

R E S O L U T I O N

WHEREAS, Seritage SRC Finance, LLC is the owner of a 10.81-acre parcel of land known as Lot 6 of Bowie Town Center, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned Major Activity Center (M-A-C); and

WHEREAS, on September 8, 2021, Seritage SRC Finance, LLC filed an application for approval of a Preliminary Plan of Subdivision for 2 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-20034 for Bowie Town Center (BJ's Restaurant and Brewhouse) 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 November 18, 2021, 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 November 18, 2021, 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 Type 1 Tree Conservation Plan TCP1-016-2021, and further APPROVED Preliminary Plan of Subdivision 4-20034 for 2 lots with the following conditions:

1. Prior to certification of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Add the assigned TCP1 number, TCP1-016-2021, to the approval block and woodland conservation worksheet.
 - b. Add a TCP approval box to the second sheet of plans.
 - c. Label the shared-use paths adjacent to MD 197 and Evergreen Parkway.
2. Prior to approval of a final plat of subdivision, the final plat shall grant 10-foot-wide public utility easements along the public rights-of-way, in accordance with the approved preliminary plan of subdivision.
3. Any residential development on the subject property shall require approval of a new preliminary plan of subdivision, prior to approval of any permits.

4. Development of this subdivision shall be in compliance with an approved Type 1 Tree Conservation Plan (TCP1-016-2021). The following notes shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-016-2021) or most recent revision, 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 Prince George’s County Council Bill 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, Prince George’s County Planning Department.”

5. Prior to the issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved.
6. Total development within Lot 17 shall be limited to uses which generate no more than 74 AM peak-hour trips and 42 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.
7. Total development within Lot 18 of the subject property shall be limited to uses which generate no more than 58 AM peak-hour trips and 196 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.
8. Upon future development or redevelopment of proposed Lots 17 and 18, the applicant shall provide inverted U-shaped bike racks or equivalent design and replace any existing ribbon style bicycle racks or bicycle racks that do not provide two points of support on the bicycle frame, or allow the user to lock both wheels and the frame of the bicycle to the rack without the use of chain or cable, consistent with the 2012 *AASHTO Guide for the Development of Bicycle Facilities*.

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 with conditions, 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. **Background**—The subject property is located at the southwest quadrant of the intersection of MD 197 (Collington Road) and Evergreen Parkway and consists of a 10.81-acre lot known as

Lot 6 of Bowie Town Center, recorded in Plat Book VJ190, page 45. The subject property is located within the Major Activity Center (M-A-C) Zone and is subject to the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* (master plan). This preliminary plan of subdivision (PPS) proposes to subdivide existing Lot 6 into two lots. One lot to support the existing 7,522 square feet of commercial development known as BJ’s Restaurant and Brewhouse, and one lot for 125,000 square feet of commercial use, which consists of an existing Sears department store on the site, which is currently vacant. No new development is included with this PPS. The proposed land division is subject to a PPS, in accordance with Section 24-107 of the Prince George’s County Subdivision Regulations.

3. **Setting**—The property is located on Tax Map 55 in Grids B2 and C2, in Planning Area 71B, and is zoned M-A-C. The subject property will be accessed from Evergreen Parkway to the east. The property has frontage along MD 197. The abutting properties to the east and west both consist of commercial development and are also part of Bowie Town Center located within the M-A-C Zone. The properties beyond MD 197 to the north consist of commercial development and single-family attached dwellings, and the properties beyond Evergreen Parkway to the east consist of multifamily dwellings, all in the M-A-C Zone. The property beyond Evergreen Parkway to the south is also within the M-A-C Zone and contains Bowie’s City Hall and the Bowie Police Department.
4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	EXISTING	APPROVED
Zone	M-A-C	M-A-C
Use(s)	Commercial	Commercial
Acreage	10.81	10.81
Lots	1	2
Parcels	0	0
Outparcel	0	0
Dwelling Units	N/A	N/A
Gross Floor Area	132,522 sq. ft.	132,522 sq. ft.
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee meeting on October 1, 2021.

5. **Previous Approvals**—The subject property is part of a larger area encompassing 274.7 acres. The subject site was originally placed in the M-A-C Zone by the Prince George’s County District Council (Prince George’s County Council Resolution CR-108-1975), with the adoption of the *Bowie-Collington Master Plan and Sectional Map Amendment* in 1975, which established the original basic plan for the Bowie New Town Center. Basic Plan Amendment A-8589-C was

approved by the District Council in 1988 (Zoning Ordinance No. 35-1988), which approved, among other development, a limit of 1,420 dwelling units (1,005 multifamily and 415 townhouses) in the M-A-C zoned portion of the site. A-8589-04 was most recently approved by the District Council on February 9, 2021. This basic plan amendment was approved to allow an additional 670 dwelling units and to allow residential mixed-use development within the retail center, and specifically included the subject property.

Comprehensive Design Plan CDP-8504 was approved by the Prince George's County Planning Board on April 14, 1986 (PGCPB Resolution No. 85-447). This CDP approved the site for development of an enclosed mall with 1.125 million square feet of retail, 680,000 square feet of office space, 850 multifamily dwelling units, and 515 single-family attached units. CDP-8504-01 revised the approval to include an open-air mall instead of an enclosed mall. Additional amendments to the CDP have been approved, but do not affect the development of the subject site.

PPS 4-86049 was approved by the Planning Board on May 22, 1986 (PGCPB Resolution No. 86-174). This PPS approved 515 lots and 17 parcels for the development of 1.125 million square feet of retail and 680,000 square feet of office space. This PPS encompassed the subject property; however, it did not create the existing Lot 6. PPS 4-00029 was approved by the Planning Board on July 20, 2000 (PGCPB Resolution No. 00-147). This PPS approved 15 lots, one of which is the subject property, Lot 6.

Specific Design Plan SDP-9711 was approved by the Planning Board on December 2, 1999, for the development of 581,702 square feet of retail space. Specific to the subject site, SDP-9711-16 was approved by the Planning Director on April 19, 2017, to redevelop the Sears Auto Center as a restaurant on the subject Lot 6, which is now BJ's Restaurant and Brewhouse.

Conditions of prior approvals are not readily applicable to this application which does not propose any modification to the existing development, which has been implemented on the subject site.

- 6. Community Planning**—The subject site is within the area of the master plan. The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the master plan and sectional map amendment (SMA) are evaluated, as follows:

Plan 2035

Plan 2035 places this site in a local center. Bowie is identified as one of 26 local centers on the Prince George's County Growth Policy Map (page 18). Local centers are focal points for development and civic activities based on their access to transit or major highways. The plan contains recommendations for directing medium to medium-high residential development along with limited commercial uses to these locations, rather than scatter them throughout the Established Communities (page 19). The Plan 2035 Center Classification System (Table 16) further describes Bowie Town Center as one of five local town centers which are "A range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall, the Centers are

less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. These centers typically have a walkable “core” or town center” (page 108).

Master Plan Land Use Recommendation

The master plan recommends commercial and industrial land uses on the subject property. This area is intended for commercial office, retail, manufacturing, or retail development.

Sectional Map Amendment/Zoning

The master plan and SMA retained the subject property in the M-A-C Zone.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application conforms to the master plan as evaluated within this finding and throughout this resolution.

7. **Stormwater Management**—The City of Bowie has jurisdiction over the stormwater management (SWM) concept plan and final technical approvals for this site. The City approved the construction of the SWM for BJ’s Restaurant and Brewhouse on Lot 6 in 2017 (Approval No. 02-117-206NE14). In an email dated October 5, 2021, City of Bowie Senior Project Manager Mike Schramm stated that the site is in conformance with the SWM requirements. Since there will be no land disturbance associated with this subdivision, a new or revised SWM concept plan is not required at this time.

In accordance with Section 24-130 of the Subdivision Regulations, development of the site shall conform with the SWM concept approval and any subsequent revisions to ensure no on-site or downstream flooding occurs.

8. **Parks**—In accordance with Section 24-134(a) of the Subdivision Regulations, the subject PPS is exempt from the mandatory dedication of parkland requirement because no residential development is included.
9. **Bicycle and Pedestrian**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the master plan to provide the appropriate pedestrian and bicycle transportation facilities.

Existing Conditions, Sidewalks and Bike Infrastructure

The submitted PPS does not include blocks over 750 feet long and therefore, does not need to provide facilities, pursuant to Section 24-121(a)(9) of the Subdivision Regulations.

The PPS fails to satisfy Section 24-123(a)(6) of the Subdivision Regulations because it does not indicate the location of all land for bike trails and pedestrian circulation systems that are indicated on a master plan, county trails plan, or abutting existing or dedicated trails. There are existing shared-use paths (trails) along MD 197 and Evergreen Parkway which are not labeled on the PPS. A condition has been added herein, requiring the PPS be revised to show the existing paths.

Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to other retail businesses within Bowie Town Center, including the Best Buy electronics store next door. They are connected by way of parking lot drive aisles and internal roadways. There are no pedestrian and bicycle improvements included with this PPS.

Review of Conformance with the MPOT

This PPS is subject to the MPOT, which provides policy guidance regarding multimodal transportation. The Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling (MPOT, pages 9–10), and recommends the following facilities:

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

Review of Master Plan Conformance

The master plan includes the following recommendations:

Goal:

- **Provide a safe, affordable, and efficient multimodal transportation system that improves access within neighborhoods, communities, and the region (page 50).**

Strategy:

1. **Review and fully exploit opportunities to incorporate nonmotorized transportation modes (such as pedestrian and bicycle trails) into the county's transportation system (page 50).**

Applicants are typically required to provide short term bicycle parking facilities consistent with the 2012 *AASHTO Guide for the Development of Bicycle Facilities*. The existing “wave style” bicycle racks provided at the subject site are inconsistent with the guidance of this document because “wave style” bicycle racks do not adequately keep parked bicycles upright.

Due to the lack of physical changes proposed for the subject property, the applicant is not required to improve on-site or off-site accessibility for pedestrians and bicyclists at this time. However, the typical facilities should be provided with any development and/or redevelopment of the site.

Based on the preceding findings, adequate pedestrian and bicycle transportation facilities will exist to serve the subdivision, as required, in accordance with the Subdivision Regulations, the MPOT, and the master plan.

- 10. Transportation**—The applicant requested PPS approval for the purpose of creating two lots to support the existing 7,522 square feet of commercial development, as well as the 125,000 square feet of commercial development associated with the Sears building, which is currently vacant on the site.

The subject property is located within Transportation Service Area (TSA) 2, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

Links and Signalized Intersections: Level-of-Service D, with signalized intersections operating at a critical lane volume of 1,450 or better. Mitigation, per Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any TSA subject to meeting the geographical criteria in the “Transportation Review Guidelines, Part 1” (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:

For two-way stop-controlled intersections, a three-part process is employed:
(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, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the critical lane volume is computed.

For all-way stop-controlled intersections, a two-part process is employed:
(a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the critical lane volume is computed.

Analysis of Traffic Impacts

Pursuant to the Guidelines, any development that is projected to generate 50 or more trips in either peak hour must submit a traffic impact study as part of the application documents.

This PPS proposes to create two new lots, to separate the existing restaurant (proposed Lot 17) and the vacant Sears building (proposed Lot 18). No expansion of the existing development was proposed with this PPS. Since no new traffic will be generated by the creation of Lots 17 and 18, the traffic impact of this application is deemed de minimis. However, because this is a PPS application, a trip cap should be established as part of the entitlement process. That trip cap is based on information provided in the *Trip Generation Manual, 10th edition* (Institute of Transportation Engineers) for the current trip generation of the existing restaurant and trips associated with the gross floor area for a retail building. Based on the *Trip Generation Manual, 10th Edition*, a high turnover sit down restaurant (ITE Code – 93) will generate 9.94 and 9.77 trips per 1000 square feet of gross floor area during the AM and PM peak hours, respectively, of adjacent street traffic. Based on the restaurant’s gross floor area of 7,522 square

feet, and the retail building of 125,000 square feet of gross floor area, the following trip generation is determined:

Table 1 - Trip Generation							
		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Restaurant (ITE- 93)	7,522 sq. feet	46	28	74	41	34	75
<i>Less Pass-by; 0 percent AM, 43 percent PM</i>		-0	-0	-0	-18	-15	-33
Total new trips (Trip Cap)		46	28	74	23	19	42
Department store (ITE-875)	125,000 sq. feet	47	26	73	122	122	244
<i>Less Pass-by; 20 percent</i>		-10	-5	-15	-24	-24	-48
Total new trips (Trip Cap)		37	21	58	98	98	19

Based on the computed trip generation depicting existing conditions, the new trip cap will be 74 AM and 42 PM peak hour trips for Lot 17 and 58 AM and 196 PM net trips for Lot 18.

Master Plan, MPOT, and Site Access

The property is in an area where the development policies are governed by the master plan, as well as the MPOT. While the proposed Lot 18 has street frontage on MD 197 to the north and Evergreen Parkway to the east and south, the proposed Lot 17 containing the restaurant has no frontage on, or direct access to a public street. However, the restaurant will continue to be accessible pursuant to the pad site declaration of covenants, conditions, restrictions, and easements recorded in the Prince George’s County Land Records in Liber 44666 at folio 319. A lot served by an easement in an integrated shopping center is permissible, in accordance with Section 24-128(b)(15) of the Subdivision Regulations, and is applicable to other commercial pad site lots within Bowie Town Center. This covenant/easement currently permits all users of the existing shopping center access through the site.

Based on the preceding findings, adequate transportation facilities will exist to serve the subdivision, as required, in accordance with Section 24-124 of the Subdivision Regulations.

11. **Schools**—Pursuant to Section 24-122.02 of the Subdivision Regulations, this PPS is exempt from review for impact on school facilities because no development was proposed, and the existing uses consists of nonresidential development.
12. **Public Facilities**—In accordance with Section 24-122.01 of the Subdivision Regulations, water and sewer, fire and rescue, and police facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section, dated September 21, 2021 (Perry to Heath) and incorporated by reference herein.
13. **Public Utility Easement**—Section 24-122(a) of the Subdivision Regulations requires that, when utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the Prince George’s County Land Records in Liber 3703 at folio 748.”

The standard requirement for public utility easements (PUEs) is 10 feet wide along both sides of all public rights-of-way. The required PUEs are delineated along the site’s frontage of both the MD 197 and Evergreen Parkway public rights-of-way.

14. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources. A Phase I archeology survey is not required.
15. **Environmental**—The following applications and associated plans have been reviewed for the subject site:

Development Review Case	Tree Conservation Plan	Approval Authority	Status	Action Date	Approval Document
Approved Bowie-Collington Master Plan and SMA	NA	District Council	Approved	10/28/1975	CR-108-1975
Amendment of Basic Plan	NA	District Council	Approved	7/26/1982	ZO No. 47-1982 PGCPB No. 82-127
CDP-8504	NA	District Council	Approved	4/14/1986	PGCPB No. 85-447
4-86049	NA	Planning Board	Approved	5/22/1986	PGCPB No. 86-174
A-8589-C	NA	District Council	Approved	7/25/1988	ZO No. 35-1988
CDP-8504 Reconsideration	NA	District Council	Approved	1/14/93	PGCPB No. 92-386
DSDS-540	NA	Planning Board	Approved	4/2/1998	PGCPB No.99-21
CDP-8504-01	TCPII-077-97	Planning Board	Approved	12/2/1999	PGCPB No. 99-233
4-00029	TCP1-038-99	Planning Board	Approved	7/27/2000	PGCPB No. 00-147
CDP-8504-02	TCPII-077-97-01	Planning Board	Approved	10/19/2000	PGCPB No. 00-175
V-03121	NA	Planning Board	Approved	11/14/2002	PGCPB No. 02-236
4-03121	TCP1-38-99-01	Planning Board	Approved	2/19/2004	PGCPB No. 04-19
SDP-9711-16	TCPII-077-97-02	Planning Director	Approved	4/19/2017	N/A
A-8589-04	NA	District Council	Approved	2/9/2021	Z.O. 1-2021
4-20034	TCP1-016-2021	Planning Board	Approved	11/18/2021	PGCPB No. 2021-140

Proposed Activity

The applicant requested approval of a PPS and a Type 1 Tree Conservation Plan (TCP1-016-2021) for the subdivision of existing Lot 6 at Bowie Town Center, to create a new 0.90-acre lot that will contain the existing BJ's Restaurant and Brewhouse. There is no new development included with this PPS.

Grandfathering

This project is not grandfathered with respect to the environmental regulations contained in Subtitles 24 and 27 that came into effect on September 1, 2010 because the application is for a new PPS.

Site Description

The subject area is limited to Lot 6, which is located 1,600 feet east of the MD 197 and Northview Drive intersection and consists of 10.81 acres in the M-A-C Zone. The site is currently improved with commercial buildings and parking lots. These include the existing BJ's Restaurant and Brewhouse approved under SDP-9711-16, and a 125,000-square-foot two-story building (formerly "Sears").

A review of available information, and as shown on the approved natural resources inventory (NRI), indicates that streams, wetlands, 100-year floodplain, and steep slopes are no longer found to occur within the limits of this application. The predominant soils found to occur, according to the U.S. Department of Agriculture Natural Resource Conservation Service Web Soil Survey, include Urban land-Adelphia complex (0–5 percent slopes) and Urban Land-Collington-Wist complex (0–5 percent slopes). Marlboro clay or Christiana complexes do not occur on or in the vicinity of this property. A review of available mapping information indicates the subject area is not within a Sensitive Species Project Review Area and does not contain potential Forest Interior Dwelling Species habitat. The site is located within the Middle Patuxent Watershed, a stronghold subwatershed within the Patuxent River basin. The 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan) shows an evaluation area located on Lot 6, but the impervious surface layer shows the site to be fully developed with impervious surfaces.

Master Plan Conformance

The site is located within Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035. The Plan 2035 Generalized Future Land Use for the site is mixed-use and the site is identified as a local town center.

The master plan contains goals, policies, and strategies, of which the following have been determined to be applicable to the current project. The text in bold is from the master plan and the plain text provides comments on plan conformance.

Policy 1: Protect, preserve, and enhance the green infrastructure network within the master plan area.

Strategies:

- 1. Use designated green infrastructure network to identify opportunities for environmental preservation and restoration during the development review process (page 36).**

2. **Protect primary corridors (Patuxent River and Collington Branch) during the development review process to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements. Protect secondary corridors (Horsepen Branch, Northeast Branch, Black Branch, Mill Branch, and District Branch) to restore and enhance environmental features and habitat (page 37).**
3. **Carefully evaluate land development proposals in the vicinity of identified Special Conservation Areas (SCA) (the Beltsville Agricultural Research Center to the north, along with the Patuxent Research Refuge; Belt Woods in the western portion of the master plan area; and the Patuxent River) to ensure that the SCAs are not impacted and that connections are either maintained or restored (page 37).**
4. **Target public land acquisition programs within the designated green infrastructure network in order to preserve, enhance or restore essential features and special habitat areas (page 37).**

The green infrastructure network within the master plan area is reviewed later in this finding as part of the analysis of the PPS' conformance with the Green Infrastructure Plan. The site is not located in a corridor or Special Conservation Area.

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

Strategies:

4. **Ensure the use of low-impact development techniques to the extent possible during the development process (page 37).**

The City of Bowie has jurisdiction over the SWM concept plan and final technical approvals for this site. New or revised SWM concept plans may be required with subsequent development applications. The use of low-impact-development techniques to the extent possible will be reviewed at that time.

5. **During the development review process evaluate streams that are to receive stormwater discharge for water quality and stream stability. Unstable streams and streams with degraded water quality should be restored, and this mitigation should be considered as part of the stormwater management requirements (page 37).**

No streams will be directly impacted by the current proposal.

6. **Encourage the use of conservation landscaping techniques that reduce water consumption and the need for fertilizers or chemical applications (page 37).**

The use of native species for on-site planting is encouraged in the 2010 *Prince George's County Landscape Manual* (Landscape Manual) to reduce water consumption and the need for fertilizers or chemical applications and will be demonstrated on the landscape plan, as required.

Policy 3: Protect and enhance tree cover within the master plan area.

The Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) requires the protection and enhancement of woodlands throughout the county and the state, based on the approved land use category designated by zoning. There are no approved woodland conservation areas located on Lot 6. Any future development or redevelopment will be subject to the Prince George's County Tree Canopy Coverage Ordinance (Section 25, Division 3).

Strategies:

- 1. Encourage the planting of trees in developed areas and established communities to increase the overall tree cover (page 37).**
- 2. Provide a minimum of ten percent tree cover on all development projects. This can be met through the provision of preserved areas or landscape trees (page 37).**
- 3. Establish street trees in planting strips designed to promote long-term growth and increase tree cover (page 37).**
- 4. Establish tree planting adjacent to and within areas of impervious surfaces. Ensure an even distribution of tree planting to provide shade to the maximum amount of impervious areas possible (page 37).**

No street trees are associated with this case, and landscaping materials will be required in accordance with the Landscape Manual at the time of SDP. The tree canopy coverage (TCC) requirements of Subtitle 25, Division 3 will also be evaluated at the time of SDP.

Policy 5: Reduce light pollution and intrusion into residential, rural, and environmentally sensitive areas.

Strategies:

- 1. Encourage the use of alternative lighting technologies for athletic fields, shopping centers, gas stations, and car lots so that light intrusion on adjacent properties is minimized. Limit the total amount of light output from these uses (page 37).**

2. **Require the use of full cut-off optic light fixtures for all proposed uses (page 37).**
3. **Discourage the use of streetlights and entrance lighting except where warranted by safety concerns (page 37).**

Upon development or redevelopment, the minimization of light intrusion from this site shall be addressed at the time of SDP, and 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.

Policy 6: Reduce adverse noise impacts to meet State of Maryland noise standards.

Strategies:

1. **Evaluate development proposals using Phase I noise studies and noise models (page 38).**
2. **Provide adequate setbacks for projects located adjacent to existing and proposed noise generators (page 38).**
3. **Provide the use of approved attenuation measures when noise issues are identified (page 38).**

Lot 6 fronts on MD 197, a MPOT designated arterial right-of-way, which is generally regulated for noise when residential uses are proposed. Noise will be evaluated with future development applications.

Countywide Green Infrastructure Plan

The subject property contains areas delineated as evaluation areas in the Green Infrastructure Plan. The evaluation area had previously been wooded, and further evaluation of the site indicates that the evaluation area was previously developed with parking lots and buildings. The desired development pattern proposed for the site, which is consistent with the mixed-use zoning proposed in a local town center, makes restoration or conservation within the evaluation area unlikely, as all impacts to Lot 6 were previously approved during the development process and those approvals were subject to a TCP which accounted for woodland on the site. The site is subject to SWM for water quality and quantity controls of runoff entering the natural systems.

Environmental Review

Natural Resources Inventory Plan/Existing Features

NRI-046-2021 was submitted with the application. The TCP1 and the PPS show all the required information correctly, in conformance with the NRI. No specimen trees are located on-site. No additional information is required regarding the NRI.

Woodland Conservation

This project is subject to the WCO and the Environmental Technical Manual because the application is for a new PPS. TCP1-016-2021 has been submitted with the subject application and requires minor revisions to be found in conformance with the WCO.

The site is currently zoned M-A-C and has a required woodland conservation threshold of 15 percent of the net tract area. The site has a currently approved Type II tree conservation plan (TCP1I-077-97-02) for the overall development. The total woodland conservation requirement for the overall development is 40.79 acres. The overall requirement has been met with 6.39 acres of on-site preservation, 3.00 acres of on-site afforestation/reforestation, and 31.40 acres of off-site woodland conservation. No woodland conservation areas are located on the subject site. Future land development applications for the site will require ongoing conformance with the WCO.

Specimen Trees

The subject property does not contain any on-site specimen trees.

Regulated Environmental Features

According to information contained on the NRI, there are no regulated environmental features on the subject property, as defined in Section 25-101(b)(27).

16. **Urban Design**—Conformance with the Prince George’s County Zoning Ordinance (Subtitle 27) is evaluated, as follows:

The subject PPS includes two lots, one each for the existing 7,522 square feet of commercial restaurant use and the existing 125,000 square feet of commercial retail use associated with the vacant Sears building. No new development is included with this PPS.

Conformance with the Zoning Requirements

Any future development proposed for the lots involved will require SDP review, and conformance with the requirements of the M-A-C Zone will need to be demonstrated at that time.

Conformance with the 2010 Prince George’s County Landscape Manual

The site was previously developed in accordance with SDP-9711-16, and findings of conformance with the Landscape Manual were found at that time. Should additional development be proposed, conformance with the Landscape Manual requirements will be evaluated at the time of SDP review for any future development.

Conformance with the Tree Canopy Coverage Ordinance

The site was previously developed in accordance with SDP-9711-16, and findings of conformance with the TCC requirements were found at that time. Should future development be proposed, conformance with TCC requirements will be evaluated again through the SDP process. At such a time, being in the M-A-C Zone, the subject site will be required to provide 10 percent of its gross lot area in TCC.


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.

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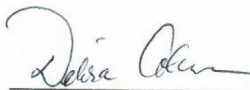
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, November 18, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of December 2021.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:AH:nz



Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

Date: 11/24/2021