



PGCPB No. 17-17

File No. 4-16028

## RESOLUTION

WHEREAS, BE Bowie LLC is the owner of a 10.54-acre parcel of land known as Parcel X-12, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned Commercial Shopping Center (C-S-C); and

WHEREAS, on November 7, 2016, BE Bowie LLC filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-16028 for Bowie Marketplace 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 January 26, 2017, 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 January 26, 2017, 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 Preliminary Plan of Subdivision 4-16028, Bowie Marketplace, for one parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:
  - a. Remove Development standards.
  - b. Remove FAR and asterisk information, not required in CSC Zone.
  - c. Revise the DU's proposed under site data to reflect 225 and correct GFA.
  - d. Revise General Note 4 to reflect proposed 225 DU's and existing 100,050 GFA
  - e. Revise Note 23 that Density "not applicable per CB-060-2015."
  - f. Add a General Note that the site is within Sustainable Growth Tier I.
  - g. Label Parcel X12 as Parcel X13.
2. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement along all public rights-of-way.



3. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
4. Prior to signature approval of the preliminary plan of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall submit two copies of an approved stormwater management concept plan signed by the City of Bowie and two copies of the concept approval letter. The stormwater management concept plan approval date shall be indicated on the preliminary plan and Type 1 tree conservation plan (TCP1). Any required stormwater management facilities shall be shown on the TCP1. Development shall conform to the approved stormwater management plan and any subsequent revisions.
5. Total development within proposed Parcel X-13 shall be limited to uses which generate no more than 212 AM peak-hour trips, and 495 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.
6. At the time of detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide a photometric study.
7. At the time of detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall provide crosswalks at the following locations, pedestrian crossings shall be marked by special materials or other "safe crossing" measures. Additional crosswalks and sidewalk connections may be required on-site at the time of DSP.
  - a. Crossing the drive aisle at the intersection of Superior Lane, north of the parking lot that abuts Superior Lane.
  - b. Crossing the driveway at the intersection of Superior Lane, south of the parking lot that abuts Superior Lane.
  - c. Vehicle entrances to the parking garage.
  - d. Crossing the parking lot entrance at the drive aisle on the north side of the parking lot that abuts Superior Lane.
8. At the time of detailed site plan, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:
  - a. A standard sidewalk within the subject site connecting to Sage Lane.
  - b. A standard sidewalk within the public right-of-way along Superior Lane, subject to modifications by the City of Bowie. If frontage improvements preclude its location within the public right-of-way, it should be located on-site within a public use easement.



- c. Short- and long-term bicycle parking, which shall include the following:
  - (1) Inverted “U-shape” bicycle racks for short-term outdoor bicycle parking for use by visitors.
  - (2) Inverted “U-shape” bicycle racks in an enclosure accessible to residents only, inside the parking garage for long-term bicycle parking for use by residents.
- 9. The applicant and the applicant’s heirs, successors, and/or assignees shall provide private on-site recreational facilities in accordance with the *Park and Recreation Facilities Guidelines*. At the time of DSP, the type and siting of the facilities shall be determined including appropriate triggers for construction.
- 10. The applicant and the applicant’s heirs, successors, and/or assignees shall submit three (3) original Recreational Facilities Agreements (RFA) to DRD for construction of recreational facilities on site for approval prior to the submission of final plats. Upon approval by the DRD, the RFA shall be recorded among the County Land Records.
- 11. The applicant and the applicant’s heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on site prior to the issuance of building permits.

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 on Tax Map 38, Grid B-4 and is known as Parcel X-12 located within the City of Bowie. The property is located in the Commercial Shopping Center (C-S-C) Zone and has a gross tract area of 10.54 acres. There are no sensitive environmental features that exist on the property. The property has approximately 590.85 ± linear feet of street frontage on Superior Lane along the northeast side of the property and Sage Lane stubs up to the southwest corner of the property. Both streets are 60-foot-wide rights-of-way that are maintained by the City of Bowie. A Final Plat of Subdivision was recorded for the property on September 12, 2016 as SJH 245@55.

The applicant is proposing to retain the parcel within its original boundary configuration and acreage, and is proposing the development of a multifamily residential building with 225 dwelling units and a parking garage. The application initially proposed the development of a multifamily residential building with 288 units. However, the Bowie City Council conducted a public hearing on the application and voted to approve the application on January 3, 2017. The City has indicated that the approval, among other conditions, is subject to a reduction in the number of units from

288 to 225 units and that the southern elevation of the building adjacent to the existing single-family dwellings to the south not to exceed three stories in appearance and that the northern elevation of the building not exceed 4 stories in appearance. On January 6, 2017, the applicant submitted a letter to the Subdivision Section (M-NCPPC) requesting that the PPS be analyzed for a maximum of 225 residential-units so that it is consistent with the conditions of the Bowie City Council. The applicant further stated that these changes will not affect the placement or footprint of the proposed building as shown on the submitted plans. Review of the building architecture including landscaping and parking will be reviewed with a detailed site plan. The purpose of this preliminary plan of subdivision (PPS) is to review the site for adequate public facilities in accordance with the Subdivision Regulations Subtitle 24 and is not to approve the building architecture and placement.

On November 3, 2015, County Council Bill CB-60-2015 (DR-2) was adopted by the District Council, which amended the commercial use tables provided in Section 27-461(b)(6) of the Zoning Ordinance, to allow a multifamily project in the C-S-C Zone, provided that it is subject to a detailed site plan (DSP) approval process, and provided that the property is within a mixed-use activity center designated within the applicable master plan for the area of the subject property approved prior to March 1, 2006. The legislation did not establish a maximum or minimum density. The subject property is located within the Bowie Main Street Mixed-Use Activity Center as designated by the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* (Bowie and Vicinity Master Plan and SMA).

The proposed multifamily building with 225 dwelling-units will share a parcel (existing X-12) with 100,050 square feet of commercial/retail development that currently exists and is to remain. The relationship between the proposed multifamily building and the adjacent commercial/retail and single-family uses, as well as architecture, lighting, signage, and on-site private recreation facilities will be addressed in detail at the time of DSP. Direct vehicular access to a public street for the site will be from Superior Lane and Sage Lane, two dedicated public rights-of-way maintained by the City of Bowie.

3. **Setting**—The property is located at 3206 Superior Lane, approximately 720 feet south of its intersection with Annapolis Road (MD 450). The site is bounded to the north by retail and service uses within the Bowie Marketplace development in the C-S-C Zone; to the south by Sage Lane and existing single-family detached dwellings in the R-55 Zone; to the east by Superior Lane, and beyond the Superior Office Park Condominiums and the Belair Shopping Center in the C-S-C and R-55 Zones; and to the west by the City of Bowie Community Center in the C-S-C Zone and Acorn Hill Park in the R-55 Zone.
4. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.



| Zone<br>Use(s)  | EXISTING                                                | APPROVED                                                                  |
|-----------------|---------------------------------------------------------|---------------------------------------------------------------------------|
|                 | C-S-C<br>Commercial/Retail<br>100,050 sq. ft. to remain | C-S-C<br>Commercial/Retail (100,050<br>sq. ft.) & Multifamily (225 Units) |
| Acreage         | 10.54                                                   | 10.54                                                                     |
| Parcels         | 1                                                       | 1                                                                         |
| Lots            | 0                                                       | 0                                                                         |
| Dwelling Units: |                                                         |                                                                           |
| Multifamily     | 0                                                       | 225                                                                       |
| Variance        | No                                                      | No                                                                        |
| Variation       | No                                                      | No                                                                        |

Pursuant to Section 24-113 of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on November 18, 2016.

5. **Environmental**—The Environmental Planning Section has reviewed the PPS, 4-16028, received on November 16, 2016, and January 5, 2016.

#### **Background**

The Environmental Planning Section has previously reviewed the site for a Natural Resources Inventory Equivalency Letter (NRI-007-17), which was issued on January 9, 2017, and a Standard Letter of Exemption (S-007-17) which was issued on January 9, 2017.

#### **Grandfathering**

The project is subject to the environmental regulations contained in Subtitles 24, 25 and 27 that came into effect on September 1, 2010 because the application is for a new PPS.

#### **Site Description**

The 10.54-acre site is located on the south side of Annapolis Road approximately 720 feet south its intersection with Superior Lane. Based on available mapping information the site does not contain any regulated environmental features such as streams, wetlands, or 100-year floodplain. The site is located in the Patuxent River Basin. The County's Department of the Environment (DoE) watershed mapping shows the site located within the Middle Patuxent sub-watershed. The Maryland Department of Natural Resources (DNR) shows the site mapped in two different 12-digit sub-watersheds (021311040936 and 021311040935); both are labeled as Upper Patuxent sub-watersheds. The northern 12-digit watershed (021311040936) is also designated by the State as a Stronghold Watershed. The predominant soils found to occur according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include the Urban land-Collington-Wist complex, and the Collington-Wist-Urban land complex. Based on available information, Marlboro clay and Christiana clay are not found to occur in the vicinity of this property. The Marketplace shopping center, which this application is a part of, fronts on Annapolis Road (MD 450), which is a Master Plan of Transportation designated arterial roadway that is regulated for noise. Annapolis Road is also a designated historic roadway but is



outside the limit of this PPS. According to available information from the Maryland Department of Natural Resources Natural Heritage Program, rare, threatened and endangered species are not found to occur in the vicinity of the site. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains no Regulated Areas, Evaluation Areas or Network Gaps. The site is located within the Established Communities of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*.

#### **Conformance with the 2010 Approved Water Resources Functional Master Plan**

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection and preservation of drinking water, stormwater, and wastewater systems within the county, on a county wide level. These policies are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, County ordinances for stormwater management, floodplain and woodland conservation, and programs implemented by the Prince George's County Department of Permitting, Inspections and Enforcement, Prince George's County Department of Health, Prince George's County Department of the Environment, Prince George's Soil Conservation District, Maryland-National Park and Planning Commission and Washington Suburban and Sewer and Sanitary Commission are also deemed to be consistent with this master plan.

#### **Master Plan Conformance**

The master plan for this area is in the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity*. In the 2006 Bowie and Vicinity Master Plan and SMA, the Environmental Infrastructure section contains goals, policies and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

**Policy 1: Protect, preserve and enhance the identified 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.**

Conformance with the Green Infrastructure Plan is further addressed below.

- 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.**

No primary or secondary corridors are located on or near the site.

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.**

This site is not located in the vicinity of any identified Special Conservation Area.

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.**

No public ownership is proposed for this site.

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

**Strategies:**

1. **Implement the strategies contained in the Western Branch Watershed Restoration Action Strategy (WRAS).**
2. **Add identified mitigation strategies from the Western Branch WRAS to the countywide database of mitigation sites.**
3. **Encourage the location of necessary off-site mitigation for wetlands, streams, and woodlands within sites identified in the Western Branch WRAS and within sensitive areas that are not currently wooded.**

This site is not located in the Western Branch Watershed Restoration Action Strategy area.

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

The City of Bowie has approval authority for the Stormwater Management Concept plan. A letter dated December 30, 2016, directed to the City of Bowie, from Frederick Ward, Associates who is a third-party reviewer, was submitted recommending that the Stormwater Management plan be approved. The plan shows numerous micro-bioretenion

facilities on-site to meet the current requirements of Environmental Site Design to the Maximum Extent Practicable (ESD to the MEP).

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.**

No streams will be directly impacted by the proposal. The Stormwater Management Concept plan shows stormwater to be treated on-site with numerous micro-bioretenion facilities.

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

The use of native species for on-site planting should be encouraged to reduce water consumption and the need for fertilizers or chemical applications.

7. **Minimize the number of parking spaces and provide for alternative parking methods that reduce the area of impervious surfaces.**

A parking garage is being proposed, and will be further reviewed with the DSP.

8. **Reduce the area of impervious surfaces during redevelopment projects.**

A slight reduction in overall impervious surfaces is shown on the stormwater concept plan.

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

#### **Strategies**

1. **Encourage the planting of trees in developed areas and established communities to increase the overall tree cover.**
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.**
3. **Establish street trees in planting strips designed to promote long-term growth and increase tree cover.**
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.**



This is a proposed redevelopment site. Street trees will be provided in accordance with the operating agency's standards at the time of permitting for any frontage improvements required. Landscaping materials will be required in accordance with the 2010 *Prince George's County Landscape Manual* and the Tree Canopy Cover requirements will be evaluated at time of DSP.

**Policy 4: Reduce overall energy consumption and implement more environmentally sensitive building techniques.**

**Strategies:**

1. **Encourage the use of green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies.**
2. **Encourage the use of alternative energy sources such as solar, wind, and hydrogen power. Provide public examples of uses of alternative energy sources.**

The use of green building techniques and energy conservation techniques is encouraged as appropriate, and incorporated into the review of the DSP.

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

The minimization of light intrusion from this site onto the adjacent single-family residences to the south is an important element to ensure that the impacts are minimized. The use of alternative lighting technologies and the limiting of total light output should be demonstrated at time of DSP. Full cut-off optic light fixtures should be used and is recommended.

**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.**
2. **Provide adequate setbacks for projects located adjacent to existing and proposed noise generators.**
3. **Provide the use of approved attenuation measures when noise issues are identified.**

The abutting Marketplace property to the north fronts on Annapolis Road (MD 450) which is a Master Plan of Transportation designated Arterial roadway that is regulated for noise. The proposed use is multifamily residential and located on a separate parcel, which does not have frontage on MD 450. The submitted plan does not show the location of the unmitigated 65 dBA Ldn noise contour. However, according to the Environmental Planning Section's noise model, the unmitigated 65 dBA Ldn noise contour is located approximately 91 feet from the centerline of Annapolis Road. The plans show the proposed residential development well over 500 feet from the centerline of Annapolis Road. No additional information is required regarding noise.

**Policy 7: Protect wellhead areas of public wells.**

**Strategies:**

1. **Retain land uses that currently exist within the wellhead areas of existing public wells.**
2. **Continue monitoring water quality.**
3. **Consider the development of alternative public water provision strategies, such as public water connections, to eventually eliminate public wells.**

This site is not located within a wellhead protection area.

**Conformance with the 2005 Approved Countywide Green Infrastructure Plan,**

The 2005 *Approved Countywide Green Infrastructure Plan* indicates that no portion of the property is within the designated network.



### **Natural Resources Inventory**

A signed Natural Resources Inventory Equivalency Letter (NRI-007-17), which was issued on January 9, 2017, was submitted with this application. No additional information is required with regard to the NRI.

### **Woodland Conservation**

The site is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property contains less than 10,000 square feet of woodland onsite, and has no previous Tree Conservation Plan (TCP) approvals. A standard letter of exemption from the Prince George's County Woodland Conservation Ordinance was originally issued for the overall site (S-040-15). A new exemption letter (S-007-17) was issued for the current application and expires January 9, 2019. No additional information is required regarding woodland conservation.

### **Preservation of Regulated Environmental Features/Primary Management Area**

Section 24-130(b)(5) of the Subdivision Regulations, requires subdivision applications to demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. There are no regulated environmental features on the subject property; therefore, no Primary Management Area is located on the subject property and no findings with regard to Section 24-130(b)(5) are required. No additional information is needed for conformance with Section 24-130(b)(5).

### **Special Roadway**

The Marketplace shopping center site which this property is a part of fronts on Annapolis Road (MD 450) which is a designated historic roadway. Any improvements within the right-of-way of an historic road are subject to approval by the DPW&T under the Design Guidelines and Standards for Scenic and Historic Roads. Any frontage improvements will be required to comply with requirements of the *Landscape Manual*, Section 4.6 for buffering development from special roadways.

6. **Community Planning**—This site is located within a designated Established Community growth policy area. Plan Prince George's 2035 describes Established Communities as areas appropriate for context-sensitive infill and low to medium-density development and recommends maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of existing residents are met. This application is consistent with *Plan Prince George's 2035 Approved General Plan* policies for an Established Community.

The subject application is located in Planning Area 71B within the City of Bowie, and within the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity*. The 2006 Approved Bowie and Vicinity Master Plan and SMA retained the subject property within the C-S-C Zone. The subject property is located within the Bowie Main Street Mixed-Use Activity Center (Activity Center) which covers 76.01 acres on both the north and south side of MD 450. "The vision for the Activity Center is an active, lively place with pedestrian-friendly streetscapes designed for residents, workers, and shoppers, set amid high quality, attractive commercial,



residential, civic, institutional, and recreational uses.” This application is consistent with the 2006 Bowie and Vicinity Master Plan’s policies for the Activity Center by introducing residential, provided for by the action of the District Council in the adoption of County Council Bill CB-060-2015, as discussed further.

The residential land use proposed by this application is consistent with the Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity (The Master Plan). The Marketplace Shopping Center (20.55 acres) has been partially vacant for almost 20 years. A portion of the Marketplace Shopping Center was recently re-developed with new commercial uses.

This application seeks to further transform the shopping center into a mixed-use development by adding a 225-unit multifamily building. The proposed development is located within the Activity Center (Land Use Map 3 page 184), on an existing parcel that is 10.54 acres. The 10.54 acres is a part of a “lot” made up of 9 record parcels. The “lot” is defined by the Zoning Ordinance as one or more record lots to be built on as a unit (27-107.01)(129)).

**Lot:** A designated area of land to be used, developed, or built upon as a unit (in accordance with this Subtitle), and having the minimum contiguous area required for a “Lot” in the applicable zone and frontage on a public “Street,” or private road, right-of-way, or easement approved in accordance with Subtitle 24. A “Lot” shall be made up of one (1) or more entire “Record Lots.”

This is a critical portion of the Marketplace Shopping Center’s efforts to transform the 20.55-acre site (lot), which is developed as a uniformed commercial shopping center. The addition of the multifamily development pursuant to CB-60-2015 supports the mixed-use land use recommendations of the master plan. Page 22 of the master plan states *“An Opportunity exists for the future redevelopment of these centers with a mix of retail, office, and medium density residential uses.”*

While there are no densities required for residential land uses in the C-S C Zone, for purposes of this application, the Prince George’s County Zoning Ordinance identifies medium density in the R-18 Zone as a residential mid-rise apartment (four stories or more) at a maximum density of 20 dwelling units per acre. Based on the density calculation using the acreage of the Marketplace Shopping Center “the lot” (20.55 acres), the proposed density is 10.94 dwelling units per acre which is within the medium density range. This application contributes to the vision of the Activity Center and clearly seeks to create a mixed-use center with medium density residential uses. The applicant filed the PPS on only a portion of the site, although they may have filed it on the entire 20.55-acre site, but was not necessary. The concept for mixed use applies to the overall Activity Center.

The residential land use proposed with this application is consistent with the Bowie and Vicinity Master Plan and SMA. The overall Activity Center includes property on both the north and south sides of MD 450, and in the northwest quadrant of the intersection of MD 450 and Race Track



Road and totals 76.01 acres. The subject application (10.54 acres) includes only a portion of the Activity Center that is located on the south side of MD 450 (29.23 acres). The remainder of this portion of the activity center (Marketplace Shopping Center) is currently developed with commercial land uses. Therefore, the addition of the residential land use pursuant to CB-60-2015 (225 multifamily dwelling units) in fact furthers the mixed-use land use recommendations of the master plan. While there are no densities required in the C-S-C Zone for multifamily for purposes of master plan conformance the activity center densities would not be inconsistent with the medium to high-density land uses recommendations.

The Bowie and Vicinity Master Plan identifies goals, policies, and strategies, which recommend protection of the character of existing residential neighborhoods (page 23 and 25) and particularly in this case recommend the consideration of a “transition in building density and intensity from more intense uses located at the “core” of Bowie Main Street along MD 450 to less intense uses along the “edge” adjacent to residential neighborhoods” (page 25). The application is consistent with this recommendation by proposing the residential portion of the mixed use adjacent to the southern edge of the Activity Center abutting the single-family neighborhood to the south. This then provides a transition from MD 450 where there is commercial land uses to the multifamily residential at the southern edge of the Activity Center abutting single-family dwellings to the south. Thru the detailed site plan the best approach to the “transition” of the land uses can be further evaluated with review of the height, massing, and scale of the proposed multifamily building, as further discussed in the Urban Design Finding.

7. **Parks and Recreation**—The Department of Parks and Recreation (DPR) has reviewed and evaluated the PPS application for conformance to the requirements and regulations of the Bowie and Vicinity Master Plan and SMA, the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space, and the Subdivision Regulations (Subtitle 24) as they pertain to public parks and recreation. The subject property is adjacent to the existing Bowie Community Center to the west, which is owned by the City of Bowie and being operated by the Maryland-National Capital Park and Planning Commission (M-NCPPC). The subject property is located within the C-S-C (Commercial Shopping Center) Zone where multifamily use is permitted subject to approval of a Detailed Site Plan (DSP).

The current development proposal is for 225 multifamily units. This total number of residential dwelling units will generate approximately 540 residents. Pursuant to the mandatory dedication requirements of Section 24-134(a)(1) of the Subdivision Regulations, the residential portion of this subdivision is subject to dedication of 1.58 acres of land to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for public parks. However, due to the nature of the development, and land area available for dedication, Mandatory Dedication of park land would not provide the most public benefits to the current park system. The Department of Parks and Recreation finds that the recreational needs of the future residents would be best served by the provision of private on-site recreational facilities to meet the requirements of Section 24-135(b).



8. **Trails**—The PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* (Area Master Plan) in order to implement planned trails, bikeways, and pedestrian improvements.

| Type of Master Plan Bikeway or Trail |          |                  |          |
|--------------------------------------|----------|------------------|----------|
| Municipal                            | <u>X</u> | Public Use Trail |          |
| R.O.W.*                              | _____    | Easement         | _____    |
| PAGE Co.                             | _____    | Nature Trails    | _____    |
| R.O.W.*                              | _____    |                  | _____    |
| SHA R.O.W.*                          | _____    | M-NCPPC – Parks  | _____    |
| HOA                                  | _____    | Bicycle Parking  | <u>X</u> |
| Sidewalks                            | <u>X</u> | Trail Access     | _____    |

\*If a Master Plan Trail is within a city, County, or state right-of-way, an additional two - four feet of dedication may be required to accommodate construction of the trail. No additional right-of-way dedication will be required for the subject property. The required right-of-way was previously dedicated on September 12, 2016 per the recordation of Final Plat of Subdivision SJH 245@55.

#### **Background**

The subject application proposes a single parcel for a 225-unit multifamily building with a parking garage, surface parking, and stormwater management features. The site is located in the C-S-C (Commercial Shopping Center) Zone but it is not within a center or corridor and is not subject to Section 24-124.01, Adequate Public Pedestrian and Bike Facilities.

The site is on the southern side of the Bowie Marketplace. The site has road frontage along Superior Lane and Sage Lane. There are existing single-family homes to the south of subject property. The Bowie Marketplace, including a supermarket, is directly north of the proposed building. Annapolis Road (MD 450) is approximately 750 feet north of the subject site.

#### **Review Comments (Plan Compliance)**

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) includes three bicycle facilities in the vicinity but not abutting the subject site; an existing side path along the north side of MD 450, a planned shared roadway along Stonybrook Drive, and a planned hard surface trail through White Marsh Park, approximately 1,000 feet southeast of the subject site.

The MPOT includes several policies related to pedestrian access and the provision of sidewalks. The Complete Streets section includes the following policies regarding sidewalk construction and the accommodation of pedestrians and provision of complete streets (MPOT, page 10):

**Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**



**Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

The PPS does not include frontage along any of the MPOT facilities in the vicinity of the subject site. No additional right-of-way dedication is necessary for the MPOT planned bicycle facilities. However, it is recommended that short- and long-term bicycle parking be provided on site at the time of DSP. The submitted PPS includes an exhibit which indicates sidewalks along Superior and Sage Lanes as well as along the north side of the building. There are breaks in the sidewalk along the vehicle entrances to the parking garage. At the time of DSP, crosswalks should be placed at the entrances to the parking garage for an uninterrupted pedestrian walkway on site.

The 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* includes the following goals and policies related to multimodal transportation (Area Master Plan, page 50):

**Goal: Provide a safe, affordable, and efficient multimodal transportation system that improves access within neighborhoods, communities, and the region.**

**Policy 2: Incorporate appropriate pedestrian-oriented development (POD) features in all new development and improve pedestrian safety in existing development.**

The street crossings should be marked by special materials or other “safe crossing” measures at intersections. In addition, the applicant should provide pedestrian crosswalks for crossing the drive aisle at the Superior Lane intersection and six-foot-wide sidewalks connecting civic and public spaces, nearby parkland, and adjacent residential neighborhoods.

9. **Transportation**—The applicant is proposing to add 225 multifamily-dwelling units to a parcel (10.54 acres) within a site containing an existing commercial shopping center (20.55 acres) pursuant to County Council Bill CB-60-2015.

#### **Analysis of Traffic Impacts**

##### **Trip Generation:**

The application is a PPS for a mixed-use subdivision. It needs to be noted that the use quantities are greater in the traffic study, (300 versus 225 multifamily residences, and 135,000 versus 134,992 square feet of retail) than what is reflected on the PPS because this PPS is a part of the overall shopping center. Also, by letter dated January 6, 2017, the applicant reduced the quantity in the proposal from 288 to 225 multifamily residences. The retail quantity of 135,000 square feet will be used, for the overall shopping center and the residential quantity provided in the applicant’s letter (225 multifamily residences) will be used. The table below summarizes trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site, (20.55), which is then broken down further for the subject PPS:



| Trip Generation Summary, 4-16028, Bowie Marketplace |              |             |              |            |            |              |            |            |
|-----------------------------------------------------|--------------|-------------|--------------|------------|------------|--------------|------------|------------|
| Land Use                                            | Use Quantity | Metric      | AM Peak Hour |            |            | PM Peak Hour |            |            |
|                                                     |              |             | In           | Out        | Tot        | In           | Out        | Tot        |
| Retail                                              | 135,000      | square feet | 116          | 71         | 187        | 352          | 381        | 733        |
| Less Pass-By (40 percent AM and PM)                 |              |             | -47          | -28        | -75        | -141         | -152       | -293       |
| Net Retail Trips                                    |              |             | 69           | 43         | 112        | 211          | 229        | 440        |
| Multifamily Residences                              | 225          | residences  | 23           | 95         | 118        | 88           | 47         | 135        |
| <b>Total Trips Utilized in Analysis</b>             |              |             | <b>92</b>    | <b>138</b> | <b>230</b> | <b>299</b>   | <b>276</b> | <b>575</b> |

The traffic generated by the PPS would impact the following intersections, interchanges, and links in the transportation system:

- MD 450 and Belair Drive
- MD 450 and Stonybrook Drive/Millstream Drive
- MD 450 and Superior Lane
- Stonybrook Drive and Sage Lane
- Stonybrook Drive and Superior Lane
- MD 450 and western site access
- MD 450 and eastern site access
- Stonybrook Drive and northern site access
- Stonybrook Drive and southern site access
- Superior Lane and site access

The application is supported by a traffic study dated March 2016 using counts dated January 2016. The study was provided by the applicant and referred to the Maryland State Highway Administration (SHA) and the County Department of Public Works and Transportation (DPW&T), the County Department of Permitting, Inspections and Enforcement (DPIE), and the City of Bowie. Comments from the County and the State have been received. Comments from the City of Bowie are contained in the City's staff report to the Bowie Advisory Planning Board, and the City's official position will become part of the record for this case.

#### **Existing Traffic:**

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

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



**Unsignalized intersections:** The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. Once the CLV exceeds 1,150, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The following critical intersections, interchanges and links identified above, when analyzed with existing traffic using counts taken in January 2016 and existing lane configurations, operate as follows:

| EXISTING TRAFFIC CONDITIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                        |       |                                    |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------|------------------------------------|----|
| Intersection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Critical Lane Volume<br>(CLV, AM & PM) |       | Level of Service<br>(LOS, AM & PM) |    |
| MD 450 and Belair Drive                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 701                                    | 721   | A                                  | A  |
| MD 450 and Stonybrook Drive/Millstream Drive                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 526                                    | 823   | A                                  | A  |
| MD 450 and Superior Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 424                                    | 888   | A                                  | A  |
| Stonybrook Drive and Sage Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 9.5*                                   | 10.6* | --                                 | -- |
| Stonybrook Drive and Superior Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 12.6*                                  | 22.3* | --                                 | -- |
| *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 <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy. |                                        |       |                                    |    |

#### Background Traffic:

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation "Consolidated Transportation Program" or the Prince George's County "Capital Improvement Program." Background traffic has been developed for the study area using two approved but unbuilt developments within the study area. One of these developments is the underlying shopping center, which was under construction at the time that traffic counts were done. The shopping center was included in background as a 250,000-square-foot shopping center (this includes the entire 20.55-acre Bowie Marketplace site). This size has been confirmed as the square footage of the mall that was once on this site. A 1.0 percent annual growth rate for a period of six years has been assumed. The critical intersections (along with all site access points), when analyzed with background traffic and existing lane configurations, operate as follows:



| BACKGROUND TRAFFIC CONDITIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                        |       |                                    |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------|------------------------------------|----|
| Intersection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Critical Lane Volume<br>(CLV, AM & PM) |       | Level of Service<br>(LOS, AM & PM) |    |
| MD 450 and Belair Drive                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 823                                    | 721   | A                                  | A  |
| MD 450 and Stonybrook Drive/Millstream Drive                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 608                                    | 823   | A                                  | A  |
| MD 450 and Superior Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 552                                    | 888   | A                                  | A  |
| Stonybrook Drive and Sage Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 9.7*                                   | 11.5* | --                                 | -- |
| Stonybrook Drive and Superior Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 14.3*                                  | 55.3* | --                                 | -- |
| MD 450 and western site access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 11.5*                                  | 15.3* | --                                 | -- |
| MD 450 and eastern site access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 11.6*                                  | 18.4* | --                                 | -- |
| Stonybrook Drive and site access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 10.1*                                  | 19.4* | --                                 | -- |
| Superior Lane and northern site access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 10.8*                                  | 16.6* | --                                 | -- |
| Superior Lane and southern site access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 14.4*                                  | 12.7* | --                                 | -- |
| *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 <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy. |                                        |       |                                    |    |

**Total Traffic:**

Under total traffic, the 250,000-square-foot shopping center that was assumed as Background is replaced with the proposed 225 residences and 135,000-square-foot shopping center. The following critical intersections, interchanges and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the "Transportation Review Guidelines," including the site trip generation as described above, operate as follows:



| TOTAL TRAFFIC CONDITIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                        |       |                                    |        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------|------------------------------------|--------|
| Intersection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Critical Lane Volume<br>(CLV, AM & PM) |       | Level of Service<br>(LOS, AM & PM) |        |
| MD 450 and Belair Drive                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 848                                    | 721   | A                                  | A      |
| MD 450 and Stonybrook Drive/Millstream Drive                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 661                                    | 823   | A                                  | A      |
| MD 450 and Superior Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 552                                    | 888   | A                                  | A      |
| Stonybrook Drive and Sage Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 10.7*                                  | 11.2* | --                                 | --     |
| Stonybrook Drive and Superior Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                        |       |                                    |        |
| Maximum Vehicle Delay (seconds)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 14.8*                                  | 52.5* | OK                                 | Not OK |
| Minor Street Approach Volume                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | --                                     | 333** | --                                 | Not OK |
| Critical Lane Volume                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | --                                     | 1,060 | --                                 | OK     |
| MD 450 and western site access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 11.5*                                  | 15.1* | --                                 | --     |
| MD 450 and eastern site access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 11.7*                                  | 17.2* | --                                 | --     |
| Stonybrook Drive and site access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 10.5*                                  | 14.9* | --                                 | --     |
| Superior Lane and northern site access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 10.7*                                  | 15.7* | --                                 | --     |
| Superior Lane and southern site access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 10.3*                                  | 13.7* | --                                 | --     |
| <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. Per the <i>Guidelines</i>, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.</p> <p>**The second step of analyzing unsignalized intersections is to compute the maximum minor street approach volume. Traffic volumes of 100 vehicles or less are deemed to be acceptable because, outside of exceptional conditions, such an intersection will never warrant a signal.</p> |                                        |       |                                    |        |

It is found that all critical intersections operate acceptably under total traffic in both peak hours. The trip cap is a slightly complex issue. While all of the multifamily residences are proposed within a single building on the proposed subject parcel (Parcel X-12), the retail is only partially (100,050 square feet) on Parcel X-12 and is partially on the other parcels (34,900 square feet) that encompass the 20.55-acre Bowie Marketplace site (Parcels X-1, X-2, X-3, X-6, X-7, X-8, X-10, and X-11). The traffic study is conducted with the assumption of 135,000 square feet of retail space, but only 100,050 square feet is located on Parcel X-12, with the remainder located on the other eight existing parcels. Because the PPS can only recommend a trip cap for the proposed Parcel X-12 (because that is the only parcel included in the subdivision), the trip generation summary will be recomputed to determine a trip cap:



| <b>Trip Generation Summary, 4-16028, Parcel X-12 of Bowie Marketplace</b> |                     |               |                     |            |            |                     |            |            |
|---------------------------------------------------------------------------|---------------------|---------------|---------------------|------------|------------|---------------------|------------|------------|
| <b>Land Use</b>                                                           | <b>Use Quantity</b> | <b>Metric</b> | <b>AM Peak Hour</b> |            |            | <b>PM Peak Hour</b> |            |            |
|                                                                           |                     |               | <b>In</b>           | <b>Out</b> | <b>Tot</b> | <b>In</b>           | <b>Out</b> | <b>Tot</b> |
| Retail                                                                    | 100,050             | square feet   | 97                  | 59         | 156        | 288                 | 311        | 599        |
| Less Pass-By (40 percent AM and PM)                                       |                     |               | -39                 | -23        | -62        | -115                | -124       | -239       |
| Net Retail Trips                                                          |                     |               | 58                  | 36         | 94         | 173                 | 187        | 360        |
| Multifamily Residences                                                    | 225                 | Residences    | 23                  | 95         | 118        | 88                  | 47         | 135        |
| <b>Total Trips Utilized in Analysis</b>                                   |                     |               | <b>81</b>           | <b>131</b> | <b>212</b> | <b>261</b>          | <b>234</b> | <b>495</b> |

For proposed Parcel X-12, a trip cap of 212 AM and 495 PM peak-hour trips has been established by the Planning Board.

#### **Agency Comments**

The traffic impact study was forwarded to the County and SHA for comment. The County offered no comments. SHA offered the following two comments:

- a. SHA indicates that the traffic volumes at the site access points along MD 450 do not equal the flow of traffic to/from the MD 450/Superior Lane intersection. In truth, these flows should not be equal because there are driveways between the site access points and the intersection.
- b. It is noted that the Background analyses for the two site access points along Superior Lane did not transcribe volumes correctly from the count sheets. This has been checked, and the changes would not affect the conclusions.

The traffic study was also referred to the City of Bowie. No comments were received from the City. It is noted, that the trip cap recommendation is based on the reduced total dwelling units proposed by the applicant of 225, from the original 288.

#### **Plan Comments**

Access and circulation is acceptable. The existing parcel as a part of the Shopping Center "lot" and shares existing cross vehicular access easement throughout the site pursuant to Section 24-128(b)(9) of the Subdivision Regulations which is acceptable and is in fact secondary to the ability for direct vehicular access to dedicated public streets along the sites frontage of Superior Lane and Sage Lane.

The site is not within or adjacent to any master planned transportation facilities.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Subdivision Regulations.



10. **Schools—Residential Use**

The Special Projects Section has reviewed the PPS for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003 and concluded the following:

**Impact on Affected Public School Clusters  
Multifamily Units**

| Affected School Clusters<br># | Elementary<br>School Cluster 4 | Middle School<br>Cluster 4 | High School<br>Cluster 4 |
|-------------------------------|--------------------------------|----------------------------|--------------------------|
| Dwelling Units                | 225 DU                         | 225 DU                     | 225 DU                   |
| Pupil Yield Factor            | 0.119                          | 0.054                      | 0.074                    |
| Subdivision Enrollment        | 27                             | 12                         | 17                       |
| Actual Enrollment             | 11,626                         | 4,454                      | 8,008                    |
| Total Enrollment              | 11,653                         | 4,466                      | 8,025                    |
| State Rated Capacity          | 14,216                         | 5,518                      | 9,389                    |
| Percent Capacity              | 82%                            | 81%                        | 85%                      |

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between Interstate 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$9,017 and \$15,458 to be paid at the time of issuance of each building permit.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved transit district overlay zone; or where there is no approved transit district overlay zone within a one-quarter mile of a Metro station; or within the Bowie State MARC Station Community Center Designation Area, as defined in the 2010 *Approved Bowie State Marc Station Sector Plan and Sectional Map Amendment*. The bill also established an exemption for studio or efficiency apartments that are located within the county urban centers and corridors as defined in §27A-106 of the County Code; within an approved Transit District Overlay Zone; or where there is no approved transit district overlay zone then within one-quarter mile of a Metro station. This act is in effect from October 1, 2013 through September 30, 2018.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

**Schools—Nonresidential Use**

The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002) and concluded that the subdivision is exempt from a review for schools because it is a nonresidential use.



11. **Fire and Rescue--(Residential and Nonresidential)**—The Special Projects Section has reviewed the PPS for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

Section 24-122.01(e) (1) (E) states that “A statement by the Fire Chief that the response time for the first due station near the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month”.

The proposed project is served by Bowie Fire/EMS Co. 839, a first due response station (a maximum of seven (7) minutes travel time), is located at 15454 Annapolis Road.

“In the Fire/EMS Department’s Statement of Adequate Apparatus, as of July 15, 2016, the Department states they have developed an apparatus replacement program to meet all the service delivery needs of the County.”

**Capital Improvement Program (CIP)**

The Prince George’s County FY 2016-2021 Approved CIP provides funding to complete a major renovation of the existing station constructed in 1957.

12. **Police Facilities--Residential**—The subject property is in Police District II, Bowie. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The PPS was accepted for processing by the Planning Department on November 7, 2016.

| Reporting Cycle              | Previous 12 Month Cycle | Emergency Calls | Nonemergency Calls |
|------------------------------|-------------------------|-----------------|--------------------|
| Acceptance Date<br>11/7/2016 | 12/2015-1/2015          | 8 minutes       | 13 minutes         |
| Cycle 1                      |                         |                 |                    |
| Cycle 2                      |                         |                 |                    |
| Cycle 3                      |                         |                 |                    |

Based on the most recent available information as of December 2015, police response times, the response time standards of 10 minutes for emergency calls and the 25 minutes for nonemergency calls were met on November 15, 2016.

**Police Facilities--Nonresidential**

The proposed development is within the service area of Police District II, Bowie. There is 267,660 square feet of space in all the facilities used by the Prince George’s County Police Department and the July 1, 2015 (U.S. Census Bureau) county population estimate is 909,535. Using 141 square feet per 1,000 residents, it calculates to 128,244 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.



13. **Water and Sewer Categories**—Section 24-122.01(b)(1) states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The 2008 *Water and Sewer Plan* placed this property in Water and Sewer Categories 3, Community System Adequate for Development Planning, and will therefore be served by public systems. The property is within Tier 1 under the Sustainable Growth Act, and will therefore be served by public systems.
14. **Use Conversion**—The subject application is proposing the development of 225 multifamily-dwelling units and 100,050 square feet of commercial/retail space. If a substantial revision to the use on the subject property is proposed that affects Subtitle 24 adequacy and findings as set forth in the resolution of approval, a new preliminary plan of subdivision shall be required prior to approval of any building permits.
15. **Public Utility Easement (PUE)**—Section 24-122 of the Subdivision Regulations requires a public utility easement (PUE) along both sides of all public rights-of-way, and the applicant is not proposing any private streets. The property’s street frontage is along Superior Lane and Sage Lane both public rights-of-way, and the applicant has provided the required public utility easement along their side of the public streets.

In accordance with the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the owner’s dedication on the final plat:

“Utility easements are granted pursuant to the terms and provisions recorded among the Prince Georges County Land Records of Prince George’s County in Liber 3703 at Folio 748.”

16. **Stormwater Management**—Based on available mapping information the site does not contain any regulated environmental features such as streams, wetlands, or 100-year floodplain. The site is located in the Patuxent River Basin. The County’s Department of the Environment (DoE) watershed mapping shows the site located within the Middle Patuxent sub-watershed. The Maryland Department of Natural Resources (DNR) shows the site mapped in two different 12-digit sub-watersheds (021311040936 and 021311040935); both are labeled as Upper Patuxent sub-watersheds. The northern 12-digit watershed (021311040936) is also designated by the State as a Stronghold Watershed.

The State defines stronghold watersheds as those watersheds in the state that are most important for the protection of Maryland’s aquatic biodiversity. Stronghold watersheds are the places where rare, threatened, or endangered freshwater fish, amphibians, reptiles, or mussel species have the highest numbers (abundance and number of occurrences). Special protection of these watersheds is necessary to ensure the persistence of these imperiled fauna.



Stormwater management within stronghold watersheds is important for the continued protection of such important natural resources. Drainage from the site that drains to the north of the site drains into the mapped stronghold watershed; however, the proposed development is located on the southern portion of the site which drains to the south and away from the stronghold watershed.

The plan shows numerous micro-bioretenention facilities on-site to meet the current requirements of Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP). No streams will be directly impacted by the proposal. The Stormwater Management Concept plan shows stormwater to be treated on-site with numerous micro-bioretenention facilities. No revisions are required for conformance with the Stormwater Management Concept.

The City of Bowie has approval authority for the stormwater management concept plan. A letter dated December 30, 2016 directed to the City of Bowie, from Frederick Ward Associates who is a third-party reviewer, was submitted recommending that the stormwater management plan be approved. However, a copy of the approval letter has not yet been received. The City of Bowie will review for conformance to the SWM concept plan and technical approval at the time of grading permit to ensure that development does not result in any on-site or downstream flooding, review that should be coordinated with the DSP. Development must be in conformance with that approved plan and subsequent approvals.

17. **Historic**—The subject property was previously graded in the 1960s for the Bowie Marketplace and more recently for its redevelopment. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. A Phase I archeological survey is not recommended on the subject property. This proposal will not impact any historic sites, historic resources or known archeological sites.
18. **Urban Design**—The subject PPS proposes the construction of a 225-unit multifamily-residential building with parking garage, surface parking, stormwater management and landscaping. Existing commercial development is located on site north of the proposed multifamily building.

#### **Conformance with the Zoning Ordinance**

The proposed multifamily project is permitted in the C-S-C Zone by the adoption of County Council Bill CB-60-2015 on November 3, 2015, subject to Footnote 60. Footnote 60 states that “the use is permitted subject to detailed site plan approval, provided the property is within a mixed-use activity center designated within the applicable Master Plan for the area of the subject property approved prior to March 1, 2006.” The subject application fits within this requirement.

#### **Conformance with the requirements of the 2006 Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity**

The subject project is outside the Development District Overlay Zone of the Bowie Master Plan; therefore, it is not subject to the development district overlay zone standards. Regarding the goals and aspirations of the Main Street Character Area in which it is located, as listed on Page 23 of the master plan, this application is in conformance.



**Conformance with Conditions of Prior Approvals**

The site was the subject of Alternative Compliance application AC-11014. However, this approval was issued for the commercial shopping center on the site and is inapplicable to the subject project. If Alternative Compliance from the requirements of the 2010 *Prince George's County Landscape Manual* is required, a separate application will need to be submitted.

**Conformance with the 2010 Prince George's County Landscape Manual**

The project is subject to Section 4.1, Residential Requirements, Section 4.3, Parking Lot Requirements, Section 4.4, Screening Requirements, Section 4.7, Buffering Incompatible Uses and Section 4.9, Sustainable Landscaping Requirements. Conformance with the requirements of the 2010 *Prince George's County Landscape Manual* will be reviewed at time of DSP.

**Conformance with the Tree Canopy Ordinance**

Subtitle 25-125 of the Prince George's County Code, requires projects which involve more than 5,000 square feet of land disturbance to provide a certain percentage of the area of the site in tree canopy. More particularly, projects located in the C-S-C Zone are required to provide 10 percent in tree canopy coverage. Conformance with the Tree Canopy Ordinance will be evaluated at time of DSP approval.

**Compatibility of Uses**—The proximity of the proposed multifamily residential development to the adjacent commercial development and the existing single-family detached dwellings should be carefully evaluated at the time of DSP. Service uses such as loading spaces and trash facilities located at the southern side of the commercial building should be properly screened from the views of passersby and future residents at the lower level of the building with apartment windows facing the commercial use by a masonry wall and accent plantings as space will permit. The mid-rise multifamily building should be evaluated for compatibility with single-family residences in terms of massing, bulk, fenestration, and other design elements. The mitigation, to the degree feasible, of any impact of both the proposed development on the existing neighborhood and the service areas of the existing commercial use on the proposed lower level residential uses should be established through DSP review.

Note that the applicant has stated that both uses are to remain on a single parcel, which makes Section 4.7, Buffering Incompatible Uses inapplicable. The applicant should provide a photometric study in order to evaluate possible lighting impact from the existing commercial use on the proposed and existing adjacent residential use.

19. **City of Bowie**—On January 3, 2017, the Bowie City Council conducted a public hearing on the above referenced case. The property is zoned C-S-C (Commercial Shopping Center), where the proposed multi-family use is permitted by right subject to approval of a DSP. At the public hearing the City Council voted to recommend approval of PPS 4-16028 subject to two conditions:

1. **Total development within the 10.54-acre Parcel X-12 shall be limited to uses within the C-S-C Zone that generate no more than 243 AM or 533 PM peak-hour vehicle trips. Any development with an impact beyond that**



**identified herein above shall require a revision to the Preliminary Plan with a new determination of the adequacy of transportation facilities.**

As set forth in the Transportation finding, a trip cap of 212 AM peak hour trips, and 495 PM peak hour trips in conformance with the Planning Boards Transportation *Guidelines*, has been established, which is below the trip cap recommended by the City of Bowie:

**2. Prior to the approval of a Detailed Site Plan, the following shall be demonstrated:**

- (a) A six-foot-sidewalk connection linking civic and public spaces, nearby parkland, and adjacent residential neighborhoods.**

As previously indicated, the site is not located within a center or corridor and is therefore not subject to the requirement for offsite bike and pedestrian connections (BPIS), however on-site connections should be made to property lines and development organized so as not to preclude these connections.

- (b) Street crossings marked by special materials or other "safe crossing" measures at intersections.**

As previously indicated, the site is not located within a center or corridor and is therefore not subject to the requirement for offsite bike and pedestrian connections (BPIS). However, improvements within the public ROW as part of access permits and frontage improvements are subject to DPIE and the City of Bowie review and approval.

- (c) The highest quality of urban design through the application of design recommendations that:**

- (1) Create a consistent build-to line that frames the streets and provides a comfortable sense of enclosure for pedestrians.**
- (2) Provide streetscape amenities such as street trees, wide sidewalks accented with special paving materials, landscape buffer/planting strips between streets and sidewalks, pedestrian scaled lighting fixtures, and street furnishings such as benches, trash receptacles, and bike racks.**
- (3) Ensure buildings are appropriately sized for the site and support the character envisioned for the area.**



- (4) Use high-quality, durable and attractive materials with appropriate pedestrian-scaled architectural detailing in the design of all buildings.
  - (5) Provide high-quality signage compatible with its use and purpose.
  - (6) Explore the feasibility of establishing a network of civic and public spaces such as plazas, pocket parks, and courtyards, a public art program to provide fountains, statues, sculptures, sidewalk medallion insets, and other features to highlight the special nature of Main Street.
- (d) Development that will not adversely impact the character of existing neighborhoods.

Conditions (c)(1) through 6 are strategy recommendations of the Bowie Master Plan (pages 24 and 25) and Condition (d) is a policy recommendation of the Bowie Master Plan (page. 25) and are therefore, not included as conditions of approval but should be considered at the time of DSP review.

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

\* \* \* \* \*



This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 26, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of February 2017.

Patricia Colihan Barney  
Executive Director

  
By Jessica Jones  
Planning Board Administrator

PCB:JJ:JF:wrc

APPROVED AS TO LEGAL SUFFICIENCY

  
M-NCPPD Legal Department

Date 2/9/17