

RESOLUTION

WHEREAS, Home Depot, Inc. is the owner of a 12.41-acre parcel of land known as Tax Map 55 in Grid E-2 and is composed of Parcel A – 3809 Subdivision, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned Commercial Miscellaneous (C-M); and

WHEREAS, on April 20, 2015, AutoZone Development Corporation filed an application for approval of a Preliminary Plan of Subdivision for the construction of an additional 6,816 square feet of gross floor area (GFA) for an automobile parts store and the division of Parcel A into Parcels 1 and 2; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-13027 for AutoZone – Bowie, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on June 25, 2015 for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on June 25, 2015, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-001-15, and further APPROVED Preliminary Plan of Subdivision 4-13027 for AutoZone – Bowie with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to make the following technical corrections:
 - a. Remove "Ex." from the ten-foot-wide public utility easement (PUE) label on the plan. PUEs will be re-granted at the time of final plat.
 - b. Clearly delineate and dimension the boundaries of the proposed (Section 24-128(b)(9) of the Subdivision Regulations) vehicular access easement serving Parcel 2, over Parcel 1.
 - c. Reflect denial of access along the frontage of Parcel 2 on Governors Bridge Road.
 - d. Clearly show the existing building on the plan.
 - e. Label the existing building as "To Remain."

- f. Remove the proposed acreage from the label for existing Parcel A.
 - g. Label the remaining portion of Parcel A as "Parcel 1" and provide the square footage and acreage calculations, which should resemble the label for Parcel 2.
 - h. Rename "Parcel H" as "Parcel 2."
 - i. Add a description for UGE and UGT to the legend and add the liber/folio and disposition.
 - j. Provide a general note that states that "Access to Parcel 2 is authorized pursuant to Section 24-124(b)(9) of the Subdivision Regulations."
2. Development of this site shall be in conformance with the stormwater management concept plan approved by the City of Bowie (Approval No: 02-1214-206NE14) and any subsequent revisions.
3. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement along all public rights-of-way.
4. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Revise the TCPII approval block to a TCP1 approval block.
 - b. Remove "J. Markovich 8/25/2008" from the initial approval line of the approval block.
 - c. Remove the "M-NCPPC APPROVALS" block.
 - d. Revise the woodland conservation worksheet to a legible format.
 - e. Revise the plan view labels to a legible format.
 - f. Show all required TCP1 notes.
 - g. Have the revised plan signed and dated by the qualified professional who prepared it.
5. Total development within the area of this subdivision (Parcels 1 and 2) shall be limited to uses that would generate no more than 114 AM and 449 PM peak-hour vehicle trips. Any development generating an 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.
6. Prior to approval of the final plat of subdivision, a draft vehicular access easement authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations shall be approved by The Maryland-National Capital Park and Planning Commission (M-NCPPC) and be fully executed.

The easement documents shall set forth the rights, responsibilities, and liabilities of the parties, and shall include the rights of M-NCPPC. Prior to recordation of the final plat:

- a. The easement shall be recorded in land records and the liber/folio of the easement shall be indicated on the final plat prior to recordation, and the limit of the easement reflected across Parcel 1 serving Parcel 2 onto Ballpark Road, being authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations.
 - b. "Denial of Access" along Governors Bridge Road for Parcel 2 shall be reflected on the final plat.
7. Approval of this preliminary plan of subdivision shall supersede Preliminary Plan of Subdivision 4-97047 for the development of the site.
 8. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities as designated below, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
 - a. Install four Share the Road sign assemblies (MUTCD sign W11-1 and W16-1) along Ballpark Road (VJ 182-81), which is designated as a Class III bikeway.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on Tax Map 55 in Grid E-2 and is composed of Parcel A – 3809 Subdivision, recorded in Plat VJ 182-81 on March 4, 1998 in the Prince George's County Land Records. The property consists of 12.41 acres within the Commercial Miscellaneous (C-M) Zone and is located within the City of Bowie. The site is currently developed with 132,445 square feet of gross floor area (GFA) for a retail store, which is to remain. This preliminary plan of subdivision (PPS) proposes the construction of an additional 6,816 square feet of GFA for an automobile parts store and the division of Parcel A into Parcels 1 and 2. The existing development (132,445 square feet of GFA) will be located on Parcel 1 and the proposed retail store will be located on proposed Parcel 2. Pursuant to Section 24-111(c)(3) of the Subdivision Regulations, a final plat of subdivision approved prior to October 27, 1970 shall be re-subdivided prior to issuance of a building permit, resulting in this application.

The subject site (existing Parcel A) has a triangular form and is bounded on two sides by public rights-of-way. Along the westernmost boundary of the site is Governors Bridge Road, which is part of the Robert S. Crain Highway (US 301) master plan right-of-way (F-10). Ballpark Road (70 feet wide) bounds the site along the southern boundary. Two existing vehicular access driveways are located along Ballpark Road, which will remain. Proposed Parcel 1, upon which the existing development will be located, will retain both existing vehicular access driveways. Proposed Parcel 2, upon which the proposed development will be located, will have vehicular access to Ballpark Road by means of an access easement through Parcel 1, in accordance with Section 24-128(b)(9) of the Subdivision Regulations.

Preliminary Plan of Subdivision 4-94074 (PGCPB No. 94-298(A)) was originally approved for Parcel A and adjacent Parcels B through G on September 22, 1994. Condition 13 of the adopted resolution contains a requirement for limited detailed site plan (DSP) review. This requirement, as discussed further in this report, is not carried forward in the conditions of approval.

3. **Setting**—The subject site is located in the northeast quadrant of the intersection of Robert S. Crain Highway (US 301) and Ballpark Road. To the north of the site is vacant property zoned Rural Residential (R-R). Capital Plaza is located north of the subject property, across Annapolis Road (MD 450). To the south of the site is property zoned One-Family Detached Residential (R-80) that is currently undeveloped. Property zoned C-M, developed with various commercial uses, abuts the site to the east, south, and west, across (US 301).
4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	EXISTING	APPROVED
Zone:	C-M	C-M
Use(s):	132,445 square feet of GFA (retail to remain)	139,261 square feet of GFA (6,816 sq. ft. new retail)
Acreage:	12.41	12.41
Lots:	0	0
Outlots:	0	0
Parcels:	1	2
Dwelling Units:	0	0
Public Safety:	No	No
Variance:	No	No
Variation:	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on May 8, 2015.

5. **Previous Approvals**—On May 20, 1991, the County Council of Prince George's County, Maryland, sitting as the District Council, adopted the recommendations of the Zoning Hearing Examiner as its findings of fact and conclusions for Special Exception SE-3966. The special exception was approved for a commercial recreational attraction that no longer includes Parcel A (Zoning Ordinance 18-1991).

On April 11, 1994, the County Council, sitting as the District Council, adopted the recommendations of the Zoning Hearing Examiner as its findings of fact and conclusions for Zoning Map Amendment A-9897, which rezoned 46.14 acres of land, which included the land area of Parcel A, from the R-R Zone to the C-M Zone. The zoning map amendment was approved with no conditions (Zoning Ordinance 16-1994).

6. **Community Planning**—This subject site is located within a Local Town Center as designated in the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035). The town center is a larger auto-accessible center that typically anchors suburban subdivisions. It features a walkable "core" and a horizontal and vertical mix of uses, and is envisioned to accommodate future transit services. The following urban design principle from Prince George's County Planning Board Resolution No. 14-10, number 19, which approved Plan Prince George's 2035, is relevant: "Orient and relate building frontages rather than parking to the street."

The site is also located within the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B* (Bowie and Vicinity Master Plan and SMA). The master plan includes this property as part of the Bowie Regional Center. The center is a pedestrian-friendly transit-oriented community with a regional market. There is a diverse mix of moderate- to high-density and intensity of residential, commercial, and employment uses. The following are pertinent goals taken from page 31 of the master plan: "Encourage high-quality infill and redevelopment of existing commercial and parking areas, over time" and "Require pedestrian-oriented and transit oriented design." The design principles and goals should be considered by the applicant at the time of building permit for the proposed development.

The application, with proposed commercial uses, is consistent with the land use recommendations of Plan Prince George's 2035, the master plan, and the permitted uses in the C-M Zone.

7. **City of Bowie**—The PPS is located within the municipal boundary of the City of Bowie and was referred to the city for review and comments accordingly. The Bowie City Council will conduct a public hearing for the PPS on June 15, 2015. At the time of the writing of this report, no comments have been received from the City of Bowie.
8. **Urban Design**—The proposed automobile parts store, without installation facilities, is a permitted use in the C-M Zone as indicated in Section 27-461(b), Uses Permitted, of the Prince George's County Zoning Ordinance. Conformance with Section 27-459, regulations for development in the C-M Zone, along with other applicable Zoning regulations, will be evaluated at the time of permit review.

Condition 13 of Preliminary Plan of Subdivision 4-94074 (PGCPB Resolution No. 94-298(A)) states the following:

13. Prior to the issuance of any building permits, a limited Detailed Site Plan shall be approved by the Planning Board. The site plan, which shall be subject to a 45 day time limit from the date of acceptance, shall address the following:

- a. Landscaping and buffering in relation to views from US 301.**
- b. Internal driveway circulation, parking and truck access.**

The subject plan shall not be subject to review for adequate public facilities issues or access issues related to the existing Rip's Restaurant site.

As required by the above condition, Detailed Site Plan SP-97047 was approved (PGCPB Resolution No. 97-325) by the Planning Board on November 13, 1997 for the existing Home Depot, with one condition that was fulfilled at the time of plan certification. As noted below, the AutoZone project will be subject to the 2010 *Prince George's County Landscape Manual* (Landscape Manual), and the proposed internal circulation is constructed and conforms to Subtitle 27. The requirements of Condition 13 were fulfilled through the approval of SP-97047. It is not necessary that this C-M-zoned property should be subject to a DSP requirement (Parcels 1 and 2). Therefore, this requirement has not been brought forward with this new PPS.

Conformance with the 2010 Prince George's County Landscape Manual

Pursuant to Section 27-459(d), Regulations, development projects in the C-M Zone are required to conform to the Landscape Manual. Conformance with the requirements of the Landscape Manual will be determined at the time of permit review.

Conformance with the Prince George's County Tree Canopy Coverage Ordinance

Because the site is in a commercial zone and was the subject of a DSP approved prior to September 1, 2010, it is exempt from tree canopy coverage requirements.

9. **Environmental**—This project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 of the Prince George's County Code that came into effect on September 1, 2010 because the application is for a new PPS.

The following applications and associated plans have been previously reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
4-94074	TCPI-105-90	Planning Board	Approved	5/23/96	PGCPB No. 94-298(A)
DSP-97047	TCPII-161-91	Planning Board	Approved	11/25/97	PGCPB No. 97-325
DSP-97047-02	TCPII-161-91	Planning Director	Approved	3/14/00	N/A

The original PPS and DSPs were reviewed when the subject property was known as 3809 Subdivision (Parcels A–E). The previously approved applications were for the subdivision of a 60.06-acre site in the C-M Zone with commercial pad sites.

The Environmental Planning Section signed a Natural Resources Inventory Equivalency Letter, NRI-083-11, which is valid until February 18, 2020. According to mapping research and as documented on the approved TCPII, streams, wetlands, and floodplain are found to occur on the northern portion of this property. Topography for the subject area is fairly flat, because the site contains an existing parking area. The site is located within the Middle Patuxent River drainage basin. The predominant soils found to occur on-site, according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include the Collington-Wist complex and Urban land- Collington-Wist complex soils. According to available information, Marlboro clay and Christiana complex are not found to occur on this property. According to the Sensitive Species Project Review Area (SSSPRA) map prepared by the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered (RTE) species found to occur on or in the vicinity of this property. The site has frontage on US 301, a master planned freeway that is a traffic noise generator; however, due to the proposed commercial use, traffic-generated noise is not regulated in relation to the subject application. No scenic or historic roads are located in the vicinity of the subject site. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains regulated and network gap areas within the designated network of the plan.

Conformance with the Plan Prince George's 2035 Approved General Plan

The site is located within the Established Communities area of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035.

Master Plan Conformance

The site is located within the 2006 Bowie and Vicinity Master Plan and SMA area. The Environmental Infrastructure section of the master plan contains goals, policies and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance:

POLICY 1: Protect, preserve and enhance the identified green infrastructure network within the master plan area.

This site is within the network gap area of the Countywide Green Infrastructure Plan. The proposed project area has already been impacted by asphalt parking areas from a previously approved preliminary plan and detail site plan application.

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

An approved Stormwater Management Concept Plan and Letter (02-1214-206NE14) was submitted with the subject application. This plan was approved by the City of Bowie, Department of Public Works, on January 19, 2014. Since this area is already impervious, the plan proposes the use of a rooftop drain system and a bioretention filter system.

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

The site has a previously approved TCP11, and a revised Type 1 Tree Conservation Plan (TCP1) has been submitted. No woodlands will be removed as part of this preliminary plan.

The subject application is in conformance with the applicable environmental recommendations of the master plan.

Conformance with the Countywide Green Infrastructure Plan

Approximately 24 percent (3 acres) of the 12.41 acre site contains areas of regulated and network gap areas within the designated network of the Countywide Green Infrastructure Plan. Regulated area is primarily located in one area which is part of a swath of regulated area off an off-site stream system. The network gap is located along the northern portion of the site on both sides of the regulated area.

The following policies support the stated measurable objectives of the Countywide Green Infrastructure Plan:

POLICY 1: Preserve, protect, enhance or restore the green infrastructure network and its ecological functions while supporting the desired development pattern of the 2002 General Plan.

As proposed by this application, no additional on-site regulated and network gap areas are impacted.

POLICY 2: Preserve, protect, and enhance surface and ground water features and restore lost ecological functions.

The project area is located within an area already impacted with impervious area. The applicant proposes a rooftop drain system and a bioretention filter system to handle stormwater management for the entire project area.

POLICY 3: Preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern of the 2002 General Plan.

The property is subject to the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO). The site has a previously approved TCP1. In this current application, a new TCP1 was submitted showing the proposed development with no woodland clearing.

Environmental Review

An approved Natural Resources Inventory Equivalency Letter (NRI-083-11) was submitted with the review package, which was approved on February 18, 2015. The site is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. This project area was part of a larger approved TCP1 area. A revised TCP1 has been submitted showing the proposed commercial pad site and parking area along with the surround existing development. No new woodland impacts are proposed with this request. The revised TCP1 is in conformance with the WCO; however, some minor revisions are required.

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Regulations. The on-site regulated environmental features include a stream, stream buffer, the 100-year floodplain, and steep slopes. No new impacts to the on-site regulated environmental features are proposed with this application.

10. **Stormwater Management**—The subject site is totally located within the municipal boundary of the City of Bowie. Therefore, approval of the stormwater management concept plan for the proposed development is under the authority of the municipality. The city has approved the Stormwater Management Concept Plan (Approval No: 02-1214-206NE14) for the site. The plan proposes the use of a rooftop drainage system and a bioretention filter system.

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection, and preservation of drinking water, stormwater, and wastewater systems within the County, on a countywide level. These policies are not intended to be implemented on individual properties, or projects, and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans; County ordinances for stormwater management, 100-year floodplain, and woodland conservation; and programs implemented by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE); the Prince George's County Health Department; the Prince George's County Department of the Environment; the Prince George's Soil Conservation District; the Maryland-National Capital Park and Planning

Commission (M-NCPPC) Planning Department; and the Washington Suburban Sanitary Commission (WSSC) are also deemed to be consistent with this master plan.

11. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, mandatory dedication of parkland is not required for the subject site because it consists of nonresidential development.
12. **Trails**—This PPS has been reviewed for conformance with Sections 24-123 and 24-124.01 of the Subdivision Regulations, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the 2006 Bowie and Vicinity Master Plan and SMA in order to implement planned trails, bikeways, and pedestrian improvements. Due to the site's location within the Bowie Regional Center (per the Adequate Public Facility Review Map of Plan Prince George's 2035), the application is subject to the requirements of Prince George's County Council Bill CB-2-2012 and the associated "Transportation Review Guidelines, Part 2."

Conformance to the MPOT and Sector Plan

There are no master plan trails issues that impact the subject application. However, the Complete Streets element of the MPOT includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

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

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

Recommendations for the subject site are based on these policies and the provision of complete streets through the subject site. Although Ballpark Road is not currently designated as a master plan bikeway in either the MPOT or the area master plan, the City of Bowie has implemented bikeway signage on Heritage Boulevard and Mitchellville Road, which are across Robert Crain Highway (US 301) from the subject site. Due to the location of the Prince George's Stadium, a continuation of these bike routes up Ballpark Road may be appropriate.

Existing Ballpark Road includes a standard sidewalk along the entire frontage of the subject site. This sidewalk leads to an existing pedestrian signal at Ballpark Road and US 301, which facilitates pedestrians crossing to the commercial areas (and other destinations) on the west side of US 301. The proposed retail development will be constructed within the existing parking lot for Home Depot. Sidewalks are reflected along the perimeter of the building linking the handicap parking spaces with the building entrance.

Conformance to Section 24-124.01 (Adequate Public Pedestrian and Bikeway Facilities)

The subject property is located within a designated center in Plan Prince George's 2035. This PPS is therefore subject to the adequate public facilities review procedures that are described in Section 24-124.01 of the Subdivision Regulations, which applies to any development project requiring the subdivision or re-subdivision of land within centers and corridors. The Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent that such facilities do not already exist) throughout the subdivision and within one-half mile walking or biking distance of the subdivision if the Planning Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available public rights-of-way.

Section 24-124.01 includes the following guidance regarding pedestrian and bikeway improvements:

- (a) **Statement of Legislative Intent.** This Section establishes general criteria by which to ensure the adequacy of public pedestrian and bikeway facilities in County Centers and Corridors as designated by the General Plan (or as designated, defined, or amended by a subsequent master plan or sector plan). It also sets forth the requirements for those who establish subdivisions within Centers and Corridors to construct on-site and off-site pedestrian and bikeway facilities and other public streetscape improvements as part of any development project. The Approved 2002 General Plan states that the County should provide for a multimodal pedestrian-friendly transportation system at Centers and Corridors that is integrated with the desired development pattern. Accomplishing this requires the incorporation, to the maximum extent possible, of appropriate pedestrian, bicycle and transit-oriented design (TOD) and transit-supporting design (TSD) features in all new development within Centers and Corridors. Such features include integrated sidewalk, trail, and bikeway networks to divert as many trips as possible from automobile travel and increase the multimodal accessibility and attractiveness of trips to transit stops, schools, parks, libraries, stores, services and other destinations for all users. Pedestrian and bikeway facilities should be designed to increase safety, reduce travel time and offer the most direct routes to destinations for persons of all abilities. These concepts are further articulated in the "complete streets" principles and policies set forth in the 2009 Approved Countywide Master Plan of Transportation.
- (b) Except for applications for development projects proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.

- (1) **The finding of adequate public pedestrian facilities shall, at a minimum, include the following criteria:**

 - (A) **The degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area.**
 - (B) **The presence of elements that make it safer, easier, and more inviting for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield markings, "bulb-out" curb extensions, crossing signals, pedestrian refuge medians, street trees, benches, sheltered commuter bus stops, trash receptacles, and signage).**
- (2) **The finding of adequate public bikeway facilities shall, at a minimum, include the following criteria:**

 - (A) **The degree to which the bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area;**
 - (B) **the presence of specially marked and striped bike lanes or paved shoulders in which bikers can safely travel without unnecessarily conflicting with pedestrians or motorized vehicles;**
 - (C) **the degree to which protected bicycle lanes, on-street vehicle parking, medians, or other physical buffers exist to make it safer or more inviting for bicyclists to traverse the area; and**
 - (D) **the availability of safe, accessible, and adequate bicycle parking at transit stops, commercial areas, employment centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.**

The subject application includes the placement of a new building within an existing parking lot for an existing Home Depot. The concept plan reflects proposed sidewalks around the building and along the site's entire frontage of Ballpark Road. Planning Board staff and the applicant explored additional pedestrian improvements as part of the required off-site improvements. However, any sidewalk construction or intersection improvements required would quickly exceed the cost cap of \$2,385.60 specified in

Section 24-124.01(c). Consequently, Planning Board staff worked with the City of Bowie to develop an alternative recommendation for bikeway signage that will supplement signage already in place on the west side of US 301, to designate a bike route along Ballpark Road to the Prince George's Stadium (which has existing bike racks), and to fulfill the requirements of Section 24-124.01 within the limits of the cost cap. Because the intersection improvements at US 301 were not feasible within the constraints of the cost cap, additional bikeway signage will provide a needed improvement along Ballpark Road, extend existing bikeway signage already installed by the City of Bowie, and make an improvement to the overall bike network within the constraints of the legislation.

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or biking distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available public rights of way. The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and Three Hundred Dollars (\$300.00) per unit of residential development proposed in the application, indexed for inflation.**
- (d) **Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):**
 - (1) **installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;**
 - (2) **installing or improving streetlights;**
 - (3) **building multi-use trails, bike paths, and/or pedestrian pathways and crossings;**
 - (4) **providing sidewalks or designated walkways through large expanses of surface parking;**
 - (5) **installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and**
 - (6) **installing street trees.**

The required Bicycle and Pedestrian Impact Statement (BPIS) was submitted on April 22, 2015. At the recommendation of the Transportation Planning Section, the applicant proposed focusing the off-site improvements at the intersection of Ballpark Road and US 301, where crosswalk and curb ramp improvements are necessary to supplement the existing pedestrian signals. The applicant proffered the following improvements in the BPIS:

- a. Crosswalk Installation—As an off-site improvement, crosswalk striping will be provided across Ballpark Road at the intersection of Ballpark Road and Crain Highway (US 301).
- b. Pedestrian Ramps—Standard pedestrian handicap ramps will be installed at the proposed crosswalk at US 301/Ballpark Road.

However, after discussions with the applicant and the Maryland State Highway Administration (SHA), it was determined that the improvements at this location could not be kept within the cost cap. Therefore, an alternative improvement (bikeway signage (Share the Road)) along Ballpark Road is conditioned. This signage will complement existing signs on the west side of US 301 along Heritage Boulevard and Mitchellville Road that has been placed by the Prince George's County Department of Public Works and Transportation (DPW&T) and the City of Bowie, and would formalize the entire bike route to Prince George's Stadium. The provision of four signs will be sufficient for this stretch of dedicated public road (two in each direction between US 301 and the ballpark (M-NCPPC)). The typical cost of the sign is \$210 per sign. The total cost of \$840 is well within the cost cap of \$2,385.60 specified in Section 24-124.01.

It is concluded that there is a demonstrated nexus between the subject application and the recommended off-site bicycle improvements. The proposed improvements will directly benefit the future patrons and employees of the subject site.

13. **Transportation**—The application is a PPS for a commercial subdivision of two parcels (Parcels 1 and 2), and includes the development of a 6,816 square feet of GFA for retail use. The new building will be located on Parcel 2 in the northwest corner of the site, and the larger parcel would contain the existing 132,446-square-foot commercial building (Parcel 1). The existing uses are estimated to generate 111 AM and 434 PM weekday peak-hour vehicle trips as determined using the "Transportation Review Guidelines, Part 1" (Guidelines), in consideration of a 40 percent rate of pass-by traffic. The amount of development proposed to be added (Parcel 2) would generate 3 AM and 15 PM weekday peak-hour vehicle trips.

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

- Ballpark Road and site access (unsignalized)
- US 301 and Ballpark Road (signalized)

The application is supported by weekday peak-hour traffic counts dated November 2014 that were provided by the applicant. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the Transportation Planning Section, consistent with the Guidelines.

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

- **Links and signalized intersections:** Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.
- **Unsignalized intersections:** The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. Once the CLV exceeds 1,150 for either type of intersection, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The following critical intersections, interchanges, and links identified above, when analyzed with existing traffic using counts taken in November 2014 and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
US 301 and Ballpark Road	1,052	1,358	B	D
Ballpark Road and site access	9.0*	39.2*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation "Consolidated Transportation Program" or the Prince George's County "Capital Improvement Program." Background traffic has been developed for the study area using several approved, but unbuilt developments within the study area. A 1.5 percent growth rate for a period of two years has been assumed along Robert S. Crain Highway (US 301); this is a conservative estimate because the historical growth rates for this area indicate no traffic growth. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
US 301 and Ballpark Road	1,116	1,423	B	D
Ballpark Road and site access	9.0*	39.2*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The following critical intersections, interchanges, and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the Guidelines, including the site trip generation as described above and the distribution as follows: 45 percent north US 301, 45 percent south along US 301, and 10 percent west along Heritage Boulevard, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
US 301 and Ballpark Road	1,117	1,430	B	D
Ballpark Road and site access	9.2*	44.1*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

It is found that all critical intersections operate acceptably under total traffic in both peak hours. In accordance with this analysis, approval will be conditioned upon a trip cap consistent with the trip generation assumed for the site (the existing development plus the proposed) equaling 114 AM and 449 PM trips.

Plan Comments

The access is supportable as shown on the plan. However, given that the only public street access for the site is from the US 301 right-of-way, a driveway to this facility is not supportable (nor is it proposed). Locating any new access along this site's US 301 frontage would result in safety concerns and, therefore, the easement pursuant to Section 24-128(b)(9) of the Subdivision Regulations is approved. The access easement from Parcel 2, over Parcel 1, will be co-located to share one of the two existing driveways onto Ball Park Road.

Crain Highway (US 301) is a master plan freeway facility. An extension of Governor Bridge Road is shown as a future roadway along the frontage of this site to serve as an access control roadway to supplement the future function of US 301. The needed right-of-way has been previously dedicated. It is noted that PGAtlas shows a portion of the future right-of-way clipping the northwest corner of the proposed lot. Given that this small area is likely to become a slope easement and is outside of the limit of disturbance (LOD) for the PPS, this area can be preserved by other means and is not required for dedication.

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

14. **Schools**—The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the "Adequate Public Facilities Regulations for Schools" (County Council Resolutions CR-23-2001 and CR-38-2002), and concluded that the subdivision will have no impact on school clusters because it is a nonresidential use.

15. **Fire and Rescue**—The PPS has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(e)(1)(E) of the Subdivision Regulations.

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

The proposed project is served by Northview Fire/EMS, Company 16. This first due response station, located at 14901 Health Center Drive, is within the maximum seven-minute travel time.

Capital Improvement Program (CIP)

There are no CIP projects for public safety facilities proposed in the vicinity of the subject site.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

16. **Police Facilities**—The proposed development is within the service area of Police District II, Bowie. There is 267,660 square feet of space in all of the facilities used by the Prince George’s County Police Department, and the July 1, 2014 (U.S. Census Bureau) county population estimate is 904,430. Using 141 square feet per 1,000 residents, it calculates to 127,524 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.
17. **Water and Sewer Categories**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The 2008 *Water and Sewer Plan* placed part of this property in water and sewer Category 3, Community System. The site will therefore be served by public water and sewer service.
18. **Health Department**—The PPS was referred to the Health Department for review. At the time of the writing of this report, comments have not been received from the Health Department.
19. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when public utility easements (PUEs) are required by a public utility company, the subdivider should include the following statement on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The PPS correctly delineates a ten-foot-wide PUE along the public rights-of-way as required, which will be reflected on the final plat prior to approval.

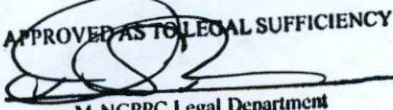
20. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources, or known archeological sites.
21. **Use Conversion**—The subject application is not proposing any residential development; however, if a residential land use were proposed, a new subdivision is recommended. There exists different adequate public facility tests comparatively between residential and nonresidential uses, and there are other considerations for a residential subdivision not considered in the review of commercial, industrial, and mixed-use development including recreational components, noise, and access. A new subdivision is recommended if residential development is to be proposed.

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

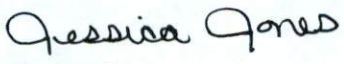
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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Geraldo, Shoaff, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, June 25, 2015 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of July 2015.

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department
Date 7/6/15

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:WM:rpg