDITIONS WITH/WITHOUT IMPROVEMENTS</b>				
<b>Intersection</b>	<b>Critical Lane Volume (AM &amp; PM)</b>		<b>Level of Service (LOS, AM &amp; PM)</b>	
US 301 SB/Mount Oak Road	36.4*	28.8*	--	--
US 301/Enterprise Access/Median Break NB	64.6*	85.9*	--	--
US 301/Enterprise Access/Median Break SB	491.7*	386.8*	--	--
US 301/Queen Anne Bridge Road NB	1,586	1,554	E	E
US 301/Queen Anne Bridge Road NB**	1,559	1,526	E	E
US 301/Queen Anne Bridge Road NB***	1,153	1,132	C	B
US 301/Mitchellville Road SB	1,353	1,644	D	F
US 301/Mitchellville Road SB**	1,313	1,524	D	E
US 301/Mitchellville Road SB***	977	1,239	A	C
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.</p>				

\*\*This includes intersection improvements.

\*\*\*This includes adding a third lane in each direction on US 301.



Based on total traffic conditions, and without any physical improvements to US 301, the US 301/Queen Anne Bridge Road intersection will operate at LOS E during the AM and PM peak hours. The US 301/Mitchellville Road intersection will operate at LOS F during the PM peak hour. The average vehicle delay exceeds 50.0 seconds at the US 301/Enterprise Access Road median break on both sides of US 301 during the AM and PM peak hours.

Section 24-124(a)(6) of the County Code authorizes the Planning Board to consider traffic mitigation procedures under certain circumstances. This includes major regional road facilities such as US 301 and/or MD 3. These roads experience a significant amount of external traffic. Under these circumstances the applicant needs to recommend improvements which will eliminate at least 150 percent of the development-generated critical lane volume at the critical intersection, which in this instance is the US 301/Mitchellville Road /Queen Anne Bridge Road intersection. This requirement was met by the applicant's proposed intersection improvements. These include providing an eastbound free right turn lane at US 301 and Mitchellville Road. At US 301 and Queen Anne Bridge Road, the applicant proposes to modify the westbound approach and improve the median between Mitchellville Road and Queen Anne Road.

These improvements, which will have to be approved by the State Highway Administration, will eliminate at least 150 percent of the auto dealership's generated critical lane volume at the intersections of US 301 SB/Mitchellville Road and US 301 NB/Queen Anne Bridge Road.

The applicant's consultant also included in the traffic study the benefits of adding one lane in each direction on US 301, providing three lanes in each direction. This adds significant improvements in levels of service (to LOS D) during the AM and PM peak hours at US 301/Mitchellville Road and US 301/Queen Anne Bridge Road. These are noted in the table above. Preliminary cost estimates for the fifth and sixth lanes on this section of US 301 range from \$4 million to \$5 million dollars.

The State Highway Administration (SHA) has provided comments on the proposed development. SHA's comments are attached. They will require that the driveway access point to southbound US 301 be restricted to one right-in/right out entrance with a channelized lane divider to prevent weaving across US 301. Northbound traffic from the site will be diverted to the Mitchellville Road intersection. At present, the majority of left turns from southbound US 301 are U-turns.

### **Site Plan Comments**

Site access will be from the west side of US 301, via a right-in/right-out entrance. This driveway access will have to be approved by the State Highway Administration and is addressed in their comments, which are attached. Staff has no other comments, and will defer until a detailed site plan is submitted. Staff is assuming that only one access point to US 301 will be approved.

### **Master Plan Comments**

The Bowie-Collington-Mitchellville & Vicinity Master Plan (1991) recommends that A-61, an arterial roadway, should be constructed parallel to US 301 (Crain Highway) along its western edge. The purpose of A-61 is to provide access to land use activities along US 301 between major interchanges. The right-of-way for A-61 will be within the right-of-way of F-10 or Crain Highway, which varies.

The *US 301 Access Control Study* (March 1999) provides a preliminary analysis of the right-of-way that may be required along US 301, between US 50 and MD 5. A-61 is shown contained within the existing southbound lanes of US 301. No further dedication is required.

### **Transportation Staff Conclusions and Recommendations**

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with the following conditions:

- a. The applicant shall provide for any necessary turn lanes and frontage improvements along US 301 as required by SHA. These may include turn lanes for deceleration and acceleration of vehicles and channelization (lane divider) at the site entrance to prevent weaving.
- b. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with SHA:
  - (1) Widen the westbound approach of Queen Anne Bridge Road at US 301 to provide an exclusive right turn lane and two through lanes. Widen the median to accommodate two through lanes from westbound Queen Anne Bridge Road, to create one left turn lane and one through lane. These improvements shall also include any signal, signage, and pavement marking modifications and additions to be determined by SHA.
  - (2) Construct a free right turn lane on eastbound Mitchellville Road at US 301 and change from signal controlled movement to free-flow right turn movement. This improvement shall also include any signal, signage, and pavement marking modifications and additions to be determined by SHA.
  - (3) The applicant will be responsible for any traffic signal modifications as a result of the proposed intersection improvements.
7. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003. The proposed subdivision is exempt from the adequacy test for schools because it is a commercial use.
8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section reviewed the subdivision plans for adequacy of fire and rescue facilities.
  - a. The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service travel time of 3.22 minutes, which is within the 3.25-minute travel time guideline.
  - b. The existing ambulance service at Bowie Fire Station, Company 43, has a service travel time of 3.22 minutes, which is within the 4.25-minute travel time guideline.

- c. The existing paramedic service at Bowie Fire Station, Company 43, has a service travel time of 3.22 minutes, which is within the 7.25-minute travel time guideline.
- d. The existing ladder truck service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service travel time of 8.4 minutes, which is beyond the 4.25-minute travel time guideline.

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.

These findings are in conformance with the standards and guidelines contained in the 1990 *Approved Public Safety Master Plan* and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

- 9. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. 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 January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed development.
- 10. **Health Department**—The Health Department reviewed the application and offered the following comments:
  - “1. What appears to be an open shallow well or an abandoned septic tank was found near the specimen tree located at the southeast corner of the property. If the object is a well, it must be properly backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative from the Health Department as part of the grading permit. If the object is a septic tank, it must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the object should be shown on the preliminary plan.
  - “2. A significant amount of domestic trash and other debris was found on the property along the entire eastern boundary, in the PMA area, and on the northern side of the stream and should be removed and properly stored or discarded.
  - “3. Numerous tires were found on the property in the stream, in the PMA area and near the two abandoned vehicles located at the tree line in the southwest corner. The tires must be hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility and a receipt for tire disposal must be submitted to this office prior to preliminary plan approval.
  - “4. Seven abandoned vehicles were found on the property near the PMA area and at the tree line in the southwest corner, and should be removed and properly stored or discarded.”
- 11. **Stormwater Management**—The applicant received stormwater concept approval from the Prince George’s County Department of Environmental Resources on April 13, 2004 (#8254-2004-01).

12. **Cemeteries**—There are no known cemeteries on the subject property.
13. **Public Utility Easement**—The plan shows a 10-foot-wide public utility easement adjacent to Crain Highway. It is accurately reflected on the proposed preliminary plan and will be included on the final plat.
14. **Easements**—There is an existing 20-foot-wide easement across the subject property to provide access to an otherwise landlocked parcel (Parcel 103). An adjoining property, Parcel 164, also accesses US 301 via this right-of-way, although it has its own frontage along US 301 via a narrow “pipestem.” A similar, but undeveloped, right-of-way is shown on the plan within the pipestem connecting Parcel 164 to US 301. The owners of these two properties presently gain access to US 301 via a 10-foot-wide driveway, partially within the easement and partially outside, on the subject property. The applicant provides for the easement in its “descriptive” location on the preliminary plan, but shows curbs and parking spaces along the “prescriptive” location as well as curbing where the easement crosses the western property line. Unless they can show that the existing easement across the subject property is no longer enforceable, the applicant should continue to provide sufficient and uninterrupted access to these two properties. Such access must be provided either along the existing ingress/egress easement or through some other means mutually agreeable to all parties. Given that Parcel 103 and the adjoining Parcel 164 are commercially zoned and may be commercially developed at some future date, it may be most advantageous to provide for a shared single point of access for all three properties with cross easements to minimize the number of driveway cuts along US 301.
15. **Detailed Site Plan Considerations**—As discussed previously, staff is recommending detailed site plan approval for any proposed development on this site. Site plan review is essential in order to ensure adequate buffering and screening from the adjoining residentially developed properties. Although this subdivision application does not approve the location of buildings or other improvements on the site, staff has several concerns after review of the applicant’s submitted site development plan that will need to be addressed at the time of detailed site plan:
  - a. **Buffering**—The *Landscape Manual* defines a car dealership as a medium impact use. When a medium impact use locates next to a single-family residence (such as are found on the adjoining parcels to the southwest), a Type C bufferyard (40-foot building setback, 30-foot wide landscaped strip) is required. The applicant’s proposed site development plan shows the very southwest corner of the dealership building within this setback and a five-foot-wide perimeter strip in this area, as if the adjoining properties were developed commercially. This would place the rear of the dealership approximately 120 feet from the residence on Parcel 103 with nothing more than a five-foot-wide landscaped strip as a buffer. The applicant should be advised that such a radical departure from the requirements of the *Landscape Manual* is not acceptable.
  - b. **Access** – Access to US 301 is a concern in this vicinity because of the numerous existing driveway cuts. The access point to this site must be carefully coordinated with the State Highway Administration to ensure that unsafe conditions are not created. Also, as discussed above, the applicant must provide for sufficient and uninterrupted access to the two residentially developed parcels to the southwest.
16. **City of Bowie**—The subject property adjoins the City of Bowie. The Bowie City Council recommends approval of this application, subject to the five conditions contained in their letter dated May 20, 2004, a copy of which is attached.

## RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/32/04). The following note shall be placed on the Final Plat of Subdivision:

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/32/04), or as modified by the Type II 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 Conservation/Tree Preservation Policy."

2. A conservation easement shall be described by bearings and distances at time of final plat. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for areas with approved impacts, and shall be reviewed by the Environmental Planning Section prior to certificate approval for accuracy. In addition, the following note shall be placed on the final plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is permitted."

3. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.
4. The applicant shall provide sufficient and uninterrupted access to Parcels 103 and 164, either along the existing ingress/egress easement or through some other means mutually agreeable to all parties.
5. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
6. All abandoned vehicles, domestic trash, and other debris found on the property shall be removed and properly stored or discarded prior to final plat approval.
7. Prior to the issuance of grading permits, the applicant, his heirs, successors and/or assignees shall have the scrap tires on the property hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt for the tire disposal shall be submitted to the Health Department prior to issuance of grading permits.
8. Prior to the issuance of building permits, the applicant shall obtain detailed site plan approval by the Planning Board. The detailed site plan shall address buffering (including light and noise

intrusion), landscaping, access, and the visual relationships between the proposed development and adjoining residentially developed properties.

9. Development of this subdivision shall be in compliance with the approved stormwater management concept plan (#8254-2004-01) or any approved revision thereto.
10. The applicant shall provide for any necessary turn lanes and frontage improvements along US 301 as required by SHA. These may include turn lanes for deceleration and acceleration of vehicles and channelization (lane divider) at the site entrance to prevent weaving.
11. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with SHA:
  - a. Widen the westbound approach of Queen Anne Bridge Road at US 301 to provide an exclusive right turn lane and two through lanes. Widen the median to accommodate two through lanes from westbound Queen Anne Bridge Road, to create one left turn lane and one through lane. These improvements shall also include any signal, signage, and pavement marking modifications and additions to be determined by SHA.
  - b. Construct a free right turn lane on eastbound Mitchellville Road at US 301 and change from signal controlled movement to free-flow right turn movement. This improvement shall also include any signal, signage, and pavement marking modifications and additions to be determined by SHA.
  - c. The applicant will be responsible for any traffic signal modifications as a result of the proposed intersection improvements.

STAFF RECOMMENDS APPROVAL OF THE TYPE I TREE CONSERVATION PLAN, TCPI/32/04