

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 September 7, 2007, regarding Specific Design Plan SDP-9002/04 for The Shoppes at Highbridge, Parcel Y, the Planning Board finds:

1. **Request:** The subject application is for approval of revision to the specific design plan of a 60,000-square-foot shopping center, revising building "B" to a day care facility and building PAD "D" for the Texas Roadhouse restaurant.

Development Data Summary

	EXISTING	PROPOSED
Zone	L-A-C	L-A-C
Use(s)	Vacant	Day Care and Restaurant
Acreage	11.8	11.8
Parcel	2	2
Total Project Gross Floor Area of which	NA	58,352
PAD "D" Restaurant (square feet)	NA	7,160
CVS Pharmacy	11,970	11,970
Chevy Chase Bank	3,088	3,088
Gas Station and Car Wash	4,500	4,500
Village Shoppes:		
Building "A"	12,122	12,122
Building "B" (Day Care Facility)	7,200	7,200
Building "C"	12,312	12,312

DAY CARE FACILITY DATA

	Required	Proposed
Building "B" Day Care Facility (square feet)	7,200	7,200
Building Height (feet)	-	27.9
Outdoor Play Areas*	-	3,500
Total Parking	17	17
Handicapped spaces (8'x18', Van Accessible)	2	2

Loading Spaces (12'x 40')	4	4
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* There is no outdoor play area is requirement in the Comprehensive Design Zone.

RESTURANT DATA

	Required	Proposed
Gross Square Footage of Restaurant	NA	7,160
Building Height (feet)	-	31.6
Total Parking of which	91	91
Handicapped spaces (8'x18', Van Accessible)	1	1
Loading Spaces (12'x 40')	1	1

OTHER DEVELOPMENT DATA

	Required	Proposed
Shopping Center Parking Schedule		
Total Parking Spaces	296	346
Of which Parking spaces (9'x 18')	326	326
Handicapped spaces (8'x18', Van Accessible)	20	20
Loading Spaces (12'x 40')	3	4

2. **Location:** The subject site is in Planning Area 71-B, Council District 4 in the Developing Tier. More specifically it 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.
3. **Surroundings and Use:** The subject site is bounded on the north and east by single-family detached and attached residences in the R-S Zone, to the south and west by the rights-of-way of Annapolis Road and Highbridge Road. Across Highbridge Road further to the west are existing single-family houses in the R-R Zone; 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. The subject site was designated as a location for the commercial components of a larger development in a Comprehensive Design Zone, known as Highbridge Park.
4. **Previous Approvals:** On December 1, 1983, The Planning Board approved the three separate applications for the Comprehensive Design Zone, (Resolution PGCPB No. 83-258):
 - A-7055 rezoned approximately 24.24 acres from the R-R to the R-S (2.7-3.5) Zone.
 - A-7056 rezoned approximately 70.17 acres from the R-R Zone to R-S (2.7-3.) Zone.
 - A-7059 rezoned approximately 42.22 acres from the R-R Zone to L-A-C (Local Activity Center) Zone.

On October 1, 1987, the Planning Board approved Comprehensive Design Plan CDP-8610 (PGCPB No. 87-450) for the Highbridge development, including the subject site, subject to 13 conditions.

On December 3, 1987, the Planning Board approved Preliminary Plan of Subdivision 4-87227, (Resolution No. 87-548), subject to 14 conditions.

On April 26, 1990, the Planning Board approved Specific Design Plan SDP-9002, (Resolution PGCPB No. 90-166) for the subject site for a retail shopping center, subject to four conditions. No construction materialized pursuant to that SDP approval, which subsequently expired.

On January 27, 2005, the Planning Board approved the second revision SDP-9002/02, (Corrected Resolution No. 05-36(C)), for a new proposal to develop the site as a retail shopping center pursuant to parameters established in both A-7059 and CDP-8610, subject to 11 conditions.

5. **Design Features:** The subject site is approximately 11.8 acres, and is zoned L-A-C (Local Activity Center). The existing 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. There is no direct access onto Annapolis Road (MD 450). Both Highbridge Road and Gothic Lane extend further south and connect to Annapolis Road. Extensive landscaping and berms exist along the site's frontage of Annapolis Road to the south. A linear reforestation area is dedicated along the entire northern boundary of the site.

The shopping center is composed of three attached buildings (A, B, and C) forming an L-shaped building at the northeast corner of the site, four pad sites, and the associated parking lots. Small, public seating areas with landscaping have been located in front of each of the buildings connected by sidewalks. A separate on-site pedestrian circulation system connects the main building with other pad sites. A pedestrian sidewalk leads to Gothic Lane and further connecting to the existing residential section in the R-S-zoned Highbridge. The shopping center consists of a 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 at the intersection of Gothic Lane and Annapolis Road, a CVS pharmacy store at the intersection of Highbridge Road and Annapolis Road and a Chevy Chase Bank to the north of main entrance to the shopping center. The main entrance with a landscaped median to the shopping center is off Highbridge Road. At the time of submission of this application the Chevy Chase Bank has been completed. The CVS and building A, B, C are under construction. No construction has begun for the convenience store/gas station.

The building "B" is proposed for a day care facility, which is 7,200 square feet in size and 31.6 feet high. The existing building "B" is attached to building "A" and "C", which forms the L-shaped building. The architectural elevation of the L-shaped building has been approved on the previous Specific Design Plan SDP-9002 with features such as 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. Special three-step cornices with cupolas or arched tops 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 convenience store, gas island and carwash buildings.

The proposed outdoor play area for the day care facility is 3,500 square feet in size with an 8-foot-high screen wood fence along the north and east sides and a 6-foot-high board-on-board fence along the south side. The proposed 10-foot by 15-foot shade canopy provides a shade area for the children. The outdoor play area is limited to hours between 7:00 a.m. and 9:00 p.m. Sufficient lighting is provided by the building mounted lights.

A day care center for children is a permitted use in the L-A-C Zone, however the Zoning Ordinance does not require an outdoor play area or specify a minimum size for an outdoor play area. In zoning categories where a day care center is permitted by special exception, an outdoor play area is required. Section 27-348.01 contains the requirements for day care centers permitted by special exception. This section requires: "All outdoor play areas shall have at least 75 square feet of play space per child for 50 percent of the licensed capacity or 75 square feet per child for the total number of children to use the play area at one time, whichever is greater." Likewise, in the C-S-C Zone, Section 27-464.02 and Industrial Zone, Section 27-475.02, a day care center is permitted and should conform to the requirements of the pertinent Zoning Section. Although an outdoor play area is not required in the L-A-C Zone, the applicant is proposing to provide a day care center with maximum capacity of 132 children. Of these children, no more than one third, or 44 children, will use the outdoor play area at one time. At 75 square feet per child, this results in an outdoor play area of 3,300 square feet. However, the applicant is providing a total of 3,500 square feet of outdoor play area. A total of 3,500 square feet of outdoor play area utilizes the Prince George's County guideline of 75 square feet per child intended to utilize the play area at one time.

The proposed free-standing Texas Road House restaurant is 7,160 square feet in size and 27.6 feet in height. The applicant is proposing to build the restaurant at the PAD "D" site. The restaurant will have a total of 273 seats (241 seating at tables and 32 seats in the waiting area). The architecture for the proposed restaurant has similar tripartite composition as the L-shaped building. The Texas Roadhouse restaurant will have cedar and brick siding with black and green trim and a gray standing seam metal roof. The proposed lighting on the building illuminates the top section of the building and the sloped roof. Overall the proposed design of the restaurant is in general harmony with the rest of buildings in the shopping center. The hours of delivery for the center are from 8:00 a.m. to 8:00 p.m.

Native plants have been used in the planting areas adjacent to banners and pavers that feature images of native wildlife and plants. 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. The pavers in pedestrian pathways and public seating areas are finished with the images of the native wildlife and plants. An interpretive sign located near the southwesterly bio-retention area creates a focal point around the eastern entrance area off Gothic Lane. The sign near the southwesterly bio-retention area not only creates a focal point around the entrance off Gothic Lane, but also provides 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.

The applicant submitted building-mounted signs for the proposed day care facility and the Texas Roadhouse restaurant. The proposed building signage for the day care facility is 157.12 square feet in size, which is less than the allowed maximum area of 400 square feet allowed by Section 27-613 in the Commercial and Industrial Zones. The total proposed building signage for the restaurant is 160.85 square feet in size, which consist of two building signs one at the front elevation (139.85 square feet) and another at the left-side elevation (21 square feet).

COMPLIANCE WITH EVALUATION CRITERIA

6. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of Part 8, Comprehensive Design Zones, Subdivision 2, L-A-C Zone (Local Activity Center) of the Zoning Ordinance and the site plan design guidelines of the Zoning Ordinance.

The subject application is in conformance with the requirements of Section 27-515(b), which governs permitted uses in the Local Activity Center Zones. The proposed day care facility and restaurant are permitted uses in the L-A-C Zone. The subject site is in a Comprehensive Design Zone and therefore not subject to any specific requirements for a day care operation or an outdoor play area.

7. **Zoning Map Amendment (ZMA) 7059:** The proposed specific design plan is in general conformance with Basic Plan A-7059 (PGCPB No. 83-258) which shows the subject site designated for the L-A-C Zone.

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 revision of building "B" to a day care facility with gross floor area of approximately 7,200 square feet, and building of a restaurant with gross floor area of 7,160 square feet in PAD "D". The site includes existing Village shops, a bank, a pharmacy store, convenience store and car wash. 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 six conditions attached to the Planning Board approval of A-7059, the following is 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 was met with condition 5 of the approved SDP-9002/02. There is a note on the site plan indicating: "All commercial structures shall be fully equipped with an automatic fire suppression system in accordance with National Fire Protection Association (NFPA) standard 13 and all applicable county regulations."

8. **Comprehensive Design Plan (CDP-8610):** On October 1, 1987, the Planning Board approved the CDP-8610, which covers a larger area including the subject property, 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. 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:

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

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. The stormwater management plan will expire on June 7, 2007.

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. Required findings for approval of a specific design plan (Section 27-528 Planning Board action):

(1) The plan conforms to the approved comprehensive design plan, the applicable standards of the Landscape Manual;

Comment: The subject revision proposes minor changes to Specific Design Plan SDP-9902/02. Therefore, the plan will continue to conform to the approved comprehensive design plan and the applicable standards of the *Landscape Manual*. As stated in Findings 8 and 12, 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 public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development;

Comment: Findings for adequate public facilities were made in conjunction with the preliminary plan and the original specific design plan for the development. The subject SDP will not alter the findings made for the specific design plan that the development will be adequately served within a reasonable period of time with existing or programmed facilities. The Transportation Planning Section in a memorandum dated June 28, 2006, 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 that are existing or planned to be completed in the near future.

In addition, according to a review by the Historic Preservation and Public Facilities Planning Section dated June 8, 2006, the required fire and rescue facilities have been determined to be adequate and will not place an unreasonable burden upon the public facilities. Also, 267,660 total square feet of police facility space has been provided, which is adequate to serve the population of Prince George's County based on the planning guideline for police of 141 square feet per 1,000 county residents.

(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 SDP will not alter the findings made for the specific design plan that adequate provision has been made for draining surface water so that there are no adverse effects

on either the subject property or adjacent properties. 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: The subject SDP will not alter the findings that the original SDP is in conformance with an approved Tree Conservation Plan. According to the review dated June 19, 2006 by the Environmental Planning Section, the proposed SDP-9002/04 revision has no impact on the previously approved TCPII/58/04 and is therefore in conformance with said plan.

11. **Specific Design Plan SDP-9002/02 and SDP-9002/03:** The resolution for SDP-9002/02 was adopted by the Prince George's County Planning Board (PGCPB No. 05-36(C) on March 10, 2005 with eleven conditions. The proposed application is in compliance with the approved SDP-9002/02. The SDP-9002/03 was for numerous revisions throughout the site. The proposed application is in compliance with the approved SDP-9002/02 and SDP-9002/03.
12. **Landscape Manual:** The proposed development of the Texas Roadhouse restaurant and a day care facility in building "B" in the 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, (parking lot is adjacent to public right-of-way) 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. The proposed retail shopping center is fronting on Annapolis Road, Highbridge Road and Gothic Lane.
 - a. The approved 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.
 - 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 provided landscape plan options 1, 2, and 3 are in compliance with requirements of the Landscape Manual.
 - c. Section 4.3(c), Landscape Strip Requirements, requires a minimum ten percent of the parking lot to be interior planting area with at least one shade tree for each 300 square feet of the interior planting area. The retail shopping center proposes approximately 175,818 square feet of parking lot, which is larger than 150,000 square feet. The proposed landscape plan is in compliance with the Section 4.3(c) of the Landscape Manual.
 - d. Section 4.7, Buffering Incompatible Uses, is not applicable to this SDP. 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. 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 of the Landscape Manual.

13. **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. The Type II Tree Conservation Plan, TCPII/58/04, submitted with this application has been reviewed and found to have no impact on the previously approved Tree Conservation Plan (TCPII/58/04).

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

Historic Preservation: In a memorandum dated May 26, 2006, the Historic Preservation stated the subject application has no effect on historic resources.

Community Planning: In a memorandum dated June 26, 2006, the Community Planning Division stated this application is not inconsistent with the 2002 General Plan development pattern policies for the Developing Tier. The proposed site plan conforms to recommendations for commercial land use in the *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie-Collington-Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A, and 74B*.

Transportation: In a memorandum dated June 28, 2006 the Transportation Planning Section offered the following: On-site circulation and vehicular/pedestrian access is very similar to that shown on the previous approved plan. There are slight modifications to the uses and the precise building footprint. These changes are acceptable. Dedication along adjacent road facilities was provided under the preliminary plan, and right-of-way consistent with master plan recommendations currently exists along adjacent roadways. No further dedication is required of this plan. As noted previously, the subject property is part of a larger project that was approved pursuant to a finding of adequate public facilities made in 1988 for Preliminary Plan of Subdivision 4-87227. The Transportation staff stated: "Insofar as the basis for those findings is still valid, and in consideration of the materials discussed earlier in this memorandum, the Transportation staff find that the subject property will be adequately served within a reasonable period of time with transportation facilities that are existing or programmed."

Subdivision: In a memorandum dated June 14, 2006, the Subdivision section offered the following:

The property is the subject of Preliminary Plan 4-87227, approved by the Planning Board on December 3, 1987. The resolution of approval, PGCPB Resolution 87-548 was adopted on

December 3, 1987. The property is the subject of record plat NLP 144@17 and is known as Highbridge.

Record Plat NLP 144@17 has nine plat notes. The following plat note is relevant to the SDP under review:

Plat Note 4: Development of this property must conform to the Specific Design Plan SDP 8801 approved March 31, 1988 (in compliance with Comprehensive Design CDP 8610 approved on October 1, 1987) or as amended by any subsequent revision thereto.

The site plan should be revised to show the existing and proposed square footage for the development. The record plat does not establish a cap on development. The transportation planning section should review the proposal to determine if any transportation caps exist on the amount of development.

There are no other subdivision issues at this time.

Comment: The proposed square footage for the development is 58,352 square feet, which is below the subdivision development cap of 60,000 square feet per Zoning Amendment A-7059 and CDP-8610. Transportation has reviewed the plan and has found the proposed site plan acceptable.

Parks: In an email received on June 16, 2006, The Department of Parks and Recreation offered no comments.

Permits: In a memorandum dated June 14, 2006, the Permits Section offered the following:

1. Is the site plan still in conformance with original conditions of SDP-9002 and CDP-8610?

Comment: The proposed site plan is in conformance with the SDP-9002 and CDP-8610 conditions of approval.

2. The parking schedule should be recalculated on Page 1 of 18 to include the day care facility.

Comment: The parking schedule on Page 1 of 18 has been revised to include the day care facility (see note 16.G-16.I).

3. Designate by shading or scoring on the site plan, the location of the proposed day care facility on the site plan.

Comment: The proposed day care facility has been designated on the site plan with shading.

4. The 6-foot chain-link fence should be shown on all plans.

Comment: The 6-foot chain-link fence has been upgraded to a 6-foot board-on-board fence and it is shown on all plans.

5. The submitted plans do not include the sign details information for the day care facility. 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 day care facility signs would be based on the width of the units at the principle entrance, allowing 1 square foot of signage for each 2 linear feet of frontage containing the main entrance to this unit to a maximum of 400 square feet of signage for this unit.

Comment: The proposed building-mounted sign for the day care facility is 157.12 square feet located at the main entrance to the building.

6. The plans should include dimensions and total area information for the proposed signs for the Texas Road House Restaurant.

Comment: The applicant included the building signage for the restaurant (see note 7 below).

7. For the restaurant signage, Section 27-613(g) of the Zoning Ordinance states that in Comprehensive Design Zones the Planning Board shall, as a guide, consider on-site regulations in the Commercial and Industrial Zones. Using the commercial and industrial zone regulations the restaurant signs would be based on width of the building at the principal entrance, allowing 1 square foot of signage for each 2 linear feet of frontage containing the principle entrance to this unit to a maximum of 400 square feet of signage for this building. The principle entrance to the building appears to be the side with 104 linear feet. Therefore signage for the building can be up to 208 square feet.

Comment: The applicant is proposing a total of 160.85 square feet of building-mounted signs for the restaurant. A building-mounted sign of 139.85 square feet for the front elevation and 21 square feet for the left side elevation are proposed for the restaurant.

8. Flags on the building would count toward signage if the name of the restaurant or any other commercial advertisement appears on the flags.

Comment: The flags on the buildings do not include the name of the restaurants or any commercial advertisements.

Public Facilities: In a memorandum dated June 8, 2006, the Historic Preservation and Public

Facilities Planning Section stated the subject SDP has been reviewed for adequacy of public facilities and is determined by the Prince George's County Planning Department that this plan is within the required 7-minute response time for the first due fire station Company 18 Glenn Dale, using the "Seven Minutes Travel Times and Fire Station Locations Map" provided by the Prince George's County Fire Department.

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.

Environmental Planning: In a memorandum dated June 19, 2006, the Environmental Planning Section stated the proposed SDP-9002/04 revision has no impact on the previously approved Type II Tree Conservation Plan (TCPII/58/04) and is therefore in conformance with said plan.

Department of Environmental Resources (DER): In a memorandum dated June 16, 2006, the DER stated the proposed site is within the boundary of the City of Bowie and their comment is required.

Comment: A copy of the proposed application for the subject site was sent to the City of Bowie, (See their comments below).

City of Bowie: In a letter dated June 6, 2006, the City Council states the SDP-9002/04 generally satisfies the basic requirements for specific design plan approval in accordance with Section 27-528(a) of the *Prince George's County Zoning Ordinance*. The Council recommended approval of the Shoppes at High Bridge SDP-9002/04 subject to one condition: Prior to final signature approval of the SDP, the applicant shall comply with the following:

- a. The rear (north) elevation of the Texas Roadhouse restaurant shall be redesigned such that it is no longer a "blank" wall but is well-articulated with windows.

Comment: The rear elevation of the Texas Roadhouse restaurant has been redesigned with windows and there is no "blank" wall.

- b. Except for non-native, non-invasive evergreen plants, only native plants shall be used in the planting areas adjacent to the native wildlife and plant pavers and banners. The specified Crape Myrtle and Vinca Minor shall be eliminated from the area.

Comment: The landscape plan has been revised to replace the Crape Myrtle and Vinca Minor with Eastern Redbud and Big Blue Lilyturf.

- c. There shall be at least one (1) tree or canopy in the proposed day care center play area and the proposed fence shall be planted with vines or be more decorative.

Comment: A 10-foot by 15-foot shade canopy is proposed for the Day care play area. The

proposed 6-foot chain-link fence has been replaced with a more decorative 6-foot board-on-board fence.

- d. Bike racks shall be located adjacent to the CVS store and the gas station C-store.

Comment: The applicant located the bike racks at the CVS and gas station.

Fire Department: In a memorandum dated June 6, 2006, the Fire Department stated the application has been reviewed by their office according to the Departmental Procedure and Operational Guidelines of the Prince George's County Fire Department

Department of Public Works and Transportation (DPW&T): In a memorandum dated July 24, 2006, the DPW&T offered the following:

"The property is located on the northeast quadrant of the intersection of High Bridge Road and Annapolis Road (MD 450). Right-of-way dedication and frontage improvements in accordance with DPW&T's urban collector road standards are required for High Bridge Road. MD 450 is State-maintained; therefore, coordination with the Maryland State Highway Administration is required. The requested revisions to the plan do not impact DPW&T's right-of-way."

Health Department: In a memorandum dated June 16, 2006 the Health Department offered no comments.

Washington Suburban Sanitary Commission (WSSC): In a memorandum dated June 5, 2006, the WSSC stated an on-site plan review package should be submitted.

Comment: On-site review package has been submitted and approved by WSSC and has been constructed in accordance with On-site Plan 05-OS-0618.

Maryland State Highway Administration (SHA): In a memorandum dated June 5, 2006, the SHA stated the site conditions appear adequate for the proposed use changes. Based on the SHA finding, it was determined that existing ingress/egress will adequately serve the facilities. Therefore, SHA has no objection to SDP-9002/04.

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 of this specific design plan, the applicant shall:
 - a. Provide bike racks adjacent to the CVS store and gas station C-store.
 - b. Correct day care Note 1.3 to 6-foot board-on-board decorative fence.

- c. Provide details and specifications of the 6-foot board-on-board decorative fence for the outdoor play area.
- d. Provide brick screening wall with details and specifications for the restaurant's trash facility.

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.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Eley and Parker voting in favor of the motion at its regular meeting held on Thursday, September 7, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of September, 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:NR:rmk