



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Preliminary Plan 4-08012

Application	General Data	
Project Name: Walker Pontiac Location: 1,650 feet north of the intersection of Crain Highway and Mitchellville Road. Applicant/Address: LIA Bowie, LLC 2501 NW Crain Highway Bowie, MD 20716 Property Owner: LIA Bowie, LLC	Date Accepted:	12/11/08
	Planning Board Action Limit:	03/06/09
	Plan Acreage:	5.5782
	Zone:	C-M
	Gross Floor Area:	37,700 sq. ft.
	Lot:	1
	Parcels:	0
	Planning Area:	74B
	Tier:	Developing
	Council District:	04
	Municipality:	Bowie
	200-Scale Base Map:	203NE14

Purpose of Application	Notice Dates	
This case was continued from Planning Board hearing May 7, 2009. Commercial Subdivision.	Informational Mailing:	10/14/08
	Acceptance Mailing:	12/05/08
	Sign Posting Deadline:	04/03/09

Staff Recommendation		Staff Reviewer: Ray Dubicki	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-08012
Walker Pontiac, Parcel 7

SUPPLEMENTAL INFORMATION

The applicant provided an additional study required by the State Highway Administration (SHA). This additional study and analysis has been accepted by SHA per a memo from Glen Burton, Transportation Planning Section, Maryland-National Capital Park and Planning Commission, dated April 29, 2009 that is attached to this report. The proposed conditions from this memo have been included below.

Upon further review of past approvals of preliminary plans for this site, as well as consultation with the Planning Department's counsel, staff requests that the Planning Board deem the access from US 301 to be a service road. As a service road, the access would not require a variation.

Section 24-121(a)(3) of the Subdivision Regulations requires that "when lots are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or service road." In most circumstances, direct access to an arterial road such as US 301 requires a variation to this provision. The flag lot nature of this property would require a variation because the "stem" directly fronts on US 301 and accesses the rest of the site. A survey of past approvals for this property has not revealed any variations. At staff's request, the applicant has submitted a request for a variation for the present application.

However, a variation may not be appropriate in this circumstance given the history of the site and the multiple uses that have been identified to share the service road. While not explicitly granting a variation, the subject of consolidated access was considered in past approvals for this property. In Finding 17b of Preliminary Plan 4-04046 (PGCPB Resolution No. 04-210), staff responded to concerns about access to US 301 by stating that this concern is lessened somewhat by the fact that the applicant will be utilizing an existing cut now serving the adjacent auto dealership, Honda to the north.

Further, it was envisioned that other properties would utilize the service road to access US 301. In the approval of Preliminary Plan 4-05148 (PGCPB Resolution No. 07-66) for the Mills property immediately to the south of this site, the Planning Board identified the shared access. Condition 21 of that approval states, "The applicant shall obtain an access easement from the adjacent property to the north to serve the commercial development or provide an entrance to US 301 at a location determined acceptable by SHA." While negotiations were unable to secure that access, the service road itself was identified to be shared by multiple uses.

For these reasons, staff recommends that the Planning Board consider this access area a “service road” in relationship to Section 24-121(a)(3) of the Subdivision Regulations and further recommends approval of the preliminary plan with conditions.

SUPPLEMENTAL FINDINGS AND REASONS FOR STAFF RECOMMENDATIONS

1. **Transportation**—SHA has acknowledged the fact that the applicant had performed various additional traffic related analyses requested for the critical intersections associated with the subject application. Based on the results of these additional analyses, SHA has accepted the improvements that were proffered by the applicant as part of the transportation facilities mitigation plan (TFMP) application. In light of SHA’s concurrence with the applicant’s TFMP recommendations, staff recommends approval of the application with conditions.
2. **Access**—Access to the property is provided via a service road to US 301. The service road is located on a portion of the property identified by an easement for ingress and egress recorded in Prince George’s Land Records at Liber 15006, Folio 347. This access is currently shared with Lot 6 to the north and was considered as a central point of access in prior approvals for the site. This service road constitutes adequate access per Section 24-121(a)(3) of the Subdivision Regulations.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. At the time of detailed site plan, the applicant shall submit a lighting plan with a photometric diagram and details of all light fixtures showing full cut-off optics to reduce off-site glare and sky glow.
2. The following note shall be placed on the preliminary plan and all future tree conservation plans:

“All community lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over.”
3. Prior to signature approval of the preliminary plan, the applicant shall provide a Phase I noise study to demonstrate the affects of any proposed loud speaker system on the adjacent residential properties.
4. Prior to the issuance of building permits for Lot 7, the applicant shall obtain detailed site plan approval by the Planning Board. The detailed site plan shall address buffering (including light and noise intrusion), landscaping, access, and the visual relationships between the proposed development and adjoining residentially developed properties.
5. At the time of acceptance of the detailed site plan for buildings and parking, the acceptance package shall include a lighting study and layout plan showing no more than 0.5 foot candles at all commercial property lines adjacent to residential uses and the use of full cut-off optics. The package shall also include a description of any proposed noise intrusions or a statement that there will be none.

6. Prior to signature approval of the preliminary plan, the Type I tree conservation plan (TCPI) shall be revised as follows:
 - a. Show all proposed utilities on the plan.
 - b. After all of these revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revisions made.
7. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/033/08). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/033/08) or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”
8. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

Southbound US 301 at Mitchellville Road—Construct eastbound Mitchellville Road free-flow right turn lane.

Northbound US 301 at Queen Anne Bridge Road—Widen eastbound Queen Anne Bridge Road approach from the existing one left/through lane to one left turn lane and one left/through lane. Modify eastbound/westbound Queen Anne Bridge Road signal approaches from concurrent signal phasing to split signal phasing.
9. A site within the same watershed as the subject property shall be used to meet woodland conservation requirements.
10. Total development within the subject property shall be limited to 37,700 square feet of car dealership facilities or equivalent development which generates no more than 52 AM peak hour and 63 PM peak-hour vehicle trips. Any development generating a traffic impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
11. Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN TCPI/033/06