

C O R R E C T E D R E S O L U T I O N

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 January 27, 2005 regarding Specific Design Plan SDP-9002/02 for The Shoppes at Highbridge, the Planning Board finds:

1. **Request:** The subject application is for approval of a Specific Design Plan for a retail shopping center in the L-A-C Zone.
2. **Development Data Summary:**

	Existing L-A-C	Proposed L-A-C
Zones		
Uses	Vacant	Retail Shopping Center
Acreage	11.8	11.8
Parcels	2	1
Total Gross Floor Area	-	59,858
Of which		
CVS Pharmacy	-	11,970
Chevy Chase Bank	-	3,088
C-Store including Gas Station/Car Wash	-	4,500
Future Building	-	9,750
 Village Shoppes (Sections A, B & C)	 -	 30,550

OTHER DEVELOPMENT DATA

	Required	Proposed
Total Parking Spaces	235	373
Of which Parking Spaces (9' x 18')*	-	353
Handicapped (Van Accessible) Spaces	7	20
Total Loading Spaces	3	5

*A Departure from Design Standards for the proposed parking lot dimensions has been filed with City of Bowie.

3. **Location:** The subject site is located in the northeast quadrant of the intersection of Annapolis Road (MD 450) and Highbridge Road, within the boundary of the City of Bowie, in Planning Area 71B and Council District 4.

4. **Surroundings and Use:** The site was designated as the location for the commercial component of a larger development in a Comprehensive Design Zone, known as Highbridge Park. The subject site is bounded on both the south and west by the rights-of-way of Annapolis Road and Highbridge Road, respectively. To the north and east of the site are the existing single-family detached and attached residences in the R-S Zone, which make up the residential component of the Highbridge development. Across Highbridge Road further to the west are existing single-family houses in the R-R Zone, and across Annapolis Road to the south at the intersection is an existing commercial building, and away from the intersection are existing single-family houses in the R-R Zone.
5. **Previous Approvals:** The subject site was originally included in the Highbridge development, which consisted of three separate applications for the Comprehensive Design Zone and was approved by the Planning Board (Resolution PGCPB No. 83-258) on December 1, 1983, subject to eight considerations and six conditions. Applications A-7055 and A-7056 rezoned approximately 94.41 acres from the R-R Zone to the R-S (2.7-3.5) Zone. Application A-7059 rezoned approximately 42.22 acres from the R-R to the L-A-C (Local Activity Center) Zone, which contains both a residential component and the subject site designated as a commercial component. However, no record of District Council approval has been found. A reference in the approval of CDP-8610 by the City of Bowie indicates that the District Council approved A-7055, A-7056 and A-7059 in 1985, subject to five conditions and nine considerations.

The Comprehensive Design Plan (CDP-8610) for the Highbridge development, including the subject site, was approved by the Planning Board (PGCPB No. 87-450) on October 1, 1987, subject to 13 conditions. On December 3, 1987, the Planning Board (Resolution PGCPB No. 87-548) approved Preliminary Plan of Subdivision 4-87227, subject to 14 conditions. On April 26, 1990, the Planning Board (Resolution PGCPB No. 90-166) approved Specific Design Plan SDP-9002 for the subject site for a retail shopping center, subject to four conditions. On October 18, 1990, the Planning Board (Resolution PGCPB No. 90-458) approved a revision to the approved SDP-9002 to change the location of two pad sites, subject to four conditions. No construction has materialized on the subject site and all previous SDP approvals expired. The subject application is a second revision to SDP-9002 and is a new proposal to develop the site as a retail shopping center pursuant to the parameters established in both A-7059 and CDP-8610.

6. **Design Features:** The subject site is in a roughly square form bounded on east, west and south sides by the public rights-of-way. The entire site is generally level. The proposed shopping center is accessed through two entry points on the west side off Highbridge Road and an additional two entry points on the east side off Gothic Lane. Both Highbridge Road and Gothic Lane extend further south and connect to Annapolis Road. Extensive landscaping and berms have been proposed along the site's frontage of Annapolis Road to the south. A linear reforestation area has been proposed along the entire northern boundary of the site.

The shopping center consists of one L-shaped building, four pad sites, and the associated parking lots. One gas station compound, including a freestanding gas island with six gas pumps (or 12 gas fueling stations), a car wash facility and a convenience store, has been proposed at the intersection of

Gothic Lane and Annapolis Road. A CVS pharmacy store has been proposed on one pad site that is located at the intersection of Highbridge Road and Annapolis Road. The L-shaped building hosting the main retail center is composed of three attached buildings at the northeast corner of the site. Small, public seating areas with landscaping have been located in front of each of the buildings connected by sidewalks. The most southerly building (Building C) has an even wider sidewalk with outdoor seating area and landscaping located on the south side. A separate on-site pedestrian circulation system connects the main building with other pad sites. Two gaps in the system have been identified and a condition of approval has been proposed to fill the gaps. No access, except a pedestrian path leading to Gothic Lane and further connecting to the existing residential section in the R-S-zoned Highbridge, has been proposed between the shopping center and the existing residential area to the north, pursuant to an agreement between the applicant and the Board of Directors of the Highbridge Community Association. A keystone screen wall, in several discrete segments, has been shown on the site plan along the site's entire northern boundary. No height information has been provided. The main entrance with a landscaped median to the shopping center is off Highbridge Road. To the south of the main entrance is the CVS store and to the north is a Chevy Chase Bank.

Architectural elevations have been proposed for all buildings except for the pad site west of the gas station compound. The elevation of the L-shaped building features a tripartite composition of base, middle and top with a continuous and covered sidewalk in the front. The masonry piers and aluminum storefront portion constitute the base of the elevation. A continuous awning band and synthetic stucco wall with building-mounted signage make up the middle portion. A shallow-molded cornice with dentils marks the top of the elevation. Two towers occupy both ends of the elevation. Three-step special cornices with a cupola or arched top have been employed to mark the main entrances to the building. The same materials and decoration also have been used on the elevations for the proposed convenience store, gas island and carwash buildings. The architecture for CVS and Chevy Chase bank are of the typical franchise buildings with certain design treatments and decorations that are similar to those of the L-shaped building, which are in general harmony with the rest of buildings in the shopping center.

The native wildlife/plant theme has been implemented through the use of decorative light poles with attached native wildlife/plant banners located along the full length of the main drive (east-west direction) through the site. Pavers bearing the images of the native wildlife and plants have been chosen to finish the pedestrian pathways and the public seating areas. An interpretive sign located near the southwesterly bio-retention area creates a focal point around the eastern entrance area off Gothic Lane. The sign will provide information about the native wildlife habitat and vegetation, the reasons for utilizing native plants, and the advantages to the Chesapeake Bay when using bio-retention as stormwater control.

A signage package consisting of entrance monumental signs, gas price sign, and building-mounted signs along with lighting fixture details showing decorative light pole banners with native themes also has been submitted for review.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-7059:** Per A-7059, in the L-A-C Zone, approximately 60,000 square feet of commercial space is permitted and shall be comprised of shops, banks and restaurants. This application proposes a gross floor area of approximately 58,708 square feet consisting of village shops, a bank, a pharmacy store, etc. The proposed Specific Design Plan is in general conformance with Zoning Map Amendment A-7059 regarding the proposed uses and total build-out capacity for the site. Of the eight considerations and five conditions attached to the Planning Board approval of A-7059, the following are applicable to the review of this SDP:

Consideration 8. As a Phase III consideration, a sprinkler system shall be installed in all commercial buildings.

Comment: This consideration had been worded as a condition of approval attached to Comprehensive Design Plan CDP-8610. As discussed below in Finding 8, this condition will be carried forward to be enforced at time of building permit.

Condition 6. The activity areas located east and west of the PEPCO right-of-way are to be increased to a minimum of five acres each.

Comment: This condition requires a total of ten acres of activity area to be allocated in the L-A-C Zone. Per the investigation of the applicant, approximately eight acres of activity areas have been provided east of the PEPCO right-of-way. The existing residential use has been developed without providing any activity area as required by the condition, primarily because a substantial recreation/activity area, known as Renaissance Park, was envisioned by the CDP and connected to nearby residential development. The Highbridge Homeowners' Association has now stated emphatically that they do not want the recreation area in that location. Instead, the HOA has negotiated with the developer a fund of approximately \$53,000, which is equivalent to the dollar amount of the unfinished recreational facilities envisioned by the CDP, to be used immediately to refurbish the existing recreational facilities, such as playgrounds and tennis courts. Given that the total acreage of the subject site is only over 11 acres, it is not viable to provide a minimum five acres of activity area within this shopping center development. The Urban Design Section believes that the relationship between the proposed shopping center and existing residential component is greatly different from what was initially envisioned. Providing approximately two additional acres of activity area on the subject property will meet the intent of the above condition.

8. **Comprehensive Design Plan CDP-8610:** CDP-8610, which covers a larger area including the subject property, was approved by the Planning Board on October 1, 1987, subject to 13 conditions. The following conditions of approval are applicable to this SDP review:

2. **The provision of a traffic signal at the intersection of Highbridge Road and Maryland 450 when deemed necessary by the State Highway Administration. The applicant, along with the City of Bowie, will make every effort to convince the State Highway Administration of the need for the traffic signal.**

Comment: According to the Transportation Planning Section, a traffic signal is in operation at the existing intersection. A new traffic signal at Highbridge Road and MD 450 is in place and will be used when the widening of MD 450 is complete. This condition has been met.

- 4. The applicant shall construct the ultimate 80-foot right-of-way with full cross-section for Highbridge Road from Route 450 to the loop road prior to the completion of Stage I.**

Comment: According to the Transportation Planning Section, Highbridge Road has been constructed and is operational as a four-lane roadway. The applicant was required to provide 40 feet of right-of-way from the centerline of Highbridge Road. The right-of-way width is shown correctly on the site plan and is behind the existing concrete sidewalk along Highbridge Road. This condition has been satisfied.

- 13. Commercial buildings shall be fully sprinklered in accordance with the National Fire Protection Association Standard 13 and all applicable County laws.**

Comment: This condition has been carried forward as a condition of approval for this SDP and will be enforced at the time of building permit.

- 9. Preliminary Plan of Subdivision 4-87227 and Final Plat NLP 144@17:** Preliminary Plan 4-87227 was approved by the Planning Board on December 3, 1987, subject to 22 conditions. The Final Plat was recorded on December 15, 1988. The following conditions of approval attached to 4-87227 are applicable to this Specific Design Plan review:

- 2. The list of recreational facilities to be provided will not be altered without the approval of the Urban Design staff and must be done prior to Specific Design Plan submittal.**

Comment: This condition had been fulfilled at the time of Specific Design Plan approvals for the residential component of the Highbridge. This SDP is for the commercial component only.

- 3. This plan is subject to the conditions of approval of CDP-8610.**

Comment: The Specific Design Plan has been reviewed for compliance with the conditions of approval of CDP-8610. See the above Finding 8 for a detailed discussion.

- 9. The upgrading of Highbridge Road to its ultimate cross-section from Maryland Route 450 to the northernmost entrance to the subject parcel in accordance with the Department of Public Works and Transportation standards for an 80-foot right-of-way collector road.**

- 10. The provision of a traffic signal at the intersection of Highbridge Road and Maryland 450 when deemed necessary by the State Highway Administration. The total cost of the signal shall be the sole responsibility of the applicant.**

Comment: See above Finding 8 for a detailed discussion.

- 12. Prior to Specific Design Plan approval, a final determination shall be made as to the ownership of Parcels M-Z.**
- 13. Prior to Specific Design Plan approval, the plan shall be revised to provide for adequate radii on all internal streets and cul-de-sacs.**

Comment: These two conditions had been fulfilled at time of SDP approvals for the residential component of the Highbridge project.

- 14. The applicant, his successors and/or assigns, shall provide adequate recreational facilities (See Condition One) to the Department of Parks and Recreation standards as defined in the *Parks and Recreation Facilities Guidelines*.**
- 15. The developer, his successor and/or assigns, shall execute and record a formal agreement before submitting the record plat to the Subdivision Office to provide said recreational facilities (to Department of Parks and Recreation standards), and shall submit a performance bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office of the Maryland-National Capital Park and Planning Commission) within two weeks prior to applying for a building permit.**
- 16. The developer, his successor and/or assigns, shall satisfy the Planning Board that there are adequate provisions to assure retention and all future maintenance of the proposed recreational facilities.**

Comment: The above conditions had been fulfilled at the time of approval of the residential component of the Highbridge development. However, a portion of the recreation facilities, which were originally proposed, was located on the subject property and shown as a linear park (Renaissance Park) that connects the commercial property to the residential development to the north. Now that the residential component of Highbridge has been constructed, the existing Highbridge Community Association has expressed an interest in not providing direct pedestrian connections or recreation facilities that would attract customers of the shopping center between the commercial and the residential components of Highbridge. The applicant has proposed that the Highbridge Community Association either install additional recreational facilities of their choice or to repair/renovate/upgrade the existing facilities or provide funds for future maintenance. Any agreement between the applicant and the Highbridge Community Association will require an amendment of the original recorded Recreation Facilities Agreement and the concurrence from

The Maryland-National Capital Park and Planning Commission. A condition of approval has been proposed in the recommendation section of this report.

19. Approval of an on-site conceptual stormwater management plan by the City of Bowie prior to Specific Design Plan submittal.

Comment: The City of Bowie has approved an on-site conceptual stormwater management plan (Approval No. 01-0404-208NE12) for the subject site.

20. Approval of the 100-year floodplain by the Department of Environmental Resources prior to Specific Design Plan submittal.

Comment: This condition had been fulfilled at the time of SDP approvals for the residential component of Highbridge. There is no 100-year floodplain on the subject property.

10. Zoning Ordinance: The subject SDP is in general compliance with the requirements of Zoning Ordinance.

- a. The proposed parking as submitted is consistent with the requirements of Sections 27-568, Off-street Parking and Loading, of the Zoning Ordinance. The applicant is also pursuing a departure from design standards for parking space dimensions from the City of Bowie. The departure application is currently under review and pending final approval by the City of Bowie.
- b. The proposed retail shopping center is in general compliance with the requirements of the L-A-C Zone (Local Activity Center).
- c. Section 27-528 requires the following findings for approval of a Specific Design Plan:

(a) Prior to approving a Specific Design Plan, the Planning Board shall find that:

(1) The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual.

Comment: As stated in Findings 8 and 11, the proposed Specific Design Plan conforms to the approved Comprehensive Design Plan and the applicable standards of the *Landscape Manual*.

(2) The development will be adequately served within a reasonable period of time with existing or programmed facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

Comment: Findings for adequate public facilities, including fire, rescue, police, and transportation, have been normally made in conjunction with the Preliminary Plan of Subdivision. In this case, the Transportation Planning Section in a memorandum dated June 1, 2004 (Jenkins to Zhang), has confirmed that the proposal is consistent with the previous transportation adequacy findings. The staff finds that the subject site will be adequately served within a reasonable period of time with nearby transportation facilities existing and planned to be completed in the near future.

In addition, according to a review by the Historic Preservation and Public Facilities Planning Section (June 16, 2004, Harrell & Izzo to Zhang), other existing or planned private and public facilities, such as police, water and sewage, and libraries (but not including the existing fire engine and ladder truck service, which are 1.03 minutes beyond their respective response time guidelines) which exist, are under construction, or for which construction funds are contained in the first six years of the adopted county Capital Improvement Program will be adequate for the proposed development. Staff has recommended a sprinkler system to be installed in order to alleviate the negative impact on fire and rescue services due to the existing inadequate services.

(3) Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.

Comment: The subject property is within the limits of the City of Bowie. The approval of the stormwater management concept plan by the City of Bowie is required prior to the submittal of this SDP. The applicant submitted with the SDP a stormwater management concept approval (No. 01-0404-208NE12). Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

(4) The Plan is in conformance with an approved Tree Conservation Plan.

Comment: A Type II Tree Conservation Plan, TCPII/58/04, has been submitted with this SDP. TCPII/58/04 has been found to meet the requirements of the Woodland Conservation Ordinance according to the review by the Environmental Planning Section. However, a 0.92-acre off-site woodland has been proposed on the adjacent R-S-zoned portion of the Highbridge development. A conservation easement is needed in order to protect the 0.92-acre off-site woodland from being cleared in the future. As stated in the condition of approval recommended by the Environmental Planning Section, if the conservation easement cannot be obtained, TCPII/58/04 should be revised to show the entire woodland conservation requirement being met off-site.

11. **Landscape Manual:** The proposed construction of a retail shopping center in the L-A-C Zone is subject to Section 4.3, Parking Lot Requirements, and not subject to Section 4.2, Commercial and Industrial Landscaped Strip Requirements, and Section 4.7, Buffering Incompatible Uses, of the

Landscape Manual. But the *Landscape Manual* should be used as a guide to appropriate standards in the Comprehensive Design Zone.

- a. The proposed retail shopping center is fronting on Annapolis Road, Highbridge Road and Gothic Lane. The landscape plan provides landscape treatments that equal the minimum requirements of Section 4.2 along the site's three frontages, except for plant units. But the landscape plan should be revised to delete the reference to the Section 4.2 landscaped strip and schedule. A condition of approval has been proposed in the recommendation section of this report.
- b. Section 4.3(a), Landscape Strip Requirements, requires a landscaped strip when a parking lot in any zone is located adjacent to a public right-of-way. The landscape plan provides Option 1, which is a minimum ten-foot-wide landscaped strip with a minimum one shade tree and 10 shrubs per 35 linear feet of the frontage, excluding driveway openings; Option 2, which is a landscaped berm at least 2½ feet higher than the elevation of the adjacent parking lot pavement; and Option 3, which is a minimum six-foot-wide landscaped strip and a minimum three-foot grade drop from the right-of-way line to the adjacent parking lot pavement. The proposed landscaped treatments are in conformance with Section 4.3(a), except for plant units. A condition of approval has been proposed in the recommendation section of this report.

The retail shopping center proposes approximately 175,818 square feet of parking lot, which is larger than 150,000 square feet. Per 4.3 (c), a minimum ten percent of the parking lot should be interior planting area with at least one shade tree for each 300 square feet of the interior planting area. The landscape plan has provided the required interior landscaped area and the shade trees and thus complies with Section 4.3(c).

- c. The proposed commercial shopping center is adjacent to the existing single-family detached and attached residences to the north, which is the residential component of the Highbridge development in the Comprehensive Design Zone L-A-C. Per Section 4.7, Buffering Incompatible Uses, the regulations to buffer incompatible uses are not applicable to this SDP. The landscape plan proposes a combination of the existing woodland and a linear reforestation area along the entire northern property line with the narrowest point approximately 53 feet in width. The proposed landscaped treatment is better than the minimum requirements of Section 4.7. But the landscape plan should be revised to delete any reference to Section 4.7 and its schedule. A condition of approval has been proposed in the recommendation section of this report.
12. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet; and there are more than 10,000 square feet of existing woodland on site.
- a. An Intermediate Forest Stand Delineation (FSD) was initially submitted with SDP-9002/02

and was reviewed and found to meet the requirements of the Prince George's County Woodland Conservation and Tree Preservation Technical Manual. Supplemental information regarding the forest value of a woodland area on the R-S-zoned property to the north of the site has been requested in order to determine if a proposed 0.92-acre off-site reforestation/bio-retention area is viable. No further information is required with respect to the FSD, but a condition of approval has been proposed to protect the 0.92-acre off-site woodland by requiring a conservation easement be recorded.

- b. The Type II Tree Conservation Plan, TCPII/58/04, submitted with this application has been reviewed and found to be in compliance with the requirements of the Woodland Conservation Ordinance, subject to conditions.

13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. The Community Planning Division (D'Ambrosi to Zhang, June 22, 2004) has stated that the application is consistent with the 2002 General Plan development pattern policies for the Developing Tier and is in conformance with the land use recommendations for commercial development in the Bowie-Collington-Mitchellville and vicinity master plan (1991).
- b. The Transportation Planning Section (Jenkins to Zhang, June 1, 2004) has concluded that the subject plan is in conformance with the transportation-related conditions attached to the previous approvals, except for the access and on-site circulation concerns as identified by the transportation planner.

Comment: The applicant has revised the SDP to fully address the access and on-site circulation concerns raised by the transportation planner.

In a separate memorandum (Shaffer to Zhang, June 25, 2004) on specific design plan review for master plan trail compliance, the Transportation Planning Section requires several sidewalk improvements in order to facilitate pedestrian movement within and around the proposed shopping center. Those sidewalk requirements have been worded as conditions in the recommendation section of this report.

- c. The Environmental Planning Section, in a memorandum (Shirley to Zhang, December 28, 2004), has recommended approval of this Specific Design Plan and TCPII/58/04 subject to three conditions. These conditions of approval for the SDP have been incorporated into the recommendation section of this report.
- d. The Subdivision Section (Chellis to Zhang, June 1, 2004) has indicated that the property is subject to final plat NLP144@17 and requires the information regarding conveyance of Parcel V, which is the dedicated site frontage along Annapolis Road, be provided on the site plan. The plan has been subsequently revised to explain the disposition of Parcel V.

- e. The Permit Review Section (Jessee to Zhang, May 26, 2004) has made seven comments on the subject SDP regarding the plan's compliance with the Zoning Ordinance and the *Landscape Manual*. The following comments warrant discussion:

1. **A car wash is not a listed use in the L-A-C Zone. Per Section 27-515(6) of the Zoning Ordinance, all uses not listed are prohibited. Therefore, a car wash is a prohibited use in the L-A-C Zone.**

Comment: Pursuant to the permitted uses list table of L-A-C Zone in Section 27-515(b), a gas station is a permitted use. Section 27-107.01(99) defines a gas station as including certain accessory uses, including but not limited to, washing and polishing of vehicles and sale of automotive washing and polishing materials. As long as the proposed car wash is accessory to the proposed gas station, it is a permitted use in the L-A-C Zone. In a letter dated October 25, 2004 (Haller to Chaisson), the applicant indicated that the proposed car wash will be operated as an accessory use to the gas station, and thus it is permitted in this retail shopping center.

7. **Section 27-613 (g) of the Zoning Ordinance states that in Comprehensive Design Zones the Planning Board shall, as a guide, consider on-site sign regulations in the Commercial and Industrial Zones. Using the Commercial and Industrial Zone regulations, the CVS building would be allowed a maximum 267 square feet of signage. The applicant is proposing 403 square feet of signage on the CVS building.**

Comment: There are no specific signage requirements in the Comprehensive Design Zone that regulate the face area and design of the signs. However, Section 27-613 of the Zoning Ordinance does recommend that the Planning Board use the sign regulations in the commercial zone as a guide.

The applicant is proposing approximately 403 square feet of building-mounted signs on the CVS pharmacy building, which is located at the corner of Annapolis Road (MD 450) and Highbridge Road. Signage shown on the elevation facing Annapolis Road cannot be visible from Highbridge Road. The proposed 403 square feet is the total of the sign face areas on all facades of the CVS building. Per the applicant's statement of justification, none of the facades have signage in excess of 190 square feet. In the commercial zone per Section 27-613(c), a maximum 400 square feet of building-mounted signage is permitted. Given the importance of the CVS building in the shopping center as a major anchor and its prominent location at the major intersection, the Urban Design Section believes that the proposed 403 square feet of building-mounted signs are appropriate in size, type and design as long as the two largest primary identification signs on the southern and western elevations are identical so that none of the individual signs is larger than 190 square feet. In addition, both the western and southern elevations should be treated in a similar way in terms of design sophistication and decoration because of the building's visibility from both roadways. A condition of approval has been proposed in the recommendation section of this report to

require that the two primary identification signs on the two elevations be identical and the two elevations be treated in a similar way in terms of design, material and color.

- f. The Department of Environmental Resources (Guzman to Zhang, June 1, 2004) has stated that the site is within the boundary of the City of Bowie and stormwater management approval by the City of Bowie is required.

Comment: On June 7, 2004, the Department of Public Works, City of Bowie, approved a stormwater management concept plan for the subject site. The approval (No. 01-0404-280NE12) will be valid through June 7, 2007.

- g. The planning staff of the City of Bowie has recommended approval of this SDP subject to several conditions. At the time the staff report was written, the Urban Design Section had not received the final decision of the City of Bowie. The City Council's resolution on this SDP will be presented to the Planning Board at the public hearing for this case.
- h. The State Highway Administration (SHA) (Bailey to Zhang, May 17, 2004) has stated that SHA has no objection to Specific Design Plan SDP-9002/02 approval and indicated that direct access onto Annapolis Road (MD 450) is not necessary or essential for this development.

Comment: The access to the subject site has been provided on both Highbridge Road and Gothic Lane as shown on the SDP. No direct access onto Annapolis Road (MD 450) has been proposed on the plans.

- i. The Department of Parks and Recreation (DPR) (Asan to Zhang, October 7, 2004) has offered no comments on this application.
- j. The Washington Suburban Sanitary Commission (WSSC) (Thacker to Zhang, June 1, 2004) has suggested the project engineer contact the Regulatory Service of WSSC for more information and recommended one revision to the plan to remove flowering trees that may impact the proposed sewer line.

Comment: The project engineer has contacted the Regulatory Service of WSSC. The flowering trees that may impact the proposed sewer line have been removed.

- k. The Historic Preservation and Public Facilities Planning Section (Harrell and Izzo to Zhang, June 16, 2004) has reviewed the subject SDP for adequacy of public facilities and found that the existing fire engine and ladder truck service are one minute and 0.3 minute beyond their respective response time guidelines. In order to alleviate the negative impact on fire and rescue services due to the inadequate services listed, the planners recommend one condition that has been incorporated into the recommendation section of this report.

The planners also have reviewed the existing police facilities and concluded that the police

facility will adequately serve the population generated by the proposed development.

- l. The Department of Public Works and Transportation (DPW&T) of Prince George's County had not responded to the referral request at the time the staff report was written.

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 Type II Tree Conservation Plan (TCPII/58/05), and further APPROVED Specific Design Plan SDP-9002/02 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this Specific Design Plan, the applicant shall
 - a. Revise the landscape plan to show plant units equal to or better than the minimum required by 4.3(a), unless evidence has been provided that a departure from the plant units has been approved by the City of Bowie.
 - b. Delete any reference to Section 4.2 bufferyard and the respective schedule from the landscape plan
 - c. Delete any reference to Section 4.7 bufferyard and the respective schedule from the landscape plan
 - d. Provide a standard sidewalk along the subject site's entire frontage of Gothic Lane, unless modified by DPW&T.
 - e. Provide a crosswalk across the service road east of Village Shoppes C connecting the two handicap ramps.
 - f. Have the Departure from Design Standards application for universal size parking spaces approved by the City of Bowie.
 - g. Provide a pedestrian path between the future building and the C-store; and between the C-store and the bio-retention area.
 - h. Provide a cut sheet of the proposed bike rack on the detailed sheet to match the proposed benches, trash receptacles, and other site amenities. The location of bike racks shall be shown on the site plan.
 - i. Submit a lighting plan that adheres to the "Dark Sky" concept and demonstrates no off-site light spillage.
 - j. Provide evidence that an agreement between the applicant and the Highbridge Community Association regarding provision of additional facilities/or fund has been reached.

- k. Provide height information of the proposed screening wall.
 - l. Provide shrubs with a height of three to four feet around the peripheral edge of the parking lot adjacent to the public rights-of-way.
 - m. Modify the landscape plan to show only native plants in the planting areas adjacent to the native wildlife, plant pavers and banners. Non-native, non-invasive evergreen plants shall also be permitted in these areas.
 - n. Provide landscaped islands and shade trees in the double-aisle portions of the parking lot at approximately 54-foot intervals (every six parking spaces).
 - o. Indicate the minimum square footage (width and depth) of the pervious area around the trees in the landscaped islands on the landscape plan.
 - p. Provide that the maximum height of the light poles shall not be taller than the tallest commercial building on the site and the height of the poles shall be denoted on the plans.
 - q. Indicate the location of at least one (1) wind sculpture on the site plan.
 - r. Indicate that all service areas and dumpsters shall have visually solid gates consisting of natural materials compatible with the primary structure.
 - s. Add a note that the gas station canopy shall be sprinklered.
 - t. Add a note that the flat roofs in the development shall be light reflective and energy sensitive.
2. Prior to the certification of the Type II Tree Conservation Plan, TCPII/58/04, the applicant shall:
- a. Show the existing tree line on the southwest portion of the site.
 - b. Show the proposed grading and limits of disturbance.
 - c. Show the location of all existing and proposed utilities and their easements.
 - d. Show the location of the proposed screening wall.
 - e. Provide the standard TCPII notes on one of the three plan sheets, not two.
 - f. Provide optional TCPII notes #4-8 and "X" out or remove notes #6-8 because these notes are not standard language used in Prince George's County.

- g. Provide standard TCPII note #5 regarding proposed off-site mitigation.
 - h. Clarify the proposed location of tree protection fencing to be shown on the north property line in relation to the 0.92 acre of off-site woodland.
 - i. Remove all six notes under the fencing detail and provide the current four notes.
 - j. Show the location of proposed reforestation signage on the plan and include a symbol in the legend for this feature.
 - k. Add the three notes under the reforestation signage detail from the manual.
 - l. Have the qualified professional who prepared the plan update the revision box, sign and date it after all revisions have been made to the plan.
 - m. All required off-site forest mitigation shall occur within the same sub watershed, if feasible.
3. Prior to the issuance of any grading permit, the applicant shall:
- a. Prior to the issuance of any use and occupancy permit, the applicant shall complete all on-site reforestation.
 - *[b. Submit evidence that a conservation easement has been established on the Highbridge Park HOA parcel to the north of the subject property. If this easement cannot be obtained, TCPII/58/04 shall be revised to show the entire woodland conservation requirement being met off-site.]
 - *[c]b. Submit a Letter of Authorization from the Maryland Department of the Environment authorizing the filling of on-site wetland.
4. Prior to the issuance of any building permit, the applicant shall provide evidence that an amendment to the original recorded Recreation Facilities Agreement has been approved by The Maryland-National Capital Park and Planning Commission and subsequently has been executed and recorded.
- *Denotes correction
[Brackets] denotes deletion
Underlining denotes addition
5. All buildings shall be fully sprinklered in accordance with the National Fire Protection Association Standard 13 and all applicable county laws.

6. Building mounted signage on the store facades shall be permitted as per the sign regulation of the Zoning Ordinance governing signage in the C-S-C Zone.
 - a. The size of the characters (letters, logos, emblems, symbols, etc.) of each building mounted sign shall be in proportion to the store/unit front of the individual tenants it advertises.
 - b. All signage shall be unified in both color and style.
 - c. Roof mounted signage shall not be used.
 - d. Channel lettering (internally lit) shall be used.
 - e. Except for freestanding buildings and end-cap tenants, no more than one (1) fascia sign per tenant shall be permitted, and no signs with the exception of door entry signs and public safety information, required by law, shall be permitted on the rear of buildings.
 - f. A note shall be placed on the plan that all banners shall be prohibited from the site, except for the proposed decorative native plant and wildlife banners hung from the decorative light poles located on the site.
 - g. All Chevy Chase Bank and CVS Pharmacy building mounted signage facing High Bridge Road shall be removed except for one (1) lighted, CVS Pharmacy fascia sign.
7. All propane tanks, if located on site, shall be located in a gated and locked cage.
8. Prior to the issuance of the building permit for the gas station, the applicant shall obtain certification from the Maryland Department of the Environment that the gasoline storage tank will meet all applicable state regulations and submit to the City of Bowie.
9. The permitted hours of delivery for the center shall be limited to 8:00 a.m to 8:00 p.m.
10. The applicant shall make a good faith effort to explore the possibility of planting a row of evergreen trees along the affected (6109 Gallery Street) property line within the public right-of-way of Highbridge Road, if permitted by the Department of Public Works and Transportation, or on the private property if it is acceptable to the property owner, or other mutually acceptable solutions.
11. Prior to issuance of the street access permit, the applicant shall request an evaluation by The Department of Public Works and Transportation (DPW&T) of the need for acceleration and deceleration lanes on Highbridge Road adjacent to the shopping center entrances. The applicant shall construct the lanes if approved by DPW&T.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Harley, seconded by Commissioner Vaughns, with Commissioners Harley, Vaughns, Squire and Hewlett voting in favor of the motion, and with Commissioner Eley absent, at its regular meeting held on Thursday, January 27, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of March, 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:HZ:wrc