

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on March 22, 2001, regarding Specific Design Plan SDP-0101 for Bowie New Town Center Mall, Lot 3, Olive Garden, the Planning Board finds:

1. Specific Design Plan SDP-0101 is for the development of the Olive Garden, a non-fast-food, sit-down restaurant on Lot 3 (also known as Lot A3 of the CDP) of the Bowie New Town Center Mall. The site is located on the west side of the intersection of Town Center Boulevard (the main entrance) and MD 197.

Site Development Data:

Zone:	M-A-C
Gross Site Area	1.92 acres
Proposed Use	Sit-down Restaurant
Proposed Building Area	8,067 sf / 276 seats
Parking Spaces Required (1 space/3 seats)	92 spaces
Handicap Spaces Required	4 spaces
Parking Spaces Provided	118 spaces
Standard (9.0' x 18.0')**	113 spaces
Compact	none
Handicapped (8.0' x 18.0')**	5 spaces
Loading Spaces Required	1 spaces
Loading Spaces Provided	1 spaces
Green Area Required	12% min.
Green Area Provided	42%

** DPLS approved by the City of Bowie for the reduction in the size requirements for standard and handicap parking spaces.

Conformance with Basic Plan

2. The proposed Specific Design Plan is in conformance with the approved Basic Plan, A-8589-C, in regard to land use types, quantities and conditions of approval.

Conformance with Comprehensive Design Plan

3. The Specific Design Plan will be in conformance with the approved Comprehensive Design Plan, CDP-8504/01, and applicable conditions of approval when the conditions of the Recommendation section below have been met.

The proposed Olive Garden restaurant is a new prototype building, reminiscent of a Tuscan farmhouse in Italy. The architecture will consist of building materials such as stone, stucco and a barrel tile roof. An outdoor dining area is proposed on the eastern side of the building that will be partially covered by a trellis.

Conformance with Preliminary Plat of Subdivision

4. The Specific Design Plan is in general conformance with Preliminary Plat of Subdivision 4-00029 and applicable conditions of approval. According to the Subdivision Office memorandum dated January 22, 2001 (DelBalzo to Wagner):

■The proposed Specific Design Plan for Lot 3 is in conformance with the record plat. Two preliminary plat conditions apply directly to the review of this SDP. Condition 1 prohibits direct access from Lot 3 to MD 197. The SDP respects this condition. Condition 8 required the easements shown on Lots 3 and 5 to be called "Landscape and Sign Easements." The Landscape Plan does not include the word "Sign" in identifying the easement, and should be revised to do so.■

Additionally, the site plan should be revised to identify the Landscape and Sign Easement.

Conformance with Zoning Ordinance and *Landscape Manual*

5. The Specific Design Plan is in conformance with all applicable regulations governing development in the M-A-C Zone, and with applicable standards of the *Landscape Manual*.

Two backlit building-mounted signs, each 4.5 feet by 10 feet, are proposed for the restaurant. In accordance with Section 27-613.(g.) of the Zoning Ordinance, the proposed signs are appropriate in size, type, and design, given the proposed location and the use to be served, and are in keeping with the remainder of the development.

Required Findings of Section 27-528 of the Zoning Ordinance (in addition to Finding 3 above)

6. By memorandum dated March 5, 2001 (Masog to Wagner), the Transportation Planning Section made the following comments:

The Transportation Planning Section has reviewed the Specific Design Plan (SDP) application referenced above. The subject property consists of approximately 1.92 acres of land in the M-A-C Zone. The property is at the southeast corner of MD 197 and Northview Drive within the City of Bowie. The applicant proposes a 8,067-square-foot, sit-down restaurant with 242 seats.

The Transportation staff has reviewed issues regarding the development of the area, including the subject site, extensively as a part of the review of CDP-8504/01, SDP-9711 and SDP-0008. This referral will review those issues point-by-point, continue with a discussion of outstanding conditions, and conclude with the required findings. The points discussed during staff's review of the recent CDP include:

- A Specific Design Plan requires a finding that the development will be adequately served within a reasonable period of time . . . by the needed transportation facilities. The Transportation staff has noted that the site was subjected to a test of transportation adequacy in 1986, and since that time the transportation improvements that were needed to serve the entire Bowie New Town Center, including the subject parcel, were fully constructed. The entire town center parcel (which includes the subject property) has a cap of 1,125,000 square feet of retail space and 100,000 square feet of office space, and this is consistent with the level of development that was considered in 1986. Combining the current proposal with development approved under SDP-9711 and SDP-0008, the town center parcel would contain approximately 700,500 square feet of space, well below the cap.
- The subject site does not front on Evergreen Parkway; therefore, no discussion of that facility is required at this time.
- The CDP included some discussion of traffic-calming strategies within the town center parcel. The subject plan is a fairly self-contained location within the larger parcel without the potential for significant through traffic.
- Issues regarding the PT-1 alignment, as recommended in the *Bowie, Collington, Mitchellville and Vicinity Master Plan*, were fully discussed during the staff's review of CDP-8504/01, and the submitted SDP is consistent with those discussions.

There are a number of transportation-related conditions on earlier development review stages that may require review at the time of SDP. However, none of these conditions affect the development status of the subject site with regard to transportation. Therefore, the proposal appears to conform to prior approvals from the standpoint of transportation. Vehicular and pedestrian access within the site is acceptable. Adequate right-of-way in accordance with the master plan exists along MD 197 and Northview Drive.

As noted previously, the subject property is part of a larger project which has largely completed roadway improvements in the area pursuant to a finding of adequate public facilities made in 1986 for Preliminary Plat of Subdivision 4-86049. Insofar as the basis for that finding is still valid, and in consideration of the materials discussed earlier in this memorandum, the Transportation staff finds that the subject property will be adequately served within a reasonable period of time with transportation facilities which are existing, programmed, or which will be provided as a part of the development if the development is approved. Furthermore, the submitted plans are in conformance with past approved plans, including the approved Comprehensive Design Plan.

7. In a memorandum dated February 2, 2001 (Williams to Wagner), the Growth Policy and Public Facilities Planning Section has determined that the staging of the development will not be an unreasonable burden on the available public facilities per Section 27-520(a)(8) of the Zoning Ordinance. The Growth Policy and Public Facilities Planning Section concludes:

The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 4.41 minutes, which is beyond the 3.25-minute response time guideline.

The existing ambulance service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 4.41 minutes, which is beyond the 4.25-minute response time guideline.

The existing paramedic service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 4.41 minutes, which is within the 7.25-minute response time guideline.

The existing ladder truck service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service response time of 5.25 minutes, which is beyond the 4.25-minute response time guideline.

These findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines For The Analysis Of Development Impact On Fire and Rescue Facilities*.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department recommends that all commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.

The *Approved and Adopted Bowie-Collington-Mitchellville and Vicinity Master Plan* proposes a new fire station be located in the vicinity of the Bowie Town Center. This proposed station is programmed in the approved FY 2001-2006 Capital Improvement

Program and is scheduled for completion in June 2006. The construction of this station would provide adequate response time for fire engine and ambulance services.

Police Services

The proposed development is within the service area of District II-Bowie. The staff of the Growth Policy and Public Facilities Section has concluded that the existing Police facilities will be adequate to serve the sit-down restaurant.

8. According to the staff at the City of Bowie, the site has an approved stormwater management concept plan approved by the City's Public Works Department; therefore, adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.
9. By memorandum dated January 25, 2001, the Environmental Planning Section offers the following comments:

Background

This site was previously evaluated by the Environmental Planning Section in conjunction with the review and approvals of Comprehensive Design Plan CDP-8504/01, Preliminary Plan of Subdivision 4-00019, Specific Design Plan SDP-9711, TCPI/38/99 and TCPII/77/99.

Site Description

The site is located at the southeast quadrant of MD 197 and Northview Drive. Lot 3, which totals 1.91 acres, is part of the larger 99.15-acre site reviewed with the above-referenced plans. Although a review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes and steep slopes with highly erodible soils were previously found to occur on the original 99.15-acre parcel, those features were not found to occur within the boundaries of Lot 3. The soils found to occur on this property according to the Prince George's County Soil Survey include Collington fine sandy loam and Shrewsbury fine sandy loam. Although the Shrewsbury soils have limitations with respect to high water tables and impeded drainage, those areas have been previously graded and filled in accordance with SDP-9711. There are no rare, threatened or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources' Natural Heritage Program. There are no scenic or historic roads adjacent to this property. The sewer and water service categories are 3 and 3 respectively.

Environmental Review

- a. A Forest Stand Delineation (FSD) was reviewed and accepted as complete in conjunction with the review and approval of Comprehensive Design Plan CDP-8504/01, Preliminary Plan of Subdivision 4-00029.
- b. This property is not exempt from the Prince George's County Woodland Conservation Ordinance because there are previously approved TCPs. This application is consistent with approved TCPI/38/91 and TCPII/77/99. The limits of disturbance as reflected on the Specific Design Plan do not impact woodland conservation areas. The requirements for the overall site include on-site preservation, on-site reforestation and off-site mitigation in the form of reforestation on the Belt Property. No woodland conservation areas are found to occur on Lot 3, which is the subject of this application. No revisions to TCPII/77/99 will be required.
- c. No other significant environmental constraints have been identified for Lot 3.

Additional Referral Responses

10. The State Highway Administration, by referral dated January 30, 2001 (Bailey to Wagner), indicates that the SHA has no objections to the site plan as submitted.
11. By memorandum dated March 2, 2001 (Shaffer to Wagner), the Trails Planner of the Transportation Planning Section recommends that four bicycle spaces be provided on the subject site.
12. By letter dated February 13, 2001, the City of Bowie recommended approval of SDP-0101 with two conditions. Those conditions have been incorporated into the Recommendation section below.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Specific Design Plan for the above-described land, subject to the following conditions:

1. Prior to certificate approval, the following revisions shall be made to the Specific Design Plan or information provided:
 - a. Dimensions shall be provided for the building on the site plan.
 - b. The Specific Design site and landscape plans shall identify the required Landscape and Sign Easement on Lot 3.
 - c. Dimensions shall be provided on all sidewalks.
 - d. Four bicycle spaces shall be shown on the Specific Design Plan.

2. All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.
3. A stop sign, as well as a pavement-painted stop bar, shall be provided at the site egress point leading from the parking field to the loop road and along the drive-aisle, where access is provided to Lot 2.
4. Signage:
 - a. No flags or banners shall be mounted, suspended or otherwise displayed from the building or be permitted on the site, except one standard-size American flag.
 - b. City permits shall be issued prior to the installation of all signage related to this use.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown and Hewlett voting in favor of the motion and with Commissioner Eley absent, at its regular meeting held on Thursday, March 22, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of March 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk