



The Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530

Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

# Detailed Site Plan Dash In – Mill Branch

## DSP-20003-01

REQUEST	STAFF RECOMMENDATION
Amendment to DSP-20003 for construction of a gas station, with a 4,809-square-foot food or beverage store.	With the conditions recommended herein: <ul style="list-style-type: none"> <li>• Approval of Detailed Site Plan DSP-20003-01</li> <li>• Approval of Type 2 Tree Conservation Plan TCP2-044-2021-01</li> </ul>

<b>Location:</b> On the east side of US 301 (Robert Crain Highway), approximately 1,500 feet north of its intersection with Mill Branch Road.	
Gross Acreage:	3.19
Zone:	CGO
Prior Zone:	C-S-C
Reviewed per prior Zoning Ordinance:	Section 27-1704(e)
Dwelling Units:	0
Gross Floor Area:	4,809 sq. ft.
Planning Area:	71B
Council District:	04
Municipality:	Bowie
<b>Applicant/Address:</b> Dash In Food Stores, Inc. P.O. Box 2810 La Plata, MD 20646	
<b>Staff Reviewer:</b> Mridula Gupta <b>Phone Number:</b> 301-952-3504 <b>Email:</b> Mridula.Gupta@ppd.mncppc.org	



Planning Board Date:	07/27/2023
Planning Board Action Limit:	07/27/2023
Staff Report Date:	07/12/2023
Date Accepted:	02/08/2023
Informational Mailing:	06/22/2022
Acceptance Mailing:	02/07/2023
Sign Posting Deadline:	06/27/2023

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/](http://www.mncppcapps.org/planning/Person_of_Record/). Please call 301-952-3530 for additional information.

## Table of Contents

EVALUATION CRITERIA.....	3
FINDINGS.....	3
1. Request.....	4
2. Development Data Summary.....	4
3. Location.....	5
4. Surrounding Uses.....	5
5. Previous Approvals.....	5
6. Design Features.....	6
COMPLIANCE WITH EVALUATION CRITERIA.....	10
7. Prince George’s County Zoning Ordinance.....	10
8. Preliminary Plan of Subdivision 4-19050.....	18
9. 2010 Prince George’s County Landscape Manual.....	22
10. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance.....	22
11. Prince George’s County Tree Canopy Coverage Ordinance.....	23
12. Referral Comments.....	23
RECOMMENDATION.....	31

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-20003-01  
Type 2 Tree Conservation Plan TCP2-044-2021-01  
Dash In - Mill Branch

The Urban Design staff has reviewed the detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

**EVALUATION CRITERIA**

The property is located within the Commercial, General and Office (CGO) Zone. However, this application is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Section 27-1704(e) of the Zoning Ordinance, which allows for subsequent revisions or amendments to an approved project to continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved. Under the prior Zoning Ordinance, the property is subject to the standards of the Commercial Shopping Center (C-S-C) Zone, which applied to this property prior to April 1, 2022. This detailed site plan application was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the prior Prince George's County Zoning Ordinance in the Commercial Shopping Center (C-S-C) Zone, and the site design guidelines.
- b. The requirements of Preliminary Plan of Subdivision 4-19050.
- c. The requirements of the 2010 *Prince George's County Landscape Manual*.
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.
- e. The requirements of the Prince George's County Tree Canopy Coverage Ordinance.
- f. Referral comments.

**FINDINGS**

Based upon the analysis of the subject application, the Urban Design staff recommend the following findings:

- Request:** This detailed site plan (DSP) requests to amend DSP-20003, for construction of a gas station with a 4,809-square-foot food or beverage store. The subject property is part of a larger 70.11-acre mixed-use development called Mill Branch Crossing. This is the first DSP for commercial development within the Mill Branch Crossing site. A car wash is also proposed on the property, which is permitted with the approval of a special exception in the prior Commercial Shopping Center (C-S-C)-Zone. Special Exception SE-22006 has been submitted by the applicant, which at this time, has not yet been accepted for review. Therefore, the proposed car wash is not included in the subject DSP.

**2. Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	CGO	CGO*
Use(s)	Vacant	Gas Station, Food or Beverage Store
Gross Acreage	3.19	3.19
Total Gross Floor Area	0	4,809 sq. ft.

**Note:** \*This DSP is reviewed pursuant to the prior Prince George’s County Zoning Ordinance, and the prior C-S-C zoning of the subject property. The subject DSP-20003-01 was accepted for review on February 8, 2023. The acceptance documents, a revised statement of justification (SOJ) submitted on March 9, 2023, and revised site plans submitted on June 20, 2023, were used for the analysis contained herein.

**Other Development Data**

**Parking Requirements** (per Section 27-568(a) of the prior Zoning Ordinance)

	<b>Required</b>	<b>Provided</b>
Food and Beverage Store	1 space per 150 sq. ft. of GFA of the first 3,000 sq. ft. 1 space per 200 sq. ft. of GFA above the first 3,000 sq. ft.	1 x (3,000/150) + 1 x (1,809/200) + = 30 parking spaces
Gas Station	1 space per each employee	1 x 2 employees
<b>Total Parking Required</b>	<b>32</b>	
<b>Total Parking Provided</b>		<b>31</b>
Non-standard spaces* (9.5 feet x 20 feet)	-	4
Non-standard spaces* (10 feet x 20 feet)	-	12
Compact parking *** (9 feet by 20 feet)	-	7
Compact parking *** (8 feet by 20 feet)	-	3
Parallel parking (8 feet by 22 feet)	-	3
Handicap Van-accessible (8 feet by 20 feet)	2	2

**Note:** \*Per Section 27-558(a) of the prior Zoning Ordinance, the minimum size of a standard car parking space is 9.5 feet by 19 feet. This DSP proposes 4 parking spaces with a size of 9.5 feet by 20 feet, and 12 parking spaces with a size of 10 feet by 20 feet.

\*\*Per Section 27-558(a), the minimum size of a compact car parking space is 8 feet by 16.5 feet. This DSP proposes 7 compact parking spaces with a size of 9 feet by 20 feet, and 3 compact parking spaces with a size of 8 feet by 20 feet. The total number of compact parking spaces is 10, which meets the maximum number allowed per Section 27-559(a) of the prior Zoning Ordinance.

The total number of required parking spaces is 32, whereas the site plan reflects only 31. Prior to certification, the applicant will need to either reduce the total gross floor area of the convenience store, or provide the minimum required number of parking spaces on-site. The parking calculations should also be revised to reflect the correct number of required parking spaces.

**Loading Spaces** (per Section 27-582(a)\* of the prior Zoning Ordinance)

	<b>Required</b>	<b>Provided</b>
Gas Station with a Food and Beverage Store	1 space (12 feet x 33 feet)	
<b>Total</b>		1 space (12 feet x 33 feet)

**Note:** \*The subject site plan proposes one loading space, in accordance with the requirements of Section 27-582(a), which lists the following requirement:

- One space per 2,000–10,000 square feet of gross floor area of retail sales and service (per store)

3. **Location:** The subject property is known as Outlot 15 of Mill Branch Crossing. It is located on the east side of US 301 (Robert Crain Highway), approximately 1,500 feet north of its intersection with Mill Branch Road, in Planning Area 71B and Council District 4. The property is subject to the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (master plan).
4. **Surrounding Uses:** The 3.19-acre site is bound to the west by US 301, with vacant land in the Commercial, General and Office (CGO) Zone (prior C-S-C-Zone) to the east. This land is also part of the overall Mill Branch Crossing development and proposed for future commercial development. To the north is vacant land in the Agriculture-Residential and CGO Zones; to the south is a public right-of-way for US 301, for a service road and a private roundabout (to be improved as part of the overall Mill Branch Crossing development), which provides access to the subject property.
5. **Previous Approvals:** The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B* reclassified the subject property from the prior Residential Agricultural Zone to the prior C-S-C Zone. The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* retained the property in the prior C-S-C Zone.

In 2019, the Prince George's County District Council approved Prince George's County Council Bill CB-45-2019, to amend Section 27-461, the Commercial Zone Table of Uses, of the prior Zoning Ordinance, for the purpose of permitting by right a gas station, food or beverage store in combination with a gas station, apartment housing for the elderly or physically handicapped, dwelling, multifamily, and townhouse uses in the C-S-C Zone, under certain circumstances.

Preliminary Plan of Subdivision (PPS) 4-19050 was approved by the Prince George's County Planning Board on March 18, 2021 (PGCPB Resolution No. 2021-42), for the future development of 190 single-family attached dwellings, 408 multifamily dwelling units, a 150-room hotel, and 77,635 square feet of commercial, retail, and office uses. The PPS covers 70.1 acres, while this DSP amendment covers 3.19 acres in the northwestern corner of the subdivision. This DSP proposes one parcel, Parcel 15, which is consistent with Parcel 15 as it is shown on the PPS. The subject DSP amendment is the first DSP submitted for commercial development within the subdivision, and it is within the commercial square footage approved with the PPS. Therefore, a new PPS is not required at this time.

The first DSP for the overall Mill Branch Crossing development, DSP-20003, was approved by the Planning Board on March 24, 2022 (PGCPB Resolution No. 2022-35). This DSP approved the residential component and infrastructure improvements on the remainder of the site for future commercial development, including this subject site.

On November 29, 2021, the District Council approved Prince George's County Council Resolution CR-136-2021, the Countywide Sectional Map Amendment, which reclassified the subject property from the C-S-C Zone to the CGO Zone.

The site also has a Stormwater Management (SWM) Concept Approval (03-0621-205NE14) from the City of Bowie, approved on June 28, 2021, and expires on June 28, 2024.

6. **Design Features:** The application proposes construction of a gas station, with 16 gasoline fueling stations and a 5,796-square-foot metal canopy, 2 diesel fueling stations, and a 4,809-square-foot food or beverage store, specifically, a Dash In store. A 3,059-square-foot car wash is also proposed on the property, which is not part of this DSP application, and will be reviewed and permitted as part of a separate Special Exception (SE-22006) application. The car wash, while not reviewed with this application, uses access driveways and other site amenities, such as the trash enclosure, common with the gas station and the Dash In store. To that end, any revisions to the subject DSP have the potential to impact the special exception site plan once it is approved. Similarly, any revisions to SE-22006 may require concurrent revisions to this DSP. The applicant is cognizant of the interdependence of the two applications and acknowledges that changes to one site plan may require changes to the other site plan. A condition is included herein, to require the applicant to amend the subject DSP, if necessary, to reflect the approved SE-22006 prior to the approval of a fine grading permit for the subject property.

The 3.19-acre subject site is irregularly shaped, with the northern portion located within the 100-year floodplain. The property fronts on US 301 to the west, and on its service road to the south. The site is accessed from a roundabout located at its southeast corner, while an egress only driveway is proposed to the US 301 Service Road. The site's topography includes a uniform slope from south to north and is proposed to be mass-graded, as

approved under DSP-20003. An approximately 530-foot-long retaining wall is proposed along the northern edge, to maximize the developable area on the property. The proposed Dash In store is oriented towards US 301, with one access point to the common private driveway it will share with the car wash use on the property. The canopy and gas dispensing stations are proposed to be located between the Dash In building and US 301.

The car wash, to be approved under SE-22006, will only feature one-way circulation, with the entrance to the car wash lane located along the eastern property border, on the rear side of the convenience store building. This one-way lane allows the car wash to have a queue separate from the remainder of the site, which permits adequate stacking space. The car wash will also be supported by vacuum stalls, which are located between the convenience store building and the car wash. These vacuum stalls are proposed with canopies with overhead lights. Though the car wash and the vacuum stalls are not part of this application, future architecture of these structures should be consistent with the architecture approved with this DSP.

The convenience store is a one-story building, with parking located on two sides. Internal vehicular and pedestrian circulation is provided on-site by driveways and sidewalks around the convenience store building. The sidewalk, however, is not connected to the sidewalk system located along the property frontage or continuous with the overall Mill Branch Crossing development. This is further discussed under Finding 7d. Parking and loading schedules demonstrating conformance with the relevant requirements of Part 11 of the Zoning Ordinance are included on Sheet 4 of the DSP. Two bicycle racks are also provided near the front entrance to the Dash-In store.

The service areas, including the dumpster enclosure and loading space, are located along the northern and southern edges of the parking lot, and will be screened by landscaping. Two of the parking spaces are equipped with electric-vehicle charging stations, to provide an additional vehicle-related service to the customers.

Stormwater for the site is proposed to be managed and treated in a series of SWM facilities located at the periphery of the site.

### **Architecture**

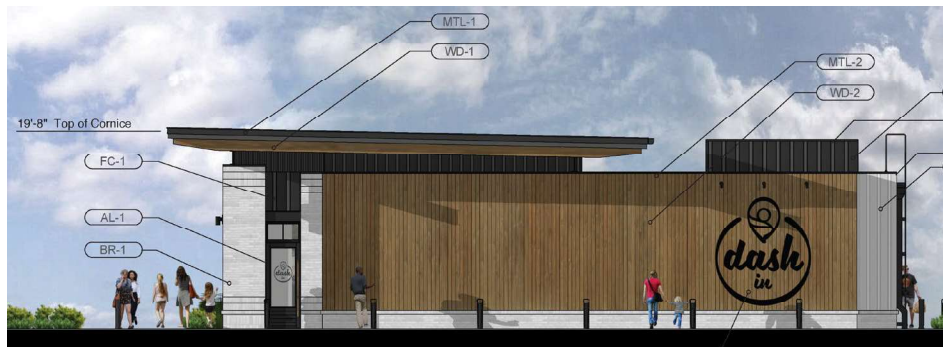
Architectural elevations for the convenience store show a coordinated design theme. The building materials include brick veneer, metal coping, aluminum, glass, and wood that will be in multiple colors including black, white, and brown. Separate architectural elevations are provided and are acceptable, but conditions have been included to label the cardinal directions on the elevations, and to dimension more architectural features. The fuel island canopy columns are proposed to be finished with thin brick veneer and metal panels, colored to match the materials on the store façade.

Site details include a retaining wall and a dumpster enclosure. The retaining wall is located along the property's northern frontage and is proposed to be a modular concrete block wall, with a maximum height of 16.5 feet. The face of the retaining wall will be articulated with a brown and black textured architectural finish, to complement the materials used for the convenience store building. The design details for the retaining wall should be included with the DSP, and a condition has been included accordingly. Furthermore, this retaining wall extends approximately 45 feet into adjoining Outlot 16, which is not included in the subject DSP. A condition is included herein, requiring the applicant to submit another

amendment to DSP-20003, to show the off-site grading and the retaining wall and its details on Outlot 16. The dumpster enclosure uses the same thin brick veneer and metal as used for the fuel island canopy columns.



**Figure 1: Front Elevation (facing east)**

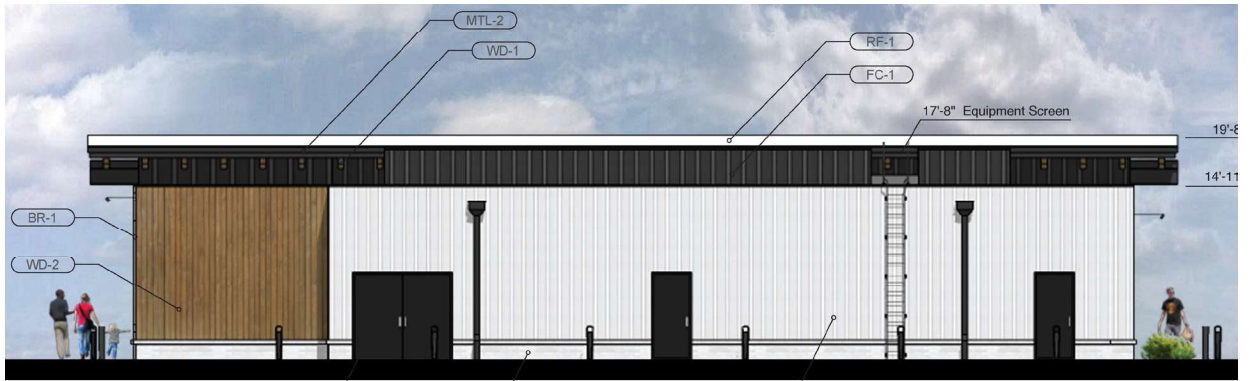


**Figure 2: Side Elevation (facing north)**



**Figure 3: Side Elevation (facing south)**





**Figure 4: Rear Elevation (facing west)**

### Lighting

A photometric plan was submitted with this application and proposes a lighting design for the site which includes full cut-off street light fixtures, which provide adequate light for safety in accordance with Crime Prevention Through Environmental Design principles, while preventing light spillage on adjacent properties. Other lighting luminaires on-site include 24 recessed light fixtures mounted under the fuel island canopy, and wall-mounted fixtures on all 4 façades of the building. The placement of the light fixtures, with respect to landscaping, was reviewed to ensure that the landscape trees, when they reach their mature height and breadth, will not interfere with the lighting. The lighting details, however, should use images of higher resolution, and shall be required to be corrected prior to signature approval. In addition, details of the building-mounted lights shall be provided on the DSP.

### Signage

The signage design provided for the development was reviewed for conformance with the requirements of Part 12 of the prior Zoning Ordinance, for signs in the C-S-C Zone. The site proposes one freestanding pylon sign, three building-mounted signs, fueling canopy signs, regulatory, and directional signs. The signage related to the proposed car wash and vacuum stalls, including a clearance bar and menu board, will be reviewed and approved with SE-22006. The single freestanding sign is 65 square feet in area and is located on the southwest corner of the site, to be visible from US 301. It will display the Dash In franchise logo and the prices of various gasoline fuels. The proposed sign is acceptable and meets the requirements of Section 27-614 of the prior Zoning Ordinance, for freestanding signs.

Section 27-613(c)(3)(A) to (G) of the prior Zoning Ordinance lists regulations regarding permissible sign areas in commercial zones on buildings and canopies. The signage proposed with this DSP is consistent and compatible with the architecture of the site. However, the DSP does not include details for the signs shown on the side building elevations, the logos etched on the glass doors, and site address signage, if any. Conditions have been included in the Recommendation section of this technical staff report, to provide signage details for the remaining building signs. The signage calculations also need to be revised to address Section 27-613(c)(3)(G), which regulates how the permissible sign area is to be divided between a building and a canopy.

Additional parking and directional signage are proposed to assist with wayfinding on-site. The dimensions and details for the proposed directional signs are, however, not provided. A condition has been included herein, requiring that details be provided to demonstrate that

the directional signage is acceptable and meets the requirements of Section 27-631 of the prior Zoning Ordinance, for directional signs.

### **Green Building Techniques**

The following list was provided by the applicant and outlines some of the project's sustainability features. The following strategies are proposed:

- Low flow plumbing fixtures with automatic shutoffs to reduce water usage.
- Light-emitting diode (LED) light fixtures for inside and outside to reduce energy usage.
- Predominant use of light-colored concrete for vehicular surfaces to reduce heat effect.
- Predominant use of drought tolerant native vegetation to reduce water usage and promote local wildlife.
- Implementation of erosion and sediment control.
- Heating, Ventilation, and Air Conditioning (HVAC) system to be Seasonal Energy Efficiency Ratio (SEER) 13+.
- Collection of recyclables and goal for zero waste.
- Low Volatile Organic Compound (VOC) materials (i.e., adhesives, sealants, and carpet).
- Upgraded thermal insulation.

These green building techniques are only listed in the SOJ for the application. Therefore, it is recommended, as conditioned herein, that the applicant include a note on the DSP to indicate the green building techniques that will be used.

## **COMPLIANCE WITH EVALUATION CRITERIA**

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the prior C-S-C Zone and the site design guidelines of the Zoning Ordinance, as follows:
  - a. The subject application is in conformance with the requirements of Section 27-461(b) of the prior Zoning Ordinance, which governs uses in commercial zones. The proposed food or beverage store in combination with a gas station is a permitted use in the C-S-C Zone, subject to Footnote 80, which requires approval of a DSP subject to specific criteria, as follows:

1. **The property is a minimum of fifty (50) acres in size at the time of preliminary plan of subdivision; and**

The entirety of the property included in this DSP exceeds the minimum size and is 70.11 acres.

2. **A Detailed Site Plan is required as a condition of preliminary plan of subdivision and shall be approved in accordance with Part 3, Division 9 of this Subtitle and Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9), and (10). The detailed site plan shall include architectural review and approval of building elevations and materials. The development regulations as provided for in Section 27-454(d) shall apply.**

This DSP is being filed to address the above criterion. Building elevations and materials are included in the DSP application. In addition, this DSP complies with Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9), and (10) of the prior Zoning Ordinance, as demonstrated below:

#### **Section 27-358**

**(a) A gas station may be permitted, subject to the following:**

- (1) The subject property shall have at least one hundred and fifty (150) feet of frontage on and direct vehicular access to a street with a right-of-way width of at least seventy (70) feet;**

The subject property has approximately 276 feet of frontage on US 301, and direct vehicular access to the US 301 Service Road, which is at least 70 feet wide.

- (2) The nearest gas pump on the subject property shall be located at least three hundred (300) feet from any lot on which a school, outdoor playground, library, hospital, or a structure used as a residence is located;**

There are no schools, outdoor playgrounds, libraries, hospitals, or residences located within 300 feet of the subject property.

- (4) The storage or junking of wrecked motor vehicles (whether capable of movement or not) is prohibited;**

The applicant does not propose the storage or junking of wrecked motor vehicles on the subject property.

- (5) Access driveways shall be not less than thirty (30) feet wide unless a lesser width is allowed for a one-way driveway by the Maryland State Highway Administration or the County Department of Permitting, Inspections,**

**and Enforcement, whichever is applicable, and shall be constructed in compliance with the minimum standards required by the County Road Ordinance or Maryland State Highway Administration regulations, whichever is applicable. In the case of a corner lot, a driveway may begin at a point not less than twenty (20) feet from the point of curvature (PC) of the curb return or the point of curvature of the edge of paving at an intersection without curb and gutter. A driveway may begin or end at a point not less than twelve (12) feet from the side or rear lot line of any adjoining lot;**

The DSP shows one 44.8-foot-wide full access driveway and one 15-foot-wide one-way access driveway. The driveways are proposed to be constructed in compliance with the applicable construction standards. The property is not a corner lot. The proposed 44.8-foot-wide driveway is located more than 12 feet from the side lot line of adjoining Outlot 16.

**(6) Access driveways shall be defined by curbing;**

Both the proposed access driveways are defined by curbing.

**(7) A sidewalk at least five (5) feet wide shall be provided in the area between the building line and the curb in those areas serving pedestrian traffic;**

All proposed on-site sidewalks are at least 5 feet wide.

**(8) Gasoline pumps and other service appliances shall be located at least twenty-five (25) feet behind the street line;**

All proposed gas pumps and service appliances are located at least 25 feet behind the street line.

**(9) Repair service shall be completed within forty-eight (48) hours after the vehicle is left for service. Discarded parts resulting from any work shall be removed promptly from the premises. Automotive replacement parts and accessories shall be stored either inside the main structure or in an accessory building used solely for storage. The accessory building shall be wholly enclosed. The building shall either be constructed of brick (or another building material similar in appearance to the main structure) and placed on a permanent foundation, or it shall be entirely surrounded with screening material. Screening shall consist of a wall, fence, or sight-tight landscaping material, which shall be at least**

**as high as the accessory building. The type of screening shall be shown on the landscape plan.**

The applicant is not proposing to repair vehicles on the subject property.

**(10) Details on architectural elements such as elevation depictions of each facade, schedule of exterior finishes, and description of architectural character of proposed buildings shall demonstrate compatibility with existing and proposed surrounding development.**

Architectural elevations for the proposed food or beverage store and the gas station canopy are consistent and compatible with the surrounding development and similar uses along US 301.

- b. The DSP shows a site layout that is consistent with the requirements of Section 27-462(b) of the prior Zoning Ordinance and meets the specific regulations for development in commercial zones relating to setbacks.
- c. The DSP is in conformance with the purpose of DSPs contained in Section 27-281 of the prior Zoning Ordinance.

**Section 27-281. - Purpose of Detailed Site Plans.**

**(b) General purposes.**

**(1) The general purposes of Detailed Site Plans are:**

- (A) To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;**
- (B) To help fulfill the purposes of the zone in which the land is located;**
- (C) To provide for development in accordance with the site design guidelines established in this Division; and**
- (D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.**

**(c) Specific purposes.**

**(1) The specific purposes of Detailed Site Plans are:**

- (A) To show the specific location and delimitation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;**
- (B) To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site;**
- (C) To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site; and**
- (D) To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.**

The proposed development promotes the intended purposes of the DSP. All proposed buildings and structures are located on the plan. There is adequate parking provided for the site. Proposed grading, SWM, and tree preservation areas are also shown on the DSP. The proposed use is permitted and there are green areas shown on the plan, with adequate on-site landscaping, as demonstrated on the landscaping plan.

- d. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274, and as cross-referenced in Section 27-283 of the prior Zoning Ordinance.

**Section 27-283. – Site design guidelines.**

- (a) The Detailed Site Plan shall be designed in accordance with the same guidelines as required for a Conceptual Site Plan (Section 27-274).**
- (b) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development, and the specific zone in which it is to be located.**
- (c) These guidelines may be modified in accordance with Section 27-286.**

The proposed development conforms with the design guidelines indicated in the following analysis of Section 27-274. The guidelines below are applicable to the development of a proposed gas station with a food or beverage store in the C-S-C-Zone. The guidelines have not been modified, in accordance with Section 27-286 of the prior Zoning Ordinance.

## Section 27-274(a). - Design Guidelines

### (1) General.

- (A) The Plan should promote the purposes of the Conceptual Site Plan.**

The proposed development is not subject to a conceptual site plan.

### (2) Parking, loading, and circulation.

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site (in part).**
- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians (in part).**
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers (in part).**
- (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;**
- (ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;**
- (x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and**
- (xi) Barrier-free pathways to accommodate the handicapped should be provided.**

The proposed site is accessed from the Lola Lane/Service Road roundabout via a right-in/right-out and a right-out/egress only. This site does not have direct access to or from US 301. Internal circulation is provided via wide drive aisles which support bi-directional traffic. A right-out/egress only driveway is provided along the southern portion of the site that will access the Lola Lane/Service Road. "Do Not Enter" and "Stop" signs are provided at this location along with a stop bar pavement marking, striped crosswalk, and associated Americans with Disabilities Act (ADA) ramps.

A proposed car wash is shown on the plan which will be reviewed under SE-22006. However, since the location of the entrance to the car wash is located near the site access point from the roundabout, it was considered during the review of this DSP application. During the review of the site plan, staff raised concerns regarding the vehicular conflicts that would occur at the roundabout access point. Staff believed that the wide drive aisle at the site entry, the entrance to the car wash, as well as the proposed parking spaces near the building, would impact vehicles entering and exiting the site. The applicant revised the plans to include additional directional signage, striping, directional arrows, a stop bar, a "Stop" sign, a crosswalk, ADA ramps, and eliminated a lane from the car wash; thereby restricting vehicles from exiting the car wash in that location. Staff believe that this will accomplish safe and efficient pedestrian and vehicular movement on-site. However, a condition is included herein, to ensure that a minimum 5-foot-wide clear pedestrian path is provided around the Dash In store.

In order to provide safe pedestrian movement on-site, staff recommend that a direct pedestrian route be provided from the sidewalks shown within the right-of-way at the site access point to the proposed sidewalks surrounding the building. The pedestrian route shall be clearly defined and should include striped crosswalks when crossing any drive aisles and any associated ADA ramps where necessary.

The parking lot has been designed to provide safe and efficient vehicular and pedestrian circulation within the site. The parking spaces have been designed to be located near the use that it serves, and the parking aisles have been oriented and designed to minimize the number of parking lanes crossed by pedestrians. The applicant proposes a total of 31 parking spaces, which is less than the required 32 parking spaces. Prior to certification, the applicant will need to either reduce the total gross floor area of the convenience store, or provide the minimum required number of parking spaces on-site. The site plan also reflects one loading space and two bicycle parking spaces at a location near the entrance to the building.

A truck-turning plan was submitted as part of the DSP application, to demonstrate on-site truck turning movements with the appropriate design classification for the site.

**(3) Lighting.**

**(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character.**

The proposed development will provide adequate lighting. A photometric plan was provided with this application and full cut-off LED fixtures are being proposed, harmonious with the surrounding commercial development.



**(4) Views.**

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

The site design techniques include Section 4.2 landscape strips along both the US 301 frontage and US 301 Service Road frontage, in keeping with this criterion. These landscape buffers will provide adequate screening for the proposed food or beverage store building along with the gas station canopy.

**(5) Green Area.**

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use.**

This application meets the tree canopy coverage (TCC) requirements for the applicable zone. An adequate variety of landscaping has been provided within the site, in compliance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual), and native species are used throughout the development.

**(6) Site and streetscape amenities.**

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site.**

There will be site and streetscape amenities, such as the proposed landscape strips along US 301 and the service road, with a variety of landscape materials that will contribute to an attractive development.

**(7) Grading.**

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.**

The grading associated with the proposed development minimizes environmental impacts and disruption to natural resources on the site and on adjacent sites. A retaining wall is proposed along the northern edge of the site, to minimize such disruptions.

**(8) Service Areas.**

**(A) Service areas should be accessible, but unobtrusive.**

All service areas proposed on the site, such as the trash and recycling enclosure, are easily accessible and adequately screened by an 8-foot screen wall and evergreen shrubs.

**(9) Public Spaces.**

**(A) A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.**

There are no public space systems being proposed as part of this development.

**(10) Architecture.**

**(A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.**

**(B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**

**(C) These guidelines may be modified in accordance with Section 27-277.**

Architectural elevations were included with this application, and it was determined that the building materials, including brick veneer, metal coping, aluminum, glass, and wood that will be in black, white, and brown colors are harmonious with the proposed building design of the food or beverage store building. Both freestanding and building-mounted signage is proposed, and the architectural elevations are consistent with the proposed buildings.

**8. Preliminary Plan of Subdivision 4-19050:** The site is subject to PPS 4-19050, which was approved by the Planning Board on March 18, 2021 (PGCPB Resolution No. 2021-42), for 190 lots and 39 parcels for development of 190 single-family attached dwellings, 408 multifamily dwelling units, a 150-room hotel, and 77,635 square feet of commercial development. PPS 4-19050 was approved subject to 24 conditions, of which the conditions relevant to the review of this proposed DSP amendment are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one in plain text:

**3. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in this resolution of approval, shall require the approval of a new preliminary plan of subdivision, prior to approval of any building permits.**

The subject application does not propose a substantial revision to the mix of uses on the subject property which were approved at the time of the PPS. The Subtitle 24 adequacy findings of the PPS are not affected.

4. **Development of this site shall be in conformance with the stormwater management concept plan for this project (01-0614-205NE14, once reapproved by the City of Bowie), and any subsequent revisions.**

A revision of the SWM concept plan for the overall Mill Branch Crossing development and an associated approval letter (03-0614-205NE14) were submitted with the application. The approval is dated June 28, 2021, and expires on June 28, 2024.

5. **Prior to approval of a final plat, in accordance with the approved preliminary plan of subdivision, the final plat shall include the dedication of public utility easements (PUEs) along all public and private rights-of-way, unless a variation from the PUE requirement is obtained.**

The property was previously platted as Outlot 15 in Plat Book ME 262 page 52. The plat shows public utility easements (PUEs) on Outlot 15 consistent with PPS 4-19050, and the subject DSP shows PUEs consistent with both the PPS and the plat. The DSP also shows a new proposed PUE on the border between the subject property and Parcel 14, a private road parcel. When the property is re-platted as Parcel 15, the plat will need to show this new PUE.

13. **Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-020-2020). The following note shall be placed on the final plat of subdivision:**

**“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-016-2020 or most recent revision), or as modified by the Type 2 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 and Wildlife Habitat Conservation Ordinance (WCO). 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.”**

14. **Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

**“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”**

The applicant submitted a Type 2 Tree Conservation Plan, TCP2-044-2021-01, with the subject application. The TCP2 is in conformance with the approved Type 1 tree conservation plan (TCP1).

- 15. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat:**

**"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."**

The subject property contains primary management area (PMA). The existing plat recorded in Plat Book ME 262 page 52 shows the conservation easement containing the PMA. The subject DSP appears to show the PMA and conservation easement consistent with the existing TCP1 and plat. When the property is re-platted as Parcel 15, the conservation easement will need to be reflected on the new plat.

- 18. Total development within the subject property shall be limited to uses which generate no more than 909 AM peak-hour trips and 1,231 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.**

The subject DSP does not propose commercial development exceeding that approved under the PPS; therefore, this condition should be met.

- 20. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following improvements, and provide an exhibit that depicts the following improvements, prior to acceptance of any detailed site plan:**

- a. **Bikeway signage and shared lane markings (e.g., "sharrow"), within the right-of-way, along the subject site's frontage of Mill Branch Road, unless modified with written correspondence by the Prince George's County Department of Permitting, Inspections and Enforcement, and/or the Maryland State Highway Administration, as appropriate.**
- b. **Minimum 5-foot-wide sidewalks along both sides of all internal roadways, public or private, excluding alleyways.**
- c. **Minimum 5-foot-wide sidewalks along the full lengths of proposed Roads A, D, and F.**

- d. **A wide crosswalk with a pedestrian island crossing US 301 at Mill Branch Road, unless modified by the Maryland State Highway Administration, with written correspondence.**
- e. **Continental style crosswalk crossing all access points along Private Road A and Chesley Avenue.**
- f. **Long- and short-term bicycle parking, consistent with the 2012 AASHTO *Guide for the Development of Bicycle Facilities*, to accommodate residents and visitors at the proposed multifamily building, hotel, and commercial spaces.**
- g. **Parallel or perpendicular ADA curb ramps at all intersections within the subject site.**

These improvements were shown on DSP-20003. Not all of the above facilities (in particular those required along Mill Branch Road) affect the subject site. During review of DSP-2003, Condition 20.f. was reviewed and two new conditions of approval relating to additional bicycle parking at the multifamily building and clubhouse were included. This area is outside of the current application and this condition is enforceable at the time of the appropriate building permit.

- 21. **Prior to approval of the 50th residential townhouse building permit or the permit for the 2nd multifamily building, whichever occurs first, for the subject property, the applicant, and the applicant's heirs, successors, and/or assignees shall provide (a) full financial assurances, (b) permits for construction through the applicable operating agency's access permit process, and (c) an agreed-upon timetable for construction and completion with the appropriate operating agency for the following improvement:**

- a. **A continental-style crosswalk crossing the north leg of US 301 at its intersection with Mill Branch Road, unless modified by the Maryland State Highway Administration, with written correspondence.**

The amendment to the DSP is for the construction of a gas station with a food or beverage store and does not include any residential development. This condition is enforceable at the time of the appropriate building permit.

- 24. **Prior to issuance of a use and occupancy permit for the development, the applicant and the applicant's heirs, successors, and/or assignees shall:**
  - a. **Contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility.**
  - b. **Install and maintain automated external defibrillators (AEDs), in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.**

- c. **Install and maintain bleeding control kits next to fire extinguisher installation and no more than 75 feet from any employee. These requirements shall be noted on the detailed site plan for the development.**

**These requirements shall be noted on the detailed site plan for the development.**

The requirements of this condition are noted in General Note 35 on the coversheet. Therefore, this condition is met for the purposes of this DSP. Conformance to the noted requirements will be evaluated at the time of permitting.

- 9. **2010 Prince George's County Landscape Manual:** Per Section 27-450 of the prior Zoning Ordinance, landscaping, screening, and buffering for the property are subject to the provisions of the Landscape Manual. Specifically, this application is subject to the requirements of Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The landscape schedules have been provided showing conformance, except for the Section 4.9 schedule.

The schedule for Section 4.7, Buffering Incompatible Uses, lists 13 shade trees as being provided to meet the minimum requirements. However, the landscape plan only shows 12 shade trees along the property line abutting residential zoned property. The landscape plan shall be revised to show the minimum number of required plant units, in accordance with Section 4.7 of the Landscape Manual.

Section 4.9 of the Landscape Manual requires that a percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs) shall be native species. Specifically, 50 percent of shade and ornamental trees, and 30 percent of evergreen trees and shrubs are required to be native. The landscape schedule shows 38 shade trees, 4 ornamental trees, and 200 shrubs. However, the Section 4.9 schedule on the landscape plan includes only 25 of the proposed 38 shade trees and 189 of the proposed shrubs. The schedule shall be revised to include all proposed plant types.

- 10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This project is subject to the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) of the Prince George's County Code and the Environmental Technical Manual because the application was subject to a new PPS. TCP2-044-2021-01 has been submitted for review which covers the area of the original DSP-20003, and which includes the subject property.

The woodland conservation threshold for the overall 70.11-acre tract of Mill Branch Crossing is 15 percent of the net tract area, or 9.02 acres. The total woodland conservation requirement, based on the amount of clearing proposed, is 14.69 acres. This requirement is proposed to be satisfied with 3.72 acres of on-site preservation, 4.94 acres of on-site afforestation, and the remainder of the requirement, 6.03 acres, is proposed to be met with off-site woodland conservation credits.

The TCP2 shows a reduction of woodland preservation by 0.08 acre. This additional clearing shall be accounted for in the woodland conservation worksheet. The total woodland conservation requirement, based on this additional clearing, is 14.77 acres. The woodland conservation worksheet shall be revised to meet the additional 0.08-acre woodland conservation requirement. Prior to the certification of the DSP, technical revisions shall be made to the TCP2 included in the Recommendation section of this technical staff report.

**11. Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of TCC on projects that require a grading permit. Properties zoned C-S-C are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The development included in this portion of the site is 3.19 acres in size and the required TCC is 0.32 acre. A table was provided on the plan, demonstrating conformance with the requirements of the Tree Canopy Coverage Ordinance.

**12. Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and incorporated herein by reference:

a. **Historic Preservation**—In a memorandum dated March 6, 2023 (Stabler and Smith to Shelley), the Historic Preservation Section indicated that Phase III archeological investigations were completed on the site, and that no further archeological investigations are necessary on the subject property. However, PPS 4-19050 contained a finding concerning submittal of the final study and curation of artifacts from the Phase III archeological investigations, prior to issuance of a grading permit for the overall site. Permits have been filed for grading for portions of the development covered under PPS 4-19050 and DSP-20003, but submittal of the curation of artifacts with the Maryland Archaeological Conservation Laboratory in Saint Leonard, Maryland is still outstanding. All other previous requirements regarding the archeological investigations have been satisfied. Final copies of the report "A Phase III Archeological Data Recovery of the Mill Branch Crossing Site (18PR857), Queen Anne District, Prince George's County, Maryland," were submitted on August 11, 2022. A condition is included herein, requiring the applicant to complete the curation of the artifacts from the Phase III archeological investigations, prior to certificate approval of this DSP.

The subject property does not contain and is not adjacent to any Prince George's County designated historic sites or resources.

b. **Community Planning**—In a memorandum dated March 10, 2023 (Bellina to Gupta), the Community Planning Division indicated that this application is in the Established Communities growth policy area. The vision for the Established Communities is context-sensitive infill of low- to medium-density development. In addition, it was noted that the master plan recommends commercial land uses on the subject property. Master plan conformance is not required for this application.

c. **Transportation Planning**—In a memorandum dated June 30, 2023 (Patrick to Gupta), the Transportation Planning Section provided an evaluation of the application that is incorporated into the findings of this report. A review of the

on-site circulation related to vehicular and pedestrian transportation was found acceptable, and was determined to meet the findings for transportation purposes, subject to conditions included herein regarding pedestrian access. The following comments were presented:

(i) **Master Plan Rights-of-Way**

The subject property fronts US 301 along its western border. The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the master plan recommend this portion of US 301 as a freeway, with a proposed interchange serving MD 197 (Collington Road) and Ballpark Road. During review of PPS 4-19050, it was determined that the proposed US 301 interchange serving MD 197 and Ballpark Road would have an impact on the northern end of the subject property. To that end, reservation pursuant to Section 24-139 of the prior Prince George's County Subdivision Regulations was considered. Due to the lack of information to support the findings needed to place the needed property in reservation, along with the lack of a legal nexus to require the dedication of the needed property, the PPS was approved without right-of-way preservation for this planned facility.

The DSP is consistent with the MPOT and master plan, as well as PPS 4-19050 and the findings and recommendations contained in the resolution approving that plan.

(ii) **Master Plan Pedestrian and Bicycle Facilities**

The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

**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.**

**Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO Guide for the Development of Bicycle Facilities.**

**Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.**



The master plan recommends the following facilities within or adjacent to the subject property:

- **12-foot Shared-Use Path: US 301 (both directions).**

DSP-20003 included a 12-foot, shared-use path along US 301 that is shown in the PPS and recommended in the master plan. The current DSP includes a wide sidewalk and associated crosswalks along the service road to the site access at the roundabout.

d. **Subdivision**—In a memorandum dated June 26, 2023 (Diaz-Campbell to Gupta), the Subdivision Section provided an evaluation of the application, which is incorporated into Finding 8, and found the DSP in conformance with the approved PPS. Technical revisions and corrections related to the site plan have been included in the Recommendation section of this technical staff report. Additional comments were presented as follows:

- (1) The approved PPS shows Parcel 15 having a single driveway onto to the traffic circle connecting private streets Lola Lane and Chesley Avenue. The DSP, by comparison, shows a second driveway onto the public service road located in between the traffic circle and US 301, a freeway. Staff find that the proposed second driveway is acceptable, pursuant to Section 24-121(a)(3) of the prior Subdivision Regulations, as the driveway access is to the service road rather than to the freeway itself. Staff also find that the second driveway conforms to the access and circulation approved with the PPS; this is because the traffic evaluation performed with the PPS treated the intersection of the service road and US 301 as the overall access point to the subdivision, rather than the intersection of the service road and the traffic circle, and so the second driveway is therefore a proposed addition to the internal circulation of the subdivision rather than a new access point to the overall site.
- (2) The property is currently platted as Outlot 15 recorded in Plat Book ME 262 page 52 of the Prince George’s County Land Records. An outlot is not useable as a legal building site, pursuant to Section 24-101(b)(19) of the prior Subdivision Regulations. Therefore, the property must be re-platted as a parcel prior to approval of any building permits.
- (3) It is not clear whether the additional PUE provided on the border between the subject property and abutting Parcel 14 was added deliberately, as it was not shown in the project’s initial submission, and it was not added in response to any staff comments. Prior to certification of the DSP, the applicant should confirm whether this PUE is proposed or not; and if not, remove it from the plan drawings.
- (4) Bearings and distances for the subject property are shown on Sheet DSP-4B, however, this sheet does not show a bearing and distance for the property line bordering US 301.

- e. **Environmental Planning**—In a memorandum dated June 23, 2023 (Meoli to Gupta), the Environmental Planning Section provided findings on this application, summarized below, and recommend approval of the DSP, subject to conditions in the Recommendation section of this technical staff report.

- (1) The following applications and associated plans have been previously reviewed for the subject site:

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
SE-4734	TCP11-016-10	Zoning Hearing Examiner	Approved	6/22/2015	Z.O. No. 12-2015
4-08052	TCP1-22-07	Planning Board	Approved	3/30/2017	09-85(A)
NRI-029-07	N/A	Staff	Approved	5/3/2007	N/A
NRI-029-07-01	N/A	Staff	Approved	9/1/2009	N/A
NRI-029-07-02	N/A	Staff	Approved	3/22/2012	N/A
NRI-029-07-03	N/A	Staff	Approved	12/22/2016	N/A
NRI-029-07-04	N/A	Staff	Approved	6/5/2020	N/A
4-19050	TCP1-020-2020	Planning Board	Approved	3/18/2021	2021-42
DSP-20003	TCP2-044-2021	Planning Board	Approved	3/24/2022	2022-35
DSP-20003-01	TCP2-044-2021-01	Planning Board	Pending	Pending	Pending

- (2) The site is subject to the environmental regulations contained in Subtitle 25, and prior Subtitles 24 and 27, as the site has a recently approved PPS.

(3) **Natural Resources Inventory Plan/Existing Features**

An approved Natural Resources Inventory (NRI-029-07-04) was submitted with the application. The site contains a 100-year floodplain, wetlands, streams, and steep slopes that comprise the PMA. The NRI indicates the presence of one forest stand labeled as Stand 1, and 36 specimen trees identified; 8 trees are considered off-site with 28 on-site. The TCP2 and the DSP show all required information correctly, in conformance with the NRI. No additional information is required regarding the NRI.

(4) **Specimen Trees**

Section 25-122(b)(1)(G) of the WCO requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

A total of 38 specimen trees were identified on the approved NRI. At the time of PPS 4-19050, the Planning Board approved the removal of the 15 specimen trees. The specimen trees approved for removal are shown as

ST-1 through ST-7, ST-9, ST-16 through ST-20, ST-37, and ST-38. No additional specimen trees are proposed for removal with this application.

(5) **Preservation of Regulated Environmental Features/Primary Management Area**

This site contains regulated environmental features (REF) that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the prior Subdivision Regulations.

The on-site REFs include streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and steep slopes.

Section 24-130(b)(5) states “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

Impacts to the REFs should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for reasonable use and orderly and efficient development of the subject property, or are those that are required by the County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing, or at the point of least impact to the REFs. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site, in conformance with the County Code. The statement of justification (SOJ) must address how each on-site impact has been avoided and/or minimized.

The previously approved DSP-20003 included an SOJ and associated exhibits for eight impacts associated with the proposed development, totaling approximately 2.65 acres. The presented eight impacts are a combination of on-site and off-site locations, which are generally located on the western portion of the site. Off-site impacts were not part of the application because they are not located within the boundary of the property; however, they were considered as part of the overall impact. The off-site impacts were required for the right-of-way improvements to Mill Branch Road and

US 301, as part of Maryland State Highway Administration Permit No. 10-AP-PG-004. The on-site Impact 3 is a total of 1.30 acres and was previously approved under PPS 4-19050. Impact 7, for a total of 0.08 acre, was previously approved under DSP-20003. All proposed impacts are permanent and are described as either on-site or off-site impacts. The off-site impacts total 1.27 acres, and the on-site impacts total 1.38 acres. The previously approved impacts remain unchanged, and no additional impacts are requested with this application.

(6) **Soils**

The predominant soils found to occur according to the United States Department of Agriculture, Natural Resource Conservation Service Web Soil Survey include the Collington fine sandy loam (0-40 percent slopes), and Shrewsbury fine sandy loam soils. According to available information, Marlboro and Christiana clays are not found to occur on this property.

There are no geotechnical concerns with the revisions as shown on the plans submitted with this application.

(7) **Stormwater Management**

A SWM Concept Approval (03-0621-205NE14) from the City of Bowie was submitted with the application for this site. The plan proposes to construct numerous bio-swales, drywells, infiltration trenches, micro-bioretenion facilities, and one SWM pond. No SWM fee for on-site attenuation/quality control measures is required. This stormwater approval expires June 28, 2024. In an email to staff dated January 27, 2023, the City of Bowie engineer indicated that the SWM concept plan does not need to be updated for each new pad site, as the concept design may undergo some degree of revision to fit the particular layout for each pad as long as the final design adheres to the drainage patterns, and water quality requirements of the approved SWM concept plan. No further action regarding SWM is required with this DSP.

- f. **Permit Review**—At the time of the writing of this technical staff report, the Permit Review Section did not offer comments on this application.
- g. **Prince George’s County Department of Parks and Recreation (DPR)**—In an email dated March 2, 2023 (Holley to Gupta), DPR provided no comments on this application.
- h. **Prince George’s County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not offer comments on this application.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 9, 2023 (Giles to Gupta), DPIE offered comments on the subject application, which were also forwarded to the applicant and were addressed by the applicant in the DSP, as appropriate.

- j. **Prince George’s County Police Department**—At the time of the writing of this technical staff report, the Police Department did not offer comments on the subject application.
- k. **Prince George’s County Health Department**—In a memorandum dated February 14, 2023 (Adepoju to Gupta), the Health Department offered comments on the subject application which have been forwarded to the applicant and were addressed by the applicant in the DSP, as appropriate.
- l. **Prince George’s County Soil Conservation District**—At the time of the writing of this technical staff report, the Soil Conservation District did not offer comments on the subject application.
- m. **Maryland State Highway Administration (SHA)**—At the time of the writing of this technical staff report, SHA did not offer comments on the subject application.
- n. **Washington Suburban Sanitary Commission (WSSC)**—In an email dated March 14, 2023 (Katwal to Gupta), WSSC provided water, sewer, and associated easement conditions to be addressed at the time of permitting.
- o. **City of Bowie**—In a memorandum dated March 7, 2023 (Adams to Shapiro), the City of Bowie (“City”) indicated that they reviewed the subject application, and the City Council held a meeting to discuss the DSP on March 6, 2023. The Council voted to recommend approval of DSP-20003-01, with the following conditions listed below in **bold** text. Staff analysis of the City’s conditions follows each one in plain text:

**(1) All entrance and exit doors shall be equipped with mechanical door opening devices, preferably the overhead door sensory device, such as those typically found in grocery stores.**

An appropriate condition is included herein, to address the City’s recommended condition.

**(2) The DSP shall include at least one electric vehicle (EV) charging station.**

The DSP includes two electric vehicle charging stations.

**(3) The number of accessible parking spaces required and provided shall be added to the parking requirement data in the General Notes.**

The required and provided number of accessible parking spaces is listed in the Parking Requirements data in the Standard Notes located on Sheet DSP-4 of the site plan.

**(4) A Do Not Enter sign shall be provided, facing the main access road from US 301 at the first egress point to the site, which is a 15-foot wide, out-only driveway. In addition, the same type of crosswalk shall be provided at this location as is shown across the main entrance to the site.**

A “Do Not Enter” sign is shown on the site plan, facing the main access road from US 301 at the first egress point to the site. In addition, an 8-foot-wide crosswalk with Americans with Disabilities Act (ADA) ramps is provided at this location, similar to the crosswalk shown across the main entrance to the site.

- (5) A notation shall be added to point out the proposed light shown near the loading space.**

All proposed lights are labeled on the site plan with a notation.

- (6) If street lighting is not provided by the Mill Branch site developer along the site access road from US 301 prior to the issuance of a building permit for the Dash In convenience store, the applicant in DSP-20003-01 shall install this lighting.**

An appropriate condition is included herein, to address the City’s recommended condition.

- (7) To maximize the visual impact of the site's landscaping, the 11 viburnum shrubs proposed around the outside of the trash enclosure area shall be relocated to the large, sodded area (behind the curb of the drive aisle) west of the gas pump canopy.**

The 11 viburnum shrubs proposed around the outside of the trash enclosure are shown to conform to the requirements of Section 4.4 of the Landscape Manual, which requires screening of trash and recycling facilities. However, to comply with the intent of the City’s condition, the applicant shall provide additional shrubs west of the gas pump canopy, behind the curb of the drive aisle. The quantity and type of planting shall be reviewed and approved by the City prior to certification of the DSP.

- (8) General Note #33 shall be revised to identify the nearest fire station is the Northview Fire Station (Company #816, located on Health Center Drive) which is approximately 1.5 miles away.**

An appropriate condition is included herein, to address the City’s recommended condition.

- (9) An ADA accessible parking symbol shall be added to at least one of the parking spaces serving the car wash and the parking calculations revised accordingly.**

The parking spaces serving the car wash will be reviewed and approved with SE-22006. However, the site plan does not show an ADA accessible parking space serving the car wash. The applicant should provide at least one ADA accessible parking space with the special exception application for the car wash.

- p. **Public Utilities**—The subject DSP application was referred to Verizon, the Baltimore Gas and Electric Company (BGE), Comcast, AT&T, and Washington Gas, for review and comments on February 8, 2023. At the time of the writing of this technical staff report, no correspondence had been received from these public utility companies.
  - q. **Community Feedback**—As of the publishing of this technical staff report, staff has not received any community feedback regarding the subject DSP.
13. Based on the foregoing, and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if approved with the recommended conditions below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. As required by Section 27-285(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

Based on the level of design information available at the present time, the proposed site plan demonstrates the preservation and/or restoration of REFs in a natural state to the fullest extent possible, in accordance with the requirement of prior Subtitle 24-130 (b)(5).

## RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommend that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-20003-01, and Type 2 Tree Conservation Plan TCP2-044-2021-01, for Dash In - Mill Branch, subject to the following conditions:

- 1. Prior to certification, the applicant shall revise the detailed site plan (DSP) as follows, or provide the specified documentation:
  - a. The applicant shall confirm whether the public utility easement (PUE) located on the south side of the property, abutting Parcel 14 and not previously shown on the preliminary plan of subdivision, is proposed to be recorded. If the PUE is not proposed, it shall be removed from the DSP.
  - b. On Sheet DSP-4B, add a bearing and distance for the westernmost property line abutting US 301 (Robert Crain Highway).
  - c. Curate all artifacts from the Phase III archeological investigations, Mill Branch Crossing Site, at the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland. Provide proof of the final disposition of the curated artifacts to the Historic Preservation Section of the Countywide Planning Division.

- d. Revise the Parking Requirements on Sheet DSP-4 to list the minimum required number of parking spaces for the proposed convenience store to be 30, and the total number of required parking spaces to be 32.
- e. Provide the minimum required number of parking spaces on-site, or reduce the total gross floor area of the convenience store to conform to the parking requirements in Section 27-568(a) of the prior Prince George's County Zoning Ordinance.
- f. The applicant shall provide additional planting west of the gas pump canopy, behind the curb of the drive aisle. The quantity and type of planting shall be reviewed and approved by the City of Bowie.
- g. Revise General Note 32 to identify that the nearest fire station is the Northview Fire Station (Company 816, located on Health Center Drive) which is approximately 1.5 miles away.
- h. Label the width of the proposed egress-only access to the service road.
- i. Provide a detail of the proposed crosswalk across the egress-only access to the service road.
- j. Provide a dimension between the proposed bicycle racks and the proposed building column, to ensure that a minimum 5-foot-wide clear pedestrian path is provided around the food or beverage store.
- k. Provide a direct pedestrian route to the entrance of the building that shall include striped crosswalks crossing any drive aisles and associated Americans with Disabilities Act ramps where applicable.
- l. Include the design details for the retaining wall in the DSP.
- m. Revise the lighting details on Sheet DSP-12 to images of higher resolution.
- n. Provide details of the building-mounted lights for the site lighting.
- o. Add a north arrow to the photometric plan.
- p. Provide signage details for all building signs, including the signs shown on the side building elevations, the logos etched on the glass doors, and site address signage, if any.
- q. Revise the signage calculations to address Section 27-613(c)(3)(G) of the prior Prince George's County Zoning Ordinance, which regulates how the permissible sign area is to be divided between a building and a canopy.
- r. Provide dimensions and details for the proposed on-site directional signs, to demonstrate that the directional signage meets the requirements of Section 27-631 of the prior Prince George's County Zoning Ordinance, for directional signs.



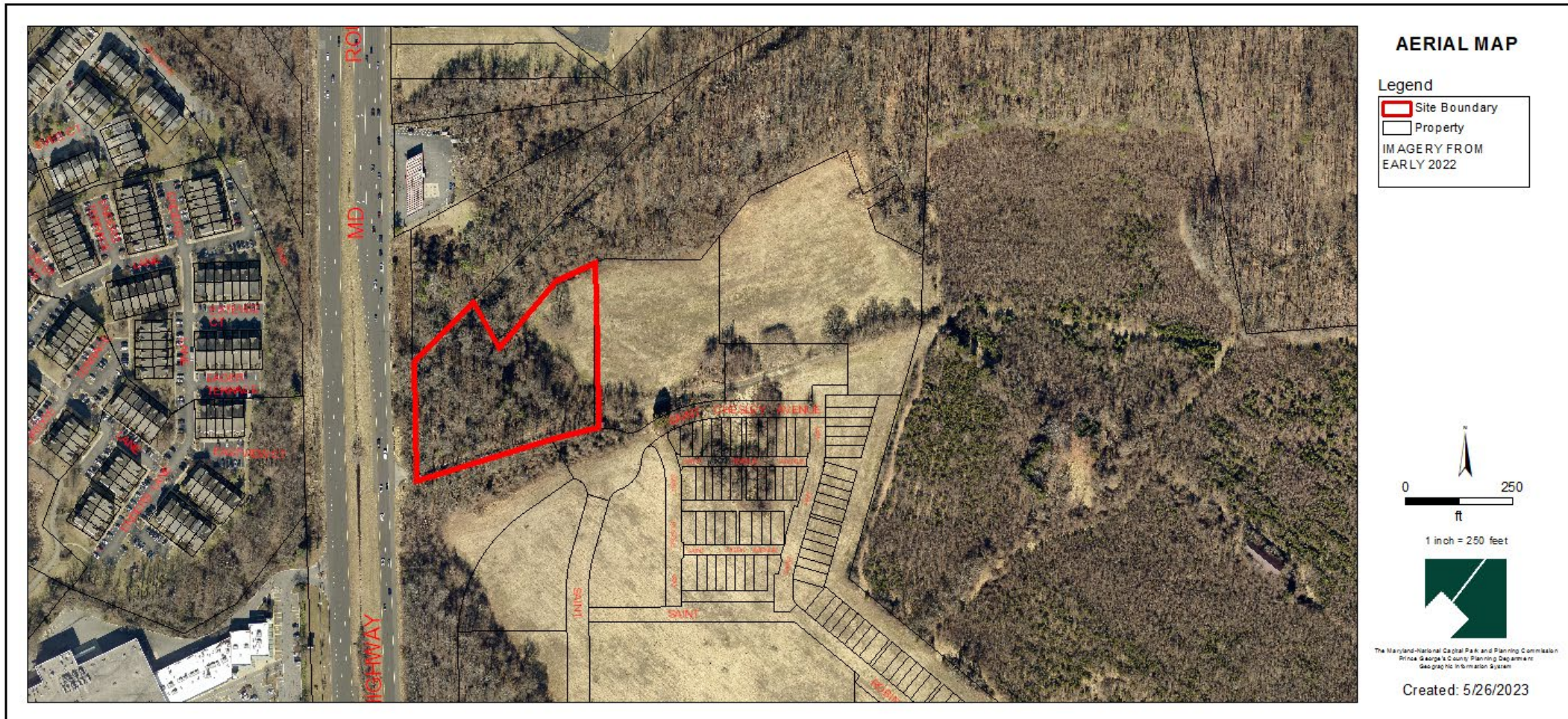
- s. Provide a note on the DSP to clearly indicate the green building techniques that are used in the buildings.
  - t. Provide details of the proposed parallel parking spaces.
  - u. Revise the landscape plan to show the minimum number of required plant units, in accordance with Section 4.7, Buffering Incompatible Uses, of the 2010 *Prince George's County Landscape Manual*.
  - v. Revise the schedule for Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's County Landscape Manual*, to include all proposed plant types.
2. Prior to certification of the detailed site plan (DSP), the Type 2 tree conservation plan (TCP2) shall be revised as follows:
    - a. Revise the clearing amount in the woodland conservation worksheet, to account for the additional 0.08 acre of woodland clearing and show how this additional requirement will be met.
    - b. Revise Line 16 in the woodland conservation worksheet (Clearing permitted without reforestation) to 1.41 acres.
    - c. Remove depictions of the proposed car wash (The car wash shall be depicted on the revision to the TCP2 submitted with the special exception application).
    - d. Revise the layout so that the entrance to the parking lot located east of the proposed convenience store matches the layout on the DSP.
  3. At the time of building permit, all entrance and exit doors shall be equipped with mechanical door opening devices, preferably the overhead door sensory device, such as those typically found in grocery stores.
  4. If street lighting is not provided by the Mill Branch Crossing site developer along the site access road from US 301 (Robert Crain Highway) prior to the issuance of a building permit for the Dash In convenience store, the applicant shall install this lighting at the time of building permit.
  5. Prior to the approval of a building permit for the retaining wall, Detailed Site Plan DSP-20003 shall be amended to show the off-site grading and the retaining wall and its details on Outlot 16.
  6. Prior to the approval of a fine grading permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall amend Detailed Site Plan DSP-20003-01, if necessary, to reflect the approved Special Exception, SE-22006, for the proposed car wash.

# DASH IN MILL BRANCH

Detailed Site Plan

TCP2-044-2021-01

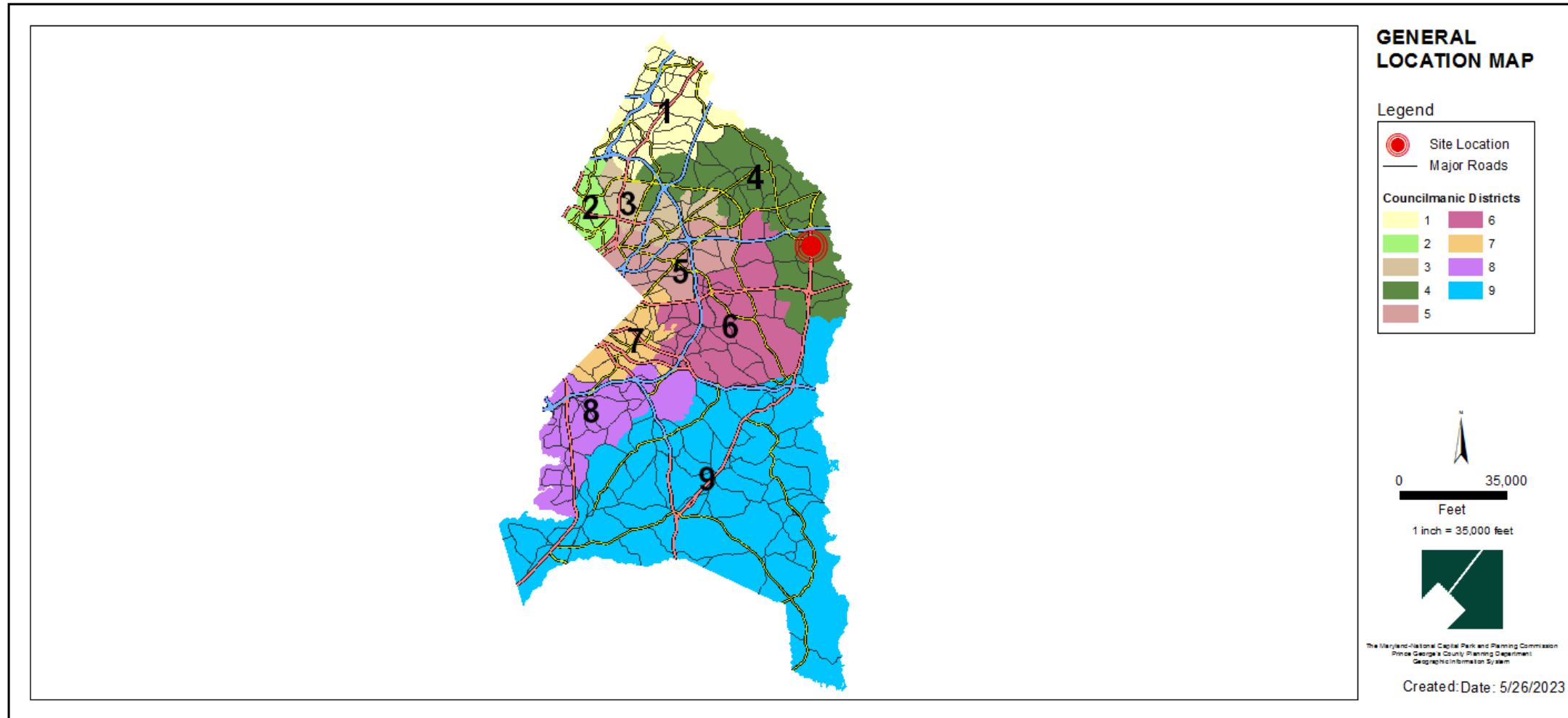
**Staff Recommendation: APPROVAL** with conditions



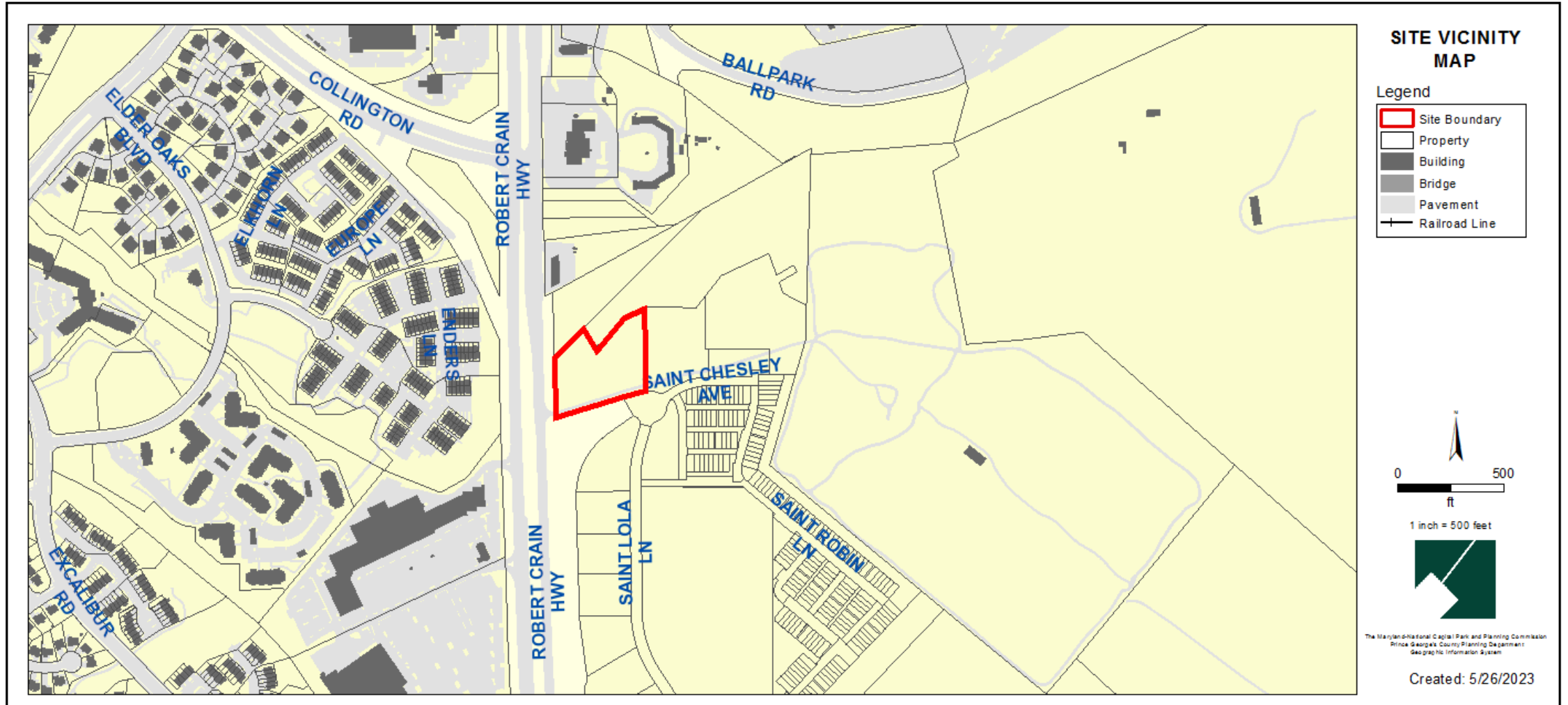
# GENERAL LOCATION MAP

Council District: 04

Planning Area: 71B



# SITE VICINITY MAP



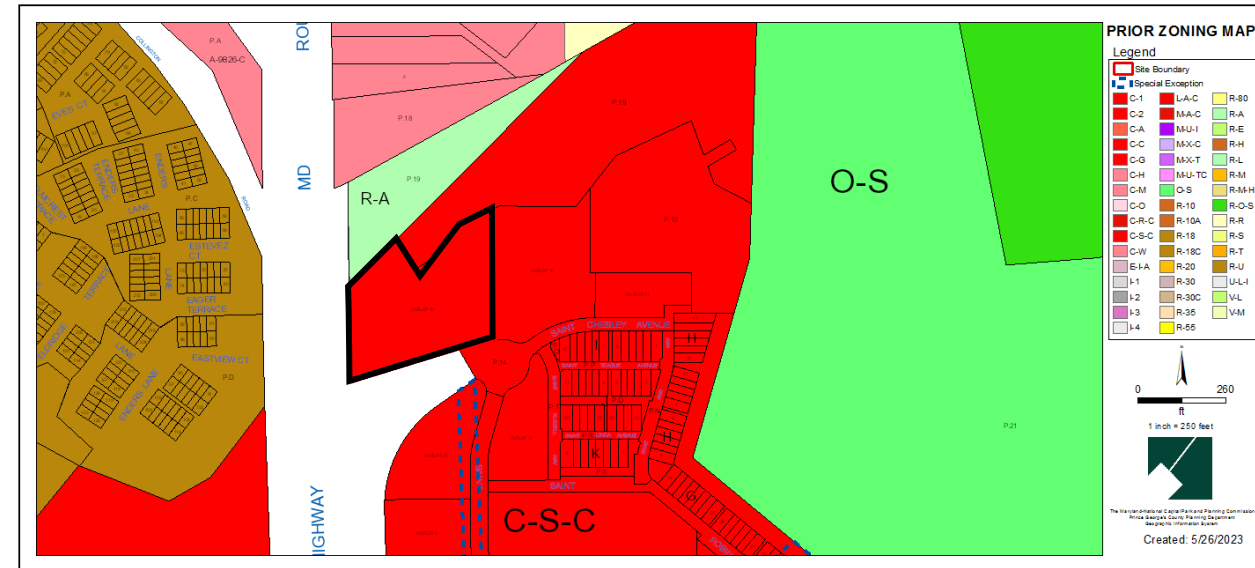
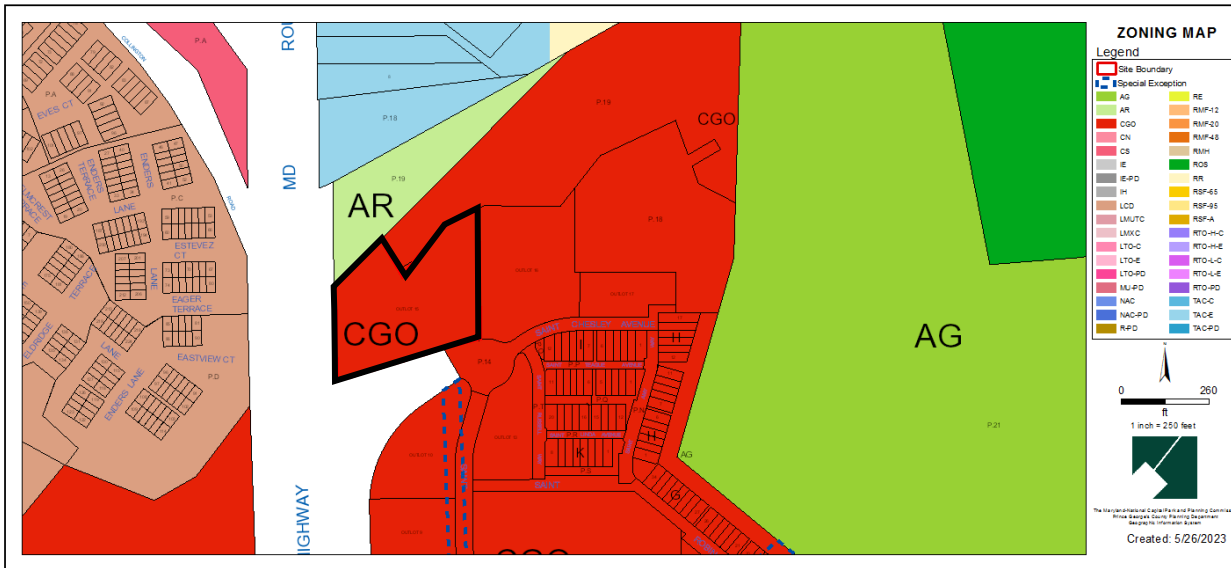
# ZONING MAP (CURRENT & PRIOR)

Current Property Zone: CGO

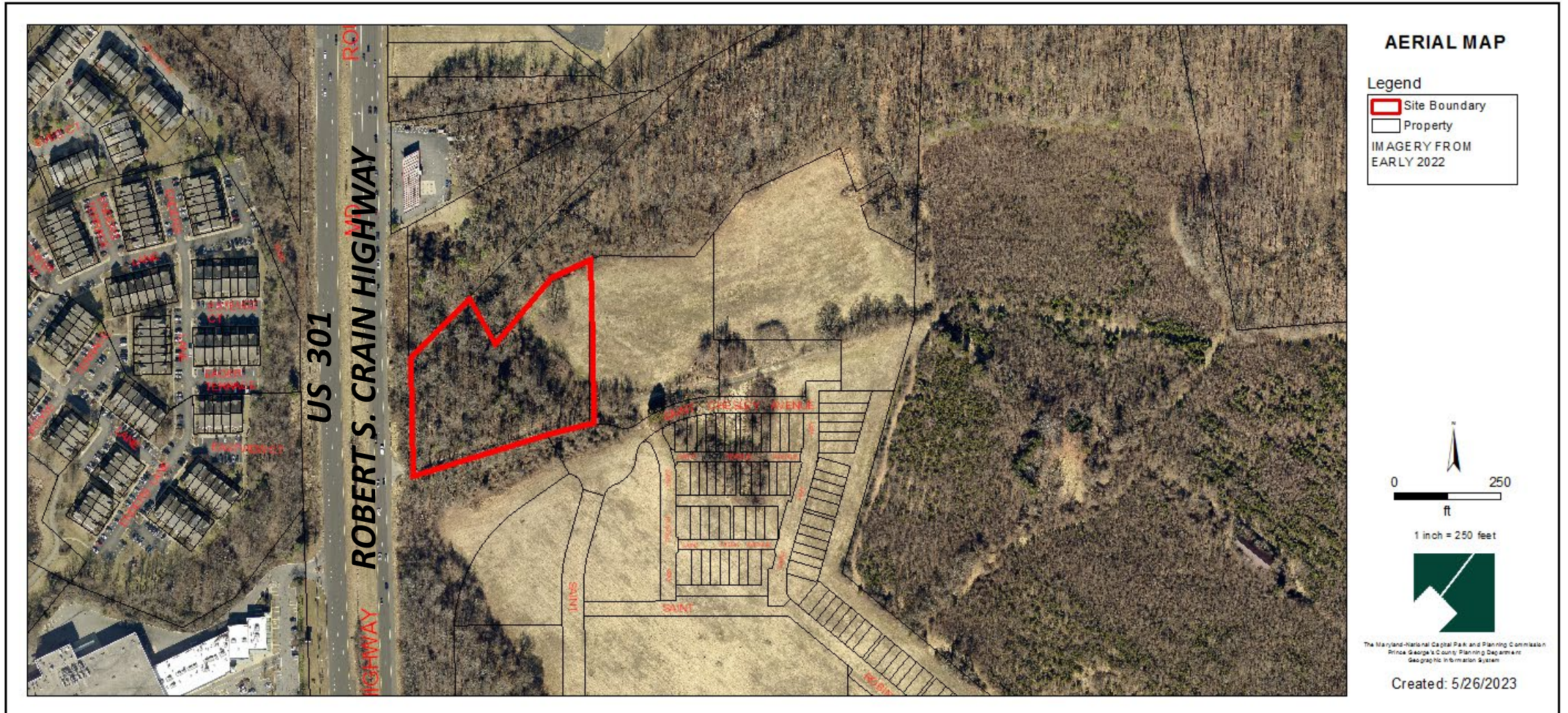
Prior Property Zone: C-S-C

CURRENT ZONING MAP

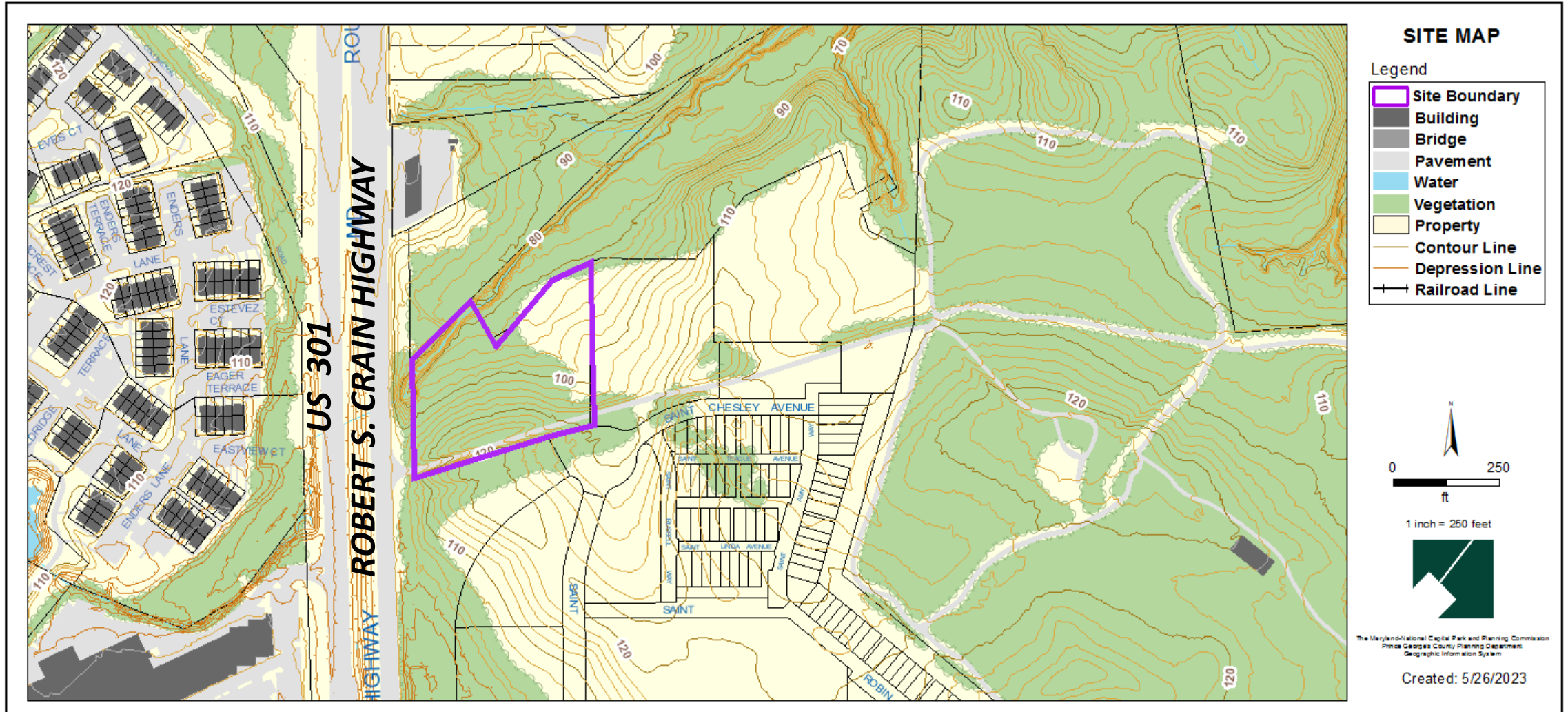
PRIOR ZONING MAP



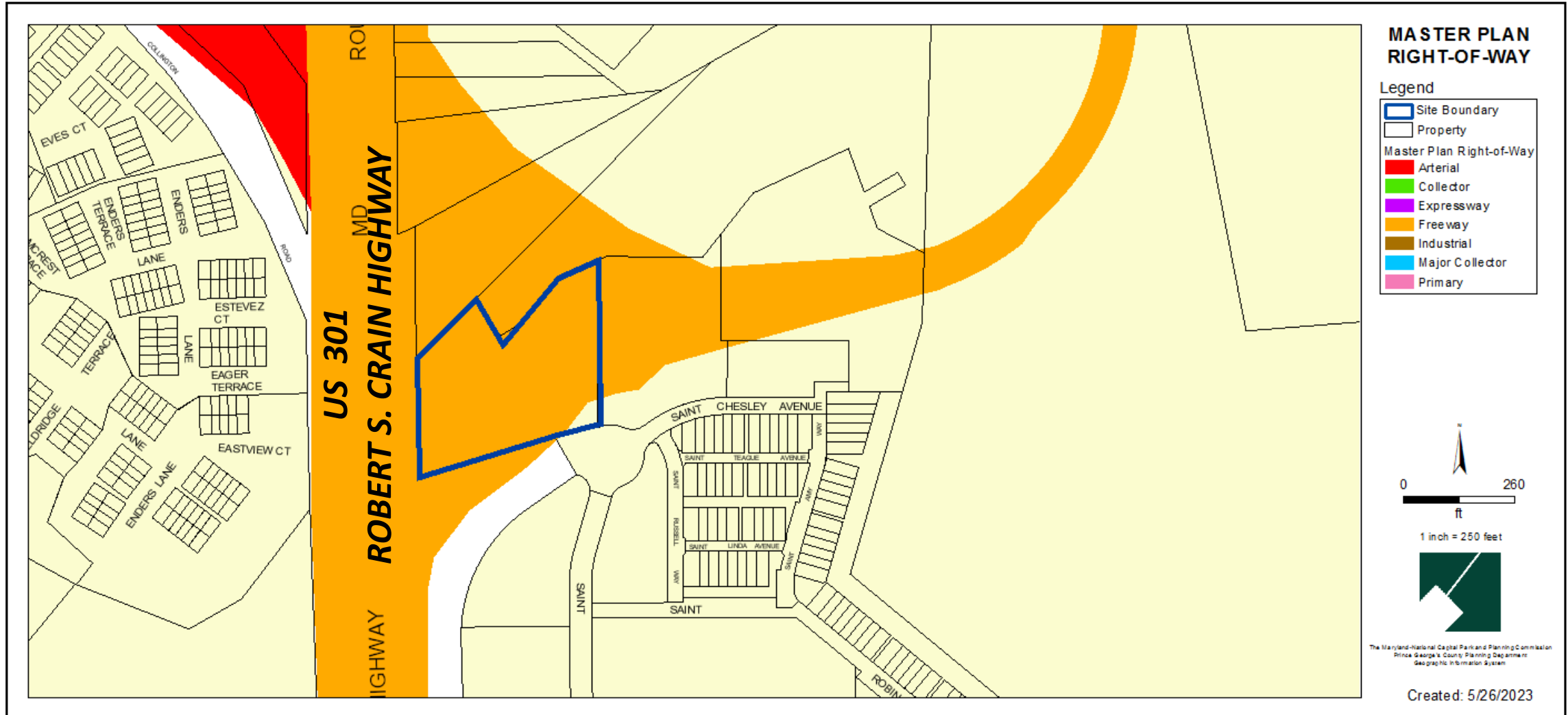
# AERIAL MAP



# SITE MAP



# MASTER PLAN RIGHT-OF-WAY MAP

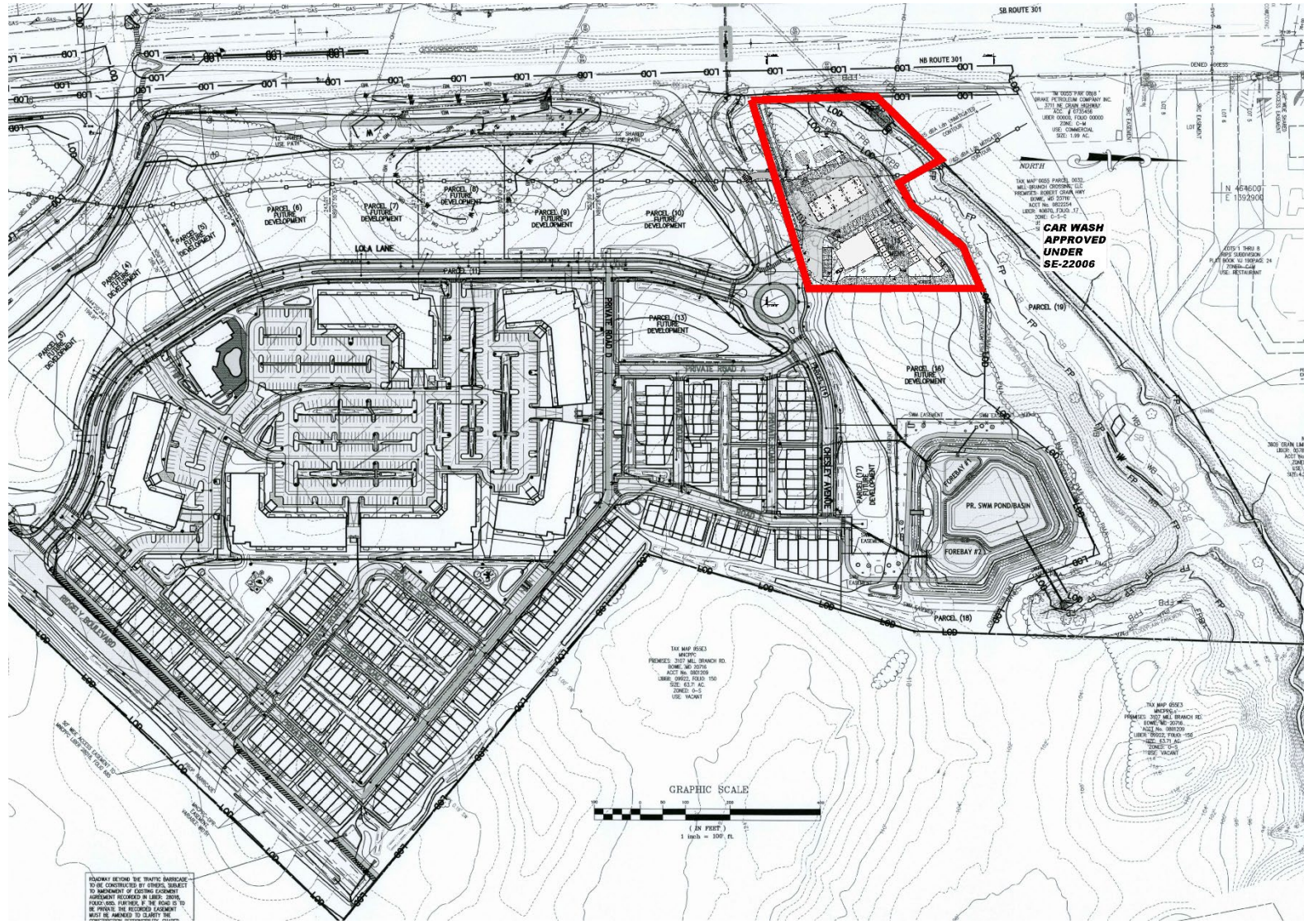




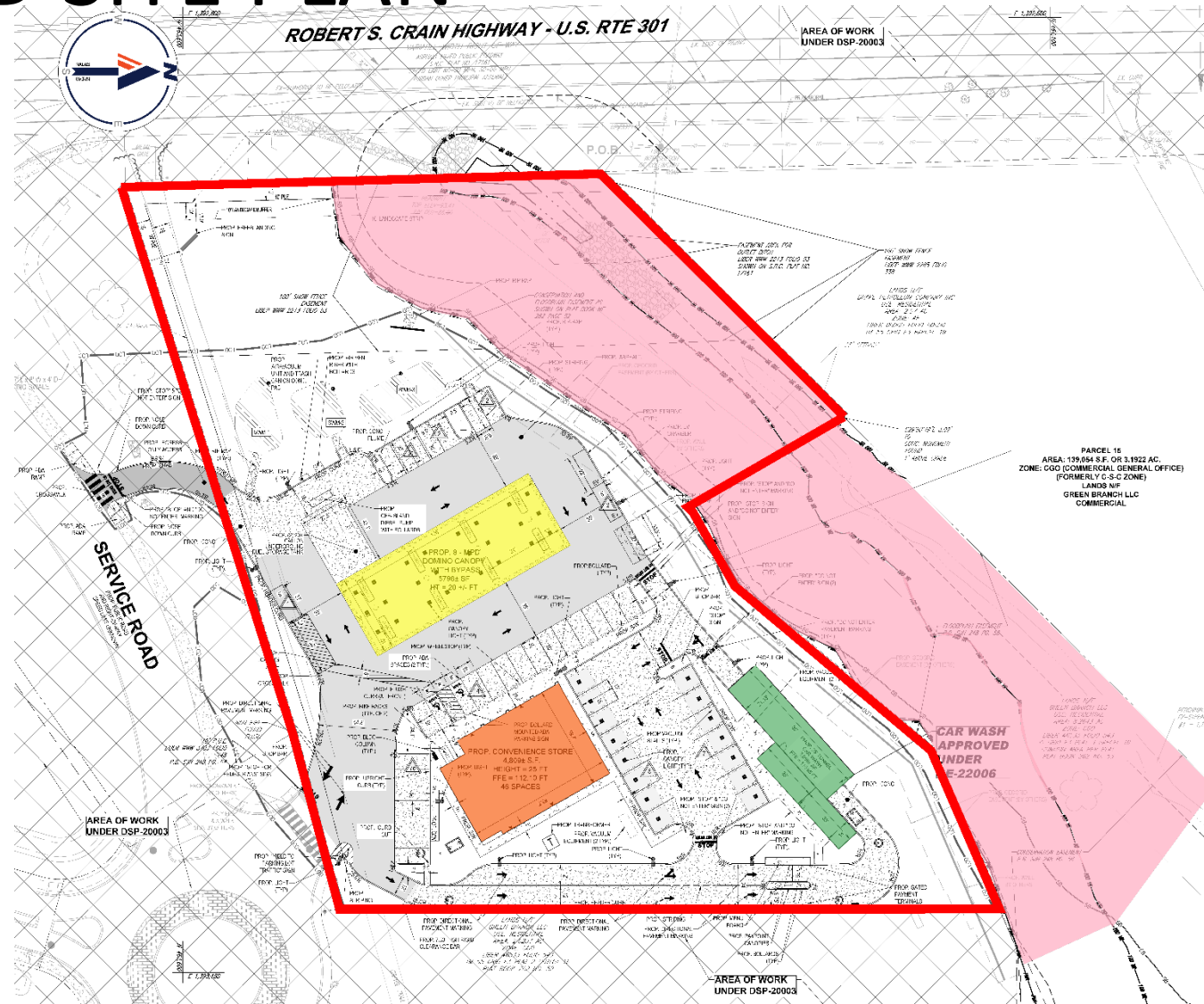
# BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED








# OVERALL DEVELOPMENT PLAN – MILL BRANCH CROSSING

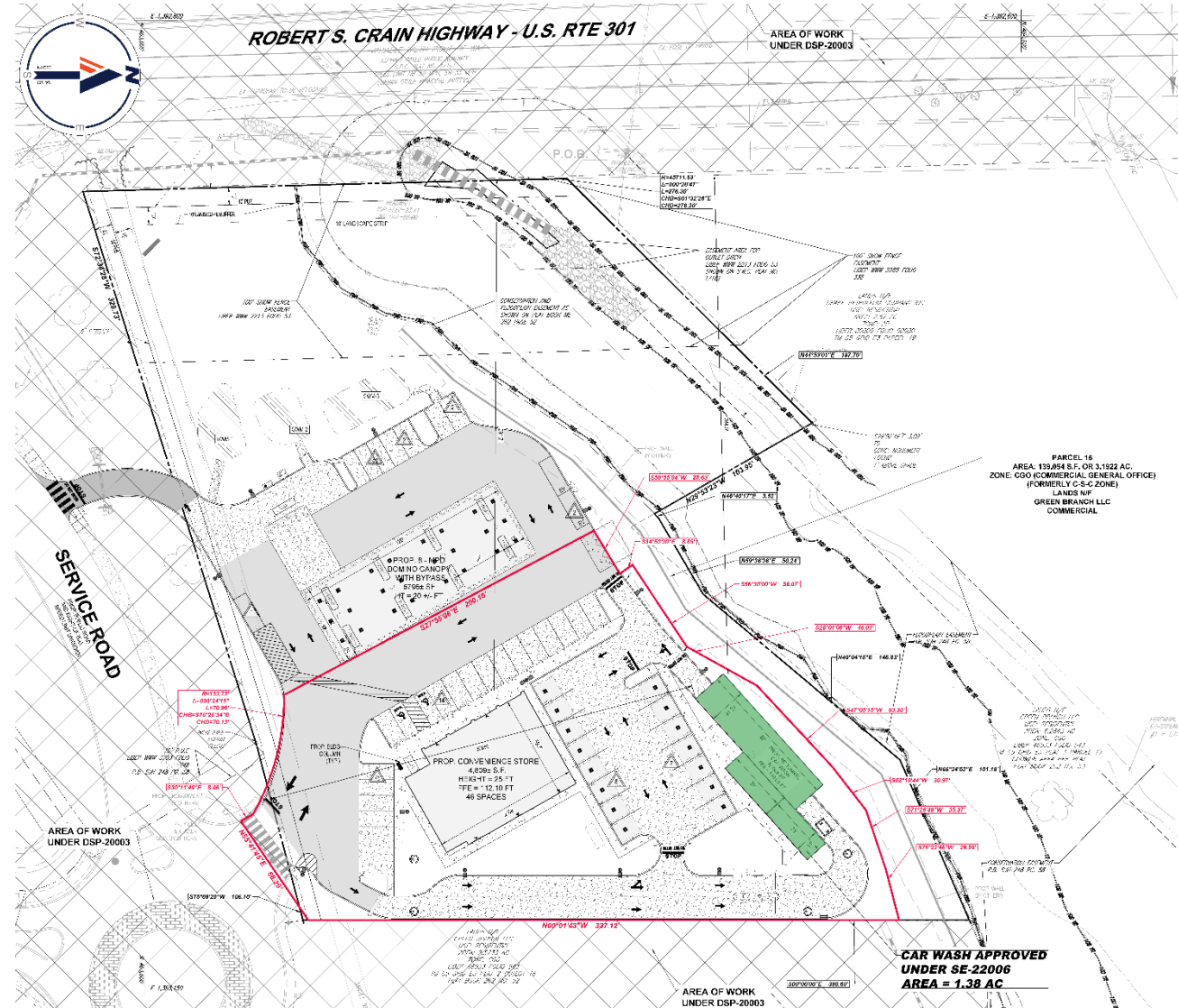




# DETAILED SITE PLAN



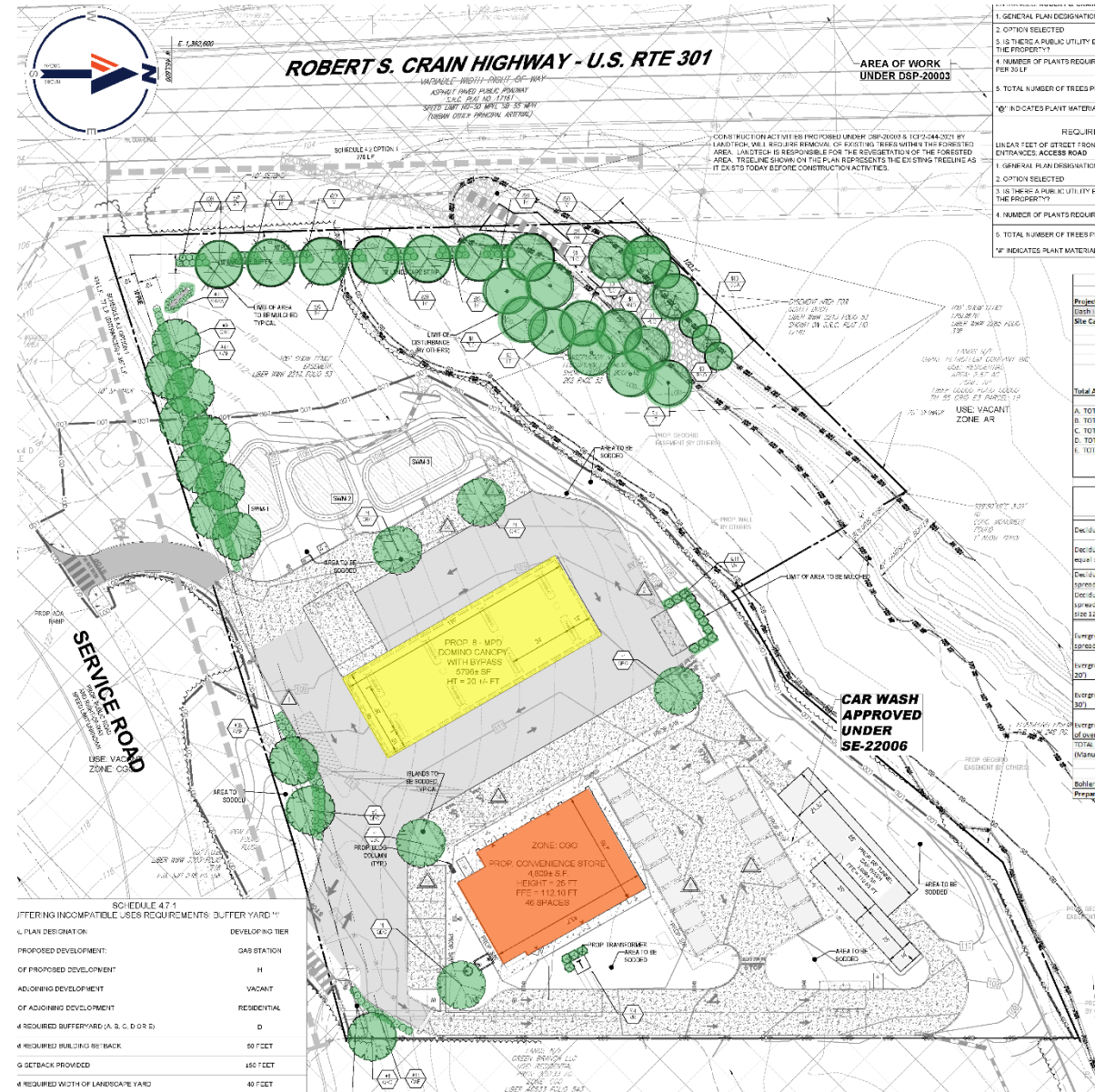
-  Site Boundary
-  Dash In Store
-  Gas Station
-  Car Wash (not included in this DSP)
-  Primary Management Area (PMA)

# AREA OF SPECIAL EXCEPTION SE-22006

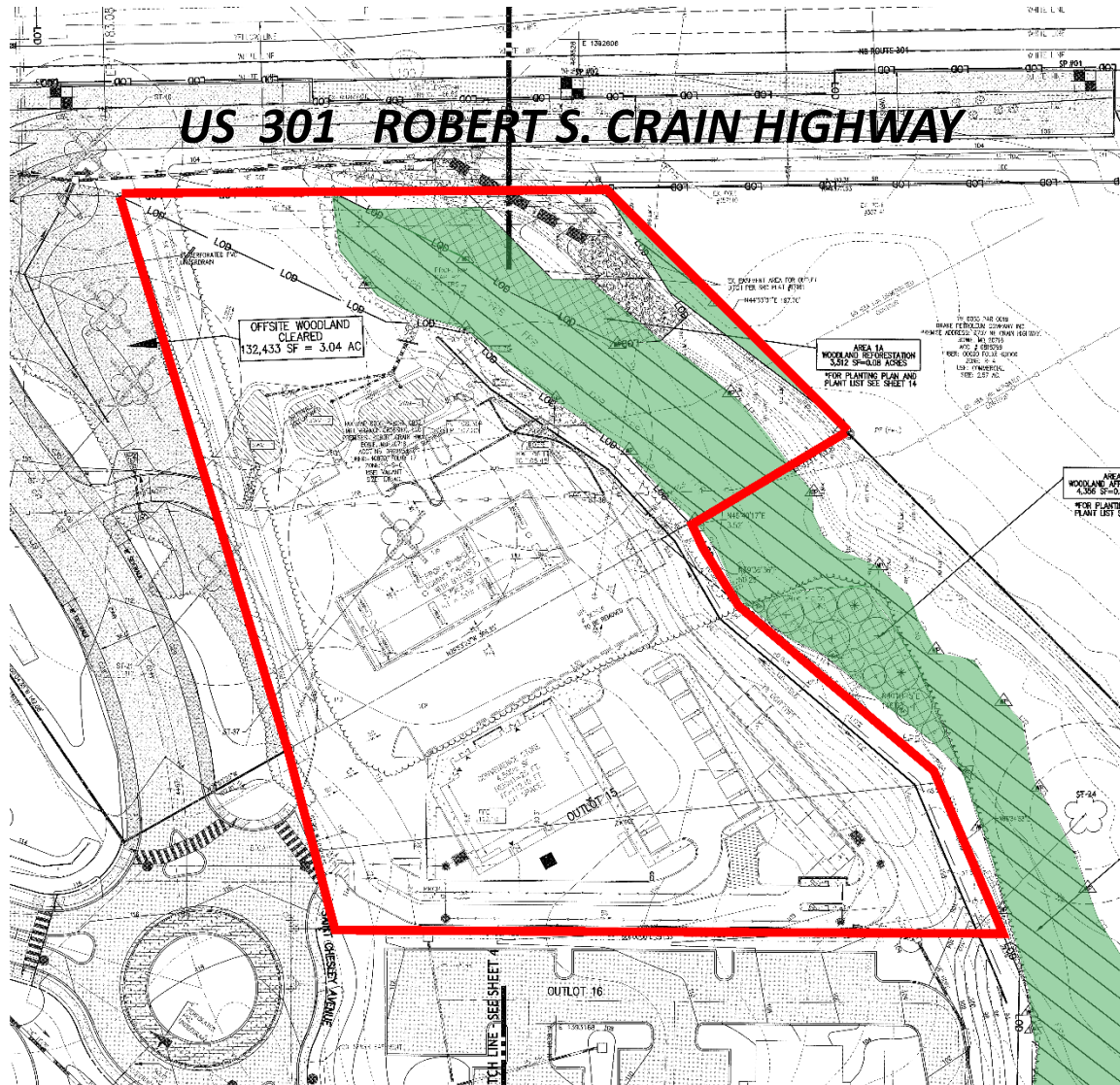




-  Area of Special Exception
-  Car Wash (included in SE-22006)

# LANDSCAPE PLAN

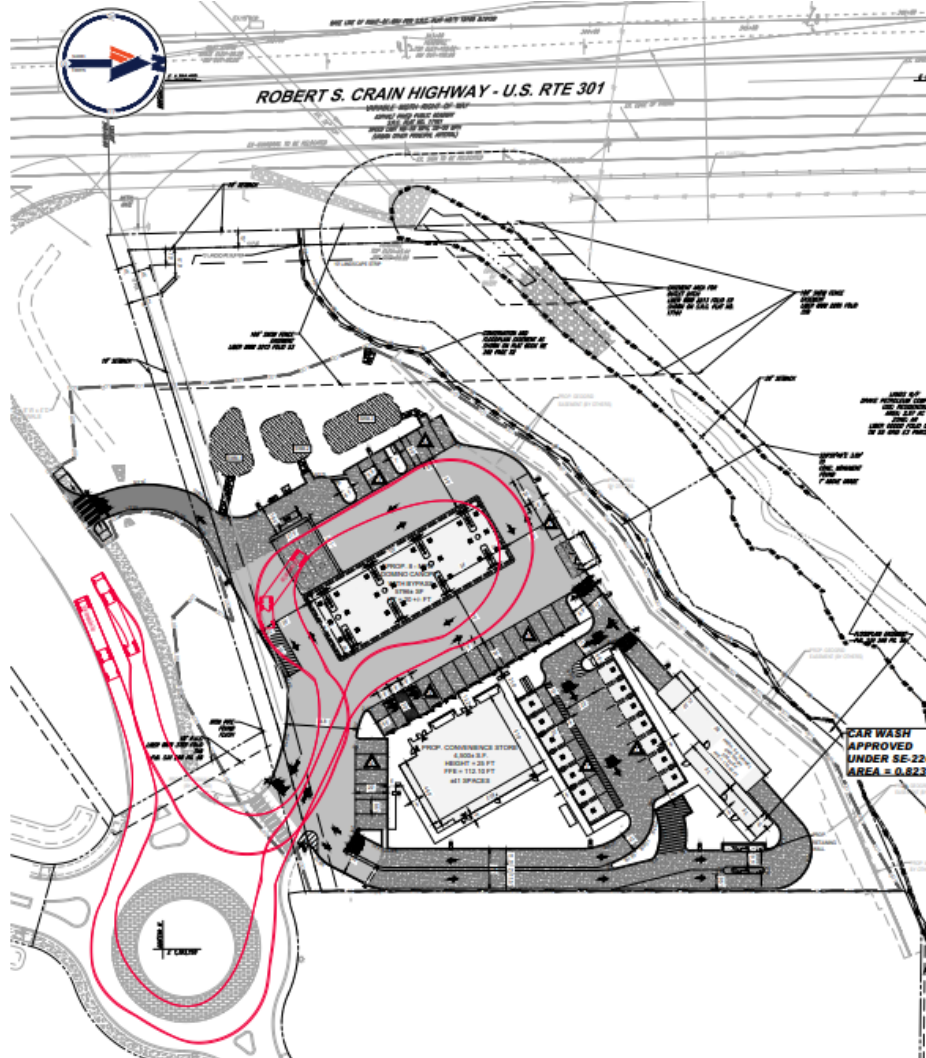


# TYPE 2 TREE CONSERVATION PLAN

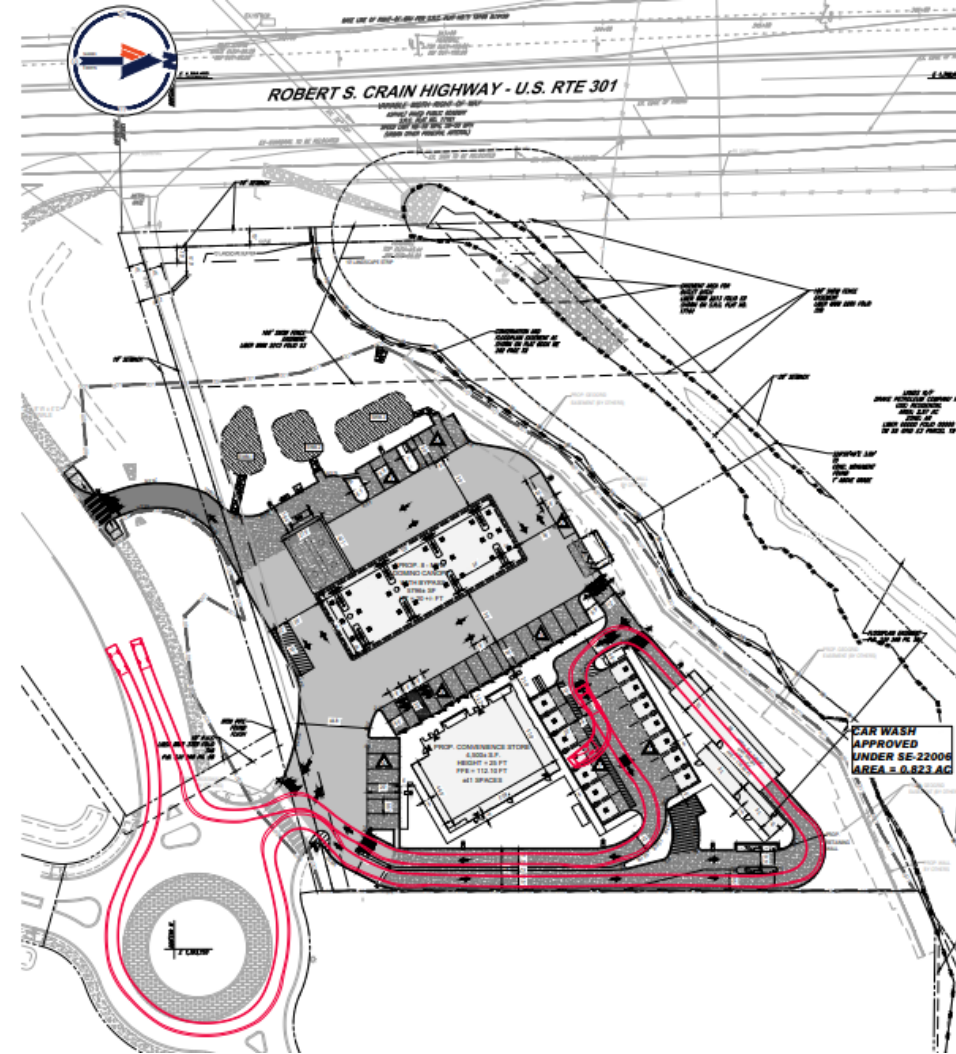


-  Site Boundary
-  Woodland Afforestation & Reforestation Area

# TRUCK TURNING AND SMALL VEHICLE TURNING EXHIBITS



Truck Turning Exhibit



Small Vehicle Turning Exhibit

# ARCHITECTURAL ELEVATIONS



## Proposed Exterior Materials

BR-1 Thin Brick Veneer - Painted

MTL-1 Galvanized Metal Decking - Gray

MTL-2 Metal Coping - Black

MTL-3 Aluminum Composite Panel - Black

FC-1 Fiber Cement Board & Batten - Black

FC-2 Fiber Cement Board & Batten - White

SG-1 Internally Lit Signage

WD-1 Heavy Timber Wood Beams

WD-2 Natural Wood Siding

AL-1 Exterior Aluminum Door - Black

RF-1 Membrane Roofing

GR-1 Painted Graphics

XPT-1 Exposed Steel - Black

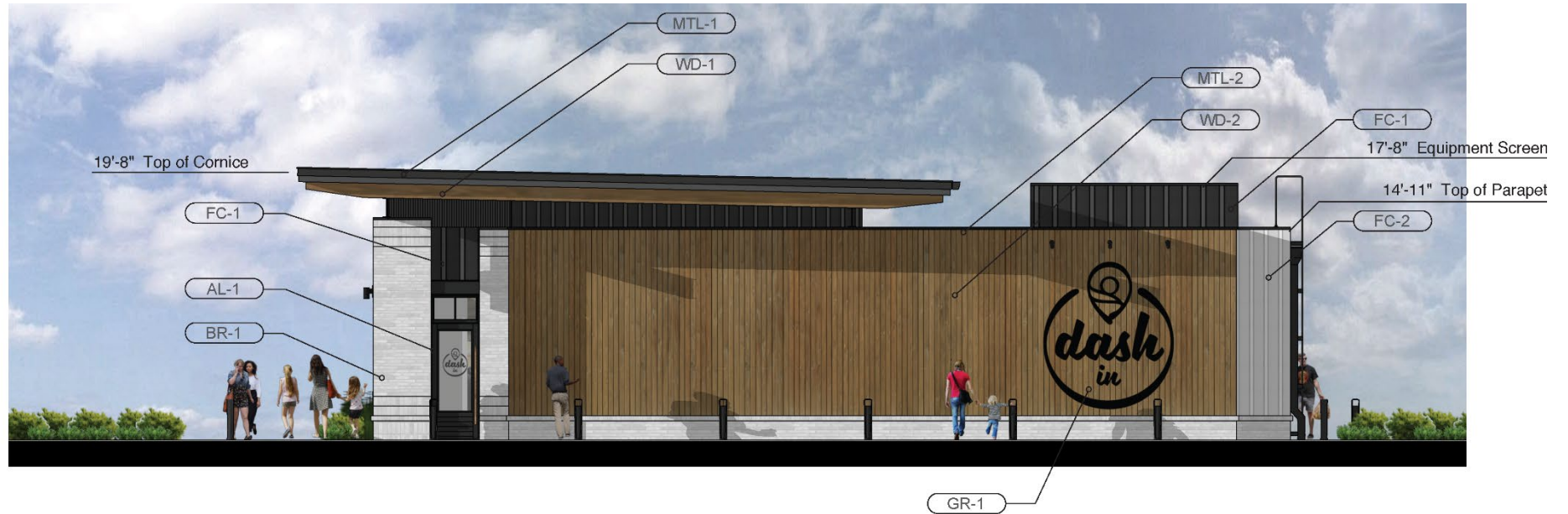
SF-1 Exterior Metal Storefront System - Black



**Front Elevation Facing East**



# ARCHITECTURAL ELEVATIONS



## Proposed Exterior Materials

**BR-1** Thin Brick Veneer - Painted

**MTL-1** Galvanized Metal Decking - Gray

**MTL-2** Metal Coping - Black

**MTL-3** Aluminum Composite Panel - Black

**FC-1** Fiber Cement Board & Batten - Black

**FC-2** Fiber Cement Board & Batten - White

**WD-1** Heavy Timber Wood Beams

**WD-2** Natural Wood Siding

**AL-1** Exterior Aluminum Door - Black

**RF-1** Membrane Roofing

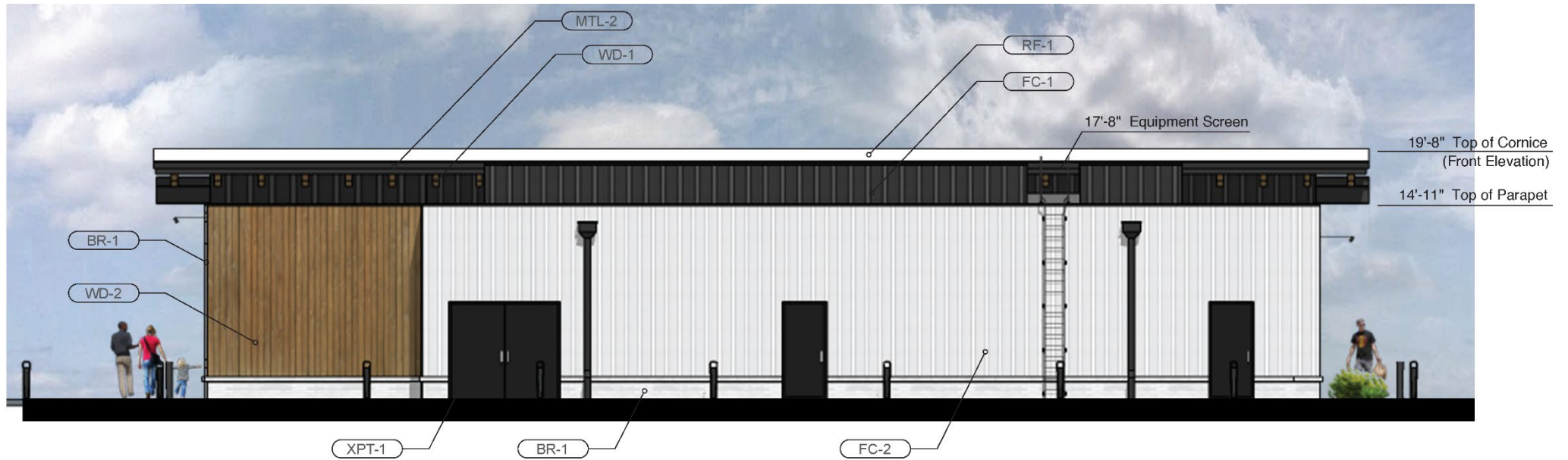
**GR-1** Painted Graphics

**XPT-1** Exposed Steel - Black

**SF-1** Exterior Metal Storefront System - Black

## Side Elevation Facing North

# ARCHITECTURAL ELEVATIONS



## Proposed Exterior Materials

BR-1 Thin Brick Veneer - Painted

MTL-1 Galvanized Metal Decking - Gray

MTL-2 Metal Coping - Black

MTL-3 Aluminum Composite Panel - Black

FC-1 Fiber Cement Board & Batten - Black

FC-2 Fiber Cement Board & Batten - White

WD-1 Heavy Timber Wood Beams

WD-2 Natural Wood Siding

AL-1 Exterior Aluminum Door - Black

RF-1 Membrane Roofing

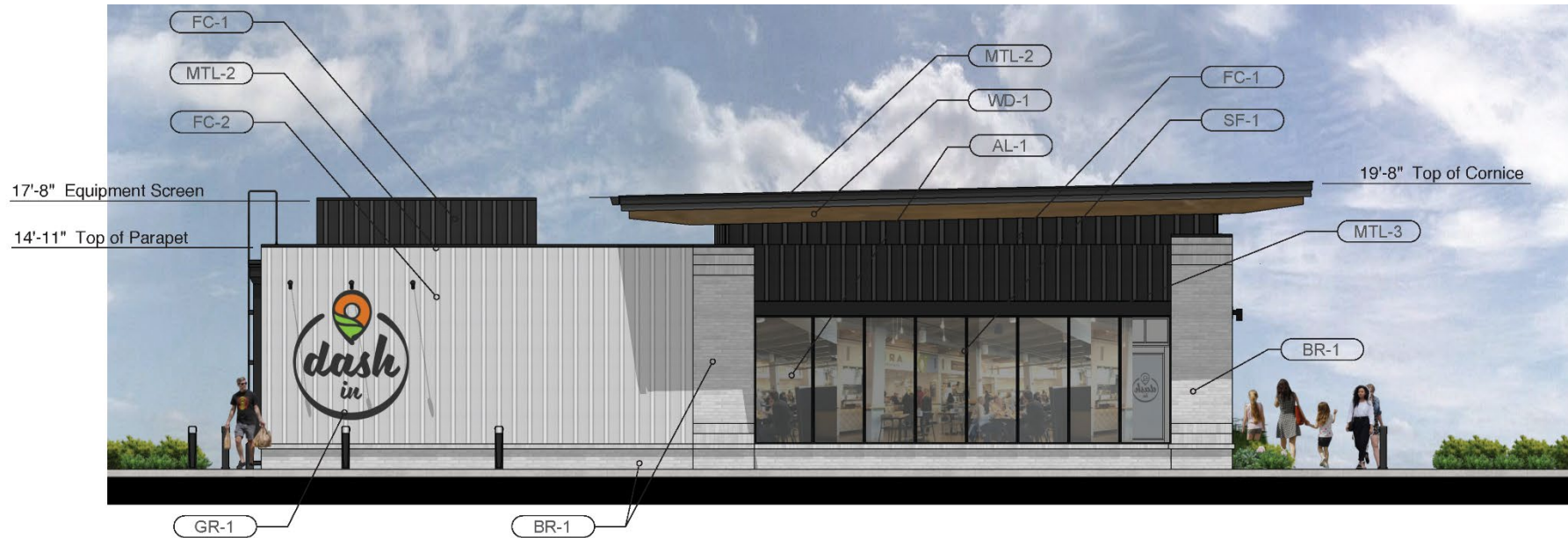
GR-1 Painted Graphics

XPT-1 Exposed Steel - Black

SF-1 Exterior Metal Storefront System - Black

## Rear Elevation Facing West

# ARCHITECTURAL ELEVATIONS



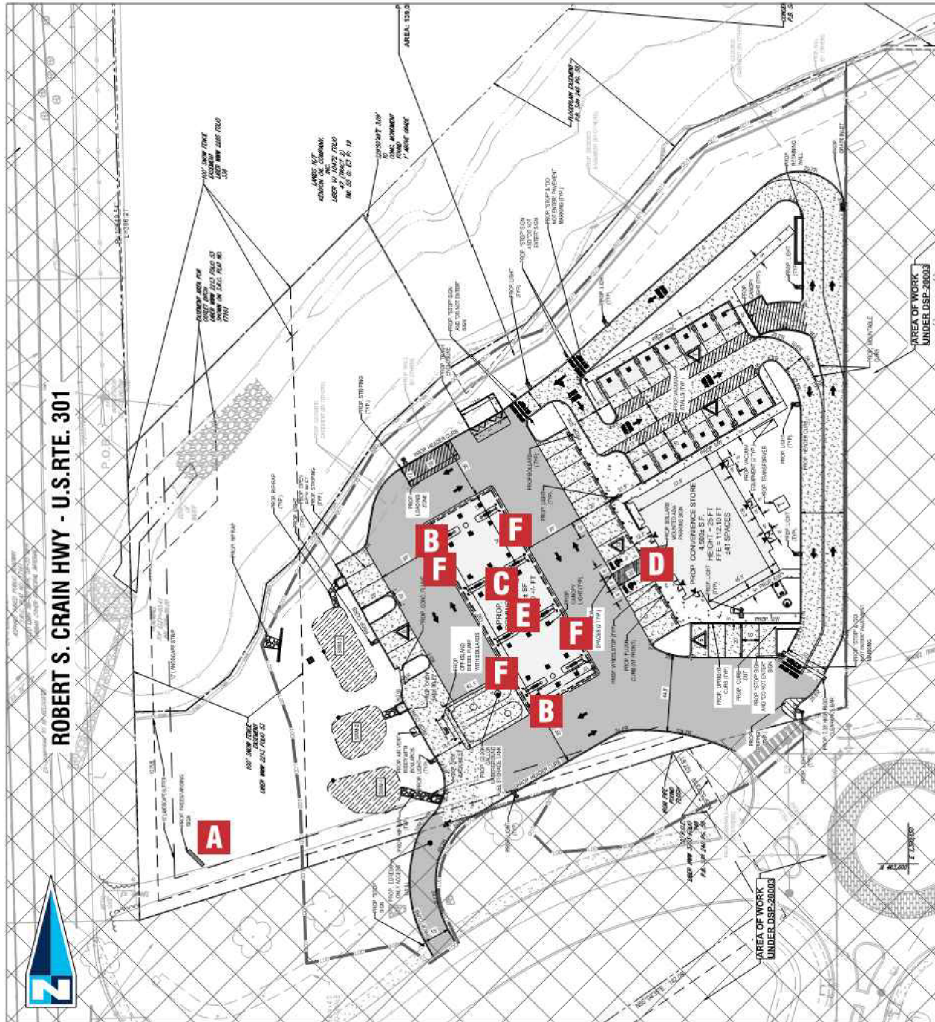
## Proposed Exterior Materials

- BR-1 Thin Brick Veneer - Painted
- MTL-1 Galvanized Metal Decking - Gray
- MTL-2 Metal Coping - Black
- MTL-3 Aluminum Composite Panel - Black
- FC-1 Fiber Cement Board & Batten - Black
- FC-2 Fiber Cement Board & Batten - White

- WD-1 Heavy Timber Wood Beams
- WD-2 Natural Wood Siding
- AL-1 Exterior Aluminum Door - Black
- RF-1 Membrane Roofing
- GR-1 Painted Graphics
- XPT-1 Exposed Steel - Black
- SF-1 Exterior Metal Storefront System - Black

## Side Elevation Facing South

# SIGNAGE LOCATIONS



SITE PLAN FOR SITE #1137

**Prince George's County:**

Under NEW Zoning, this site is Zoned CGO (Commercial, General Offices).

**Freestanding signage:**

Allowed 1 square foot per every 4' of **street frontage**, not to exceed 200 square feet and 25' oah. There is minimum of 10' setback required. There is 276.3 LF of frontage along Crain Highway, therefore 69 square feet will be allowed. Only (1) sign for a minimum of 50 feet of street frontage, up to 1,000 feet. One (1) additional freestanding sign allowed for every additional 1,000 feet of street frontage, however square footage calculation is limited to the primary frontage only.

**Wall Signs:**

Allowed 2 square foot per linear foot of the front of **primary building frontage** and signs cannot be not less than 10' above the ground. Total area of all signs cannot exceed 400 square feet. Each separate structure's (c-store, car wash, gasoline canopy) primary frontage eligible in square footage calculation. With C-Store front elevation at 80.3', 160.6 square feet allowed; Gas Canopy at 126', 252 square feet allowed.

**Variance Information:**

Approximately 10% chance of approval. Lawyer must be present for hearing if property owner is unable to attend. Variance process takes 3 to 4 months and costs \$1,500 plus sign posting fees.

**ALLOWABLE SQUARE FOOTAGE:**

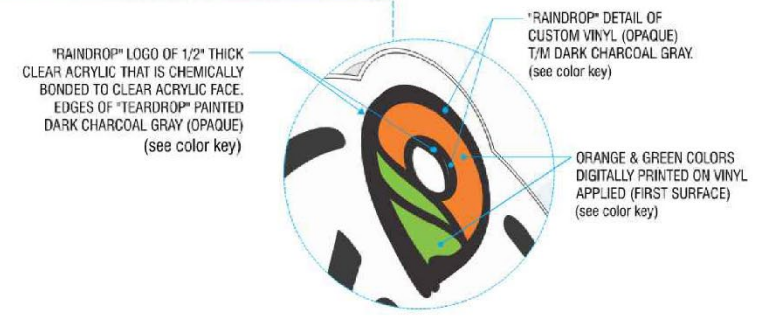
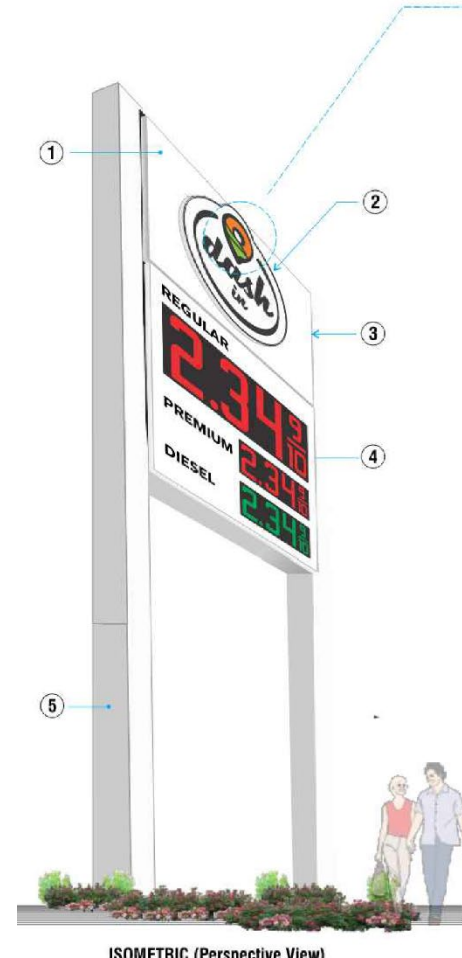
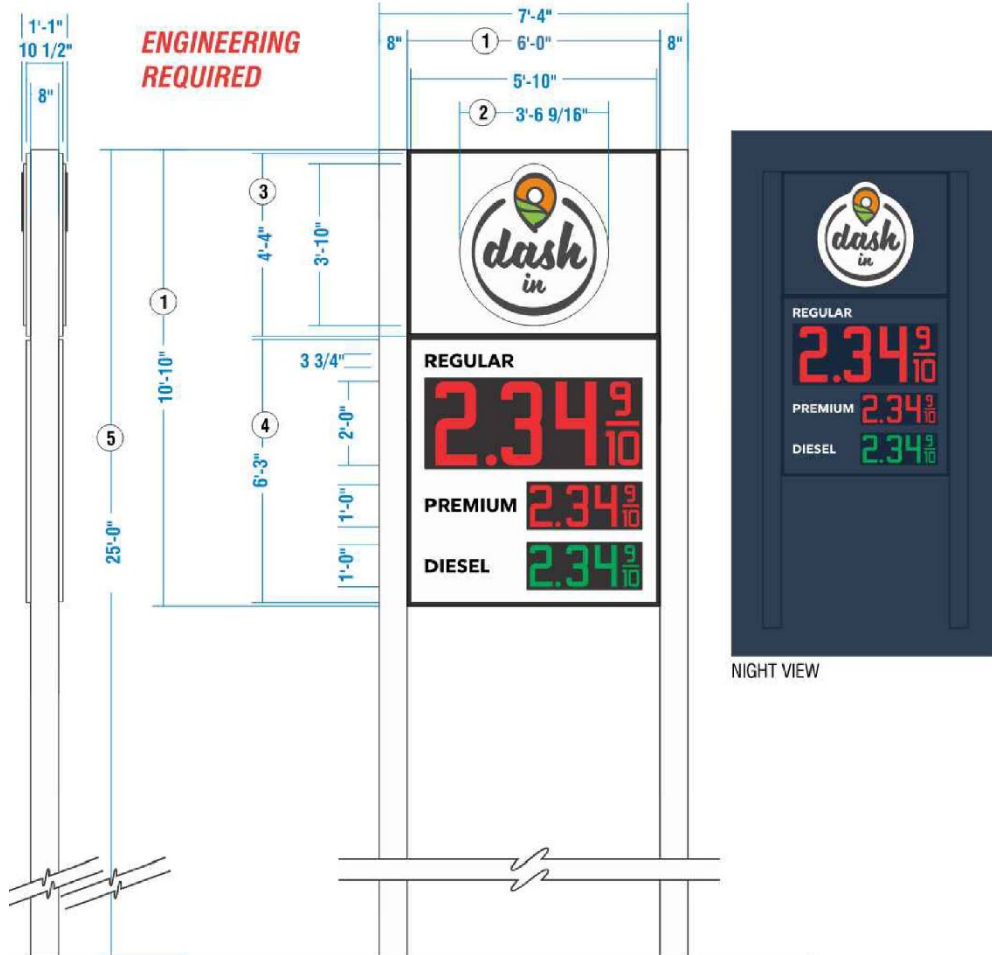
- A** D/F DASH IN TWIN POLE PYLON 69.00 SQ. FT.
- B** INT. ILL. LOGO/ LETTERS @ FUEL CANOPY 252 SQ. FT.
- D** INT. ILLUM. C-STORE LOGO/LETTERS SET 160.60 SQ. FT.

**NOTE - Pump Number Signs and Canopy Clearance Signs should not be considered in the allowable square footage as these are purely informational**

**ACTUAL SQUARE FOOTAGE:**

- A** D/F DASH IN TWIN POLE PYLON 65.00 SQ. FT.
- B** INT. ILL. LOGO/ LETTERS @ FUEL CANOPY (QTY. 2) 23.95 SQ. FT. EA.
- C** VINYL & LED STRIPE @ FUEL CANOPY APPROX. 323 LINEAR FT.
- D** INT. ILLUM. C-STORE LOGO/LETTERS SET 28.70 SQ. FT.
- E** PUMP NUMBER SIGNS (QTY. 16) 1.29 SQ. FT. EA.
- F** CANOPY CLEARANCE SIGN (QTY. 4) 2.00 SQ. FT. EA.

# PYLON SIGN DETAILS

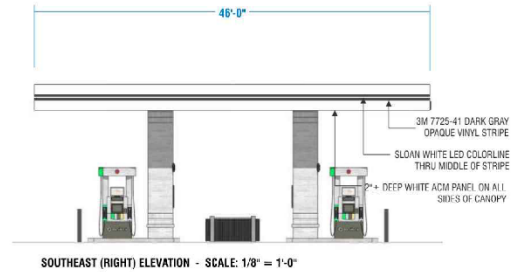
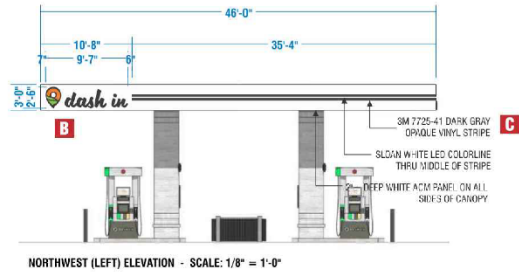
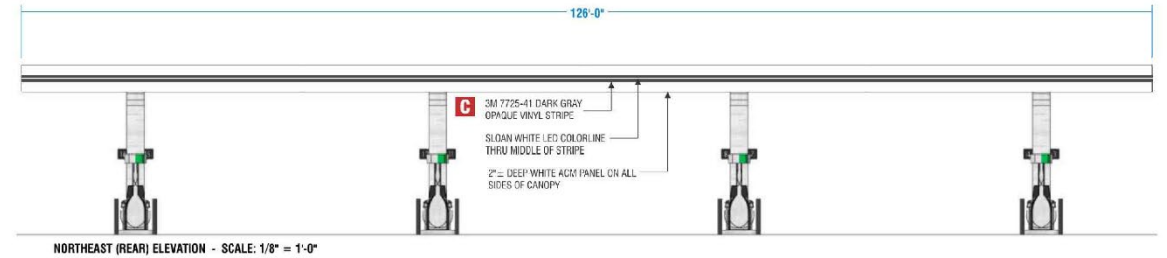
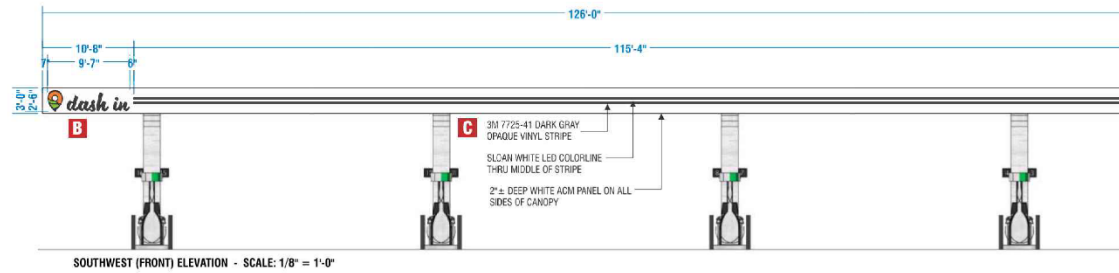


- A SPECIFICATIONS:**
- 1: CABINET:** 8" D. ALUM. OVER FRAME PAINTED SATIN BLACK, TO BE MOUNTED TO POLES PER ENGINEERING. ALL FACES TO BE 1 1/4" D. PAN ALUMINUM, PAINTED SATIN WHITE W/ INTERNAL ILLUMINATION @ COPY &/OR GRAPHICS ONLY.
  - 2: BRAND ID:** 1 1/4" D. HINGED FAB. ALUM. FLANGE PANEL PAINTED SATIN WHITE W/ SHOULDER-CUT CLEAR ACRYLIC FACE. "RAINDROP" LOGO TO BE 1/2" CLEAR ACRYLIC CHEMICALLY BONDED TO FACE W/ OPAQUE BLACK EDGE. GRAPHICS TO BE 1ST SURFACE DIGITAL PRINT VINYL PER COLOR KEY, W/ 2ND SURFACE #70 DIFFUSER. INT. ILLUMINATED W/ WHITE LEDs.
  - 3: BACKGROUND PANEL:** 1 1/4" D. FAB. ALUM. FLANGE PANEL, PAINTED WHITE.
  - 4: FUEL PRICER:** 1 1/4" D. HINGED FAB. ALUM. FLANGE PANEL, PAINTED W/ ROUT OUT BACK-UP COPY & CLEAR POLYCARBONATE WINDOWS FOR FUEL PRICE DISPLAYS. FUEL PRICERS ARE (1) ABLE 24" RED MULTI-SEGMENT, (1) ABLE 12" RED MULTISEGMENT AND (1) ABLE 12" GREEN MULTI-SEGMENT DISPLAYS PER SIDE. (6) TOTAL PER PYLON.
  - 5: POLES:** SQUARE STEEL PER ENGINEERING, PAINTED WHITE.

**A D/F DASH IN TWIN POLE PYLON ONE (1) REQ'D**

**SCALE: 3/8" = 1'-0" 65.00 SQ. FT.**

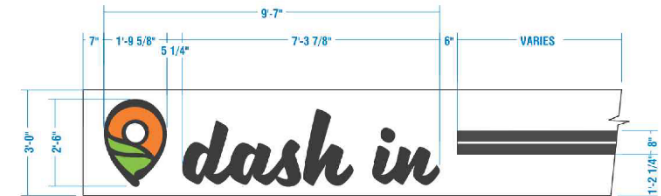
# FUEL CANOPY SIGNAGE DETAILS



# WALL SIGNAGE DETAILS



C-STORE FRONT ELEVATION - SCALE: 1/8"=1'-0" (approx)



**B LED CHANNEL LOGO AND LETTERS ON WHITE ACM CANOPY | TWO (2) SETS REQ'D**  
 1/2" = 1'-0" 29.75 SQ. FT. EACH

SCOPE OF WORK: MANUFACTURE & INSTALL TWO (2) INT. ILLUM LOGOS & LETTER SETS.  
 SPECIFICATIONS:  
 LOGO- 4" D. FAB. ALUM. CHANNEL PAINTED SATIN BLACK, INTERIOR PAINTED SATIN WHITE.  
 FACE IS 1/2" SHOULDER-CUT CLEAR ACRYLIC W/ 1ST SURFACE VINYL PER COLOR KEY @ RIGHT & 2ND SURFACE DIFFUSER.  
 LETTERS- 4" D. FAB. ALUM. CHANNEL PAINTED SATIN WHITE, INTERIOR PAINTED SATIN WHITE.  
 FACE IS 1/2" SHOULDER-CUT CLEAR ACRYLIC W/ 1ST SURFACE VINYL 3M 3830-20 WHITE VINYL & 2ND SURFACE DIFFUSER.  
 ILLUMINATION: WHITE LEDS & REMOTE POWER SUPPLIES HOUSED IN TRANSFORMER BOXES.  
 MOUNTING: FLUSH TO 2" DEEP ACM PANELS THAT WRAP BUILDING FASCIA.



**C VINYL STRIPE & LED TUBE LIGHTING: APPROX. 323 LINEAR FEET**  
 OPAQUE VINYL STRIPE AT ALL SIDES OF CANOPY W/ SLOAN "COLORLINE" WHITE LED TUBE LIGHTING

MSPTV = MIRATEC SYSTEMS PRINTED TRANSLUCENT VINYL				PAINT COLOR	
 MSPTV DASH-IN / ORANGE	 MSPTV DASH-IN / GRASS	 DUAL COLOR VINYL 3M 3635-222 (BLACK)	 VINYL 3M 7725-41 DARK GRAY	 PAINT: SATIN GRAY 789	

# STAFF RECOMMENDATION

## **APPROVAL** with conditions

- DSP-20003-01
- TCP2-044-2021-01

## **Issues:**

- None

## **Applicant Required Mailings:**

- Informational Mailing: 06/22/2022
- Acceptance Mailing: 02/07/2023



**STATEMENT OF JUSTIFICATION  
DSP-20003-01**

**APPLICANT:** Dash In Food Stores, Inc.  
P.O. Box 2810  
LaPlata, Maryland 20646

**CORRESPONDENT:** Daniel F. Lynch, Esq  
McNamee Hosea  
6411 Ivy Lane, Suite 200  
Greenbelt, Maryland 20770  
(301) 441-2420 Voice  
(301) 982-9450 Fax  
dlynch@mhlawyers.com

**REQUEST:** Detailed Site Plan pursuant to Section 27-285(b).

---

**I. DESCRIPTION OF PROPERTY**

1. Address – 3301 Mill Branch Road, Bowie, Maryland
2. Use - Retail Sale of Gasoline with Food and Beverage Store
3. Incorporated Area - N/A
4. Council District – 4
5. Parcel – 15 (as shown on 4-19050)
6. Total Area – 3.1922 acres
7. Tax Map – 055/E3
9. Location – East side of US 301 approximately 1,560 feet north of its intersection with Mill Branch Road.
10. Zoned: CGO Zone (formally C-S-C Zone)
11. Owner – Green Branch, LLC
12. Zoning Map – 205NE14

## **II. APPLICANT'S PROPOSAL**

The Subject Property, which is zoned CGO, is comprised of Parcels A and 52 and currently undeveloped. The property is part of larger mixed-use development commonly known as Mill Branch Crossing which consists of approximately 70.11 acres located in the CGO Zone. The project benefits from Prince George's County Council Bill CB-45-2019, which was approved by the Prince George's County Council on November 19, 2019. This Council Bill amended Section 27-461(b) of the Prince George's County Zoning Ordinance, to permit gas stations in the C-S-C Zone subject to a certain criteria, which are met by the subject site. This applicant's proposal is for the development of a 4,500 square foot food and beverage store and 8 multi-product dispensers under the cover of a canopy.

The gas station and food and beverage store are subject to the approval of a Detailed Site Plan for the purpose of demonstrating conformance with Section 27-358 (a)(1), (2), (4), (5), (6), (7), (8), (9), and (10) and for the purpose of approving architectural elevations. The applicant is requesting that this detailed site plan be reviewed under the old Zoning Ordinance in accordance with Section 27-1700 since under the current Zoning Ordinance the gas station component of this application is only allowed in the CGO Zone subject to the approval of a special exception.

## **III. PRIOR APPROVALS**

Parcel A is the subject of Preliminary Plan of Subdivision 4-08052, which was approved by the Planning Board in May 2009 and reconsidered in March 2017. This preliminary plan consolidated eight parcels into one parcel for the construction of 619,000 square feet of commercial floor area and a 150-room hotel.

Following approval of 4-08052, a Special Exception application, SE-4734, was approved by the Prince George's County District Council in June 2015, for a 24.90-acre portion of the subject site. The application was for a 186,933-square-foot department or variety store combined with a food and beverage store (a Walmart Super Center), which was to move from its existing location across US 301 from the property. The special exception was approved subject to 19 conditions, none of which are applicable to this detailed site plan.

Preliminary Plan 4-19050 for Mill Branch Crossing was approved by the Planning Board in March of 2021 for subdivision of the property into 190 lots and 13 parcels for development of 77,635 square feet of commercial floor area, a 150-room hotel, 190 townhouse units, and 408 multifamily units.

Preliminary Plan 4-18050 was approved subject to 24 conditions. Condition 18 contains a trip cap and the proposed development associated with this DSP falls within that trip cap. Conditions 7 and 8 are being addressed as part of DSP- 20003 that contains the residential component of Mill Branch Crossing.

On March 24, 2022 the Planning Board approved DSP-20003 for this application for the construction of 190 single-family attached (townhouses) and 408 multifamily dwelling units in six buildings as part of an overall mixed-use development. The DSP also showed infrastructure improvements on the remainder of the site for the future commercial component.

**IV. ZONING REGULATIONS**

Regulations concerning the location, size, and other provisions for all buildings and structures in the C-S-C Zone as follows:

	ALLOWED/REQUIRED	PROVIDED
MIN. LOT AREA	N/A	3.1922 AC
MIN. BUILDING SETBACK		
From Street (CRAIN HIGHWAY)	NONE	209
Side Yard (South)	30'	98'
Side Yard (East)	None	27'
Rear (North)	50'	121'
PARKING REQUIREMENTS		
Gas station	1 per each employee (2)	2
Convenience	150 sq. ft. of the first 3,000 sq. ft. GFA plus 200 sq. ft. of GFA above the first 3,000 sq. ft. (28)	32
Total	30	38
LOADING REQUIREMENTS	At least 2,000 square feet but less than 10,000 square feet (1)	1

**V. COMMUNITY**

The subject property was reclassified into the C-S-C Zone with the adoption of the 2019 *Bowie and Vicinity Master Plan and SMA*. The subject property is surrounded by the following uses:

*North:* Undeveloped property in the R-A Zone.

*South:* Undeveloped land in the C-S-C Zone (Mill Branch Crossing)

*East:* Undeveloped land in the C-S-C Zone (Mill Branch Crossing)

*West:* US 301 and beyond are single-family attached dwellings in the R-U Zone (Covington)

## V. CRITERIA FOR APPROVAL

The proposed gas station use of the property is permitted under the Table of Uses contained in the former Zoning Ordinance. Specifically, footnote 80 provides that the use in the C-S-C Zone shall not require the approval of a special exception if:

1. The property is a minimum of fifty (50) acres in size at the time of preliminary plan of subdivision; and

**Comment:** At the time of the preliminary plan of subdivision, the property was part of a larger property that was 73.98 acres in size.

2. A Detailed Site Plan is required as a condition of preliminary plan of subdivision and shall be approved in accordance with Part 3, Division 9 of this Subtitle and Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9), and (10). The detailed site plan shall include architectural review and approval of building elevations and materials. The development regulations as provided for in Section 27-454(d) shall apply.

**Comment:** This detailed site plan is being filed to address the above. Building elevations and materials are included in the DSP set. In addition this Detailed Site Plan complies with Section 27-358(a) (1), (2), (4), (5), (6), (7), (8), (9), and (10) as demonstrated in Section VI below.

As for the review and approval of a Detailed Site Plan, the criteria for approval of a Detailed Site Plan are set forth in Section 27-285(b) and the Site Design Guidelines are set forth in Section 27-274.

### Section 27-285

#### (b) Required findings.

- (1) The plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use;

**Comment:** This Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines. The plan does not require unreasonable costs nor does it detract substantially from the utility of the proposed development for its intended use as a gas station and food and beverage store. The site design guidelines are found in section 27-274 of the Zoning Ordinance.

#### Section 27-274 Design Guidelines

- (1) General.

(A) The Plan should promote the purposes of the Detailed Site Plan.

**Comment:** The purposes of the Detailed Site Plan are found in Section 27-281 (b) & (c).

Section 27-281. Purposes of Detailed Site Plans.

(b) General purposes.

(1) The general purposes of Detailed Site Plans are:

(A) To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;

(B) To help fulfill the purposes of the zone in which the land is located;

(C) To provide for development in accordance with the site design guidelines established in this division; and

(D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.

(c) Specific purposes.

(1) The specific purposes of Detailed Site Plans are:

(A) To show the specific location and delimitation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;

(B) To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site;

(C) To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site; and

(D) To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.

**Comment:** This Detailed Site Plan promotes the purposes of Detailed Site Plans. Specifically, this plan helps to fulfill the purposes of the C-S-C Zone in which the subject land is located. The purposes of the C-S-C Zone are found in Section 27-454, which provides:

(1) The purposes of the C-S-C Zone are:

(A) To provide locations for predominantly retail commercial shopping facilities;

(B) To provide locations for compatible institutional, recreational, and service uses;

(C) To exclude uses incompatible with general retail shopping centers and institutions; and

(D) For the C-S-C Zone to take the place of the C-1, C-2, C-C, and C-G Zones.

A gas station and food and beverage store are permitted in the C-S-C Zone subject to the criteria set forth in Section 27-461(b).

In addition to the purposes set forth in Section 27-281, Section 27-274 further requires the Applicant to demonstrate the following:

(2) Parking, loading, and circulation.

(A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.

**Comment:** This Detailed Site Plan demonstrates conformance with this Design Guideline. The plan shows that a majority of proposed parking spaces associated with the gas station and food and beverage store are perpendicular to the sidewalk located on the south and west sides of the food and beverage store. There are also 5 parking spaces located to the west of the gas canopy. In addition, there are generous drive aisles provided to help the safe circulation of vehicles. The applicant believes that this layout will prevent any conflicts between vehicles and pedestrians on the Subject Property.

(3) Lighting.

(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character.

**Comment:** This plan complies with the design guidelines outlined in sub-part (3). Adequate lighting will be provided to illuminate entrances and parking areas throughout the site. Lighting Details are shown on the photometric plan.

(4) Views.

(A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.

**Comment:** This Detailed Site Plan complies with the design guidelines outlined in sub-part (4) and the plan is designed to preserve, create, or emphasize views from the public roads that surround the property. The applicant is employing a combination of treatments along the US 301 frontage that will preserve and improve the scenic views. That applicant is proposing to install a 4.2

landscape strip along a portion of this frontage and also preserve a significant stand of existing trees.

(5) Green Area.

(A) On site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use.

**Comment:** The Detailed Site Plan notes that the site will comply with the green space requirements and the Tree Canopy Coverage requirements.

(6) Site and streetscape amenities.

(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site.

**Comment:** As indicated above, the applicant is proposing to install a 4.2 landscape strip and preserving trees along the US 301 frontage. Given the size of the property and the nature of the use, the applicant is not proposing any other streetscape amenities.

(A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.

**Comment:** As demonstrated on the site plan set, the applicant is proposing a minimum amount of grading to accommodate this development.

(7) Service Areas.

(A) Service areas should be accessible, but unobtrusive.

**Comment:** The proposed loading space located to the north of the gas canopy and will be screened from US 301 and Saint Chesley Avenue. The trash and recycling area is also located to the north of the gas canopy and will be surrounded by a screening wall with a site tight gate.

(8) Public Spaces.

(A) A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.

**Comment:** The applicant is not proposing to provide public space as part of this amendment.

(9) Architecture.

(A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.

(B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.

(C) These guidelines may be modified in accordance with section 27-277.

**Comment:** This Detailed Site Plan complies with the design guidelines outlined in sub-part (10). As stated earlier, this Detailed Site Plan provides the front, rear and side exterior elevations of the proposed building. This Detailed Site Plan also provides the building materials, such as the brick veneer, glass, steel and aluminum that will be used for the proposed building. Generally speaking, the proposed architecture of the food and beverage store represents the newest prototype Dash-In building and the applicant intends to implement this design and associated branding on all future sites in Prince George's County as well other jurisdictions in this region.

In addition, the applicant will incorporate sustainable practices into the site including but not limited to site, including but not limited to:

- Low flow plumbing fixtures with automatic shutoffs to reduce water usage
- LED light fixtures for inside and outside to reduce energy usage
- Predominant use of concrete for vehicular surfaces to reduce heat effect.
- Predominant use of drought tolerant native vegetation to reduce water usage and promote local wildlife.
- Implementation of erosion and sediment control plans;
- HVAC system will be SEER 13+;
- Collection of recyclables and goal for zero waste;
- Low VOC (Volatile Organic Compounds) materials (i.e., adhesives, sealants and carpet);
- Upgraded thermal insulation;

This list is not all inclusive as the building plans have yet to be finalized and additional techniques may be added.

With regard to the proposed signage for the site, the Detailed Site Plan contains a compliance chart demonstrating that the building mounted signage and freestanding signage complies with the standards for the C-S-C Zone.

In addition to the requirements outlined in Section 27-274, Section 27-285 further requires that the Applicant demonstrate the following:

(2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required);

**Comment:** No Conceptual Site Plan was required.



(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

**Comment:** Not applicable.

## VI. COMPLIANCE WITH SECTION 27-358

Section 27-461(b) provides that a gas station and food and beverage store are permitted in the C-S-C Zone subject to compliance with Section 27-358 (a)(1), (2), (4), (5), (6), (7), (8), (9), and (10). The site complies as follows:

- (1) The subject property shall have at least one hundred and fifty (150) feet of frontage on and direct vehicular access to a street with a right-of-way width of at least seventy (70) feet;

**Comment:** The subject property has over 300 feet of frontage on Crain Highway.

- (2) The subject property shall be located at least three hundred (300) feet from any lot on which a school, outdoor playground, library, or hospital is located;

**Comment:** There are no schools, outdoor playgrounds, libraries, or hospitals located with 300 feet of the subject property.

- (4) The storage or junking of wrecked motor vehicles (whether capable of movement or not) is prohibited;

**Comment:** The applicant acknowledges this requirement and is not proposing to vehicle repair on the subject property.

- (5) Access driveways shall be not less than thirty (30) feet wide unless a lesser width is allowed for a one-way driveway by the Maryland State Highway Administration or the County Department of Permitting, Inspections, and Enforcement, whichever is applicable, and shall be constructed in compliance with the minimum standards required by the County Road Ordinance or Maryland State Highway Administration regulations, whichever is applicable. In the case of a corner lot, a driveway may begin at a point not less than twenty (20) feet from the point of curvature (PC) of the curb return or the point of curvature of the edge of paving at an intersection without curb and gutter. A driveway may begin or end at a point not less than twelve (12) feet from the side or rear lot line of any adjoining lot;

**Comment:** The DSP shows one 44.8 foot full access driveway and one 15 foot one-way access driveway.

(6) Access driveways shall be defined by curbing;

**Comment:** The DSP shows that the access driveways are defined by curbing.

(7) A sidewalk at least five (5) feet wide shall be provided in the area between the building line and the curb in those areas serving pedestrian traffic;

**Comment:** A five foot sidewalk is provided in compliance with the requirement.

(8) Gasoline pumps and other service appliances shall be located at least twenty-five (25) feet behind the street line;

**Comment:** The gas pumps and other service appliances are located at least 25 feet behind the street line.

(9) Repair service shall be completed within forty-eight (48) hours after the vehicle is left for service. Discarded parts resulting from any work shall be removed promptly from the premises. Automotive replacement parts and accessories shall be stored either inside the main structure or in an accessory building used solely for the storage. The accessory building shall be wholly enclosed. The building shall either be constructed of brick (or another building material similar in appearance to the main structure) and placed on a permanent foundation, or it shall be entirely surrounded with screening material. Screening shall consist of a wall, fence, or sight-tight landscaping material, which shall be at least as high as the accessory building. The type of screening shall be shown on the landscape plan.

**Comment:** The applicant is not proposing to repair vehicles on the subject property.

(10) Details on architectural elements such as elevation depictions of each facade, schedule of exterior finishes, and description of architectural character of proposed buildings shall demonstrate compatibility with existing and proposed surrounding development.

**Comment:** Architectural elevations are included in the DSP package.

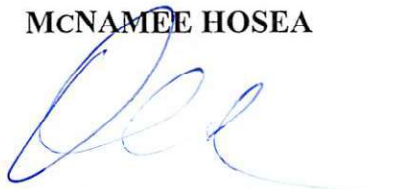
Therefore, this detailed site plan complies with the requirements set forth in Section 27-358(a) (1), (2), (4), (5), (6), (7), (8), (9), and (10) of the Zoning Ordinance.

## VII. CONCLUSION

The applicant respectfully submits that all of the criteria for approving a Detailed Site Plan have been met and on behalf of Dash-In Food Stores, Inc, requests the approval of this application.

Respectfully submitted,

**MCNAMEE HOSEA**



Daniel F. Lynch



**McNamee Hosea**

Attorneys & Advisors

McNamee Hosea

6411 Ivy Lane, Suite 200

Greenbelt, Maryland 20770

☎ 301.441.2420

☎ 301.982.9450

[mhlawyers.com](http://mhlawyers.com)

Daniel F. Lynch, Esquire  
Admitted in Maryland

Email: [DLynch@mhlawyers.com](mailto:DLynch@mhlawyers.com)  
Direct Dial: Extension 250

March 13, 2023

**VIA ELECTRONIC MAIL**

Mridula Gupta

Urban Design Section

The Maryland-National Capital Park and Planning Commission

14741 Governor Oden Bowie Drive

Upper Marlboro, Maryland 20772

*Re. DSP-20003-01*

Dear Ms. Gupta:

On behalf of the applicant, and pursuant to Section 27-285(c)(2) of the Zoning Ordinance, I am writing to waive the 70-day action period in order to allow time for the applicant and staff to work through some outstanding site design issues.

Thank you in advance for your time and consideration to this matter.

Sincerely,

Daniel F. Lynch

March 6, 2023

**MEMORANDUM**

**TO:** Andrew Shelly, Urban Design Section, Development Review Division

**VIA:** Tom Gross, Supervisor, Historic Preservation Section, Countywide Planning Division  
*TWG*

**FROM:** Jennifer Stabler, Historic Preservation Section, Countywide Planning Division *JAS*  
Tyler Smith, Historic Preservation Section, Countywide Planning Division *JAS*

**SUBJECT:** **DSP-20003-01 Dash In Mill Branch**

The subject property comprises 3.17 acres and is located on the east side of US 301 (Robert S. Crain Highway), approximately 1,349 feet north of Mill Branch Road. The subject property is located within the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* area and zoned CGO. The subject revision proposed the construction of a 4,500 square-foot gas station with a food or beverage store and car wash.

The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* contains goals and policies related to historic preservation (pages 156-165). The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* contains goals and policies related to Historic Preservation (pages 158-165). However, these are not specific to the subject site or applicable to the proposed development.

Phase III archeological investigations were completed on site 18PR857. No additional archeology is recommended. Historic Preservation staff concurs that no further archeological investigations are necessary on the subject property. The artifacts from the Phase III archeological investigations on the subject property have not yet been curated with the Maryland Archaeological Conservation Laboratory in St. Leonard, Maryland and this condition is still outstanding. All other previous conditions regarding the archeological investigations have been satisfied.

The subject property does not contain, and is not adjacent to, any County-designated Historic Sites or Resources. Historic Preservation staff recommends approval of DSP-20003-01, Dash In Mill Branch, with no additional conditions.

March 10, 2023

**MEMORANDUM**

**TO:** Mridula Gupta, Planner Coordinator, Subdivision Section, Development Review Division

**Via:** David A. Green, MBA, Planner IV, Long-Range Planning Section, Community Planning Division

**FROM:** Jeannie Bellina, Planner II, Long-Range Planning Section, Community Planning Division

**SUBJECT** DSP-20003-01 DASH IN MILL BRANCH

**FINDINGS**

Pursuant to Part 3, Division 9, Subdivision 3 of the Prior Zoning Ordinance, Master Plan conformance is not required for this application.

**BACKGROUND**

**Application Type:** Detailed Site Plan for property located outside of an overlay zone.

**Location:** 3301 Mill Branch Road, Bowie, MD

**Size:** acres 3.17 acres

**Existing Uses:** Undeveloped. Mill Branch Crossing,

**Proposal:** An amendment to DSP-20003 for the development of retail sale of gasoline with food and beverage store. Construction of a 4,500 square foot gas station with food and beverage store and car wash.

**GENERAL PLAN, MASTER PLAN, AND SMA**

**General Plan:** Plan 2035 places the subject property in the Established Communities Growth Policy Area. "Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities.

Established communities are most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the need of the existing residents are met.” (p.20)

**Master Plan:**

The 2022 *Bowie-Mitchellville and Vicinity Master Plan* (Master Plan) recommends commercial land use. The proposed use conforms with the recommended land use. (Map 16: Future Land Use on Page 50)

In addition, the subject site is located in the Mill Branch Crossing at US 301/MD 3 (Robert Crain Highway) Corridor.

Mill Branch Crossing at US 301/MD 3 (Robert Crain Highway) is one of three Master Plan Corridors. A corridor is an area comprising road networks and adjoining land uses. In this plan, key corridors are important arterial roads in the plan area featuring retail, housing, and other uses; the plan focuses on mobility improvements in these corridors and necessary updates to adjoining shopping centers to ensure their continued viability as community anchors. (Page 34)

The 2022 *Bowie-Mitchellville and Vicinity Master Plan* aligns with the County’s Plan 2035 growth policy by limiting development east of US 301 to conserve sensitive environments along the corridor, including woodland, wetlands, and farmland. US 301 intersects with scenic and historic byways such as Mitchellville Road, Mill Branch Road, and Excalibur Road. (Page 44)

The corridor is a commercial center within Bowie-Mitchellville and Vicinity. Most planned development along this area is at Melford Town Center, Mill Branch Crossing, and South Lake. (Page 44) The Master Plan recommends the following policies and strategies for the subject site to help advance the intent and purpose of the plan in the Transportation and Mobility (TM) Element section:

- *Conservation and Enhancement of Special Roadways:* Policy TM12: Conserve and enhance the scenic and historic values and assets along designated Special Roadways in Bowie-Mitchellville and Vicinity. Strategy TM 12.3: Prepare Scenic Road Corridor Management Plans for Mill Branch Road, Queen Anne Bridge Road, Queen Anne Road, Church Road, and Woodmore Road, and significant designated roadways; and seek opportunities to implement the recommendations of established corridor management plans when development occurs. (Pages 117 and 198)
- MD 301: *Complete and Green Streets:* Policy Transportation and Mobility (TM)27: Ensure access to all properties in the US 301 corridor during and after its upgrade to a limited-access freeway (F-10). See also Policy TM 29. Amend the 2009 *Approved Countywide Master Plan of Transportation* to reflect the following strategies: Strategy TM 27.4: Construct a master planned road to provide vehicular access to properties on the east side of US 301 (F-10) between the new interchanges at MD 197 (Collington Road) and Queen Anne Bridge Road. This can be a service road or can access properties directly from Hideout Lane or Mill Branch Road. (Pages 126 and 203)
- *Regional Mobility and Goods Movement:* Policy TM 29: Support enhanced regional mobility and the movement of goods. Strategy TM 29.4: Evaluate the potential for partial access points at Governor’s Bridge Road, Mill Branch Crossing, and Leeland Road. (Page 127 and 204)

- Appendix D. Recommended Master Plan Transportation Facilities. Route ID: P-307; Facility Name: Mill Branch Road; From: US 301 (Robert Crain Highway); To: Queen Anne Bridge Road; Min. ROW: 60'; ROW Type: Primary; Multimodal Elements: Bicycle Lanes on shoulder (rural cross-section); and Rec. Motor Vehicle Lanes: 2. (Page 245)
- Table 45. Recent Other Relevant Plans and Studies. Relevant Study: 2019 *Bowie Trails Master Plan*. Description: The purpose of this plan is to connect the City of Bowie's many small segments of bicycle and pedestrian facilities to create an identifiable bicycle and pedestrian network while increasing the safety and connectivity of Bowie's trail system. Key Recommendations Relevant to Bowie-Mitchellville and Vicinity: Extend the South Bowie loop along Mitchellville Road with a connection to the East Coast Greenway route on Mill Branch Road. (Page 251)

**Planning Area:** 71 B

**Community:** City of Bowie

**Aviation/MIOZ:** This application is not located within the Aviation Policy Area or the Military Installation Overlay Zone.

On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment ("CMA") which reclassified the subject property from C-S-C Zone (Commercial Shopping Center) to Go Zone (Commercial, General and Office)

#### **ADDITIONAL INFORMATION**

None.

cc: Long-range Agenda Notebook

Sarah Benton, Planning Supervisor, Long-Range Planning Section, Community Planning Division





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division  
Transportation Planning Section

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-4366  
www.mncppc.org/pgco  
301-952-3680

June 30, 2023

**MEMORANDUM**

TO: Mridula Gupta, Urban Design Review Section, Development Review Division

FROM: *BAP* Benjamin Patrick, Transportation Planning Section, Countywide Planning Division

VIA: *CHT* Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

**SUBJECT: DSP-20003-01, Dash In Mill Branch**

**Proposal:**

The subject application proposes the construction of a gas station with a food and beverage store. The subject property is located on the east side of US 301 north of Mill Branch Road.

**Prior Conditions of Approval:**

PPS 4-19050

18. Total development within the subject property shall be limited to uses that generate no more than 909 AM peak-hour trips and 1,231 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.

**Comment:** This proposed development does not exceed the trip generation.

19. Prior to the approval of any building permit 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:
  - a. US 301 at Governors Bridge Road-Harbor Way  
Modify the approach lanes on eastbound Harbor Way, to create an eastbound double left-turn lane, and a combined left, through, and right-turn lane.
  - b. US 301 at MD 197

Provide an additional left-turn lane on the eastbound approach to create an eastbound double left-turn lane, a combined left-turn and through lane, and a free right-turn lane.

- c. US 301 at Heritage Boulevard-Ball Park Road  
Convert the southbound right-turn lane to create a southbound double left-turn lane, two through lanes, and a shared through and right-turn lane.
- d. US 301 at Mill Branch Road-Excalibur Road  
Provide a third northbound through lane along US 301, beginning at a point south of Mill Branch Road, and ending at a point north of Mill Branch Road, as determined by SHA.

**Comment:** These traffic improvements are enforceable at the time of building permit.

- 20. In conformance with the 2009 Approved Countywide Master Plan of Transportation, and the 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following improvements, and provide an exhibit that depicts the following improvements, prior to acceptance of any detailed site plan:
  - a. Bikeway signage and shared lane markings (e.g., "sharrow"), within the right-of-way, along the subject site's frontage of Mill Branch Road, unless modified with written correspondence by the Prince George's County Department of Permitting, Inspections and Enforcement, and/or the Maryland State Highway Administration, as appropriate.
  - b. Minimum 5-foot-wide sidewalks along both sides of all internal roadways, public or private, excluding alleyways.
  - c. Minimum 5-foot-wide sidewalks along the full lengths of proposed Roads A, D, and F.
  - d. A wide crosswalk with a pedestrian island crossing US 301 at Mill Branch Road, unless modified by the Maryland State Highway Administration, with written correspondence.
  - e. Continental-style crosswalk crossing all access points along Private Road A and Chesley Avenue.
  - f. Long- and short-term bicycle parking, consistent with the 2012 AASHTO Guide for the Development of Bicycle Facilities, to accommodate residents and visitors at the proposed multifamily building, hotel, and commercial spaces.
  - g. Parallel or perpendicular ADA curb ramps at all intersections within the subject site.

**Comment:** These improvements were shown on DSP-20003. Condition f was reviewed and two new conditions of approval relating to additional bicycle parking at the multifamily building and clubhouse were included in DSP-20003. This area is outside of the current application and this condition is enforceable at the time of the appropriate building permit.

21. Prior to approval of the 50th residential townhouse building permit or the permit for the 2nd multifamily building, whichever occurs first, for the subject property, the applicant, and the applicant's heirs, successors, and/or assignees shall provide (a) full financial assurances, (b) permits for construction through the applicable operating agency's access permit process, and (c) an agreed-upon timetable for construction and completion with the appropriate operating agency for the following improvement:
  - a. A continental-style crosswalk crossing the north leg of US 301 at its intersection with Mill Branch Road, unless modified by the Maryland State Highway Administration, with written correspondence.

**Comment:** The revision to the DSP is for the construction of a gas station with food and beverage store and does not include any residential development. This condition is enforceable at the time of the appropriate building permit.

### **Master Plan Compliance**

#### **Master Plan Rights-of-Way**

The subject property fronts US 301 along its western border. The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2022 *Bowie-Mitchellville and Vicinity Master Plan* recommends this portion of US 301 as a freeway with a proposed interchange serving MD 197 and Ballpark Road. During review of the Preliminary Plan of Subdivision (PPS), it was determined that the proposed US 301 interchange serving MD 197 and Ballpark Road would have an impact on the northern end of the subject property. To that end, reservation pursuant to Section 24-139 of the Subdivision Regulations was considered. Due to the lack of information to support the findings needed to place the needed property in reservation, along with the lack of a legal nexus to require the dedication of the needed property, the PPS was approved without right-of-way preservation for this planned facility.

**Comment:** The DSP is consistent with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2022 *Bowie-Mitchellville and Vicinity Master Plan* as well as PPS 4-19050 and the findings and recommendations contained in the resolution approving that plan.

#### **Master Plan Pedestrian and Bicycle Facilities**

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The 2022 *Bowie-Mitchellville and Vicinity Master Plan* recommends the following facilities within or adjacent to the subject property:

12-foot Shared-Use Path: US 301 (both directions).

**Comment:** DSP-20003 included a 12-foot shared-use path along US 301 that is shown in the preliminary and recommended in the 2022 *Bowie-Mitchellville and Vicinity Master Plan*. The current DSP includes a wide sidewalk and associated crosswalks along the service road to the site access at the roundabout.

### **Transportation Planning Review:**

#### **Zoning Ordinance Compliance**

Section 27-283 provides guidance for detailed site plans. The section references the following site design guidelines described in Section 27-274(a):

(2) Parking, loading, and circulation

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

(ix) Pedestrian and vehicular routes should generally be separate and clearly marked.

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques

(xi) Barrier-free pathways to accommodate the handicapped should be provided

**Comment:** The proposed site is accessed from the Lola Lane/Service Road roundabout via a right-in right-out and a right-out/egress only. This site does not have direct access to/ from US 301. Circulation is provided via wide drive aisles which support bi-directional traffic. An egress-only driveway is provided along the western portion of the site that will access the service road. A “Do Not Enter” and “Stop” signs are provided at this location along with a stop bar pavement marking, striped crosswalk, and associated ADA ramps.

A proposed car wash is shown on the plan that was reviewed under SE-22006, however, the location of the entrance to the car wash is located near the site access point from the roundabout so

it was considered during the review of this application. During the review of the site plan, staff raised concerns regarding the vehicular conflicts that would occur at the access point. Staff believed that the wide drive aisle at the site entry, in addition to the entrance to the car wash, as well as the proposed parking spaces near the building would impact vehicles entering and exiting the site. The applicant revised the plans to include additional directional signage, striping, directional arrows, a stop bar, a "Stop" sign, a crosswalk, and ADA ramps, and eliminated a lane from the car wash; thereby restricting vehicles from exiting the car wash in that location. Staff believe this will accomplish safe and efficient pedestrian and vehicular movement on site.

**Conclusion:**

In consideration of the scope of this application, the transportation staff can make a finding that the subject property is in general conformance with Section 27 of the prior zoning ordinance and recommends approval with no additional conditions of approval.

## Gupta, Mridula

---

**From:** Patrick, Benjamin  
**Sent:** Wednesday, July 5, 2023 4:50 PM  
**To:** Gupta, Mridula  
**Cc:** Hancock, Crystal  
**Subject:** Revision to Staff Memo DSP-20003-01

Mridula,

It does not appear that a pedestrian path to the building has been provided with the submitted plans. TPS would like to include the following condition of approval in order to satisfy section 27-274(a)(2)(C)(viii).

### Transportation Planning Review:

#### **Zoning Ordinance Compliance**

Section 27-283 provides guidance for detailed site plans. The section references the following site design guidelines described in Section 27-274(a):

(2) Parking, loading, and circulation

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

(viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;

(ix) Pedestrian and vehicular routes should generally be separate and clearly marked.

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques

(xi) Barrier-free pathways to accommodate the handicapped should be provided

**Comment:** The proposed site is accessed from the Lola Lane/Service Road roundabout via a right-in right-out and a right out/egress only. This site does not have direct access to/ from US 301. Circulation is provided via wide drive aisles which support bi-directional traffic. An egress only driveway is provided along the western portion of the site that will access the service road. A “Do Not Enter” and “Stop” sign are provided at this location along with a stop bar pavement marking, striped crosswalk and associated ADA ramps.

A proposed car wash is shown on the plan that was reviewed under SE-22006, however, the location of the entrance to the car wash is located near the site access point from the roundabout so it was considered during the review of this application. During the review of the site plan, staff raised concerns regarding the vehicular conflicts that would occur at the access point. Staff believed that the wide drive aisle at the site entry, in addition to the entrance to the car wash, as well as the proposed parking spaces near the building would impact vehicles entering and exiting the site. The applicant revised the plans to include additional directional signage, striping, directional arrows, stop bar, “Stop” sign, crosswalk and ADA ramps, and eliminated a lane from the car wash; thereby restricting vehicles from exiting the car wash in that location. Staff believe this will accomplish safe and efficient vehicular movement on site.

In order to provide safe pedestrian movement on site, staff recommend a direct pedestrian route be provided from the sidewalks shown within the right of way at the site access point to the proposed sidewalks surrounding the building. The pedestrian route shall be clearly defined and should include striped crosswalks when crossing any drive aisles and any associated ADA ramps where necessary.

**Conclusion:**

In consideration of the scope of this application, the transportation staff can make a finding that the subject property is in general conformance with Section 27 of the prior zoning ordinance and recommends approval if the following condition of approval is met:

1. Prior to certification of the detailed site plan (DSP), the DSP should be revised to include the following:
  - a. Provide a direct pedestrian route to the entrance of the building that shall include striped crosswalks crossing any drive aisles and associated ADA ramps where applicable.

Thanks,

**Benjamin Patrick**

*Planner II | Countywide Planning Division | Transportation Planning*



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772

240-573-2626 | [benjamin.patrick@ppd.mncppc.org](mailto:benjamin.patrick@ppd.mncppc.org)



June 26, 2023

**MEMORANDUM**

**TO:** Mridula Gupta, Acting Planner IV, Urban Design Section  
**VIA:** Sherri Conner, Supervisor, Subdivision Section *EDC* for SC  
**FROM:** Eddie Diaz-Campbell, Planner III, Subdivision Section *EDC*  
**SUBJECT:** DSP-20003-01; Dash In Mill Branch

The property subject to this detailed site plan (DSP) amendment is Outlot 15 of Mill Branch Crossing, recorded in the Prince George's County Land Records in Plat Book ME 262 page 52. This application for a DSP amendment has been submitted for review under the prior Commercial Shopping Center (C-S-C) zoning of the subject property, and prior Zoning Ordinance and Subdivision Regulations, in accordance with Section 27-1704(b) of the Zoning Ordinance. The DSP amendment proposes development of a 4,809 square-foot food or beverage (convenience) store and a gas station with eight dispensers. The proposed development shares the site with a proposed 3,059 square-foot car wash subject to a separate special exception application, SE-22006. DSP-20003-01 was accepted for review on February 8, 2023. Comments were previously provided at the SDRC meeting on March 3, 2023. This referral response is based on revised plans received on June 20, 2023.

The property is subject to Preliminary Plan of Subdivision (PPS) 4-19050, which was approved by the Prince George's County Planning Board on March 18, 2021 (PGCPB Resolution No. 2021-42). This PPS approved 190 lots and 39 parcels for development of 190 single-family attached dwellings, 408 multifamily dwelling units, a 150-room hotel, and 77,635 square feet of commercial development. The PPS covers 70.1 acres, while this DSP amendment covers 3.19 acres in the northwestern corner of the subdivision. The DSP proposes one parcel, Parcel 15, which is consistent with Parcel 15 as it is shown on the PPS. The subject DSP amendment is the first DSP submitted for commercial development within the subdivision, and it is within the commercial square footage approved with the PPS. A new PPS is therefore not required at this time. The first DSP submitted for the development, DSP-20003, approved the residential component of the development.

The PPS shows Parcel 15 having a single driveway onto to the traffic circle connecting private streets Lola Lane and Chesley Avenue. The DSP, by comparison, shows a second driveway onto the public service road located in between the traffic circle and US 301 (Crain Highway), a freeway. Subdivision staff find that the proposed second driveway is acceptable under the prior Subdivision Regulations pursuant to Section 24-121(a)(3), as the driveway access is to the service road rather



than to the freeway itself. Subdivision staff also find that the second driveway conforms to the access and circulation approved with the PPS; this is because the traffic evaluation performed with the PPS treated the intersection of the service road and US 301 as the overall access point to the subdivision, rather than the intersection of the service road and the traffic circle, and so the second driveway is therefore a proposed addition to the internal circulation of the subdivision rather than a new access point to the overall site. The Transportation Planning Section should however evaluate the design of the driveways to ensure they provide acceptable on-site circulation.

PPS 4-19050 was approved subject to 24 conditions, of which the conditions relevant to the review of this proposed DSP amendment are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one in plain text:

- 3. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in this resolution of approval, shall require the approval of a new preliminary plan of subdivision, prior to approval of any building permits.**

The subject application does not propose a substantial revision to the mix of uses on the subject property which were approved at the time of the PPS. The Subtitle 24 adequacy findings of the PPS are not affected.

- 4. Development of this site shall be in conformance with the stormwater management concept plan for this project (01-0614-205NE14, once reapproved by the City of Bowie), and any subsequent revisions.**

A revision of the stormwater management (SWM) concept plan for the overall Mill Branch Crossing Development and an associated approval letter (03-0614-205NE14) were submitted with the application. The approval is dated June 28, 2021 and expires on June 28, 2024. The Environmental Planning Section should review the DSP amendment to determine whether it is in conformance with the SWM concept plan.

- 5. Prior to approval of a final plat, in accordance with the approved preliminary plan of subdivision, the final plat shall include the dedication of public utility easements (PUEs) along all public and private rights-of-way, unless a variation from the PUE requirement is obtained.**

The property was previously platted as Outlot 15 in Plat Book ME 262 page 52. The plat shows PUEs on Outlot 15 consistent with 4-19050, and the subject DSP shows PUEs consistent with both the PPS and the plat. The DSP also shows a new proposed PUE on the border between the subject property and Parcel 14, a private road parcel. When the property is re-platted as Parcel 15, the plat will need to show this new PUE.

- 13. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-020-2020). The following note shall be placed on the final plat of subdivision:**

**“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-016-2020 or most recent revision), or as modified by the Type 2 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 and Wildlife Habitat Conservation Ordinance (WCO). 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."

14. **Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

**"This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved."**

The applicant submitted with the subject application a Type 2 tree conservation plan, TCP2-044-2021-01. The Environmental Planning Section should review the TCP2 for conformance to the approved TCP1.

15. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat:**

**"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."**

The subject property contains primary management area (PMA). The existing plat recorded in Plat Book ME 262 page 52 shows the conservation easement containing the PMA. The subject DSP appears to show the PMA and conservation easement consistent with the existing TCP1 and plat, however, this should be confirmed by the Environmental Planning Section. When the property is re-platted as Parcel 15, the conservation easement will need to be reflected on the new plat.

18. **Total development within the subject property shall be limited to uses which generate no more than 909 AM peak-hour trips and 1,231 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.**

The subject DSP does not propose commercial development exceeding that approved under the PPS, therefore, this condition should be met. However, conformance to this condition should be evaluated and confirmed by the Transportation Planning Section.

20. **In conformance with the 2009 Approved Countywide Master Plan of Transportation, and the 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map**

**Amendment for Planning Areas 71A, 71B, 74A, and 74B, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following improvements, and provide an exhibit that depicts the following improvements, prior to acceptance of any detailed site plan:**

- a. Bikeway signage and shared lane markings (e.g., "sharrow"), within the right of way, along the subject site's frontage of Mill Branch Road, unless modified with written correspondence by the Prince George's County Department of Permitting, Inspections and Enforcement, and/or the Maryland State Highway Administration, as appropriate.**
- b. Minimum 5-foot-wide sidewalks along both sides of all internal roadways, public or private, excluding alleyways.**
- c. Minimum 5-foot-wide sidewalks along the full lengths of proposed Roads A, D, and F.**
- d. A wide crosswalk with a pedestrian island crossing US 301 at Mill Branch Road, unless modified by the Maryland State Highway Administration, with written correspondence.**
- e. Continental style crosswalk crossing all access points along Private Road A and Chesley Avenue.**
- f. Long- and short-term bicycle parking, consistent with the 2012 AASHTO Guide for the Development of Bicycle Facilities, to accommodate residents and visitors at the proposed multifamily building, hotel, and commercial spaces.**
- g. Parallel or perpendicular ADA curb ramps at all intersections within the subject site.**

The Transportation Planning Section should evaluate the DSP amendment to determine whether the above-listed facilities are shown in conformance with this condition. Not all of the above facilities (in particular those required along Mill Branch Road) affect the subject site.

**24. Prior to issuance of a use and occupancy permit for the development, the applicant and the applicant's heirs, successors, and/or assignees shall:**

- a. Contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility.**
- b. Install and maintain automated external defibrillators (AEDs), in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.**
- c. Install and maintain bleeding control kits next to fire extinguisher installation and no more than 75 feet from any employee.**

**These requirements shall be noted on the detailed site plan for the development.**

The requirements of this condition are noted in General Note 35 on the coversheet. This condition is therefore met for the purposes of this DSP. Conformance to the noted requirements will be evaluated at the time of permitting.

**Additional Comments:**

1. The property is currently platted as Outlot 15 recorded in Plat Book ME 262 page 52 of the Prince George's County Land Records. An outlot is not useable as a legal building site pursuant to Section 24-101(b)(19) of the prior Subdivision Regulations, therefore, the property must be re-platted as a parcel prior to approval of any building permits.
2. It is not clear that the additional PUE provided on the border between the subject property and Parcel 14 was added deliberately, as it was not shown in the project's initial submission, and it was not added in response to any staff comments. Prior to certification of the DSP, the applicant should confirm whether this PUE is proposed or not, and if not, remove it from the plan drawings.
3. Bearings and distances for the subject property are shown on Sheet DSP-4B, however, this sheet does not show a bearing and distance for the property line bordering US 301.

**Recommended conditions of approval:**

1. Prior to signature approval of the detailed site plan (DSP), the DSP shall be modified as follows:
  - a. The applicant shall confirm whether the public utility easement (PUE) located on the south side of the property abutting Parcel 14 and not previously shown on the preliminary plan of subdivision is proposed to be recorded. If the PUE is not proposed, it shall be removed from the detailed site plan.
  - b. On Sheet DSP-4B, add a bearing and distance for the westernmost property line abutting US 301.

The referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. The plans are in conformance with the approved preliminary plan of subdivision. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat or permits will be placed on hold. There are no other subdivision issues at this time.

June 23, 2023

**MEMORANDUM**

**TO:** Mridula Gupta, Planner IV, Urban Design Section, DRD

**VIA:** Tom Burke, Supervisor, Environmental Planning Section, CWPD *TB*

**FROM:** Christian Meoli, Planner I, Environmental Planning Section, CWPD *CM*

**SUBJECT: Dash In Mill Branch; DSP-20003-01 and TCP2-044-2021-01**

The Environmental Planning Section (EPS) has reviewed the above referenced Detailed Site Plan (DSP-20003-01) and a Type 2 Tree Conservation Plan (TCP2-044-2021-01), received on February 8, 2023. Comments were provided in a Subdivision Development Review Committee (SDRC) meeting on March 3, 2023. Revised materials were received on June 5, 2023. The EPS recommends approval of DSP-20003-01 and TCP2-044-2021-01, subject to the finding and conditions at the end of this memorandum.

**Background**

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

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
SE-4734	TCPII-016-10	Zoning Hearing Examiner	Approved	6/22/2015	Z.O. No. 12-2015
4-08052	TCP1-22-07	Planning Board	Approved	3/30/2017	09-85(A)
NRI-029-07	N/A	Staff	Approved	5/3/2007	N/A
NRI-029-07-01	N/A	Staff	Approved	9/1/2009	N/A
NRI-029-07-02	N/A	Staff	Approved	3/22/2012	N/A
NRI-029-07-03	N/A	Staff	Approved	12/22/2016	N/A
NRI-029-07-04	N/A	Staff	Approved	6/5/2020	N/A
4-19050	TCP1-020-2020	Planning Board	Approved	3/18/2021	2021-42
DSP-20003	TCP2-044-2021	Planning Board	Approved	3/24/2022	2022-35
DSP-20003-01	TCP2-044-2021-01	Planning Board	Pending	Pending	Pending

**Proposed Activity**

The current application revises DSP-20003 for the development of a gas station with a food and beverage store in the Commercial Shopping Center (C-S-C) Zone. The proposed car wash will be reviewed with SE-22006, which is a revision to the TCP2 and will be required with the special exemption (SE) review.

### **Grandfathering**

The site is subject to the environmental regulations contained in Subtitle 25, and prior Subtitles 24, and 27, as the site has a recently approved preliminary plan of subdivision (PPS).

### **Review of Previously Approved Conditions**

The following text addresses previously approved environmental conditions related to the subject application. The text in **BOLD** is the actual text from the previous cases or plans. The plain text provides the comments on the plan's conformance with the conditions:

#### **Conformance with 4-19050 and TCP1-020-2020**

The following conditions apply during the preparation and review of the detailed site plan.

4. **Development of this site shall be in conformance with the stormwater management concept plan for this project (01-0614-205NE14, once reapproved by the City of Bowie), and any subsequent revisions.**

A copy of the approved Stormwater Management Concept Plan (SWMC) (#03-0621-205NE14) from the City of Bowie was submitted with the subject application.

12. **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 worksheet to reflect that the project is subject to the 2010 Woodland Conservation Ordinance and that it is located within a Priority Funding Area.**
  - b. **Show any future or existing road dedications on the TCP1 and account for the woodland conservation in accordance with Section 25-122(b)(1)(N)(v) of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.**
  - c. **Add dimensions to the proposed parcel and lot lines. Add area labels to the proposed lots.**
  - d. **Add north arrows to the 30 scale sheets of the TCP1 plan set.**
  - e. **Show the off-site clearing areas in a hatch pattern. Label these areas as off-site clearing and indicate the acreage.**
  - f. **Show stormwater pond and outfall easements on the plan. Remove afforestation from the easement areas.**
  - g. **To the Site Data note, add the existing parcels numbers and areas.**
  - h. **Update the Specimen Tree Chart on Sheet 1 to reflect that Specimen Trees 37 and 38 are proposed to be removed.**
  - i. **Add the following note below the specimen tree table: "This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE) for the removal of (list specimen trees approved for removal)."**
  - j. **Have the Type 1 Tree Conservation Worksheet signed by the qualified professional who prepared it.**
  - k. **Have the plans signed and dated by the qualified professional who prepared them.**

All requirements for conditions 4 and 12 above were met prior to the signature approval of the type 1 tree conservation plan.

- 13. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-020-2020). The following note shall be placed on the Final Plat of Subdivision:**

**“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-016-2020 or most recent revision), or as modified by the Type 2 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 and Wildlife Habitat Conservation Ordinance (WCO). 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.”**

This condition was met prior to the signature approval of the final plat of subdivision.

- 14. Prior to the issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the Final Plat of Subdivision:**

**“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”**

This condition was met prior to the signature approval of the type 2 tree conservation plan and final plat of subdivision.

- 15. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:**

**"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."**

This condition was met prior to approval of the final plat of subdivision.

- 16. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

This condition shall be met at the time of permit application.

- 17. Prior to signature approval of the preliminary plan, an approved stormwater concept shall be submitted. The limits of disturbance shall be consistent between the approved SWM concept plan and the Type 1 tree conservation plan.**

A copy of a Stormwater Management Concept Plan (SWMC) (#03-0621-205NE14) from the City of Bowie was submitted with the subject application. In an email dated January 27, 2023, the Bowie City Engineer, Bruce Beasman, indicated that the SWMC does not need to be updated for each new pad site as the concept design may undergo some degree of revision to fit the particular layout for each pad, as long as the final design adheres to the drainage patterns, and water quality requirements of the approved SWMC.

**Conformance with DSP-20003 and TCP2-044-2021**

The following conditions apply during the preparation and review of the detailed site plan:

- 2. Prior to certification of the detailed site plan, the Type 2 tree conservation plan shall be revised, as follows:**
- a. Add an Environmental Planning Section approval box to sheet 11.**
  - b. Add planting lists for afforestation areas 1 and 2.**
  - c. Correctly label the woodland preservation area below the pond.**

This condition was met prior to the certification of DSP-20003 and the TCP2-044-2021.

- 3. Prior to certification of the Type 2 tree conservation plan (TCP2) for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review of legal sufficiency by the Maryland-National Capital Park and Planning Commission's Office of the General Counsel, and submission to Prince George's County Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan, as follows:**

**"Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber \_\_\_\_ Folio \_\_\_\_. Revisions to this TCP2 may require a revision to the recorded easement."**

This condition was met prior to the certification of DSP-20003 and the TCP2-044-2021.



## **Environmental Review**

### **Natural Resource Inventory Plan/Existing Features**

An approved Natural Resource Inventory (NRI-029-07-04) was submitted with the application. The site contains 100-year floodplain, wetlands, streams, and steep slopes that comprise the primary management area (PMA). The NRI indicates the presence of one forest stand labeled as Stand #1, and 36 specimen trees are identified with eight trees off-site, and 28 trees located on-site. The TCP2 and the DSP show all required information correctly in conformance with the NRI. No additional information is required regarding the NRI.

### **Woodland Conservation**

This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual (ETM) because the application was subject to a new preliminary plan of subdivision (PPS). The TCP2-044-2021-01 was submitted for review that covers the area of this DSP.

The woodland conservation threshold (WCT) for this 70.11-acre property is 15 percent of the net tract area, or 9.02 acres. The total woodland conservation requirement, based on the amount of clearing proposed, is 14.69 acres. This requirement is proposed to be satisfied with 3.72 acres of on-site preservation, 4.94 acres of on-site afforestation, and the remainder of the requirement, 6.03 acres, is proposed to be met with off-site woodland conservation credits.

The TCP2 shows a reduction of woodland preservation by 0.08 acre. This additional clearing shall be accounted for in the woodland conservation worksheet. The total woodland conservation requirement, based on this additional clearing, is 14.77 acres. The woodland conservation worksheet shall be revised to meet the additional 0.08-acre woodland conservation requirement.

Prior to the certification of the DSP, technical revisions shall be made to the TCP2 included in the Recommended Conditions section at the end of this memorandum.

### **Specimen Trees**

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual (ETM)."

A total of 38 specimen trees were identified on the approved NRI. At the time of Preliminary Plan of Subdivision 4-19050, the Planning Board approved the removal of the 15 specimen trees. The specimen trees approved for removal are shown as ST-1 through ST-7, ST-9, ST-16 through ST-20, ST-37, and ST-38. No additional specimen trees are proposed for removal with this application.

### **Preservation of Regulated Environmental Features/Primary Management Area**

This site contains regulated environmental features (REF) that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Ordinance.

The on-site REF's includes streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and steep slopes.

Section 24-130(b)(5) of the Subdivision Ordinance states "Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat."

Impacts to the REF should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the REF. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code. The statement of justification (SOJ) must address how each on-site impact has been avoided and/or minimized.

### **Statement of Justification**

Previously approved DSP-20003 included a statement of justification (SOJ) and associated exhibits for eight impacts associated with the proposed development, totaling approximately 2.65 acres. The presented eight impacts are a combination of on-site and off-site locations, which are generally located on the western portion of the site. Off-site impacts were not part of the application because they are not located within the boundary of the property; however, they were considered as part of the overall impact. The off-site impacts were required for the right-of-way improvements to Mill Branch Road and MD Route 301, as part of Maryland State Highway Administration Permit #10-AP-PG-004. The on-site Impact #3 is a total of 1.30 acres and was previously approved under PPS-19050. Impact #7, for a total of 0.08-acre, was previously approved under DSP-20003. All proposed impacts are permanent and are described as either on-site or off-site impacts. The off-site impacts total 1.27 acres, and the on-site impacts total 1.38 acres. The previously approved impacts remain unchanged, and no additional impacts are requested with this application.

### **Scenic and Historic Roads**

Mill Branch Road is designated as a scenic and historic road in the *Approved Countywide Master Plan of Transportation* (November 2009) and has the functional classification of freeway near the intersection of Crain Highway.

The *Master Plan of Transportation* (MPOT) includes a section on Special Roadways, which include designated scenic and historic roads, and provides specific policies and strategies which are applicable to this roadway, including to conserve, and enhance the viewsheds along designated roadways. Any improvements within the right-of-way of an historic road are subject to approval by the County under the Design Guidelines and Standards for Scenic and Historic Roads.

The Prince George's County Landscape Manual addresses the requirements regarding buffers on scenic and historic roads. Adjacent to a historic road, the Landscape Manual requires a Section 4.6 landscape buffer (Buffering Development from Special Roadways), based on the development tier, Environmental Strategy Area (ESA) 2. In ESA 2, the required buffer along a historic road is a minimum of 20 feet wide, to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings. Landscaping is a cost-effective treatment, which provides a significant visual enhancement to the appearance of a historic road.

The Special Roadway buffer must be located outside of the right-of-way and public utility easements, and preferably by the retention of existing good quality woodlands, when possible.

### **Soils**

The predominant soils found to occur according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include the Collington fine sandy loam (0-40 percent slopes), and Shrewsbury fine sandy loam soils. According to available information, Marlboro and Christiana clays are not found to occur on this property.

There are no geotechnical concerns with the revisions as shown on the plans submitted with this application.

### **Stormwater Management**

A Stormwater Management Concept Approval (# 03-0621-205NE14), from the City of Bowie, was submitted with the application for this site. The plan proposes to construct numerous bio-swales, drywells, infiltration trenches, micro-bioretenion facilities, and one SWM pond. No SWM fee for on-site attenuation/quality control measures is required. This stormwater approval expires June 28, 2024. In an email dated January 27, 2023, the Bowie City Engineer, Bruce Beasman, indicated that the SWMC does not need to be updated for each new pad site as the concept design may undergo some degree of revision to fit the particular layout for each pad as long as the final design adheres to the drainage patterns, and water quality requirements of the approved SWMC. No further action regarding SWM is required with this DSP review.

### **Summary of Recommended Findings and Conditions**

The EPS recommends approval of DSP-20003-01 and TCP2-044-2021-01, subject to the following findings and conditions:

**Recommended Findings:**

1. The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features (REF) in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).

**Recommended Conditions:**

1. Prior to certification of the detailed site plan, the TCP2 shall be revised as follows:
  - a. Revise the clearing amount in the woodland conservation worksheet to account for the additional 0.08 acre of woodland clearing and show how this additional requirement will be met.
  - b. Revise Line 16 in the woodland conservation worksheet (Clearing permitted without reforestation) to 1.41 acres.
  - c. Remove depictions of the proposed car wash (The car wash shall be depicted on the revision to the TCP2 submitted with the special exception application).
  - d. Revise the layout so that the entrance to the parking lot located east of the proposed convenience store matches the layout on the DSP.

## Gupta, Mridula

---

**From:** Holley, Edward  
**Sent:** Thursday, March 2, 2023 12:05 PM  
**To:** Gupta, Mridula  
**Cc:** Thompson, Ivy  
**Subject:** DSP-20003-01 (Dash-In Mill Branch Road)

Good afternoon Mridula,

DPR received a referral for the above referenced Detailed Site Plan revision and has no comments to offer on the application.

### Edward Holley

Planning Technician III  
Park Planning & Development Division  
The M-NCPPC - Prince George's County Department of Parks and Recreation  
6600 Kenilworth Avenue, Suite 301  
Riverdale, MD 20737

[Edward.Holley@pgparks.com](mailto:Edward.Holley@pgparks.com)

DIRECT: 301-699-2518 MAIN: 301-699-2525 FAX: 301-277-9041

Stay connected:





Angela D. Alsobrooks  
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT  
Department of Permitting, Inspections and Enforcement  
Site/Road Plan Review Division



**MEMORANDUM**

March 09, 2023

**TO:** Mridula Gupta, Urban Design Section  
Development Review Division, M-NCPPC

**FROM:** Mary C. Giles, P.E., Associate Director *Mary Giles*  
Site/Road Plan Review Division, DPIE

**Re:** Dash-In Bowie  
Detailed Site Plan, DSP-20003-01

**CR:** Robert S. Crain Highway NE (US-301 / MD-3 / Master Plan Road F-10)  
**CR:** Mill Branch Road (Master Plan Road F-10)

This memorandum is in response to the Detailed Site Plan (DSP-20003-01) for the construction of a 4,500 square foot gas station with food or beverage store and car wash. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is in Bowie, Maryland, located on the east side of US 301 (Robert S. Crain Highway) approximately 1,349 feet north of Mill Branch Road.
- **Robert S. Crain Highway NE**, also known as U.S. Route 301 is a State-maintained roadway to the west of the subject property. The applicant shall coordinate right-of-way dedications and roadway/frontage improvements with the Maryland State Highway Administration (MSHA) as determined necessary. This work shall be permitted prior to or concurrent with issuance of a fine grading permit.
- **Mill Branch Road**, between Sta. 0+00 and Sta. 6+00, is within the State-maintained roadway to the southwest of the subject property with a varying right-of-way width (Master Plan Road F-10). The applicant shall coordinate right-of-way dedications and roadway/frontage improvements with MSHA as determined necessary. This work shall be permitted prior to or concurrent with issuance of a fine grading permit.
- **Mill Branch Road**, beyond Sta. 6+00, is an existing County-maintained roadway to the southwest of the subject property with a varying right-of-way width as a Rural Secondary Residential Roadway. The applicant shall provide right-of-way dedications and roadway/frontage improvements as required in accordance with the Department of Public Works and Transportation (DPW&T).

- The roundabout (Mill Branch Road and Ridgley Boulevard) will be subject to industry standards (NCHRP 672, SHA standards and County standards).
- The 10-ft wide trail along Mill Branch Road shall comply with the shared-use bikeway requirements set forth by the 2009 Approved Countywide Master Plan of Transportation and shall be made of concrete.
- The proposed on-site Mill Branch Crossing Road, as well as all proposed on-site private roads, are within the jurisdiction of the City of Bowie. Coordination with the City of Bowie is required. The County will not include Mill Branch Crossing Road in the Department of Public Works and Transportation (DPW&T) roadway inventory list for maintenance.
- Full-width, 2-inch mill-and-overlay is required along Mill Branch Road beyond station 6+00.
- Conformance with DPIE street lighting specifications and standards is required along the property frontage of Mill Branch Road beyond station 6+00. Adjustments to street lighting, to accommodate the proposed plan improvements, are required in accordance with Section 23-140 of the Prince George's Road Ordinance.
- Roadside trees will be required along Mill Branch Road beyond station 6+00 along the property frontage within the limits of the permit area.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.
- The property is designated Water and Sewer Category 3 – Community System. Category 3 allows the project to proceed through the various development review processes.
- Compliance with DPW&T's Utility Policy is required. Based upon the plans submitted proper, temporary, and final patching and the related mill and overlay in accordance with "DPW&T Policy and Specifications for Utility Installation and Maintenance Permits" is required.
- All improvements within the public right-of-way as dedicated to the County are to be in accordance with the County Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act (ADA).
- Detailed Site Plan, DSP-20003-01, is consistent with the Stormwater Management Concept Plan filed under City of Bowie case no. 03-0621-205NE14 approved by the City of Bowie Director of Public Works on June 28, 2021.
- Street construction permit is required for improvements within the public roadway rights-of-way.

- A soils investigation report which includes subsurface exploration and geotechnical engineering evaluation for all proposed roadways is required.
- For additional requirements, please revisit the prior referral response dated March 22, 2022.
- This memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:
  - a) Final site layout, exact impervious area locations are shown on plans.
  - b) Exact acreage of impervious areas has not been provided.
  - c) Proposed grading is shown on plans.
  - d) Stormwater volume computations have not been provided.
  - e) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth.
  - f) Disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion, and sediment control practices are not included in the submittal.
  - g) A narrative in accordance with the code has not been provided.
  - h) Applicant shall provide items (a-g) at the time of filing final site permits.

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.883.5710.

MA: II:AG:

cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE  
 Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE  
 Salman Babar, CFM, Engineer, S/RPRD, DPIE  
 MJ Labban, Engineer, S/RPRD, DPIE  
 Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE  
 Dash In Food Stores, Inc., P.O. Box 2810, LaPlata, MD 20646  
 McNamee Hosea, 6411 Ivy Lane, Suite 200, Greenbelt, MD 20770





*Division of Environmental Health/Disease Control*

Date: February 14, 2023

To: Mridula Gupta, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP-20003-01 DASH IN MILL BRANCH

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the Detailed Site Plan submission for the Dash In at 3301 Mill Branch road in Bowie and has the following comments / recommendations:

1. Health Department permit records indicate there are approximately 5 existing carry-out/convenience store food facilities and three markets/grocery stores within a ½ mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes.
2. The property is located in the recharge area for the Aquia aquifer, a groundwater supply that serves the surrounding communities. Creation of impervious surface in this recharge area could have long term impacts on the sustainability of this important groundwater resource.
3. The applicant must submit plans to the Plan review office at the Department of Permits Inspection and Enforcement (DPIE).  
<https://www.princegeorgescountymd.gov/1577/Applications>
4. The applicant must submit an application to the Health Department for a food service facility permit at <https://momentumhome.princegeorgescountymd.gov/>.
5. Installation of the underground storage tanks must fully comply with all applicable provisions of the Code of Maryland Regulations (COMAR) 26.10.03 to be protective of the on-site
6. The applicant should assure that all sources of air pollution have been registered with the Maryland Department of the Environment, Air and Radiation Management



Environmental Engineering/Policy Program  
Largo Government Center  
9201 Basil Court, Suite 318, Largo, MD 20774  
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711  
[www.princegeorgescountymd.gov/health](http://www.princegeorgescountymd.gov/health)



*Division of Environmental Health/Disease Control*

- Administration. Such sources include gasoline underground storage tanks, degreasing tanks and paint spraying operations. Contact MDE – ARMA at 800-633-6101.
7. During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
  8. During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

If you have any questions or need additional information, please contact me at 301-883-7677 or [aoadepoju@co.pg.md.us](mailto:aoadepoju@co.pg.md.us).



Environmental Engineering/Policy Program  
Largo Government Center  
9201 Basil Court, Suite 318, Largo, MD 20774  
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711  
[www.princegeorgescountymd.gov/health](http://www.princegeorgescountymd.gov/health)



**1 - - WSSC Plan Review Comments**

Status as of 03/14/2023 09:19 AM

Type: Prescreen Review

State: Intake

Page: 1

Created by: Dagoberto Beltran

On: 03/14/2023 09:19 AM

Type: Prescreen Review

State: Intake

Plan # DSP-20003-01

DASH IN MILL BRANCH

----- 0 Replies -----

**2 - - WSSC Standard Comments for all plans**

Status as of 03/14/2023 09:19 AM

Type: Prescreen Review

State: Intake

Page: 1

Created by: Dagoberto Beltran

On: 03/14/2023 09:19 AM

Type: Prescreen Review

State: Intake

1. WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.
2. Coordination with other buried utilities:
  - a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.
  - b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.
  - c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.
  - d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSCs pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
  - e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
  - f. The applicant must provide a separate Utility Plan to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.
  - g. Upon completion of the site construction, utilities that are found to be located within WSSCs rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicants expense.
3. Forest Conservation Easements are not permitted to overlap WSSC existing or proposed easements. Potential impacts to existing Forest Conservation Easements (due to proposed water and/or sewer systems) must be reviewed and approved by County staff.
4. Unless otherwise noted: ALL extensions of WSSCs system require a request for Hydraulic

Planning Analysis and need to follow the System Extension Permit (SEP) process. Contact WSSC's Permit Services Section at (301-206-8650) or visit our website at <https://www.wsscwater.com/business--construction/developmentconstruction-services.html> for requirements. For information regarding connections or Site Utility (on-site) reviews, you may visit or contact WSSC's Permit Services Section at (301) 206-4003.

----- 0 Replies -----



## 1 - Water/Sewer

Status as of 03/14/2023 04:35 PM

Type: Department Review

State: DSD - Project Manager

Page: 1

Created by: Shanta Katwal

On: 03/14/2023 04:35 PM

Type: Department Review

State: DSD - Project Manager

Existing and/or proposed water/sewer mains and service connections should clearly be shown and labeled on the plan with correct pipe size, material and WSSC contract number. Water and sewer lines as well as proposed service connections need to be included on the plan in order for WSSC to be able to comment.

Add/show the proposed pipeline alignments with water/sewer house connections to the plan. Additionally, if easements are required, their limits and locations must be shown. See WSSC 2017 Pipeline Design Manual Part Three, Section 2; easements and Construction Strips.

Show and label easement limits on plan for all existing and proposed water/sewer mains.

For the required horizontal clearances from other utilities, retaining walls, sediment traps, street lights, paving, etc., see WSSC 2017 Pipeline Design Manual Part Three, Section 3; Pipeline Crossings and Clearances.

Water/Sewer pipelines 12-inch and smaller must have the greater of: a minimum of 15 feet horizontal separation from any building or dwelling or a 1:1 slope from the bottom of the foundation of the existing or proposed building to the bottom edge of the pipeline trench.

----- 0 Replies -----

## 2 - Site Utility

Status as of 03/14/2023 05:19 PM

Type: Department Review

State: DSD - Project Manager

Page: 1

Created by: Shanta Katwal

On: 03/14/2023 05:19 PM

Type: Department Review

State: DSD - Project Manager

OUTSIDE METERS - 3-inch and larger meter settings shall be furnished and installed by the utility contractor in an outside meter vault. Show and label vault and required WSSC easement. WSSC prefers an outside meter in a vault, however and indoor meter may be allowed under certain conditions. See WSSC 2019 Plumbing & Fuel Gas Code 111.5.7 & 603.4.1

A single water/sewer service connection for two or more buildings in a single lot/parcel requires a covenant. Should the property be subdivided or sold in the future, individual water/sewer connections for each building will be required.

----- 0 Replies -----

### 3 - Easements

Status as of 03/14/2023 05:23 PM

Type: Department Review

State: DSD - Project Manager

Page: 1

Created by: Shanta Katwal

On: 03/14/2023 05:23 PM

Type: Department Review

State: DSD - Project Manager

WSSC easements must be free and clear of other utilities, including storm drain systems, ESD devices, gas, electric, telephone, CATV, etc., with the exception of allowed crossings designed in accordance with the WSSC 2017 Pipeline Design Manual. Landscaping and Hardscaping are also not allowed without approval. Under certain conditions (and by special request) the items listed above may be permitted within the WSSC easement. However, this will be evaluated on a case by case basis and if allowed, will require execution of a special agreement and/or Hold Harmless Agreement between WSSC and the developer.

Private Street & Alley Easement Requirements. Service mains proposed for this project are located in roadways that are or may be private. Private water and sewer mains are preferred in private streets and alleys. If the applicant desires public water and sewer mains in these private streets and alleys, then the following criteria must be met:

- All separation requirements in the WSSC 2017 Pipeline Design Manual (PDM) must be met.
- A 10 foot Public Utility Easements (PUE) shall be provided on both sides of the private street -and/or alley or space within the private street will be provided to assure PDM separations are met and limiting utility crossings of the WSSC water and sewer lines.
- Blanket easements for other utilities (gas, electric, telephone, CATV, fiber optic, etc.) within the private street and/or alley parcel will not be allowed. The HOA documents shall not provide for a blanket easement across and under a private street and/or alley parcel.
- Dry utilities are to be located in the PUE or as described above. No dry utilities are to be placed within the WSSC easement for public water and sewer except to cross perpendicular to the public water and sewer mains.
- The storm drain system located in a private street and/or alley containing public water and sewer mains shall also be public and maintained by the County.

WSSCs minimum easement width for a normal (14-inch diameter or less) pipeline (water or sewer at normal depth) is 20-feet. When both water and sewer (normal diameter and depth) are installed in the same easement, the minimum width is 30-feet. Installation of deep or large water/sewer will require additional easement width.

The minimum horizontal clearance from a building to the outside diameter of a WSSC pipeline is 15-feet. The minimum spacing between adjacent buildings with both water and sewer lines between them must be 40-feet. In some cases where connections, fire hydrants, or deep water/sewer lines are involved, additional easement width is required.

Balconies or other building appurtenances must not encroach within WSSC easements. Water/Sewer pipeline alignment should maintain a minimum 5-foot horizontal clearance from storm-drain pipeline/structures and other utilities. Review of plan submitted does not meet these requirements.

----- 0 Replies -----

### 4 - General



Status as of 03/14/2023 05:42 PM

Type: Department Review

State: DSD - Project Manager

Page: 1

Created by: Shanta Katwal

On: 03/14/2023 05:42 PM

Type: Department Review

State: DSD - Project Manager

Submit an Excavation Support System Plan (ESS) to WSSC for review if your project involves subsurface features such as an underground parking garage or a deep excavation which will require tiebacks in the area of existing or proposed WSSC mains. This ESS Plan submission should be made at the time of Design Plan Submission. If, however, the excavation support work will be done before the Design Plan Submission, it will be necessary to submit the plan as a Non-DR Plan to WSSC. No work should be done in the vicinity of WSSC mains until the ESS Plans have been reviewed by WSSC. If no ESS Plans are required for the project, the engineer should provide a letter from the Project Structural Engineer certifying that the building does not require it.

A proposed site development project was previously submitted to WSSC (as part of HPA for DA4788Z08) and was conceptually last approved on July 8, 2022. Contact Shanta Katwal at (301) 206-7202 or shanta.katwal@wsscwater.com for information. Associated design plans review for Mill Branch Crossing project - DA4788A08 and DA4788B08 are returned to the applicant with WSSC review comments.

Any grading change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Unit at (301) 206-8672 for review procedures and fee requirements. See WSSC 2017 Pipeline Design Manual, Part Three, Section 5 & Section 11.

Show and label all existing nearby water and/or sewer service connections that may be impacted by the proposed development.

WSSC facilities/structures cannot be located within a public utility easement (PUE) however WSSC pipelines may cross over a PUE. Any pipeline, valve, fire hydrant, meter vault and any other WSSC facilities/structures should be outside of the PUE.

----- 0 Replies -----

Status as of 03/14/2023 06:08 PM

Type: Department Review

State: DSD - Project Manager

Page: 1

Created by: Shanta Katwal

On: 03/14/2023 06:08 PM

Type: Department Review

State: DSD - Project Manager

General:

Refer to WSSC Letter of Findings LOF) and Approved Sketch dated July 8, 2022 for existing WSSC project number DA4788Z08.

Site Utility System reviews are required for projects with proposed water connections greater than 2-inch or sewer connections greater than 4-inch. Contact the WSSC Permit Services Unit on (301) 206-8650 for submittal requirements or view our website.

Water/Sewer

Proposed non-CIP sized water/sewer mains to serve the subject site are being reviewed under WSSC contract numbers: DA4788A08 & DA4788B08. These contracts are currently returned to the applicant with review comments.

----- 0 Replies -----



# City of Bowie

15901 Fred Robinson Way  
Bowie, Maryland 20716

March 7, 2023

The Honorable Peter A. Shapiro, Chairman  
Prince George's County Planning Board  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

RE: Detailed Site Plan DSP-20003-01, Dash In Mill Branch Crossing

Dear Chairman Shapiro:

On March 6, 2023, the City Council conducted a public hearing on DSP-20003-01. Dash In Food Stores, Inc. has filed an application for Detailed Site Plan approval under the prior Commercial Shopping Center (C-S-C) zoning for the 3.19-acre subject property located on the east side of US 301, approximately 1,500 feet north of Mill Branch Road. The development proposal includes a 4,500 square foot convenience store and gas pumps (and a car wash proposed in a separate Special Exception application). The current zoning is Commercial General Office (CGO).

The City Council voted to recommend **APPROVAL** of DSP-20003-01, finding that the proposed Detailed Site Plan revision represents a reasonable alternative for satisfying the Zoning Ordinance's site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. The City Council recommends the following conditions, which are intended to improve the site design and address conformance with the County Zoning Ordinance and City Development Review Guidelines:

1. All entrance and exit doors shall be equipped with mechanical door opening devices, preferably the overhead door sensory device, such as those typically found in grocery stores.
2. The Detailed Site Plan shall include at least one electric vehicle (EV) charging station.
3. The number of accessible parking spaces required and provided shall be added to the parking requirement data in the General Notes.
4. A Do Not Enter sign shall be provided, facing the main access road from US 301 at the first egress point to the site, which is a 15-foot wide, out-only driveway. In addition, the same type of crosswalk shall be provided at this location as is shown across the main entrance to the site.
5. A notation shall be added to point out the proposed light shown near the loading space.
6. If street lighting is not provided by the Mill Branch site developer along the site access road from US 301 prior to the issuance of a building permit for the Dash In convenience store, the applicant in DSP-20003-01 shall install this lighting.

**MAYOR** Timothy J. Adams

**MAYOR PRO TEM** Roxy Ndebumadu

**COUNCIL** Michael P. Estève • Henri Gardner • Jarryd Hawkins • Clinton Truesdale, Sr. • Dufour Woolfley **CITY MANAGER** Alfred D. Lott  
City Hall (301) 262-6200 FAX (301) 809-2302 TDD (301) 262-5013 WEB [www.cityofbowie.org](http://www.cityofbowie.org)

Letter to Chairman Peter Shapiro  
DSP-20003-01, Dash In Mill Branch Crossing

7. To maximize the visual impact of the site's landscaping, the 11 viburnum shrubs proposed around the outside of the trash enclosure area shall be relocated to the large, sodded area (behind the curb of the drive aisle) west of the gas pump canopy.
8. General Note #33 shall be revised to identify the nearest fire station is the Northview Fire Station (Company #816, located on Health Center Drive) which is approximately 1.5 miles away.
9. An ADA accessible parking symbol shall be added to at least one of the parking spaces serving the car wash and the parking calculations revised accordingly.

Thank you for your consideration of the City's position regarding DSP-20003-01 for the proposed Dash In at Mill Branch Crossing.

Sincerely,



Bowie City Council  
Timothy J. Adams  
Mayor

cc: Mr. Daniel Lynch, Esq.

R E S O L U T I O N

WHEREAS, Green Branch, LLC and GBR Mill Branch, LLC are the owners of a 70.1-acre parcel of land known as Parcel A and Parcel 32, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned Commercial Shopping Center (C-S-C); and

WHEREAS, on October 22, 2020, Green Branch, LLC and GBR Mill Branch, LLC filed an application for approval of a Preliminary Plan of Subdivision for 190 lots and 39 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-19050 for Mill Branch Crossing 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 March 18, 2021, 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 March 18, 2021, 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 TCP1-20-2020, and APPROVED a Variance to Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-19050, including an approval of a Variation from Section 24-122(a), and no action on a Variation from Section 24-121(a)(3), for 190 lots and 39 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised to:
  - a. Show the public utility easements along Ridgely Boulevard and Lola Lane joining properly at the street corner, so that a 10-foot distance is maintained from the curve of the private street line.
  - b. Add additional public utility easements along at least one side of the street in the following locations:
    - (1) Along Chesley Avenue
    - (2) Along Private Road A
    - (3) Along Private Road D, north of where it intersects Private Road E
    - (4) Along Private Road H, in between Ridgely Boulevard and Private Road I

- c. Remove the parcel boundary lines associated with the formerly proposed Parcels 13 and 15, and show in their place the boundary lines associated with the new townhouse homeowners association parcels.
  - d. Ensure that the proposed numbered parcels are numbered in sequence, so that the Parcel 13 and Parcel 15 designations are assigned to parcels within the development and no number is skipped.
  - e. In the townhouse parcels table, specify that the proposed use of Parcel J is Private Road F, not Private Road J.
  - f. Reformat the last Site Data note into a table like the Townhouse Parcels table.
  - g. Close the boundary of Parcel 17 where it abuts the northern roundabout.
  - h. Show the boundary between Parcels 11 (Lola Lane) and 16 (Chesley Avenue).
  - i. Remove the landscape buffers shown on the plan.
  - j. Remove the table discussing parking requirements.
  - k. In General Note 14, remove reference to a townhouse “parcel”; townhouse “development” may be substituted.
  - l. In General Note 24, remove the note proposing mandatory parkland dedication be determined by private recreational facilities during the DSP process, and instead note that private recreational facilities are approved to meet the mandatory parkland dedication requirements.
  - m. On Sheets 5, 8, and 10, ensure that parts of the drawing area are not cut off by the edge of the drawing window, so that the site boundary and sheet match lines are shown properly.
2. Prior to signature approval of the preliminary plan of subdivision, the applicant shall demonstrate that approval has been obtained for the portion of the subject property within Water and Sewer Category 5 to be recategorized to Water and Sewer Category 4 or lower, or else that portion of the property shall be removed from the plan.
  3. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in this resolution of approval, shall require the approval of a new preliminary plan of subdivision, prior to approval of any building permits.

4. Development of this site shall be in conformance with the stormwater management concept plan for this project (01-0614-205NE14, once reapproved by the City of Bowie), and any subsequent revisions.
5. Prior to approval of a final plat, in accordance with the approved preliminary plan of subdivision, the final plat shall include the dedication of public utility easements (PUEs) along all public and private rights-of-way, unless a variation from the PUE requirement is obtained.
6. At the time of final plat, the plat shall reflect denial of access to Chesley Avenue for the townhouse lots on the north side of Private Road B.
7. At the time of detailed site plan, private on-site recreational facilities shall be provided to meet mandatory parkland dedication requirements, with one or more of the following to be provided; at the election of the applicant:
  - a. A guarantee that the recreational facilities for the townhomes and the multifamily residences will be available to all residents of both communities, with the guarantee to be provided in writing and confirmed with appropriate covenants, prior to approval of a final plat.
  - b. Additional recreational facilities for the townhomes to serve the residents of the northern cluster in the community, with the amenities to be reviewed by the Urban Design Section of the Development Review Division.
  - c. A prominent, accessible connection between the townhomes and the stormwater management facility, and redesign of the amenity locations and site grading in this area, as necessary, to create usable facilities for the townhouse residents. The parcel boundaries shown on the preliminary plan of subdivision may be adjusted in this area to accommodate the redesign.
8. The applicant, and the applicant's heirs, successors, and/or assignees, shall provide adequate, private recreational facilities on-site, in accordance with the standards outlined in the *Prince George's County Park and Recreation Facilities Guidelines*. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy, in accordance with the approved preliminary plan of subdivision, and be approved by the Prince George's County Planning Board with the detailed site plan (DSP). Triggers for construction shall also be established at the time of DSP.
9. Prior to submission of the final plat of subdivision, three original, executed private recreational facilities agreements (RFA) shall be submitted to the Development Review Division (DRD) of the Prince George's County Planning Department, for review and approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records, Upper Marlboro, Maryland, and the Liber/folio shall be reflected on the final plat, prior to recordation.

10. The applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities, prior to issuance of residential building permits. Should the multifamily development and the townhouse development be phased and developed separately, the respective recreation facilities shall be bonded separately prior to issuance of building permits for that phase.
11. Prior to approval of a final plat, the applicant, and the applicant's heirs, successors, and/or assignees shall provide a revised access easement agreement for relocation of the existing access easement (recorded in Liber 28018 Folio 685) to the Maryland-National Capital Park and Planning Commission (M-NCPPC), Department of Parks and Recreation, for approval. The easement agreement shall clarify construction and maintenance responsibility for the road, as well as indemnification of the applicant and the applicant's heirs, successors, and/or assignees by M-NCPPC. The easement agreement shall be recorded in the Prince George's County Land Records, and its Liber/folio shown on the final plat, prior to recordation. The final plat shall reflect the location and extent of the easement, in accordance with the approved preliminary plan of subdivision, detailed site plan, and easement agreement.
12. 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 worksheet to reflect that the project is subject to the 2010 Prince George's County Woodland and Wildlife Conservation Ordinance and that it is located within a priority funding area.
  - b. Show any future or existing road dedications on the TCP1 and account for the woodland conservation, in accordance with Section 25-122(b)(1)(N)(v) of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.
  - c. Add dimensions to the proposed parcel and lot lines. Add area labels to the proposed lots.
  - d. Add north arrows to the 30 scale sheets of the TCP1 plan set.
  - e. Show the off-site clearing areas in a hatch pattern. Label these areas as off-site clearing and indicate the acreage.
  - f. Show stormwater management pond and outfall easements on the plan. Remove afforestation from the easement areas.
  - g. To the Site Data note, add the existing parcels numbers and areas.
  - h. Update the Specimen Tree Chart on Sheet 1 to reflect that Specimen Trees 37 and 38 are proposed to be removed.



- i. Add the following note below the specimen tree table: “This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE) for the removal of (list specimen trees approved for removal).”
  - j. Have the Type 1 tree conservation worksheet signed by the qualified professional who prepared it.
  - k. Have the plans signed and dated by the qualified professional who prepared them.
13. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-020-2020). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-016-2020 or most recent revision), or as modified by the Type 2 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 and Wildlife Habitat Conservation Ordinance (WCO). 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.”
14. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”
15. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."
16. Prior to issuance of any permits, which impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

17. Prior to signature approval of the preliminary plan of subdivision, an approved stormwater management (SWM) concept plan shall be submitted. The limits of disturbance shall be consistent between the approved SWM concept plan and the Type 1 tree conservation plan.
18. Total development within the subject property shall be limited to uses which generate no more than 909 AM peak-hour trips and 1,231 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.
19. Prior to the approval of any building permit 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:
  - a. **US 301 at Governors Bridge Road-Harbor Way**  
Modify the approach lanes on eastbound Harbor Way, to create an eastbound double left-turn lane, and a combined left-, through, and right-turn lane.
  - b. **US 301 at MD 197**  
Provide an additional left-turn lane on the eastbound approach to create an eastbound double left-turn lane, a combined left-turn and through lane, and a free right-turn lane.
  - c. **US 301 at Heritage Boulevard-Ball Park Road**  
Convert the southbound right-turn lane to create a southbound double left-turn lane, two through lanes, and a shared through and right-turn lane.
  - d. **US 301 at Mill Branch Road-Excalibur Road**  
Provide a third northbound through lane along US 301, beginning at a point south of Mill Branch Road, and ending at a point north of Mill Branch Road, as determined by SHA.
20. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following improvements, and provide an exhibit that depicts the following improvements, prior to acceptance of any detailed site plan:
  - a. Bikeway signage and shared lane markings (e.g., "sharrow"), within the right-of-way, along the subject site's frontage of Mill Branch Road, unless modified with written correspondence by the Prince George's County Department of Permitting, Inspections and Enforcement, and/or the Maryland State Highway Administration, as appropriate.
  - b. Minimum 5-foot-wide sidewalks along both sides of all internal roadways, public or private, excluding alleyways.

- c. Minimum 5-foot-wide sidewalks along the full lengths of proposed Roads A, D, and F.
  - d. A wide crosswalk with a pedestrian island crossing US 301 at Mill Branch Road, unless modified by the Maryland State Highway Administration, with written correspondence.
  - e. Continental style crosswalk crossing all access points along Private Road A and Chesley Avenue.
  - f. Long- and short-term bicycle parking, consistent with the 2012 AASHTO *Guide for the Development of Bicycle Facilities*, to accommodate residents and visitors at the proposed multifamily building, hotel, and commercial spaces.
  - g. Parallel or perpendicular ADA curb ramps at all intersections within the subject site.
21. Prior to approval of the 50th residential townhouse building permit or the permit for the 2nd multifamily building, whichever occurs first, for the subject property, the applicant, and the applicant's heirs, successors, and/or assignees shall provide (a) full financial assurances, (b) permits for construction through the applicable operating agency's access permit process, and (c) an agreed-upon timetable for construction and completion with the appropriate operating agency for the following improvement:
- a. A continental style crosswalk crossing the north leg of US 301 at its intersection with Mill Branch Road, unless modified by the Maryland State Highway Administration, with written correspondence.
22. Prior to approval of a final plat, the applicant, and the applicant's heirs, successors, and/or assignees shall demonstrate that appropriate common entities/association(s) for the commercial and residential properties, including a homeowners association for the townhomes, have been established for the common areas of the subdivision. The draft covenants shall be submitted to the Subdivision Section of the Development Review Division to ensure that the rights of the Maryland-National Capital Park and Planning Commission are included. The Liber/folio of the declaration of covenants shall be noted on the final plat, prior to recordation.
23. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the appropriate common entities/association(s), including the homeowners association for the townhomes, land as identified on the approved preliminary plan of subdivision, or as modified by the approved detailed site plan. Land to be conveyed shall be subject to the following:
- a. A copy of the recorded deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division.

- b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation, upon completion of any phase, section, or the entire project.
  - c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operations that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
  - d. Any disturbance of land to be conveyed to the association shall be in accordance with an approved site plan and tree conservation plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
  - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division.
  - f. The Prince George's County Planning Board, or its designee, shall be satisfied that there are adequate provisions to ensure retention and future maintenance of the property to be conveyed.
24. Prior to issuance of a use and occupancy permit for the development, the applicant and the applicant's heirs, successors, and/or assignees shall:
- a. Contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility.
  - b. Install and maintain automated external defibrillators (AEDs), in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.
  - c. Install and maintain bleeding control kits next to fire extinguisher installation and no more than 75 feet from any employee.

These requirements shall be noted on the detailed site plan for the development.

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 site is located at 3301 Mill Branch Road, at the northeast corner of the intersection of Mill Branch Road and US 301 (Robert Crain Highway). The site consists of two parcels known as Parcel A (recorded in Plat Book SJH 248 page 58) and Parcel 32 (recorded in Liber 43366 Folio 480). The 70.1-acre property is located in the Commercial Shopping Center (C-S-C) Zone and is subject to the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B* (Bowie and Vicinity Master Plan and SMA).

The site is currently used for agriculture. This preliminary plan of subdivision (PPS) is for subdivision of the property into 190 lots and 39 parcels for development of 77,635 square feet of commercial floor area, a 150-room hotel, 190 townhouse units, and 408 multifamily units. As shown on the plan, the lettered parcels (Parcels A–T) are private roads and open spaces, which are to be dedicated to the homeowners association (HOA) of the townhouse development, while the numbered parcels (Parcels 1–12, 14, and 16–21) are generally associated with the commercial, hotel, and multifamily residential portions of the site. The numbered parcels also include additional private roads serving the overall development (to be placed in common ownership), including Ridgely Boulevard (Parcel 1), which is proposed to serve not only the subject site, but the abutting Green Branch Athletic Complex once it is built.

Parcel 32 is not the subject of any previous record plat or PPS. Parcel A is the result of a previous PPS; however, while that PPS approved more commercial floor area than is now proposed, it did not propose any residential uses or the lotting pattern which is now proposed. Therefore, a new PPS is required, in order to permit the division of land and the construction of multiple dwelling units.

The project benefits from Prince George’s County Council Bill CB-45-2019, which was approved by the Prince George’s County Council on November 19, 2019. This council bill amended Section 27-461(b) of the Prince George’s County Zoning Ordinance, to permit several commercial and residential uses in the C-S-C Zone, including townhouses at a maximum density of 20 units per acre, and multifamily units at a maximum density of 48 units per acre, subject to certain criteria, which are met by the subject site. The site’s conformance to these criteria is discussed further in the Urban Design Section of this resolution.

The applicant filed two variation requests. The first is from Section 24-122(a) of the Prince George’s County Subdivision Regulations, in order to eliminate the required public utility easements (PUEs) along Mill Branch Road and a portion of US 301. This request is discussed further in the PUE finding of this resolution. The second is from Section 24-121(a)(3) of the Subdivision Regulations, to allow access from US 301, an arterial road (master plan freeway). This request is discussed further in the Site Access and Layout finding of this resolution.

The applicant also filed a variance request to Section 25-122(b)(1)(G) of the 2010 Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO), to allow removal of 15 specimen trees. This request is discussed further in the Environmental finding of this resolution.

3. **Setting**—The subject site is located on Tax Map 55 in Grids E-2, E-3, E-4, and F-4; and is within Planning Area 71B. The site is bound on the west by US 301, with commercial uses in the C-S-C Zone and townhouses in the Residential Urban Development Zone beyond. The site is bound on the southwest by Mill Branch Road, with vacant land in the Residential Agricultural (R-A) Zone beyond. Abutting to the southeast is agricultural land in the R-A Zone. Abutting to the east is vacant land in the Open Space Zone, owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC), planned to be the future site of the Green Branch Athletic Complex. To the north is vacant land in the R-A and Rural Residential Zones, as well as commercial uses in the Commercial Miscellaneous Zone.

4. **Development Data Summary**—The following information relates to the subject PPS and the proposed development.

	<b>EXISTING</b>	<b>APPROVED</b>
Zones	C-S-C	C-S-C
Use(s)	Agriculture	Residential multifamily Residential townhouse Commercial (retail/office) Hotel
Acreage	70.1	70.1
Parcels	2	39
Lots	0	190
Dwelling Units	0	598
Variance	No	Yes (Section 25-122(b)(1)(G))
Variation	Yes (Section 24-121(a)(3)) (Section 24-130)	Yes (Section 24-122(a))

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on November 13, 2020. A requested variation from Section 24-121(a)(3) was accepted on October 22, 2020, and also heard at the SDRC meeting on November 13, 2020. The variation from Section 24-122(a) was accepted on February 11, 2021 and heard at the SDRC meeting on February 19, 2021. Both variations were accepted at least 30 days prior to the Planning Board hearing, and heard at an SDRC meeting, as required by Section 24-113(b) of the Subdivision Regulations.

5. **Previous Approvals**—Parcel A is the subject of one previous PPS, 4-08052, which was approved by the Planning Board in May 2009 and reconsidered in March 2017. This PPS consolidated eight parcels into one parcel for the construction of 619,000 square feet of commercial floor area and a 150-room hotel. PPS 4-08052 is subject to 35 conditions, none of which need to be carried forward at this time. The subject PPS will supersede 4-08052, if approved.

Following approval of 4-08052, a Special Exception application, SE-4734, was approved by the Prince George's County District Council in June 2015, for a 24.90-acre portion of the subject site. The application was for a 186,933-square-foot department or variety store combined with a food and beverage store (a Walmart Super Center), which was to move from its existing location across US 301 from the property. Relocation of the Walmart is no longer proposed under the subject PPS. The special exception was approved subject to 19 conditions, none of which are applicable to this PPS.

A final plat associated with 4-08052 was recorded in Plat Book SJH 248 page 58 in November 2017 to create Parcel A. A new final plat covering both Parcel A and Parcel 32 will be required following approval of the subject PPS, to create the lots and parcels now proposed. The new final plat will supersede the existing plat.

Parcel 32 is not the subject of any previous approvals.

6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the Bowie and Vicinity Master Plan and SMA are evaluated, as follows:

**General Plan**

This project is in the Established Communities growth policy area. The vision for the Established Communities is that they are most appropriate for context-sensitive infill and low- to medium-density development (page 20).

**Master Plan**

The Bowie and Vicinity Master Plan recommends commercial land uses on the subject property.

The Bowie and Vicinity Master Plan and SMA reclassified the subject property into the C-S-C Zone. On November 19, 2019, the District Council approved CB-45-2019 for the purpose of permitting 'Gas Station, Food or beverage store' in combination with a gas station, 'Apartment housing for the elderly or physically handicapped', 'Dwelling, multifamily', and 'Townhouse' uses in the C-S-C Zone of Prince George's County, under certain circumstances.

The Bowie and Vicinity Master Plan states that the (formerly) existing 22-foot-wide easement on the subject property that provides access to the Green Branch Regional Park (more specifically, the Green Branch Athletic Complex) should be vacated and replaced by a new temporary easement, 50 feet in width, located on the property's easternmost property line on Mill Branch Road. This 50-foot-wide easement was previously created in 2007, recorded in Liber 28018 Folio 685, and is shown as an existing condition on the plan. The master plan also states that the temporary easement should be vacated after it is replaced by a permanent right-of-way to be constructed at the time this property is developed. The plan shows a new permanent alignment for the easement next to the existing temporary one, consistent with this recommendation.

Pursuant to Section 24-121(a)(5), this PPS is not required to conform to the land use recommendations of the Bowie and Vicinity Master Plan because of the District Council's approval of CB-45-2019, which permits the residential uses proposed.

7. **Stormwater Management**—An unapproved stormwater management (SWM) concept plan was submitted to the City of Bowie on September 8, 2020. The plan shows the use of numerous micro-bioretenion and bioretention-swale facilities, areas of pervious pavement, rain gardens treating rooftop downspouts, as well as a SWM pond/basin to meet the current requirements of environmental site design to the maximum extent practicable. The plan is a revision to the prior concept plan approved by the City in 2017 (01-0614-205NE14). Prior to signature approval of the PPS, a new approved SWM concept plan for the current proposal shall be submitted. The approved SWM concept plan and the associated Type 1 tree conservation plan (TCP1) filed with this PPS shall show the same site layout.

In accordance with Section 24-130 of the Subdivision Regulations, development of the site shall conform with the SWM concept plan (once approved) and any subsequent revisions to ensure no on-site or downstream flooding occurs.

8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of the Bowie and Vicinity Master Plan, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, the 2017 *Land Preservation, Parks and Recreation Plan for Prince George's County*, and the Subdivision Regulations (Subtitle 24); as they pertain to public parks and recreation and facilities. The property is 70.11 acres in size and the portion of the property proposed for residential use is 31.13 acres.

The site is located adjacent to the proposed Green Branch Athletic Complex, which is part of a series of park properties extending to the west bank of the Patuxent River and will include softball and soccer fields. Access to the proposed complex will be from a private road on the subject site with a variable-width public access easement over it. The road will be partially constructed with this development, and the remainder will be developed by the Prince George's County Department of Parks and Recreation at the time of park development. The variable-width access easement will replace an existing 50-foot-wide access easement, which was previously recorded to enable access to the park property.

The residential portion of this PPS is subject to the requirement of mandatory dedication of parkland, in accordance with Section 24-134 of the Subdivision Regulations. The applicant is primarily proposing private on-site recreational facilities to address the mandatory parkland dedication requirement, in accordance with Section 24-135 of the Subdivision Regulations. A point-by-point letter from the applicant's representative, dated February 8, 2021 (Gibbs to Diaz-Campbell, incorporated by reference herein), responding to issues discussed at the November 13, 2020 SDRC meeting, provides a list of private recreational facilities and the associated costs. For the multifamily units, the list includes a clubhouse, billiard/game tables, an outdoor swimming pool, exercise/yoga studio with exercise equipment, and a computer room. For the townhouse units, the list includes several play structures and accessories comprising a tot lot, a gazebo, and a 10-foot-wide trail. The PPS shows the trail along Ridgely Boulevard, and the



tot lot and gazebo on Parcel E, a 36,122-square-foot HOA parcel in the southern townhouse pod. The letter states that the developer for the multifamily component has not yet been determined, and that therefore, a final decision has not been made relative to whether every facility will be available to both multifamily and townhouse residents. At this time, no guarantee can be made that the multifamily residents will be able to use the facilities within the townhouse development, or conversely, that the townhouse residents will be able to use the facilities within the multifamily development.

The letter also provides a list of recreational amenities around the SWM facility on Parcel 20 in the northeast corner of the site, including an asphalt trail, picnic tables, grills, benches, and a gazebo. Previous correspondence dated December 28, 2020 (Gibbs to Diaz-Campbell, incorporated by reference herein) provides that, in accordance with Section 24-135(a)(5), the Planning Board may credit the acreage of an on-site SWM pond directly toward mandatory dedication of parkland, regardless of ownership, if the Planning Board finds that the area will provide active or passive recreation. While this is true, Section 24-135(a)(5) goes on to say that the area must provide active or passive recreation, due to specific access provisions, recreational facilities, or visual amenity. Although the provision of recreational amenities integrated into the design of the community is encouraged for the benefit of all, particularly where the space is shared between the residents, local businesses, and their patrons, as currently shown the SWM facility and the trail and picnic amenities proposed around it will not meet the requirements of Section 24-135(a)(5), and they will not provide a benefit to the residential development, due to the current parcel layout proposed.

The SWM parcel is located behind a proposed retail center, Parcel 19, and next to a proposed hotel property, Parcel 18. This area is out of proximity, both physically and visually, with the residential portion of the subdivision. No clear path of connection is provided between the SWM pond and the residential lots or parcels, and even if there was one, it does not appear the connection would lessen the pond's isolation, given the conceptual development presented in this PPS. Furthermore, the amenities to the pond shown on the PPS and the TCP1 are located mostly on the adjacent retail and hotel parcels. Two picnic areas north of the pond are in an area that may have steep slopes associated with berming of the SWM pond; the TCP1 and SWM concept plan differ in the grading proposed. The PPS, SWM concept plan, and TCP1 together do not demonstrate that usable and accessible facilities will be provided, associated with the SWM pond area. In order to count these facilities toward meeting the mandatory parkland dedication requirements, the relocation of amenities, revised grading, and/or revisions to the parcel configurations would be needed.

The stormwater parcel is also located adjacent to Green Branch Athletic Complex; however, there is no proposed correlation between the athletic complex and the stormwater parcel. If a prominent and accessible connection can be made between the residential uses and the stormwater facility, the stormwater facility may be considered for mandatory dedication under Section 24-135(a)(5), provided that it is demonstrated with the detailed site plan (DSP) that the layout and placement of the amenities are viable, and that the design achieves a greater integration between the pond and the community. A revised parcel layout, which accounts for connectivity to the residential development and reorganization of the commercial development,

may be needed. Appropriate agreements, for accessibility to ensure perpetual use by residents as well as for perpetual maintenance, would also need to be made and be memorialized via covenants, prior to approval of a final plat.

The correspondence dated December 28, 2020 also proposes that the acreage of the trail along Ridgely Boulevard and the existing 50-foot-wide access easement be credited directly toward mandatory dedication. However, Section 24-135(a)(5) only creates an ownership exception for SWM ponds, and not any other types of land areas for facilities such as trails or roads. Furthermore, the access easement for Ridgely Boulevard is to be vacated and replaced, per the recommendations of the Bowie and Vicinity Master Plan. The replacement easement is needed to address access requirements for the subject property and the park property, in accordance with Section 24-128 of the Subdivision Regulations, and these requirements are unrelated to mandatory dedication. Once vacated, the area of the existing access easement will be used for woodland reforestation, as shown on the TCP1. In consideration of the above, counting the land acreage of the trail and existing easement is an inappropriate way to meet mandatory dedication. The trail, however, may still be (and is) counted as a private recreational facility, and counted towards the required value of private facilities, in accordance with Section 24-135(b).

The details of recreational facilities will be evaluated during the review of the DSP; however, without a guarantee that all recreational facilities will be available to all residents, and without a viable, prominent connection to and usable amenities proposed at the SWM facility, the single tot-lot and gazebo provided for the 190 townhomes are insufficient. If a guarantee of mutual access between the townhomes and the multifamily development cannot be provided, or if a prominent connection to the pond with usable amenities cannot be provided to the residences, additional recreational facilities shall be provided to serve the residents of the townhomes. An additional area for amenities, such as a playground or open play space, more conveniently located for the residents of the northern cluster of townhomes, would sufficiently benefit the townhouse portion of the residential community. A revised parcel and lot layout, and/or the elimination of lots, may be needed to account for the additional recreation area. Any one of the three above described courses of action (guaranteeing access to all facilities to all residents, improving the stormwater pond facilities, or providing additional facilities for the townhomes) may be used to fulfill the mandatory dedication requirement for the townhomes, and may be chosen is at the election of the applicant.

Future residents will be best served by the provision of on-site recreational facilities. The on-site recreational facilities will meet the requirements of mandatory parkland dedication, as required by Section 24-135(b).

9. **Bicycle/Pedestrian**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the Bowie and Vicinity Master Plan and SMA, and the Subdivision Regulations as they relate to pedestrian and bicycle transportation requirements.

### **Previous Conditions of Approval**

The development is subject to the following prior approvals that include conditions related to bicycle and pedestrian transportation:

**4-08052**

- 12. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$210.00 to the DPW&T for the placement of a bikeway sign(s) along Mill Branch Road, designated a Class III Bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If DPW&T declines the signage, this condition shall be void.**
- 13. The applicant and the applicant's heirs, successors and/or assignees shall provide, unless modified by the DPW&T and the SHA:**
  - a. Multiuse side path for pedestrians and bicyclists on Mill Branch Road connecting to the intersection of US 301 and Excalibur Road**
  - b. Provide a wide crosswalk with pedestrian islands on US 301 to create a safe road crossing and accommodate both pedestrians and bicyclists using the recommended side path**
  - c. Raised crosswalks on roads approaching Mill Branch Road to create safe road crossings for pedestrians and bicyclists**
  - d. Install "bikeway narrows" signage on the approach to Mill Branch Road and the site entrance.**

The subject PPS supersedes the prior 4-08052. Determinations included herein are based on the evaluation of the submitted plans.

### **Review of Proposed On-Site Improvements**

The submitted plans include a 10-foot-wide trail along the property frontage of Mill Branch Road and Ridgely Boulevard, connecting the site to US 301. Continental style crosswalks are proposed throughout the site. Sidewalk is also shown on both sides of the internal roadways throughout most of the site. Additional continental crosswalks shall be provided, crossing all access points along Private Road A and Chesley Avenue.

### **Review of Connectivity to Adjacent/Nearby Properties**

The subject site is adjacent to additional residential and commercial areas with no current pedestrian or bicycle connections. The subject site will be improved to include these facilities, which will facilitate future connections. Additional details of the proposed pedestrian and bicycle facilities are to be included in the subsequent DSP.

A crosswalk with pedestrian islands shall be provided crossing US 301 at its intersection with Mill Branch Road, subject to the approval of the State Highway Administration (SHA), in order to create a connection to nearby properties, and accommodate both pedestrians and bicyclists using the proposed trail along the property frontage of Mill Branch Road. This crosswalk is consistent with the policies in the MPOT. At the Planning Board hearing held on March 18, 2021, the applicant stated they had concerns about the safety of this crossing, noting the grade difference between the eastbound and westbound lanes of US 301 and the engineering challenges which would have to be overcome in order to provide an Americans with Disabilities Act-accessible ramp within the median. It is noted that the crosswalk will be under the jurisdiction of SHA, and that it will therefore have to be built to SHA design and safety standards. SHA will make the ultimate determination on whether it is possible to build a safe crosswalk across US 301 at this intersection.

#### **Review of Master Plan of Transportation Compliance**

This development case is subject to the MPOT. One master plan facility impacts the subject site, a shared use roadway along Mill Branch Road.

The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

**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.**

**Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.**

Bikeway signage and shared road pavement markings (sharrows) shall be provided along the property frontage of Mill Branch Road to fulfill the intent of the recommended master plan facility and the policies above. Minimum 5-foot-wide sidewalks shall also be provided along both sides of all internal roadways, public or private, excluding alleys. In addition, sidewalk shall be provided along the full lengths of proposed Roads A, D, and F to provide continuous pedestrian connections through the site. These sidewalk improvements fulfill the intent of the policies above. Lastly, designated space for bicycle parking is an important component of a bicycle friendly roadway. Long- and short-term bicycle parking, consistent with the 2012 American Association of State Highway and Transportation Officials (AASHTO) *Guide for the Development of Bicycle Facilities*, shall be provided to accommodate residents and visitors at the proposed multifamily building, at the hotel, and at commercial spaces. The amount and location of bicycle parking is to be determined at any DSP for the multifamily building, hotel, and commercial spaces.

These improvements fulfill the intent of the policies recommended above and comply with the MPOT, pursuant to Section 24-121(a)(5).

### **Review of Area Master Plan Compliance**

The Bowie and Vicinity Master Plan includes the following recommendations for pedestrian and bicyclist facilities (page 52):

#### **Policy 2: Incorporate appropriate pedestrian-oriented development (POD) features in all new development and improve pedestrian safety in existing development.**

The subject PPS has pedestrian-oriented features including an internal sidewalk network and designated pedestrian crossings throughout the site. The infrastructure provided fulfills the intent of improving pedestrian safety.

Based on the above findings, adequate pedestrian and bicycle transportation facilities will exist to serve the subdivision, as required under Subtitle 24, and conformance with the MPOT and the Bowie and Vicinity Master Plan will be met.

- 10. Transportation**—Transportation-related findings for adequacy are made for this PPS, in accordance with the Subdivision Regulations, along with any needed determinations related to dedication, access, and general subdivision layout.

The subject property is located within Transportation Service Area 2, as defined in Plan 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 of 1,450 or better. Mitigation per 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 “2012 Transportation Review Guidelines, Part 1” (Guidelines).

**Roundabouts:** For roundabouts, a volume-to-capacity (v/c) ratio is computed using the *Highway Capacity Manual* (Transportation Research Board) procedure. A v/c ratio greater than 0.850 is generally considered unacceptable; however, the operating agency can deem, in writing, a v/c between 0.850 and 0.900 to be acceptable.

### **Analysis of Traffic Impacts**

The applicant submitted a revised traffic impact study (TIS) dated January 2021. (The original TIS was submitted with the PPS in November 2020). The findings outlined below are based upon review and analysis of these materials and analyses conducted, consistent with the Guidelines.

The table below shows the intersections deemed to be critical, as well as the levels of service representing existing conditions:

<b>EXISTING CONDITIONS</b>		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
US 301 @ Gov. Bridge Road-Harbor Way	A/874	C/1279
US 301 @ Heritage Boulevard-Ball Park Road	B/1037	D/1436
US 301 @ MD 197	A/778	B/1047
US 301 @ Mill Branch Road-Excalibur Road	B/1022	B/1076
MD 197 @ Mitchellville Road	A/427	A/829

The TIS identified five background developments whose impact would affect some or all of the study intersections. In addition, a growth of 1.9 percent over 6 years was also applied to the traffic volumes. A second analysis was done to evaluate the impact of the background developments. The analysis revealed the following results:

<b>BACKGROUND CONDITIONS</b>		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
US 301 @ Gov. Bridge Road-Harbor Way	A/998	E/1458
US 301 @ Heritage Boulevard-Ball Park Road	C/1161	F/1653
US 301 @ MD 197	A/979	D/1401
US 301 @ Mill Branch Road-Excalibur Road	C/1202	E/1591
MD 197 @ Mitchellville Road	A/518	A/993

Using the trip rates from the Guidelines, the study has indicated that the subject PPS represents the following trip generation:

<b>Table 1 - Trip Generation</b>					
Land Uses	Quantity	AM		PM	
		In	Out	In	Out
Super Convenience Store (ITE-960) 4,701 sq. ft. with 16 fueling positions	4701 sq. ft. 16 FPS	205	205	174	174
<i>Less 16% internal capture</i>		-33	-33	-28	-28
External Trips		172	172	146	146
<i>Less 76% by-pass trips</i>		-131	-131	-111	-111
<b>Net new trips (External)</b>		<b>41</b>	<b>41</b>	<b>35</b>	<b>35</b>
Hotel (ITE -310)	150 rooms	42	29	46	44
<i>Less 16% internal capture</i>		-7	-5	-7	-7
<b>Net new trips (External)</b>		<b>35</b>	<b>24</b>	<b>39</b>	<b>37</b>
Office - Guidelines rates	13,152 sq. ft.	24	3	5	20
<i>Less 16% internal capture</i>		-4	-0	-1	-3
<b>Net new trips (External)</b>		<b>20</b>	<b>3</b>	<b>4</b>	<b>17</b>
Shopping Center (ITE-820)	59,781 sq. ft.	35	21	178	193
<i>Less 16% internal capture</i>		-6	-3	-28	-31
External Trips		29	18	150	162
<i>Less 40% by-pass trips</i>		-12	-7	-60	-65
<b>Net new trips (External)</b>		<b>17</b>	<b>11</b>	<b>90</b>	<b>97</b>
Multifamily Mid-Rise Apartment-Guidelines	408 units	41	171	159	86
<i>Less 16% internal capture</i>		-7	-27	-25	-14
<b>Net new trips (External)</b>		<b>34</b>	<b>144</b>	<b>134</b>	<b>72</b>
Townhomes - Guidelines	190 units	27	106	99	56
<i>Less 16% internal capture</i>		-4	-17	-16	-8
<b>Net new trips (External)</b>		<b>57</b>	<b>233</b>	<b>217</b>	<b>117</b>
<b>TOTAL NEW TRIPS - (All Uses)</b>		<b>374</b>	<b>535</b>	<b>661</b>	<b>570</b>
<b>New Trip Cap</b>		<b>909</b>		<b>1,231</b>	

The table above indicates that the proposed development will be adding 909 (374 in; 535 out) AM peak-hour trips and 1,231(661 in; 570 out) PM peak-hour trips. A third analysis depicting total traffic conditions was done, yielding the following results:

<b>TOTAL CONDITIONS</b>		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
US 301 @ Gov. Bridge Road-Harbor Way <i>With improvements</i>	B/1048 <i>B/1029</i>	<b>E/1496</b> <i>D/1445</i>
US 301 @ Heritage Boulevard-Ball Park Road <i>With mitigation improvements</i>	C/1192 <i>B/1059</i>	<b>F/1735</b> <i>E/1496</i>
US 301 @ MD 197 <i>With improvements</i>	B/1044 <i>A/984</i>	<b>E/1508</b> <i>D/1411</i>
US 301 @ Mill Branch Road-Excalibur Road <i>With mitigation improvements</i>	D/1415 <i>B/1061</i>	<b>F/1996</b> <i>E/1584</i>
MD 197 @ Mitchellville Road	A/559	B/1047
Mill Branch Road @ Site Access – roundabout**	0.19 v/c ratio	0.41 v/c ratio
** A v/c ratio less than 0.85 is generally considered acceptable		

Results from the total traffic analysis revealed the following failing intersections:

- US 301 @ Gov. Bridge Road-Harbor Way
- US 301 @ Heritage Boulevard-Ball Park Road
- US 301 @ MD 197
- US 301 @ Mill Branch Road-Excalibur Road

To address these inadequacies, the applicant will provide the following improvements:

- a. **US 301 @ Governors Bridge Road-Harbor Way**  
 Modify eastbound Harbor Way from a two-lane approach to a three-lane approach, that includes an eastbound double left-turn lane, and a combined left, through, and right-turn lane. These improvements will result in LOS of B/1029 and D/1445 during the AM and PM peak hours, respectively.
- b. **US 301 @ MD 197**  
 Provide an additional left-turn lane on the eastbound approach.  
 This improvement will change the LOS to A/984 and D/1411 during the AM and PM peak hours, respectively.

To address the inadequacies at the two remaining intersections, the TIS proposed the following improvements under the provisions of “Guidelines for Mitigation Actions,” pursuant to Section 24-124(a)(6):

- c. **US 301@ Heritage Boulevard-Ball Park Road**  
 Convert the southbound right-turn lane into a shared through and right-turn lane.



d. **US 301 at Mill Branch Road-Excalibur Road**

Provide a third northbound through lane along US 301, beginning at a point south of Mill Branch Road and ending at a point north of Mill Branch Road, with the distances of the starting and ending points from Mill Branch Road to be determined by the State Highway Administration (SHA).

<b>Table 2 – Transportation Facilities Mitigation Plan Analysis Results</b>					
Intersection	Background Traffic	Total Traffic	CLV increase (+) decrease (-)	Required Mitigation %	Actual Mitigated %
<b>PM Peak Hour Traffic</b>					
US 301 @ Mill Branch Road-Excalibur Road	E/1591	F/1996	+405	100	102
<i>with improvement</i>		<i>E/1584</i>	<i>412</i>		<i>126</i>
US 301 @ Heritage Boulevard-Ball Park Road	F/1653	F/1735	+82	150	
<i>with improvement</i>		<i>E/1496</i>	<i>-239</i>		<i>291</i>

Table 2 above shows that all of the mathematical thresholds required under the rules, pursuant to the “Guidelines for Mitigation” have been met.

The traffic study was sent on referral to the Maryland State Highway Administration (SHA), the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE), as well as the Prince George’s County Department of Public Works and Transportation (DPW&T).

A February 16, 2021 memorandum from DPIE, incorporated by reference herein, states that both DPIE and DPW&T concurred with the findings of the TIS.

A March 2, 2021 letter from SHA, and a supplemental undated document referred to in the letter as “TFAD – Summary of Mitigation Findings – 02262021,” were also received and are both also incorporated by reference herein. These two documents together state that both SHA’s Travel Forecasting and Analysis Division and District 3 team generally concur with the proposed Transportation Facilities Mitigation Plan. The documents affirm SHA’s approval of the applicant’s proffered improvements for mitigation.

**Master Plan Roads**

The property is in an area where the development policies are governed by the Bowie and Vicinity Master Plan and the MPOT. The property currently fronts on two roads: Mill Branch road, a two-lane, county-maintained road to the south, and US 301, a state-maintained, multi-lane arterial, with master plan recommendation for upgrade to a freeway (F-10). SHA has undertaken a series of project planning studies along the US 301 corridor dating back to the early 1980s; these resulted in a recommendation of a “Selected Alternate” for further engineering evaluation. The footprint of this “Alternate,” which includes an interchange at the

MD 197/US 301 intersection, is currently reflected in the Prince George's County Planning Department's PGAtlas database. This alignment would have an impact on the northern end of the subject property. To that end, staff prepared a November 17, 2020 reservation letter to SHA (Barnett-Woods to Woodroffe), requesting a delineated portion of the site to be placed in reservation. Pursuant to Section 24-139(b) of the Subdivision Regulations, staff is required to request comments from the operating agencies when reservation is being considered. In that November letter, staff requested a written response by December 18, 2020. SHA ultimately did not provide a response requesting a reservation. Consequently, no reservation will be required of this applicant. Given the lack of a reservation, the footprint of the Selected Alternate does not need to be reflected on the PPS, in accordance with Section 24-123(a)(1), because the specific alignment of the interchange is not shown in the MPOT or in the Bowie and Vicinity Master Plan.

Parcel A was the subject of a prior PPS application, and dedication along Mill Branch Road and US 301 has already been platted for that parcel. Parcel 32 is entirely within the footprint of the area referred to SHA for a possible reservation. Because no reservation will be required, no dedication can be required at this time on Parcel 32 either. Consequently, no additional right-of-way will be required of the applicant along either US 301 or Mill Branch Road.

Based on the preceding findings, adequate transportation facilities will exist to serve the proposed subdivision, as required in accordance with Section 24-124.

11. **Site Access and Layout**—Access to the site will be from a right-in/right-out access on US 301, which will lead to a roundabout internal to the site. Two access points will also be provided along a new private street known as Ridgely Boulevard. Ridgely Boulevard will connect to Mill Branch Road by way of a second roundabout. The boulevard will then be stubbed just beyond the second access point, prior to the boundary of the adjacent M-NCPPC property.

Within the site, private roads are to be used to serve the development. The primary private roads other than Ridgely Boulevard are Lola Lane, a north-south running road, which will serve the multifamily units and the majority of the retail parcels; and Chesley Avenue, an east-west running road, which will serve two additional retail parcels and the hotel parcel. A network of additional, yet-unnamed private roads, A through I, will serve the townhouse portion of the development.

Private roads are approved by the Planning Board to serve the commercial and multifamily uses, pursuant to Section 24-128(b)(15), which allows private rights-of-way to serve integrated shopping centers. The private rights-of-way are adequate to serve the development proposed and will not result in any adverse impact on the access and use of the lots and parcels in the development. Private roads are approved by the Planning Board to serve the townhouse units, pursuant to Section 24-128(b)(19).

The overall access and layout provided by the development are acceptable. However, Section 24-121(a)(13) provides that generally, lots should have access to only one street. The lots in townhouse Block I (Lots 151–162) have dual frontage on Private Road B and Chesley Avenue, with vehicular access proposed on Private Road B, and the fronts of the units facing Chesley Avenue. This block shall have denial of vehicular access to Chesley Avenue,

reflected on the final plat, to ensure vehicular access is provided to one street only. It is noted that the townhomes will be evaluated further at the time of DSP to determine if the orientation of the units is appropriate.

Section 24-121(a)(3) requires that when parcels are proposed on land adjacent to an existing arterial or proposed freeway, they shall be designed to front on either an interior street or a service road. At the time of PPS 4-08052, a variation from this section was approved, to allow access to Parcel A from US 301. Because variation approvals are not carried forward to a later PPS, the applicant submitted a new variation request from this section for the subject PPS. However, a new variation is unnecessary given the new site design. Unlike the previous PPS, the current PPS features multiple parcels. All of the development parcels abutting US 301 take access from either Lola Lane or Chesley Avenue, which are internal streets. These two streets join at a single point of access from US 301, and a variation is not required to allow the internal streets to connect with the arterial right-of-way. If Lola Lane and Chesley Avenue are considered service roads, as opposed to internal streets, they can be considered a single service road which connects to Ridgely Boulevard; the point of intersection between the service road and Ridgely Boulevard is located over 200 feet from any intersection along US 301. Based on these findings, the Planning Board has taken no action on this variation request, as the PPS meets the requirements of Section 24-121(a)(3).

- 12. Schools**—This PPS has been reviewed for impact on school facilities, in accordance with Section 24-122.02 and Prince George’s County Council Resolution CR-23-2001. The subject property is located within Cluster 4, as identified in the *Pupil Yield Factors & Public-School Clusters 2020 Update*. Cluster 4 is located outside I-95/I-495 (Capital Beltway). An analysis of the project’s impact on schools was conducted, and the results are as follows:

**Impact on Affected Public School Clusters by Dwelling Units**

	Affected School Cluster		
	Elementary School Cluster 4	Middle School Cluster 4	High School Cluster 4
Total Proposed Dwelling Units	598 DU	598 DU	598 DU
Multifamily (MF) Dwelling Units	408 DU	408 DU	408 DU
Pupil Yield Factor (PYF) – Multifamily	0.162	0.089	0.101
MF x PY=Future Subdivision Enrollment	66	36	41
Townhouse (TH) Dwelling Units	190 DU	190 DU	190 DU
Pupil Yield Factor (PYF) – Townhouse	0.114	0.073	0.091
TH x PY=Future Subdivision Enrollment	22	14	17
Total Future Subdivision Enrollment	88	50	58
Adjusted Student Enrollment 09/30/19	12,927	9,220	7,782
Total Future Student Enrollment	13,015	9,270	7,840
State Rated Capacity	15,769	9,763	8,829
Percent Capacity	83%	95%	89%

Section 10-192.01 of the Prince George’s County Code establishes school surcharges and an annual adjustment for inflation, unrelated to the provisions of Subtitle 24 of the County Code (the Subdivision Regulations). The current amount is \$9,741 per dwelling if a building is located between I-95/I-495 and the District of Columbia; \$9,741 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$16,698 per dwelling for all other buildings. This project is outside of I-95/I-495; thus, the surcharge fee is \$16,698 per dwelling unit. This fee is to be paid to DPIE, at the time of issuance of each building permit.

- 13. Public Facilities**—In accordance with Section 24-122.01, police facilities are found to be adequate to serve the nonresidential portion of the subject site, while police, fire, and rescue facilities are found to be adequate to serve the residential portion of the subject site, as outlined in a memorandum from the Special Projects Section, dated February 16, 2021 (Perry to Diaz-Campbell), incorporated by reference herein. Water and sewer, and fire and rescue facilities for the nonresidential portion of the site require additional discussion, as follows:

**Water and Sewer**

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 2018 *Water and Sewer Plan* placed Parcel A in the Water and Sewer Category 3, Community System. Category 3 comprises all developed land (platted or

built) on public water and sewer, and undeveloped land with a valid PPS approved for public water and sewer. The 2018 *Water and Sewer Plan* placed Parcel 32 in the Water and Sewer Category 5, Future Community System. As of the March 18, 2021 Planning Board hearing for this case, re-designation of this parcel to Category 4, Community System Adequate for Development Planning, was pending approval in the December 2020 Water and Sewer Category Change Cycle of Amendments. However, the District Council had not yet approved the category change.

Because the District Council had not yet approved the category change prior to the PPS hearing, approval of the PPS shall be conditional on the applicant receiving the category change, prior to the plan's certification. There are several circumstances of the site and development proposal which support allowance of the category change to occur prior to signature approval of the PPS, and which are not generally applicable to other properties. The only proposed structure within Parcel 32 is a set of gas pumps. The actual gas station building proposed is within Parcel A, where water and sewer service will be available. Because Parcel A is to be served by water and sewer, if for some reason service needs to be extended to Parcel 32, it is reasonable to believe the extension will be possible. All properties abutting Parcel 32 are also within Water and Sewer Category 3. Based on these circumstances, it is reasonably certain the applicant will receive the category change they have requested. A category change would not be added to the PPS conditions of approval without such reasonable certainty.

#### **Fire and Rescue (nonresidential)**

The subject property is served by Bowie Northridge Fire Station Co. 816, located at 14901 Health Center Drive in Bowie. Per Section 24-122.01(d)(1)(A), a 5-minute total response time is recognized as the national standard for Fire/EMS response times. The 5-minute total response time arises from the 2016 Edition of the National Fire Protection Association (NFPA) 1710 Standards for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. This standard is being applied to the review of nonresidential subdivision applications.

According to NFPA 1710, Chapter 3 Definitions, the total response time and travel time are defined, as follows:

**3.3.53.6 Total Response Time: The time interval from the receipt of the alarm at the primary PSAP (Public Safety Answering Point) to when the first emergency response unit is initiating action or intervening to control the incident.**

**3.3.53.7 Travel Time: The time interval that begins when a unit is in route to the emergency incident and ends when the unit arrives at the scene.**

According to NFPA 1710, Chapter 4 Organization:

**4.1.2.1 The fire department shall establish the following objectives:**

- (1) **Alarm handling time to be completed in accordance with 4.1.2.3. (4.1.2.3.1 The fire department shall establish a performance objective of having an alarm answering time of not more than 15 seconds for at least 95 percent of the alarms received and not more than 40 seconds for at least 99 percent of the alarms received, as specified by NFPA 1221).**
- (2) **80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response.**
- (3) **240 seconds or less travel time for the arrival of the first arriving engine company at a fire suppression incident.**

Prince George's County Fire and EMS Department representative, James V. Reilly, stated in writing (via email) that as of December 3, 2020, the subject project fails the four-minute travel test from the closest Prince George's County Fire/EMS Station when applying the national standard, an associated total response time under five-minutes from the closest Fire/EMS Station, Bowie Northridge Fire Station Co. 816. Therefore, the applicant shall contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility; install and maintain automated external defibrillators (AEDs), in accordance with Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), and install and maintain hemorrhage kits next to fire extinguishers. In accordance with Section 24-122.01(e)(1)(C), the Fire and EMS Department provided a statement that adequate equipment exists.

14. **Use Conversion**—The total development included in this PPS is 190 lots and 39 parcels for development of 77,635 square feet of commercial floor area, a 150-room hotel, 190 townhouse units, and 408 multifamily units. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval and reflected on the PPS, that revision of the mix of uses shall require approval of a new PPS, prior to approval of any building permits.
15. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a), when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded 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 standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. In addition, Section 24-128(b)(12) requires a 10-foot-wide PUE along one side of all private streets.

The following findings are made regarding the PUEs shown on the PPS:

- a. PUEs are shown along Ridgely Boulevard and Lola Lane, but they need to join properly where the two streets meet.
- b. On proposed Parcel 17, PUEs are shown along the entrance road and along US 301. These PUEs are acceptable as shown.
- c. Within the townhouse development, the PUEs provided overlap the sidewalks. These PUEs may need to be moved so they do not overlap the sidewalks, in order to ensure the utility companies can perform work in the easements. Moving the PUEs will not be needed if the utility companies concur with the placement.
- d. Additional PUEs are required in the following locations:
  - (1) Along Chesley Avenue
  - (2) Along Private Road A
  - (3) Along Private Road D, north of where it intersects Private Road E
  - (4) Along Private Road H, in between Ridgely Boulevard and Private Road I
- e. The applicant filed a variation request from Section 24-122(a), to eliminate the required PUEs along Mill Branch Road and most of US 301. The request affects Parcels 2 through 10. This variation request is discussed below.

#### **Variation**

Section 24-113 requires that the following criteria are met. The criteria are in **BOLD** text below, while findings for each criterion are in plain text.

- (a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:**

**(1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property.**

The applicant submitted a statement of justification (SOJ) providing responses to the criteria of Section 24-113. In their response to this criterion, they contend that granting the requested variation will promote the public health, safety, and welfare. They note that utilities currently exist within the US 301 right-of-way along the southbound lanes, and any that new connections to those existing utilities would have to be extended beneath US 301. They contend that the utilities serving Mill Branch Crossing can be directed to a single point where the crossing will occur, and that extending from that point, adequate PUEs will be provided within the subdivision. This would include along Lola Lane to serve Parcels 2 through 10. They contend that because adequate PUEs will be provided within the subdivision, there is no need for PUEs along the external roads.

It may indeed be beneficial to have a single utility crossing of US 301, and eliminating the PUE along US 301 may be desirable to discourage multiple crossings from this PUE under the northbound lanes to the southbound lanes. The envisioned single point of crossing may be located near the northern roundabout, where it would be possible to connect between the existing utilities in the US 301 ROW and the site's internal PUE network.

The applicant further contends that if it is necessary to provide utilities along US 301 and Mill Branch Road, the utilities can be provided within the existing ROWs, as more right-of-way width is currently provided along each road than is needed for the roads themselves. Placing the utilities in the right-of-way would require the concurrence of the operating agencies and utility companies. The applicant therefore sought, and received, such concurrence from the State Highway Administration (email from Woodroffe to Morgan dated March 3, 2021, incorporated by reference herein). Their ROW abuts the property on US 301 and a portion of Mill Branch Road and would be sufficient for placement of utilities. In addition, as further described below, the variation was referred to the relevant public utility companies, and none of them objected to the variation request.

**(2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties.**

The applicant contends that there are several conditions unique to this property, which are not generally applicable to other properties. They note that the property has been approved, via a zoning text amendment, for mixed use development in the C-S-C Zone; that the property has substantial frontage on US 301 and minimal frontage on a secondary historic designated road, where the



secondary road is required to provide the primary access; and that more right-of-way width has been provided along US 301 than is required by the MPOT (this is true only for the frontage of Parcels 5–10). These are indeed unique conditions, and so a unique approach to serving the site with utilities is needed. The approach described above, where there will be a single crossing of US 301 to reach the PUE network internal to the site, is acceptable.

**(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation.**

This PPS and variation request for the location of PUEs were referred to the Washington Suburban Sanitary Commission (WSSC), Verizon, the Potomac Electric Power Company, the Southern Maryland Electric Cooperative (SMECO), Baltimore Gas and Electric Company, Washington Gas, Comcast, and AT&T. Verizon stated that so long as PUEs were not eliminated from the site entirely, they would have no issues. WSSC stated that they had no comments on the variation. SMECO stated that the property was not in their service area. Responses regarding the variation request were not received from the other agencies. The proposed utilities will be designed in direct coordination with the individual utility companies, in order to meet all requisite requirements and design standards. The variation from Section 24-122(a) is unique to, and under the sole authority of, the Planning Board. Approval of this variation request will not constitute a violation of any other applicable law, ordinance, or regulation.

**(4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.**

The shape of the property and its particular physical surroundings may give rise to a hardship to the applicant if the strict letter of these regulations is carried out. The site has extensive frontage on both US 301 and Mill Branch Road, but only one proposed access point to each, in order to serve the overall development. The individual Parcels 2 through 10 cannot each take their own access to the public roads, and so a private road (Lola Lane) is proposed to provide access. A PUE will be provided along Lola Lane to serve these parcels with utilities. So long as there is a way for the site's internal PUE network to connect with utilities outside the site, these parcels do not need to be served by both a PUE along Lola Lane and a PUE along US 301 or Mill Branch Road. If the PUEs along the public streets are unnecessary, then it would be a hardship to the applicant to ask for PUEs in those locations, as it would restrict the area of Parcels 2 through 10 available for development.

**(5) In the R-30, R-30C, R-18, R-18C, R-IOA, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve**

**a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

This criterion is not applicable because the site is within the C-S-C Zone.

The variation request is supported by the required findings. Granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property. Approval of the variation will not have the effect of nullifying the intent and purpose of the Subdivision Regulations, which is to ensure that public facilities will be available and will have sufficient capacity to serve the proposed subdivision. Therefore, the variation from Section 24-122(a) to eliminate PUEs along US 301 and Mill Branch Road is approved.

Based on the materials provided by the applicant, there is sufficient information to determine that the overall site will be adequately served by PUEs, and that the site's PUE network will be able to connect to existing off-site utilities.

- 16. Historic**—Phase III archeological investigations were completed on site 18PR857, an 18th century plantation house lot, in June 2020. As of the March 18, 2021 Planning Board hearing, artifact and feature analysis was continuing and had not yet been completed. The applicant's archeological consultant submitted a partial draft Phase III report on site 18PR857 to Historic Preservation staff on January 28, 2021. When the artifact analysis is complete, a final Phase III draft report shall be submitted to Historic Preservation staff. The final approved Phase III report shall be submitted and approved by Historic Preservation staff, prior to the issuance of a grading permit.
- 17. Environmental**—The subject PPS and a TCP1 were accepted on October 22, 2020. Comments were provided in an SDRC meeting on November 13, 2020. Revised information was received on December 31, 2020 and February 11, 2021.

The following applications and associated plans for the subject site applicable to this case were previously reviewed:

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
SE-4734	TCPII-016-10	Zoning Hearing Examiner	Approved	6/22/2015	Z.O. No. 12-2015
4-08052	TCP1-22-07	Planning Board	Approved	3/30/2017	09-85(A)
NRI-029-07	N/A	Planning Director	Approved	5/3/07	N/A
NRI-029-07-01	N/A	Planning Director	Approved	9/1/09	N/A
NRI-029-07-02	N/A	Planning Director	Approved	3/22/12	N/A
NRI-029-07-03	N/A	Planning Director	Approved	12/22/16	N/A
NRI-029-07-04	N/A	Planning Director	Approved	6/5/20	N/A
4-19050	TCP1-020-2020	Planning Board	Pending	Pending	Pending

### **Grandfathering**

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 because this is a new PPS.

### **Site Description**

A review of available information, as shown on the approved Natural Resources Inventory (NRI), indicates that 100-year floodplain, wetlands, streams, and steep slopes are found to occur on the property. The site does not contain any wetlands of special state concern. The site is in the Patuxent River Upper watershed as identified by the Prince George's County Department of the Environment, and within the Patuxent River watershed of the Patuxent River basin, as identified by the Maryland Department of Natural Resources (DNR). The Patuxent River watershed is identified by DNR as a Stronghold watershed. The on-site stream is not a Tier II water nor is it within a Tier II catchment.

The predominant soils found to occur according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include the Collington fine sandy loam (0–2 percent, 2–5 percent, 5–10 percent, 15–40 percent, and 15–30 percent slopes), and Shrewsbury fine sandy loam soils. According to available information, Marlboro and Christiana clays are not found to occur on this property.

The DNR Natural Heritage Program determined that rare, threatened, and endangered species are not found to occur on-site. According to the 2017 *Countywide Green Infrastructure Plan*, of the *Approved Prince George's Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan), the site contains regulated areas and evaluation areas. 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 2035.

### **Master Plan Conformance**

The site is located within the Bowie and Vicinity Master Plan and SMA. It is mapped as regulated and evaluation areas within the Green Infrastructure Plan.

### **Bowie and Vicinity Approved Master Plan and Sectional Map Amendment**

The Bowie and Vicinity Master Plan contains environmentally related policies and strategies that are applicable to the subject PPS.

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

##### **Strategies:**

- 1. Use designated green infrastructure network to identify opportunities for environmental preservation and restoration during the development review process.**

The site contains regulated and evaluation areas of the Green Infrastructure Plan that are comprised of streams, wetland, and floodplain. The most significant impact to this area is for the removal of wetlands in the western portion of the site for development and road improvements. The applicant is proposing to enhance several of the regulated areas through afforestation.

- 2. Protect primary corridors (Patuxent River and Collington Branch) during the development review process to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements. Protect secondary corridors (Horsepen Branch, Northeast Branch, Black Branch, Mill Branch, and District Branch) to restore and enhance environmental features and habitat.**

This site abuts a major regional park site, which provides a large continuous block of woodlands connecting eastwards to the Patuxent River, a planned designated primary corridor. Protection of sensitive environmental areas related to this primary corridor is a priority. Portions of the abutting park are programmed for development as a major athletic complex. Addressing SWM on this site is critical to the protection of this primary corridor.

- 3. Carefully evaluate land development proposals in the vicinity of identified Special Conservation Areas (SCA) (the Beltsville Agricultural Research Center to the north, along with the Patuxent Research Refuge; Belt Woods in the western portion of the master plan area; and the Patuxent River) to ensure that the SCAs are not impacted and that connections are either maintained or restored.**

This site is located within the vicinity of the Patuxent Special Conservation Area (SCA). The evaluation of connections and corridors to the Patuxent SCA have been evaluated to maintain and/or restore connectivity.

**4. Target public land acquisition programs within the designated green infrastructure network in order to preserve, enhance or restore essential features and special habitat areas.**

The site contains a stream valley that connects to regulated areas within a large tract of undeveloped land owned by M-NCPPC. It is expected that the environmental area of the subject property will be part of a homeowners or business association. These tracts of land, publicly and privately owned, are within regulated environmental areas and should, outside of necessary permanent impacts, be the subject of preservation, restoration, and enhancement, and will be placed in a conservation easement for long-term protection.

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

**Strategies:**

- 1. Implement the strategies contained in the Western Branch Watershed Restoration Action Strategy (WRAS).**
- 2. Add identified mitigation strategies from the Western Branch WRAS to the countywide database of mitigation sites.**
- 3. Encourage the location of necessary off-site mitigation for wetlands, streams, and woodlands within sites identified in the Western Branch WRAS and within sensitive areas that are not currently wooded.**

The project area is not located within the Western Branch Watershed Restoration Action Strategy Area.

- 4. Ensure the use of low impact-development techniques to the extent possible during the development process.**

The project has not yet received SWM concept approval. The submitted unapproved concept plan shows use of numerous micro-bioretenion and bioretention-swale facilities, areas of pervious pavement, rain gardens treating rooftop downspouts, as well as a SWM pond/basin to meet the current requirements of environmental site design to the maximum extent practicable.

- 5. During the development review process evaluate streams that are to receive stormwater discharge for water quality and stream stability.**

**Unstable streams and streams with degraded water quality should be restored, and this mitigation should be considered as part of the stormwater management requirements.**

Proposed wetland impacts, mitigation, and restoration are discussed in the Environmental Review Section below.

**6. Encourage the use of conservation landscaping techniques that reduce water consumption and the need for fertilizers or chemical applications.**

Woodland planting will consist of the use of native species. Species selection should be based on ability to reduce water consumption and the need for fertilizers or chemical applications.

**7. Minimize the number of parking spaces and provide for alternative parking methods that reduce the area of impervious surfaces.**

The plan proposes surface parking for single-family attached and multifamily residential uses, as well as for a hotel, and 77,635 square feet for commercial/retail/office. The number of parking spaces required will be further reviewed by the Urban Design Section with future development applications.

**8. Reduce the area of impervious surfaces during redevelopment projects.**

The property has never been developed although most of it has been actively farmed. An increase in impervious surface is expected, due to the nature of the project, consisting of single-family attached and multifamily dwelling units, along with a hotel, and 77,635 square feet for commercial/retail/office; however, implementation of the current SWM regulations will address water quality and quantity controls. Currently, the development proposes the use of numerous micro-bioretenion and bioretention-swale facilities, areas of pervious pavement, rain gardens treating rooftop downspouts, as well as an SWM pond/basin to meet the current requirements of environmental site design to the maximum extent practicable.

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

**Strategies:**

- 1. Encourage the planting of trees in developed areas and established communities to increase the overall tree cover.**
- 2. Provide a minimum of ten percent tree cover on all development projects. This can be met through the provision of preserved areas or landscape trees.**

3. **Establish street trees in planting strips designed to promote long-term growth and increase tree cover.**
4. **Establish tree planting adjacent to and within areas of impervious surfaces. Ensure an even distribution of tree planting to provide shade to the maximum amount of impervious areas possible.**

This project is for a new development. Conformance with the most current Woodland Conservation Ordinance is required and detailed discussion of technical conformance is discussed in the Environmental Review Section below. The required tree canopy coverage for the C-S-C Zone is 10 percent. The TCP1 shows that the site will be approximately 21 percent of gross tract forest preservation and afforestation with the implementation of this project, which exceeds the master plan-recommended 10 percent tree canopy coverage.

**Policy 4: Reduce overall energy consumption and implement more environmentally sensitive building techniques.**

**Strategies:**

1. **Encourage the use of green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies.**
2. **Encourage the use of alternative energy sources such as solar, wind, and hydrogen power. Provide public examples of uses of alternative energy sources.**

The use of green building techniques and energy conservation techniques is encouraged, as appropriate.

**Policy 5: Reduce light pollution and intrusion into residential, rural, and environmentally sensitive areas.**

**Strategies:**

1. **Encourage the use of alternative lighting technologies for athletic fields, shopping centers, gas stations, and car lots so that light intrusion on adjacent properties is minimized. Limit the total amount of light output from these uses.**
2. **Require the use of full cut-off optic light fixtures for all proposed uses.**

**3. Discourage the use of streetlights and entrance lighting except where warranted by safety concerns.**

The minimization of light intrusion from this site into the primary management area (PMA) should be addressed. The development proposal is within the Developing Tier, and it is adjacent to properties within the Rural Tier, which is a special concern because the Patuxent River is an intercontinental migration route for birds. High light levels severely impact these bird populations. The use of alternative lighting technologies, such as full cut-off optic light fixtures, should be used and the limiting of total light output should be demonstrated at time of DSP.

**Policy 6: Reduce adverse noise impacts to meet State of Maryland noise standards.**

**Strategies:**

- 1. Evaluate development proposals using Phase I noise studies and noise models.**
- 2. Provide adequate setbacks for projects located adjacent to existing and proposed noise generators.**
- 3. Provide the use of approved attenuation measures when noise issues are identified.**

The site fronts on US 301, a designated freeway. US 301 generates sufficient traffic to make noise impacts a concern, therefore, a noise study has been submitted. Details of this study are addressed in the Noise section of this resolution.

**Policy 7: Protect wellhead areas of public wells.**

**Strategies:**

- 1. Retain land uses that currently exist within the wellhead areas of existing public wells.**
- 2. Continue monitoring water quality.**
- 3. Consider the development of alternative public water provision strategies, such as public water connections, to eventually eliminate public wells.**

This site is not located within a wellhead protection area.



### **Conformance with the 2017 Green Infrastructure (GI) Plan**

The zoning of the property is C-S-C, allowing for commercial retail uses on this site. CB-45-2019 permitted the uses of a gas station with food and beverage store, apartment housing for elderly or physically handicapped, and multifamily and townhouse residential dwellings in the C-S-C Zone. The conceptual design as reflected on the PPS and the TCP1 meets the goals of the Green Infrastructure Plan and focuses development outside of the most sensitive areas of the site, in keeping with the zoning and with Plan 2035.

## **ENVIRONMENTAL REVIEW**

### **Natural Resource Inventory**

An approved NRI-029-07-04 was submitted with the PPS. The site contains 100-year floodplain, wetlands, streams, and steep slopes that comprise the PMA. The NRI indicates the presence of one forest stand labeled as Stand 1. The NRI also identifies 36 specimen trees, of which 28 trees are on-site and 8 are considered off-site. The TCP1 and the PPS show all required information correctly, in conformance with the NRI. No additional information is required regarding the NRI.

### **Woodland Conservation**

This site is subject to the provisions of the Woodland Conservation Ordinance because the project is a new PPS. This project is subject to the WCO and the 2018 *Prince George's County Environmental Technical Manual*. TCP1-020-2020 has been submitted with the subject PPS and requires revisions, in order to be found in conformance with the WCO.

The woodland conservation threshold for this 70.11-acre property is 15 percent of the net tract area or 9.02 acres. The total woodland conservation requirement based on the amount of clearing proposed is 3.95 acres. This requirement is to be satisfied with 3.80 acres of on-site preservation, 4.61 acres of on-site afforestation, and the remainder of the requirement, 6.28 acres, is proposed to be met with off-site woodland conservation credits.

The TCP1 must be revised to show the master plan right-of-way interchange (F-10), to the extent dedicated with this PPS. Section 25-122(b)(1)(N)(v) of the WCO requires that "land dedicated or to be dedicated shall not be counted toward meeting the requirements" and that "land areas dedicated or to be dedicated for future road construction shall be counted as cleared if the associated development is required to construct the road." If there is a requirement to dedicate the master plan right-of-way with the PPS, the applicant is required to show the road as dedicated on the plans and account for the woodland within the right-of-way on the TCP1, in accordance with the County Code. It is noted that there is no requirement to dedicate right-of-way with this PPS.

Technical revisions to the TCP1 are required and included in the conditions of approval of this PPS.

### **Specimen Trees**

TCPs are required to meet all of the requirements of Subtitle 25, Division 2 of the County Code, also known as The Woodland and Wildlife Habitat Conservation Ordinance (WCO). These requirements include the preservation of specimen trees, as stated in

Section 25-122(b)(1)(G) of the WCO. Every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species' ability to tolerate root zone disturbances).

If, after careful consideration has been given to the preservation of the specimen trees, there remains a need to remove any of the specimen trees, a variance to Section 25-122(b)(1)(G) is required. Applicants can request a variance to the provisions of the WCO, provided all of the required findings in Section 25-119(d) can be met. An application for a variance must be accompanied by a Letter of Justification stating the reasons for the request and how the request meets each of the required findings. A Subtitle 25 Variance Application and an SOJ in support of a variance dated April 8, 2020 were submitted.

The approved NRI identifies a total of 36 specimen trees; 8 trees are considered off-site, and 28 are on-site. Of the 28 on-site trees, 15 are proposed to be removed with this PPS. The following analysis is the review of the applicant's request to remove these 15 specimen trees. Off-site specimen trees are not subject to the variance requirement.

The SOJ requests the proposed removal of 15 of the existing 28 specimen trees located on-site. Specifically, the applicant seeks to remove Specimen Trees (ST) 1–7, 9, 16–20, 37, and 38. The TCP1 shows the location of the trees proposed for removal. The Disposition column of the Specimen Tree Chart on Sheet 1 of the TCP1 is to be corrected to reflect that ST- 37 and ST-38 are proposed to be removed. ST-2, 3, 19, and 37 are in poor condition. ST-1, 5, 9, 16, and 38 are in good condition. ST-4, 6, 7, 17, 18, and 20 are in fair condition. Six of the specimen trees to be removed (ST-1, 2, 3, 4, 9, and 16) are located within the limits of an isolated wetland and associated buffer impacted by the right-of-way improvements of US 301. Seven of the specimen trees to be removed (ST-5, 6, 7, 17, 18, 19, and 20) are located within the grading areas that are a result of the right-of-way improvements for US 301 and are located centrally along the western portion of the site in a highly developable part of the site. Two of the specimen trees, ST-37 and ST-38, are proposed for removal because they are in a highly developable part of the site.

The removal of the 15 specimen trees requested by the applicant is approved based on the findings below.

**(A) Special conditions peculiar to the property have caused the unwarranted hardship.**

The property is 70.11 acres and contains approximately 8.23 acres of PMA comprised of streams, wetlands, floodplain, and associated buffers. The total area includes 5.67 acres of previously dedicated land for right-of-way improvements, and 4.11 acres of floodplain. This represents approximately 25.37 percent of the overall site area. These existing conditions are peculiar to the property. The applicant is proposing to remove the specimen trees in the most developable part of the site, which is to be impacted by the proposed right-of-way improvements. To further restrict development of the non-wooded upland areas of the site would cause unwarranted hardship.

**(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.**

The mixed-use development includes uses permitted in the C-S-C zone, as amended by CB-45-2019, as well as the vision for such zones as described in the master plan. Based on the unique characteristics for the property, enforcement of these rules would deprive the applicant of the right to develop the property in a similar manner to other properties zoned C-S-C in the area.

**(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants**

If other constrained properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

**(D) The request is not based on conditions or circumstances which are the result of actions by the applicant**

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant.

**(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property**

The request to remove the trees does not arise from any condition on a neighboring property.

**(F) Granting of the variance will not adversely affect water quality**

All proposed land development activities will require sediment control and SWM measures to be reviewed and approved by the County.

The required findings of Section 25-119(d) have been adequately addressed for the removal of Specimen Trees 1–7, 9, 16–20, 37, and 38.

**Regulated Environmental Features**

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). The on-site regulated environmental features include streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and steep slopes.

Section 24-130(b)(5) states: “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the

Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

Impacts to the regulated environmental features should be limited to those that are necessary for development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site, in conformance with the County Code.

A letter of justification was received October 21, 2020 for the proposed impacts. The letter is dated April 28, 2020. The PPS shows impacts to the PMA. The presented six impacts are a combination of on-site and off-site locations, which are generally located on the western portion of the site. Off-site impacts are not part of the application because they are not located within the boundary of the property; however, they are considered as part of the overall impact. The off-site impacts are required for the right-of-way improvements to Mill Branch Road and US 301, as part of SHA Permit 10-AP-PG-004. The on-site proposed Impact 3 is a total of 1.30 acres and consists of impacts to the wetlands and their associated buffers for right-of-way improvements, as well as site grading and development.

The proposed SWM pond outfall PMA impacts were not requested with the PPS. Typically, these impacts are supported, as they are deemed necessary for the development of the site. The PMA impacts for the proposed SWM pond outfalls should be submitted for review with the acceptance of the DSP.

The current letter of justification and associated exhibit reflect six proposed impacts to regulated environmental features associated with the proposed development totaling approximately 2.57 acres. All proposed impacts are permanent and are described as either on-site or off-site impacts. The off-site impacts total 1.27 acres, and the on-site impacts total 1.30 acres. As previously stated, the following analysis will review only the on-site impacts requested by the applicant at this time, Impact 3.

### **Impact 3 – Wetland and Wetland Buffer Impact**

Impact 3 is for the disturbance of 1.30 acres of wetlands located on the western portion of the site. This wetland straddles the western property boundary and the portion of the

wetland located off-site will be impacted by the grading required for the US 301 right-of-way improvements. The total forested wetland disturbance (Impact 2 off-site and Impact 3 on-site) is 1.14 acres. The Impact 3 wetland and associated buffer is 1.30 acres. The resulting portion of wetland left undisturbed by the right-of-way improvement grading is located within a highly developable part of the site. The applicant analyzed the potential of constructing a retaining wall to preserve the wetlands, however a geotechnical review determined that the existing wetland soils would not be suitable due to groundwater. The preservation of this small, isolated wetland is not feasible.

Mitigation was analyzed for the overall on-site and off-site impacts by the U.S. Army Corps. of Engineers (ACOE) and the Maryland Department of the Environment (MDE), as part of the applicant's joint wetland permit application. Staff inquired on the potential to remediate the impacts to the stream on-site and it was determined by both ACOE and MDE that the stream remediation should not occur, and that the applicant should reduce the amount and velocity of drainage into the stream. The result was a revision to the site development concept plan to require detention of stormwater from a 100-year flooding event in the SWM facility on-site.

The proposed PMA impact is considered necessary to the orderly development of the subject property and surrounding infrastructure. These impacts cannot be avoided because they are required by other provisions of the County and State Codes. The plan shows the preservation and enhancement of the PMA to the fullest extent practicable.

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, based on the limits of disturbance shown on the TCP1.

- 18. Urban Design**—The review of the subject PPS is evaluated for conformance to the Zoning Ordinance, as follows:

**Conformance with the Requirements of the Prince George's County Zoning Ordinance** CB-45-2019 amended Section 27-461(b), the Use Table for commercial zones, to allow multifamily and townhouse development as permitted uses in the C-S-C Zone, provided that the subject site is a minimum of 50 acres; DSP review is a required condition of approval of a PPS and must include review of proposed architecture of multifamily and townhouse units; and development density is limited to no more than 20 units per acre for townhouses and 48 units per acre for multifamily dwellings. In addition, development regulations provided for in Section 27-454(d) of the Zoning Ordinance, C-S-C Zone regulations shall apply to both multifamily and townhouse developments.

The development density of 11.1 units per acre for townhouses and 28.8 units per acre for multifamily proposed by the PPS conforms to the applicable criteria. Regarding Section 27-454(d), the development regulations for the C-S-C Zone, as they pertain to the proposed townhouse units as part of a mixed-use development, the application of required setbacks should be applied to the general area for townhouse development, and not to individual

lots. The C-S-C Zone regulations do not provide development standards for individual townhouse units, and so the applicant has proposed to utilize Mixed Use-Transportation Oriented (M-X-T) Zone regulations for townhouse development. The applicant has also included basic standards with the PPS, including a minimum townhouse lot size of 1,500 square feet (20 feet by 75 feet), with a minimum lot width at the front building line and street line of 20 feet. The applicant's proposed use of M-X-T Zone regulations to guide development of the townhouse portion of this project is acceptable. Conformance with the applicable criteria will be reviewed at the time of DSP.

#### **Conformance with the Tree Canopy Coverage Ordinance**

In accordance with Section 25-128 of the Zoning Ordinance, properties in the C-S-C Zone are required to provide 10 percent of the gross tract area in tree canopy coverage (TCC). The subject site is 70.1 acres and is required to provide 7.01 acres of the site in TCC. Conformance with this requirement will be evaluated at the time of DSP.

#### **Conformance with the Requirements of the 2010 Prince George's County Landscape Manual**

The site will be subject to Section 4.1, Residential Requirements; Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscape Requirements; and Section 4.10, Street Trees Along Private Streets, of the Landscape Manual. Conformance with landscaping requirements will be evaluated at the time of DSP.

#### **Other Urban Design Issues**

Issues regarding mandatory parkland dedication and provision of a private on-site recreational facilities package are not fully addressed by the PPS. Letters from the applicant dated December 28, 2020 and February 8, 2021 indicated private on-site recreational amenities are to be provided, and they included a list of contemplated amenities and associated estimated value. The list of facilities given in the applicant's letters does not include sufficient facilities for the townhouse units. Therefore, it is recommended that either the facilities for the multifamily residents and the townhouse residents be made available to all residents; or additional facilities be provided in the northern townhouse pod; or better design and connections be provided for the proposed stormwater pond and its associated amenities, so that the pond can meet the requirements of Section 24-135(a)(5). Any of these three options could achieve the required value of recreational facilities for both the multifamily units and the townhouse units.

19. **Noise**—A July 16, 2020 Phase I Noise Analysis was prepared by Polysonics Acoustics & Technology Consulting and was submitted by the applicant with this PPS. The analysis accounted for noise measurements from US 301 on the west side of the site. It found that the present and future 65 dBA Ldn noise contours would not impact any outdoor recreation areas or residential uses at any height. Therefore, no further study or mitigation is needed.

Section 24-121(a)(4) requires a minimum 300-foot lot depth when residential lots are platted next to proposed freeways. The plan, as proposed, meets this requirement. There are no residential lots or parcels proposed within 300 feet of US 301.

20. **City of Bowie**—On January 4, 2021, the Bowie City Council conducted a public hearing on the subject PPS. At the conclusion of the hearing, three separate motions were made and seconded by council members. All three motions ended in a tie. As a result, the City of Bowie has not taken a position on this PPS.
21. **Planning Board Hearing of March 18, 2021**—On March 18, 2021, the Planning Board conducted a public hearing on the subject PPS. The applicant presented proposed revisions to seven of the staff-recommended conditions of approval, and additionally proposed deletion of one condition. These changes were accepted, and they are incorporated into this resolution.

One member of the public, owner of the Ample Grange Farm which abuts the subject property to the southeast, spoke about the application. In their comments they expressed their approval of the 50-foot buffer to be provided between the development and the rural tier, the stormwater management proposed, and the access to be provided to the Green Branch Athletic Complex. They also expressed their concerns about the traffic impact on US 301 (particularly at its intersection with Mill Branch Road), loss of wetlands on the subject property, and visual impacts along Mill Branch Road, which is a historic/scenic roadway. In response to these concerns, the Board noted that the SWM concept plan for the development was, as of the hearing, still pending approval by DPIE. The SWM concept plan will address all stormwater from the development, such that there will be no off-site impacts, including from the loss of retention capacity associated with the removal of natural wetlands. The Board also noted that views to and from Mill Branch Road can be addressed at the time of DSP, and that landscape buffering along the road would be required in accordance with Landscape Manual requirements. The applicant noted that the road improvements proposed with the application are designed to mitigate traffic impacts, and that direct access will be provided from US 301 at the northern end of the property to ensure not all of the development’s traffic needs to enter from Mill Branch Road.

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.


\* \* \* \* \*

PGCPB No. 2021-42  
File No. 4-19050  
Page 44

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 Geraldo, with Commissioners Washington, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, March 18, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of April 2021.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:EDC:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: March 26, 2021



RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on March 24, 2022, regarding Detailed Site Plan DSP-20003 for Mill Branch Crossing, the Planning Board finds:

1. **Request:** This application is a detailed site plan (DSP) for construction of 190 single-family attached (townhouses) and 408 multifamily dwelling units in six buildings as part of an overall mixed-use development. Infrastructure improvements are proposed on the remainder of the site for the future commercial component.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone(s)	C-S-C	C-S-C
Use(s)	Agriculture	Single-Family Attached and Multifamily Dwelling Units
Gross Acreage	70.11	70.11
<b>Single-Family Attached Dwelling Units</b>	<b>0</b>	<b>190</b>
<b>Multifamily Dwelling Units</b>	<b>0</b>	<b>408</b>
1 Bedroom Units		132
2 Bedroom Units		204
3 Bedroom Units		72

**Parking and Loading Data**

	<b>REQUIRED</b>	<b>APPROVED</b>
<b>Total Townhouse Parking Spaces (2.04 spaces per unit)</b>	<b>388</b>	<b>692</b>
29 – 20-foot-wide Rear-loaded Units (2 Garage, 2 Driveway Spaces)		116
33 – 22-foot-wide Rear-loaded Units (2 Garage, 2 Driveway Spaces)		132
10 – 24-foot-wide Rear-loaded Units (2 Garage, 2 Driveway Spaces)		40
43 – 20-foot-wide Front-loaded Units (1 Garage, 1 Driveway Space)		86

	<b>REQUIRED</b>	<b>APPROVED</b>
57 – 22-foot-wide Front-loaded Units (2 Garage, 1 Driveway Space)		171
18– 24-foot-wide Front-loaded Units (2 Garage, 2 Driveway Spaces)		72
On-Street Parking Spaces*		75

	<b>REQUIRED</b>	<b>APPROVED</b>
<b>Total Multifamily Parking Spaces (6 buildings)</b>	<b>990</b>	<b>1,002</b>
132 – 1 Bedroom (2.00 Spaces/ Unit)	264	-
204 – 2 Bedroom (2.50 Spaces/ Unit)	510	-
72 – 3 Bedroom (3.00 Spaces/ Unit)	216	-

<b>Garage Parking per building (6 buildings)</b>		<b>324</b>
15 – Compact Spaces (8.0 x 19 feet)		90
35 – Standard Spaces (9.5 x 19 feet)		210
4 – Handicap-accessible (2 van-accessible)		24

<b>Total Surface Parking Lot</b>		<b>678</b>
Compact Spaces (8.0 x 19 feet)		239
Standard Spaces (9.0 x 18 feet)*		435
Handicap Accessible (2 van accessible)		4

<b>Loading</b>		<b>3**</b>
Multifamily dwelling–1 space per 100 to 300 dwelling units, plus 1 additional for each 200 dwelling units (or fraction)	2	3

**Note:** \*The standard surface parking space size requires a departure from design standards (DDS), which is under the jurisdiction of the City of Bowie. A companion DDS (BD-4-21) was approved by the City of Bowie on March 21, 2022 (City Council Resolution R-8-22), for the reduction in the parking space size.

\*\*Three loading spaces are provided on the site plan, but the parking and loading schedule does not include them and should be updated. Conditions have been included requiring the applicant to update the parking and loading schedule and label these on the site plan.

3. **Location:** The Mill Branch Crossing property is in the northeast quadrant of the intersection of US 301 (Robert Crain Highway) and Mill Branch Road, in Planning Area 71B and Council District 04. The property is in the 2006 *Approved Sectional Map Amendment for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74* (Bowie

Master Plan and SMA), which reclassified the subject property from the Residential Agricultural (R-A) Zone to the Commercial Shopping Center (C-S-C) Zone.

4. **Surrounding Uses:** The overall 70.11-acre site is zoned C-S-C, and bound to the west by US 301, with commercial uses and townhouses in the C-S-C and Residential Urban Development Zones beyond; to the south by Mill Branch Road, with vacant and agricultural land in the R-A Zone beyond; to the east by vacant land in the Open Space Zone, which is owned by the Maryland-National Capital Park and Planning Commission, and planned to be the future site of the Green Branch Athletic Complex; and to the north by vacant land in the Rural Residential and R-A Zones, and a parcel in the Commercial Miscellaneous Zone, which has been improved with a hotel and eating and drinking establishment, more commonly known as Rip's Country Inn.
5. **Previous Approvals:** The Bowie Master Plan and SMA reclassified the subject property from the R-A Zone to the C-S-C Zone. Parcel A is the subject of Preliminary Plan of Subdivision (PPS) 4-08052, which was approved by the Prince George's County Planning Board in May 2009 to consolidate the site into one parcel (Parcel A) for construction of a commercial use and hotel.

Following approval of PPS 4-08052, Special Exception SE-4734 was approved by the Prince George's County District Council in June 2015, for a portion of Parcel A, and proposed a department or variety store in combination with a food and beverage store. However, this development never was constructed.

In 2019, the District Council approved CB-45-2019 to amend Section 27-461, the Commercial Zone Table of Uses, of the Prince George's County Zoning Ordinance, for the purpose of permitting by right a gas station, food or beverage store in combination with a gas station, apartment housing for the elderly or physically handicapped, dwelling, multifamily, and townhouse uses in the C-S-C Zone of Prince George's County, under certain circumstances.

PPS 4-19050 for Parcels A and 32 superseded 4-08052 and was approved by the Planning Board on March 18, 2021 (PGCPB Resolution No. 2021-42) for the future development of 190 single-family attached dwellings, 408 multifamily dwelling units, a 150-room hotel, and 77,635 square feet of commercial, retail, and office uses.

The site also has a Stormwater Management (SWM) Concept Approval (03-0621-205NE14), from the City of Bowie, approved on June 28, 2021, and expires on June 28, 2024.

6. **Design Features:** The applicant proposes to develop the overall property with a mix of residential and commercial uses. The subject application includes development of 190 townhouses and 408 multifamily dwelling units in 6 buildings on 52.18 acres of the overall property in the central and eastern portions of the site. Thirteen parcels and their associated infrastructure are shown on the western portion of the site. These parcels will require future DSPs for the full development of the commercial uses that will screen the residential development from US 301. The townhouses include a mix of 72 rear-loaded garage and 118 front-loaded garage units with, one- and two-car garage options on fee-simple lots. These units are arranged on a series of private roads and alleys and are organized in a grid-like pattern on the north and east

portions of the site. The multifamily dwellings are proposed south and west of the townhomes and include 6, four-story, L-shaped buildings that are located around a central surface parking lot. In addition to the surface lot, parking for the multifamily buildings is proposed under the structures. The overall site is accessed from two locations. The first access is from Mill Branch Road at a traffic circle in the southeast corner of the property. The proposed Ridgely Boulevard runs from this traffic circle along the southeastern boundary of the overall site connecting through to the adjacent future Green Branch Athletic Complex site. The second access is from a right-in/right-out roadway off US 301 that leads to a traffic circle within the northern portion of the property. Lola Lane and Chesley Avenue intersect at this traffic circle and form the northern and western boundaries of the residential portion of this development.

### **Architecture**

Four townhome builders propose the 28 townhouse models included with this application. These models propose front- and rear-load garage options with standard one- and two-car garages. The Royal, Ansted, Lafayette, Elmore, Auburn, and Columbus are built by D. R. Horton; the Camden II, Chandler II, Chestnut II, Shiftlet II, Grable II, and Harlow II are built by Dan Ryan Homes; the Everett, Delilah, Louisa, Jenkins, and Hartland are built by Stanley Martin Homes; and the Strauss D, Strauss E, Strauss Attic E, Shubert D, Mendelssohn D, Spring Hill, Van Dorn, Strauss, Mozart E, Mozart Attic E, and Woodley Park are built by NVR Homes, Inc.

Each unit included in this application has multiple front elevation options and a variety of exterior finishes and roof designs, including shutters, enhanced window and door trim, standing-seam metal-roofed porches, decorative columns, cross gables, and dormers. The buildings have been designed to incorporate a variety of materials including brick, stone, and siding, creating a clean and contemporary design, which will complement the surrounding development.

The one-car, front-load garage units are 20 and 22 feet wide, and measure approximately 36 to 42 feet in depth, with a base finished area ranging from 1,514 to 2,285 square feet.

The two-car, front-load garage units are 20, 22, and 24 feet wide, and measure approximately 36 to 48 feet deep. These units include a base finished area ranging from 1,741 to 2,639 square feet.

The two-car, rear-load garage units are 20, 22, and 24 feet wide, and measure approximately 36 to 46 feet in depth, with a base finished area range from 1,741 to 2,446 square feet.

The height of the townhomes varies from approximately 32–49 feet depending on the options, which include rooftop patios, attics, dormers, bay windows, and decks. However, it is noted that decks are only offered as an option on rear-loaded units. The Planning Board required that this feature be offered as a standard option for consistency and for the enjoyment of residents of the rear-loaded units, which have a limited yard. A condition has been added to this approval to require all rear-loaded garage townhouses to provide either a roof top deck or a minimum four-foot-deep cantilevered deck or a deck(s) attached to the townhouse above the first floor and supported by vertical posts.

Highly visible side elevations are identified on the DSP. However, a general note should be included to indicate the lot and block number of these units. These elevations should include a minimum of three standard features, in addition to a full first floor finished in brick, stone, or masonry. The Planning Board finds that no two identical front elevations shall be located next to or across the street from each other. Due to the large presence of garages on the streets, the Planning Board requires that they be designed with a carriage-style appearance. In addition, it is noted that the templates and architectural elevations have not been provided for all the elevations; therefore, conditions have been included herein, relative to these issues.

The architectural design of the four-story multifamily residential buildings is contemporary with a gabled roof, and emphasis is provided through different massing, architectural design elements, and finish materials. The units include balconies, large glass windows, and sliding doors. The exterior of the building is predominantly finished in a mix of materials including vinyl lap siding and accents of brick and horizontal banding on the lower level. The primary entrances to the proposed buildings are accented by a curved canopy. A one-level parking garage is located below grade on each building. These garages will each include 56 parking spaces and provide long-term bike storage for 12 vertical bike racks, a bicycle stand, and a bicycle pump/repair station.

The proposed 10,144-square-foot clubhouse faces south and is located in the southwest portion of the site on the north side of Lola Lane, and the rear of the building overlooks an outdoor pool for the multifamily units of Mill Branch Crossing. More details are necessary for the pool area, including dimensions, fencing, shade, and seating. A condition is included herein requiring these details be provided. The one-story, 22-foot-high clubhouse is a contemporary-style building, with a gabled roof and central pergola. The building has a variety of building materials including brick, cementitious panels, vinyl lap siding, and architectural trim that matches the multifamily buildings. An elevated roof and glass windows accent the main entrance with ample window fenestration proposed on all sides of the building.

### **Lighting**

A photometric plan was submitted with this application and proposes a combination of full cut-off building-mounted lights and streetlights to illuminate the site. The photometric plan demonstrates that there is adequate lighting for pedestrians and vehicles on the site within the private rights-of-way, with minimum spillover at property lines. However, details of the building-mounted lighting and the pole have not been provided. Therefore, a condition has been included herein requiring the applicant to provide details of the building-mounted lights and the pole for the streetlights on-site.

### **Signage**

Three freestanding and three pylon signs are proposed on-site and are located at the entrance to the multifamily and townhouse areas, and near the entrance to the site from US 301. The freestanding and pylon signs are illuminated and mounted on either a brick base or brick columns. The pylon signs are 25 feet high and approximately 13 feet wide. The backlit sign features the names for the future commercial tenants that will be located west of the multifamily and townhome development. The freestanding signs are approximately 8 feet high and 10 feet wide. They include a back lit aluminum cabinet advertising the location of the multifamily and

townhome portions of the development. Additional parking and directional signage are proposed to assist with wayfinding on-site. These signs are 5 feet high and 2 feet wide. The design of the signage is consistent and proposes a curved canopy, similar to the canopy covering the entrance to the multifamily buildings. The proposed signs are acceptable and meet the requirements of Sections 27-614 for freestanding signs and 27-631 for directional signs, of the Zoning Ordinance.

### **Loading and Trash Facilities**

Loading is not required for the townhomes, but is required for the multifamily dwellings, due to the number of units. Loading spaces are shown on the site plan, but these are not clearly labeled or accounted for in the parking and loading schedule. Conditions requiring these revisions have been included herein. The trash facilities are located interior to the parking garages under the buildings and in dumpsters in the surface parking area for the multifamily dwellings. These facilities are centrally located on the east and west sides of the parking compound, adjacent to the loading spaces. The facilities are adequately screened by a 6-foot-high vinyl enclosure and are acceptable.

### **Green Building Techniques**

The following list was provided by the applicant and outlines some of the project's sustainability features. The following strategies are proposed:

- Energy Star appliances
- Energy Star and LED light fixtures
- Energy Star roofing
- Energy Star windows
- Enhanced thermal insulation package
- Water-conserving, low-flow plumbing fixtures
- Highly efficient water heaters
- All bathrooms, kitchens and laundry closets will be exhausted to the outdoors
- Low/No voc paints, primers, and sealants
- Bike storage facilities that encourage alternative transportation methods
- Bio-retention facilities dispersed and filter rainwater on-site

These green building techniques are only listed in the statement of justification (SOJ) for the application; therefore, the Planning Board requires that the applicant include a note on the DSP to indicate the green building techniques that will be used, as conditioned herein.

### **Recreational Facilities**

At the time of PPS 4-19050, it was determined that the mandatory parkland dedication requirement would be met for the entire Mill Branch Crossing development through on-site private recreation facilities.

The indoor and outdoor recreation amenities for the development include a tot lot and preteen lot, gazebo, a trail, picnic areas, bike racks, and benches in multiple locations in the development, in addition to a clubhouse and pool for the multifamily residents. The clubhouse will feature a pool,

community room, fitness and yoga rooms, a library, restrooms, a conference room, and office space for leasing agents.

The tot lot with benches, a bike rack, gazebo, and a picnic area are located on the southwest portion of the development on Parcel E. The second play structure is centrally located in the development, on Parcel K, which includes benches and a bike rack.

A large stormwater pond is proposed at the northern portion of the site on Parcel 18. A 10-foot-wide pedestrian path is proposed around the pond including a gazebo, benches, picnic tables, grilling areas, and trash receptacles. Due to the location, portions of this trail are proposed to be elevated and include a wooden boardwalk and garden bridge for the residents. During the Planning Board hearing on March 24, 2022, the Planning Board discussed the addition of pet waste stations along this pedestrian path. The applicant proffered to provide these and a condition has been added to this approval requiring that the DSP be revised to show the pet waste stations, as discussed at the March 24, 2022 hearing.

In accordance with the current formula for calculating the value of the recreational facilities, for a development of 190 single-family attached dwellings and 408 multifamily units in Planning Area 71B, a recreational facility package worth approximately \$207,011 is needed to serve the single family attached units, and a recreational facility package worth approximately \$487,597 is needed to serve the multifamily development. The proposed recreational facilities and the applicant's estimated value are as follows:

- Tot Lot—\$56,713
- Pre-Teen Lot—\$45,252
- Pond Trail and Picnic Area—\$112,900
- Multifamily Club House—\$805,000

The estimated combined value of \$1,019,865 for the recreational amenities meets what is required for the DSP. The details of the facilities have been provided, with a few exceptions, and are adequate to serve the needs of the development. However, it is noted, the cost estimate of the private recreational facilities has been combined and should be provided for each use. A condition has been included herein requiring the applicant to provide a list of cost estimates of the proposed private recreational facilities separately for the multifamily dwelling units and for the single family attached units on the DSP, and to revise the recreational facilities spreadsheet. Conditions regarding the timing for the completion of construction and installation of these facilities have been included herein.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-S-C Zone and the site design guidelines of the Zoning Ordinance, as follows:

- a. The subject application is in conformance with the requirements of Section 27-461(b), which governs uses in commercial zones. The proposed townhouses and multifamily dwellings are permitted uses in the C-S-C Zone, subject to Footnotes 82 and 83, which both require approval of a DSP subject to specific criteria, as follows:

**1. The property is a minimum of fifty (50) acres in size at the time of preliminary plan of subdivision; and**

The entirety of the property included in this DSP exceeds the minimum size and is 70.11 acres.

**Footnote 82**

- 2. A Detailed Site Plan is required as a condition of preliminary plan of subdivision and shall be approved in accordance with Part 3, Division 9 of this Subtitle. The detailed site plan shall include architectural review and approval of building elevations and materials. The development regulations as provided for in Section 27-454(d) shall apply. However, in no event shall the number of multifamily dwelling units exceed 48.00 units per net acre.**

The multifamily dwellings include a proposed density of approximately 28.39 dwelling units per net acre for the multifamily parcel. However, this number should be verified and noted on the plan, as conditioned herein.

**Footnote 83**

- 2. A Detailed Site Plan is required as a condition of preliminary plan of subdivision and shall be approved in accordance with Part 3, Division 9 of this Subtitle. The detailed site plan shall include architectural review and approval of building elevations and materials. The development regulations as provided for in Section 27-454(d) shall apply. However, in no event shall the number of townhouse units exceed 20.00 dwelling units per net acre.**

The townhome units include a proposed density of approximately 11.20 dwelling units per net acre of the townhouse development area. However, this number should be verified and noted on the plan, as conditioned herein.

- b. The DSP shows a site layout that is consistent with the requirements of Section 27-462(b) of the Zoning Ordinance and meets the specific regulations for development in commercial zones relating to setbacks.
- c. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For example, grading is minimized to the extent practicable, all disturbed areas are restored, and the architecture proposed for the buildings is constructed of durable,



low-maintenance materials and employs a variety of architectural features and designs, such as window and door treatments and colors.

8. **Preliminary Plan of Subdivision PPS 4-19050:** The site is subject to PPS 4-19050 approved by the Planning Board on March 18, 2021 (PGCPB Resolution No. 2021-42) for 190 lots, 408 multifamily dwelling units, a 150-room hotel, and 77,635 square feet of commercial, retail, and office uses, subject to 24 conditions. The following are applicable to the review of this DSP:

3. **A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in this resolution of approval, shall require the approval of a new preliminary plan of subdivision, prior to approval of any building permits.**

This DSP is proposing development consistent with the approved PPS.

4. **Development of this site shall be in conformance with the stormwater management concept plan for this project (01-0614-205NE14, once reapproved by the City of Bowie), and any subsequent revisions.**

The applicant submitted an approved SWM Concept Plan, 03-0621-205NE14, with the subject DSP. The SWM concept plan supersedes SWM Concept Plan 01-0624-205NE14 and shows the layout of the proposed buildings and SWM facilities. This DSP is in conformance.

5. **Prior to approval of a final plat, in accordance with the approved preliminary plan of subdivision, the final plat shall include the dedication of public utility easements (PUEs) along all public and private rights-of-way, unless a variation from the PUE requirement is obtained.**

All required public utility easements along public and private rights-of-way are shown on the DSP, in accordance with the approved PPS. Conformance to this condition will be reviewed again at the time of final plat.

6. **At the time of final plat, the plat shall reflect denial of access to Chesley Avenue for the townhouse lots on the north side of Private Road B.**

The DSP depicts townhouse lots between Private Road B and Chesley Avenue, as having vehicular access to Private Road B only. Conformance to this condition will be reviewed further at the time of final plat.

7. **At the time of detailed site plan, private on-site recreational facilities shall be provided to meet mandatory parkland dedication requirements, with one or more of the following to be provided; at the election of the applicant:**

- a. **A guarantee that the recreational facilities for the townhomes and the multifamily residences will be available to all residents of both communities, with the guarantee to be provided in writing and confirmed with appropriate covenants, prior to approval of a final plat.**

The applicant is proposing recreational facilities for the townhouses and the multifamily units, but has proposed separate recreational facilities in both communities. In addition, the applicant has utilized the provisions in option (c) below to satisfy the mandatory parkland dedication requirements for the townhouse development area. Separate recreation facility worksheets should be provided, as conditioned herein.

- b. **Additional recreational facilities for the townhomes to serve the residents of the northern cluster in the community, with the amenities to be reviewed by the Urban Design Section of the Development Review Division.**

The applicant has not provided any additional facilities to serve the residents of the northern cluster of townhomes, but has instead opted to address provision (c) below to satisfy the mandatory parkland dedication requirements for the townhouse portion of the development.

- c. **A prominent, accessible connection between the townhomes and the stormwater management facility, and redesign of the amenity locations and site grading in this area, as necessary, to create usable facilities for the townhouse residents. The parcel boundaries shown on the preliminary plan of subdivision may be adjusted in this area to accommodate the redesign.**

The applicant has revised the site layout to provide an accessible connection between the townhomes in the northern cluster of the development and the proposed 10-foot-wide trail around the SWM facility, as well as provided locations for amenities such as a gazebo, benches, tables, and grill area. The trail, SWM pond, and other amenities are located on Parcel 18. The proposed 10-foot-wide trail on Parcel 18 connects directly to Parcel N, which is a homeowners association private road parcel within the townhouse development area. Parcel 18 is to be conveyed to a common entity. The common entity established for Parcel 18 and other parcels, as shown on the DSP, are for private roads, SWM, and tree conservation areas, which are common to the overall subdivision. The common entity, which will be established at the time of final plat, shall include, or make certain the townhouse development is ensured unfettered access and use of recreational facilities on Parcel 18, as conditioned herein.

8. **The applicant, and the applicant's heirs, successors, and/or assignees, shall provide adequate, private recreational facilities on-site, in accordance with the standards outlined in the *Prince George's County Park and Recreation Facilities Guidelines*.**

**The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy, in accordance with the approved preliminary plan of subdivision, and be approved by the Prince George's County Planning Board with the detailed site plan (DSP). Triggers for construction shall also be established at the time of DSP.**

The applicant has proposed private on-site recreational facilities with this DSP, which include a tot lot, pre-teen lot, and pond trail with picnic areas for use of the townhouse portion of the development. The playground and recreational facilities on Parcel E are proposed to be completed prior to approval of the 51st townhouse permit, the playground and recreational facilities on Parcel K are to be completed prior to the 101st townhouse permit, and the trail and recreational facilities on Parcel 18 (around the SWM pond) are to be completed prior to approval of the 150th townhouse permit. The plans should be revised to clarify that the triggers for construction of these facilities apply to the townhouse portion of the development.

A clubhouse and pool area are proposed for the multifamily dwelling units, to be completed prior to approval of the building permit for the third multifamily building, including interior amenities within the clubhouse, such as exercise equipment. Additional details and values for these facilities are required as conditioned herein, to ensure they are adequate to serve the needs of the residents.

- 11. Prior to approval of a final plat, the applicant, and the applicant's heirs, successors, and/or assignees shall provide a revised access easement agreement for relocation of the existing access easement (recorded in Liber 28018 Folio 685) to the Maryland-National Capital Park and Planning Commission (M-NCPPC), Department of Parks and Recreation, for approval. The easement agreement shall clarify construction and maintenance responsibility for the road, as well as indemnification [sic] of the applicant and the applicant's heirs, successors, and/or assignees by M-NCPPC. The easement agreement shall be recorded in the Prince George's County Land Records, and its Liber/folio shown on the final plat, prior to recordation. The final plat shall reflect the location and extent of the easement, in accordance with the approved preliminary plan of subdivision, detailed site plan, and easement agreement.**

The revised location of the access easement is shown on Sheets 5, 9, and 12 of the DSP. The Prince George's County Department of Parks and Recreation indicates that the DSP shows the relocated access easement, in accordance with this condition.

- 18. Total development within the subject property shall be limited to uses which generate no more than 909 AM peak-hour trips and 1,231 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.**

The uses and total gross floor area proposed in this application are within the development anticipated per PPS 4-19050. The site plan complies with this condition, as described in detail in the table below to summarize the trip generation in each peak hour to demonstrate conformance to the PPS trip cap for the site:

<b>Trip Generation Summary: DSP-20003: Mill Branch</b>								
<b>Land Use</b>	<b>Use Quantity</b>	<b>Metric</b>	<b>AM Peak Hour</b>			<b>PM Peak Hour</b>		
			<b>In</b>	<b>Out</b>	<b>Tot</b>	<b>In</b>	<b>Out</b>	<b>Tot</b>
Multifamily residences	408	Units	41	171	212	159	86	245
Townhouse residences	190	Units	27	106	133	99	56	155
<b>Total Proposed Trips for DSP-20003</b>			<b>68</b>	<b>277</b>	<b>345</b>	<b>258</b>	<b>142</b>	<b>400</b>
<b>Trip Cap: PPS 4-19050</b>					<b>909</b>			<b>1231</b>

20. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B*, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following improvements, and provide an exhibit that depicts the following improvements, prior to acceptance of any detailed site plan:
- a. **Bikeway signage and shared lane markings (e.g., “sharrow”), within the right-of-way, along the subject site’s frontage of Mill Branch Road, unless modified with written correspondence by the Prince George’s County Department of Permitting, Inspections and Enforcement, and/or the Maryland State Highway Administration, as appropriate.**
  - b. **Minimum 5-foot-wide sidewalks along both sides of all internal roadways, public or private, excluding alleyways.**
  - c. **Minimum 5-foot-wide sidewalks along the full lengths of proposed Roads A, D, and F.**
  - d. **A wide crosswalk with a pedestrian island crossing US 301 at Mill Branch Road, unless modified by the Maryland State Highway Administration, with written correspondence.**
  - e. **Continental style crosswalk crossing all access points along Private Road A and Chesley Avenue.**

- f. Long- and short-term bicycle parking, consistent with the 2012 AASHTO *Guide for the Development of Bicycle Facilities*, to accommodate residents and visitors at the proposed multifamily building, hotel, and commercial spaces.**
- g. Parallel or perpendicular ADA curb ramps at all intersections within the subject site.**

These conditions are adequately addressed by this DSP, except for Subcondition f. While each building provides long-term bicycle parking and storage within the parking garages, no bicycle racks are provided for visitors or short-term users near the building entrances. The Planning Board requires that four bicycle parking spaces, using inverted U-style racks, be shown on the plans within 100 feet of each primary multifamily building entrance, prior to certification of this plan. The Planning Board also requires that six bicycle parking spaces, using inverted U-style racks, be shown on the plans within 100 feet of the clubhouse building entrance, prior to certification.

**24. Prior to issuance of a use and occupancy permit for the development, the applicant and the applicant's heirs, successors, and/or assignees shall:**

- a. Contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for the facility.**
- b. Install and maintain automated external defibrillators (AEDs), in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.**
- c. Install and maintain bleeding control kits next to fire extinguisher installation and no more than 75 feet from any employee. These requirements shall be noted on the detailed site plan for the development.**

The applicant has provided this information in General Note 41 on the coversheet of the DSP. However, the note lists location of bleeding control kits no more than 74 feet instead of 75 feet from any employee, and this should be corrected. A condition requiring this revision is included herein.

- 9. 2010 Prince George's County Landscape Manual:** Per Section 27-450 of the Zoning Ordinance, landscaping, screening, and buffering for the property, is subject to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Specifically, this application is subject to the requirements of Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets, of the Landscape Manual. The landscape schedules have been provided showing conformance, with the exception of Section 4.10. Alternative Compliance AC-21024 has been filed with this DSP from

the requirements of Section 4.10, Street Trees Along Private Streets, of the Landscape Manual, for the location of the required planting strip to be behind the sidewalk along Private Roads A, B, C, D, E, F, G, H, and I. Specifically, the applicant is seeking relief, as follows:

**Section 4.10, Street Trees Along Private Rights-of-Way**

**REQUIRED: Section 4.10(c)(1), Street Trees Along Private Road A**

Length of Landscape Strip	750 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	22

**APPROVED: Section 4.10(c)(1), Street Trees Along Private Road A**

Length of Landscape Strip	750 linear feet
Width of Landscape Strip	10 feet
Shade Trees	23

**REQUIRED: Section 4.10(c)(1), Street Trees Along Private Road B**

Length of Landscape Strip	171 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	5

**APPROVED: Section 4.10(c)(1), Street Trees Along Private Road B**

Length of Landscape Strip	171 linear feet
Width of Landscape Strip	10 feet
Shade Trees	5

**REQUIRED: Section 4.10(c)(1), Street Trees Along Private Road C**

Length of Landscape Strip	143 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	5

**APPROVED: Section 4.10(c)(1), Street Trees Along Private Road C**

Length of Landscape Strip	143 linear feet
Width of Landscape Strip	10 feet
Shade Trees	5

**REQUIRED: Section 4.10(c)(1), Street Trees Along Private Road D**

Length of Landscape Strip	1,541 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	44

**APPROVED: Section 4.10(c)(1), Street Trees Along Private Road D**

Length of Landscape Strip	1,541 linear feet
Width of Landscape Strip	10 feet
Shade Trees	53

**REQUIRED: Section 4.10(c)(1), Street Trees Along Private Road E**

Length of Landscape Strip	770 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	22

**APPROVED: Section 4.10(c)(1), Street Trees Along Private Road E**

Length of Landscape Strip	770 linear feet
Width of Landscape Strip	10 feet
Shade Trees	22

**REQUIRED: Section 4.10(c)(1), Street Trees Along Private Road F**

Length of Landscape Strip	327 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	10

**APPROVED: Section 4.10(c)(1), Street Trees Along Private Road F**

Length of Landscape Strip	327 linear feet
Width of Landscape Strip	10 feet
Shade Trees	16

**REQUIRED: Section 4.10(c)(1), Street Trees Along Private Road G**

Length of Landscape Strip	300 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	9

**APPROVED: Section 4.10(c)(1), Street Trees Along Private Road G**

Length of Landscape Strip	300 linear feet
Width of Landscape Strip	10 feet
Shade Trees	12

**REQUIRED: Section 4.10(c)(1), Street Trees Along Private Road H**

Length of Landscape Strip	843 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	25

**APPROVED: Section 4.10(c)(1), Street Trees Along Private Road H**

Length of Landscape Strip	843 linear feet
Width of Landscape Strip	10 feet
Shade Trees	24

**REQUIRED: Section 4.10(c)(1), Street Trees Along Private Road I**

Length of Landscape Strip	893 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	26

**APPROVED: Section 4.10(c)(1), Street Trees Along Private Road I**

Length of Landscape Strip	893 linear feet
Width of Landscape Strip	10 feet
Shade Trees	27

**Justification**

The applicant is requesting alternative compliance from Section 4.10(c)(1), Street Trees Along Private Streets, of the Landscape Manual, which requires a five-foot-wide landscape strip between the street curb or edge of paving and the sidewalks to accommodate street trees. The applicant is proposing front-loaded townhouses with associated driveways connecting directly to private roadways, which necessitates the sidewalk to be located directly adjacent to the curb,



rather than behind a landscape strip. As a result, the landscape strip typically required for street trees is non-existent; alternatively, a 10-foot-wide planting strip is provided behind the sidewalk, except where there are driveways. This alternative design allows for more planting area for each proposed street tree.

Section 4.10 of the Landscape Manual requires one street tree to be planted for every 35 linear feet of private street frontage. Private Roads A through I total 5,738 linear feet in length. Using this formula, the applicant would be required to plant 164 street trees but is proposing 187 street trees.

The Planning Board finds the applicant's proposal equally effective as normal compliance with Section 4.10, as it provides an excess of both the number of street trees and planting area while allowing front-loaded townhouses with driveways connecting directly to private roadways. Specifically, the applicant will plant 23 additional street trees, which is 14 percent more than the normal requirements of the Landscape Manual.

The Planning Board APPROVES Alternative Compliance AC-21024 granting relief from the requirements of Section 4.10, Street Trees Along Private Rights-of-Way, of the 2010 *Prince George's County Landscape Manual*, along Private Roads A through I, to allow the planting strip to be located behind the sidewalks, as proposed on the site plan.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual because the application was subject to a new PPS. A Type 2 Tree Conservation Plan (TCP2-044-2021) has been submitted for review that covers the area of this DSP.

The woodland conservation threshold for this 70.11-acre property is 15 percent of the net tract area, or 9.02 acres. The total woodland conservation requirement, based on the amount of clearing proposed, is 14.69 acres. This requirement is proposed to be satisfied with 3.80 acres of on-site preservation, 4.86 acres of on-site afforestation, and the remainder of the requirement, 6.03 acres, is proposed to be met with off-site woodland conservation credits. Technical revisions to the TCP2 are required and have been included as conditions in this approval.

11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned C-S-C are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The development included in this portion of the site is 52.18 acres in size and the required TCC is 5.21 acres. A table was provided on the plan demonstrating conformance with the requirements of the Tree Canopy Coverage Ordinance.

12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The Planning Board has reviewed and adopts referral comments that are incorporated herein by reference and summarized, as follows:

- a. **Historic Preservation**—In a memorandum dated January 19, 2022 (Stabler to Bishop), it is noted that Phase III archeological investigations were completed on-site (18PR857) and that no further archeological investigations are necessary on the subject property. The artifacts from the Phase III archeological investigations have not yet been curated with the Maryland Archaeological Conservation Laboratory in St. Leonard, Maryland and this condition is still outstanding. All other previous conditions regarding the archeological investigations have been satisfied.

The subject property does not contain and is not adjacent to any Prince George’s County designated historic sites or resources. The Planning Board approves the subject application with no Historic Preservation conditions.

- b. **Community Planning**—In a memorandum dated February 16, 2022 (Lester to Bishop), it is noted that this application is in the Established Communities growth policy area. The vision for the Established Communities is context-sensitive infill of low- to medium-density. In addition, it was noted that Bowie Master Plan and SMA recommends commercial land uses on the subject property. Master plan conformance is not required for this application.
- c. **Transportation Planning**—In a memorandum dated February 25, 2022 (Masog to Bishop), an evaluation of the transportation issues with the application were provided and are incorporated into the findings of this report. A review of the on-site circulation related to vehicular and pedestrian transportation was found acceptable, and the Planning Board determines that the DSP meets the findings for transportation purposes, subject to conditions that have been included herein.
- d. **Subdivision**—In a memorandum dated February 18, 2022 (Heath to Bishop), an evaluation of the subdivision-related issues of the application was provided and is incorporated into Finding 8. Technical revisions and corrections related to general notes have been included in this approval.
- e. **Environmental Planning**—In a memorandum dated February 17, 2022 (Rea to Bishop), environmental planning comments were provided related to the DSP that are summarized below. The Planning Board approves the TCP2 and additional PMA impacts, subject to conditions in this approval.

#### **Natural Resources Inventory Plan/Existing Features**

An approved Natural Resources Inventory (NRI-029-07-04) was submitted with the application. The site contains 100-year floodplain, wetlands, streams, and steep slopes that comprise the primary management area (PMA). The NRI indicates the presence of one forest stand labeled as Stand 1, and 36 specimen trees identified; 8 trees are considered off-site with 28 on-site. The TCP2 and the DSP show all required information correctly, in conformance with the NRI.

### **Specimen Trees**

Section 25-122(b)(1)(G) of the WCO requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.” A total of 38 specimen trees were identified on the approved NRI and at the time of PPS 4-19050 review, a total of 15 trees were proposed for removal. At time of the Planning Board hearing for PPS 4-19050, the Board made the finding for approval of the removal of the 15 specimen trees. The specimen trees approved for removal are 1–7, 9, 16–20, 37, and 38.

### **Preservation of Regulated Environmental Features/Primary Management Area**

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 Prince George’s County Subdivision Regulations. The on-site regulated environmental features include streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and steep slopes.

Section 24-130(b)(5) states “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of REF in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All Regulated Environmental Features shall be placed in a conservation easement and depicted on the final plat.”

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by the Prince George’s County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code. The SOJ must address how each on-site impact has been avoided and/or minimized.

### **Statement of Justification**

An SOJ and associated exhibits were submitted on December 28, 2021, for eight impacts. The presented eight impacts are a combination of on-site and off-site locations, which are generally located on the western portion of the site. Off-site impacts are not part of the application because they are not located within the boundary of the property; however, they are considered as part of the overall impact. The off-site impacts are required for the right-of-way improvements to Mill Branch Road and US 301, as part of Maryland State Highway Administration Permit 10-AP-PG-004. The on-site proposed Impact 3 is a total of 1.30 acres and was previously approved under PPS 4-19050. Impact 7, for a total of 0.08 acre, has been added for approval.

The current SOJ and associated exhibit reflect eight proposed impacts to regulated environmental features associated with the proposed development, totaling approximately 2.65 acres. All proposed impacts are permanent and are described as either on-site or off-site impacts. The off-site impacts total 1.27 acres, and the on-site impacts total 1.38 acres. As previously stated, the following analysis will review only the on-site impacts, 3 and 7, as requested by the applicant. Based on the SOJ, the applicant is requesting a total of two on-site impacts listed, then described below:

### **Impact 3–Wetland and Wetland Buffer Impact**

Impact 3 is for the disturbance of 1.30 acres of wetlands located on the western portion of the site. This wetland straddles the western property boundary, and the portion of the wetland located off-site will be impacted by the grading required for US 301 right-of-way improvements. The resulting portion of wetland left undisturbed by the right-of-way improvement grading is located within a highly developable part of the site. The applicant analyzed the potential of constructing a retaining wall to preserve the wetlands, however, a geotechnical review determined that the existing wetland soils would not be suitable due to groundwater. The preservation of this small, isolated wetland is not feasible. This impact was previously approved under the PPS and remains unchanged.

### **Impact 7–Stream Buffer and Floodplain Buffer Impacts-Pond Outfall**

Impact 7, which was not part of the PPS, is for the disturbance of 0.08 acre of stream and floodplain buffers for the pond outfall pipe and rip-rap pad. This development is required to detain a 100-year storm, and in order to meet this requirement, a SWM pond is proposed to be built. The pond outfall extends into an on-site, unnamed tributary to the Green Branch Tributary. The area along the pond outfall easement will be afforested and preserved to the fullest extent possible.

### **Summary**

After evaluating the applicant's SOJ for proposed impacts to regulated environmental features, the Planning Board approved proposed Impacts 3 and 7. Impact 3 was previously approved under the PPS and remains unchanged. Impact 7 is new and is approved with this application.

### **Scenic and Historic Roads**

Mill Branch Road is designated as a scenic and historic road in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and has the functional classification of freeway near the intersection of US 301. The MPOT includes a section on special roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to this roadway, including to conserve and enhance the viewsheds along designated roadways. Any improvements within the right-of-way of an historic road are subject to approval by the County under the Design Guidelines and Standards for Scenic and Historic Roads.

### **Stormwater Management (SWM)**

An SWM Concept Approval (03-0621-205NE14), from the City of Bowie, was submitted with the application for this site. The plan proposes to construct numerous bioswales, drywells, infiltration trenches, micro-bioretenion facilities, and one SWM pond. No SWM fee for on-site attenuation/quality control measures is required. This stormwater approval expires June 28, 2024. No further action regarding SWM is required with this DSP review.

- f. **Permit Review**—In a memorandum dated February 15, 2022 (Glascoe to Bishop), permit-related comments were provided. The Planning Board notes that comments have been addressed by revisions to the plans, or have been included as conditions of approval, as appropriate.
- g. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated March 3, 2022 (Sun to Bishop), DPR provided an evaluation of the application that is incorporated into the findings of this report, and recommended approval of the DSP to ensure access is provided to the future Green Branch Athletic Complex.
- h. **Prince George’s County Fire/EMS Department**—At the time of this approval, the Fire/EMS Department did not offer comments on this application.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated January 14, 2022 (Giles to Bishop), DPIE offered comments on the subject application regarding road and site improvements and noted that the proposed site plan is consistent with the SWM Concept Plan 03-0621-205NE14 approved by the City of Bowie. Other comments were provided and will be addressed during their separate permitting process.
- j. **Prince George’s County Police Department**—At the time of this approval, the Police Department did not offer comments on the subject application.
- k. **Prince George’s County Health Department**—At the time of this approval, the Health Department did not offer comments on the subject application.

- l. **Maryland State Highway Administration (SHA)**—SHA indicated in an email dated February 14, 2022 (Woodruffe to Bishop) that they are continually coordinating with the applicant and did not offer additional comments on the subject application.
  - m. **Washington Suburban Sanitary Commission (WSSC)**—In an email dated January 6, 2022 (Katwal to Bishop), WSSC provided water, sewer, and associated easement conditions to be addressed at time of permitting.
  - n. **City of Bowie**—In a memorandum dated March 1, 2022 (Adams to Hewlett), the City of Bowie indicated that they reviewed the subject application, and the City Council held a meeting to discuss the DSP on February 22, 2022. The Council voted to recommend approval of DSP-20003, with a condition that the applicant include a goal of providing 10 percent of the units as work force housing. However, this requirement is not regulated by the Prince George’s County Zoning Ordinance.
13. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. As required by Section 27-285(b)(4), which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, based on the limits of disturbance shown on the impact exhibit and the conditions included herein. Eight PMA impacts were presented, six of these impacts are located off-site and two are on-site. The Planning Board approves the two proposed on-site, Impacts 3 and 7. Impact 3 was previously approved under the PPS and remains unchanged. Impact 7 is a new request and is approved, as discussed herein.

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 Type 2 Tree Conservation Plan TCP2-044-2021 and APPROVED Alternative Compliance AC-21024, and further APPROVED Detailed Site Plan DSP-20003 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall:
  - a. Provide four bicycle parking spaces using inverted U-style racks within 100 feet of each primary multifamily building entrance.

- b. Provide six bicycle parking spaces using inverted U-style racks within 100 feet of the clubhouse building entrance.
- c. Correct General Note 41(c) to indicate the correct number of minimum feet the bleeding control kits shall be located from any employee.
- d. Show locations of sharrows on Mill Branch Road.
- e. Show locations of short-term and long-term bicycle parking.
- f. Indicate that the timing triggers in the table of the recreational facilities are for the construction of said facilities and provide the specific building permit number with which they are associated. For example, the construction of the tot lot shall be completed prior to approval of the 51st townhouse building permit.
- g. Add the site plan notes, and revise the architecture, if necessary, as follows:
  - “During the construction phase, the applicant shall adhere to all applicable Prince George’s County or State of Maryland regulations and laws regarding particulate matter, pollution, and noise.”
  - “No two townhouse units located next to, or across the street from each other may have identical front elevations.”
  - “All townhouse side elevations shall include a minimum of two standard features. Every highly visible townhouse side elevation shall include full brick, stone, stucco, or other masonry treatment on the first floor combined with at least three windows, doors, or other substantial architectural features.”
  - “A minimum of three townhouse dwelling units in any horizontal, continuous, attached group shall have a roof feature containing either a cross gable or dormer window(s).”
  - “All townhouse garage doors shall have a carriage-style appearance.”
  - “All townhouse building groups shall include a minimum of 60 percent of the combined front elevations finished in brick, stone, or other masonry.”
- h. All rear loaded garage townhouses shall provide either a roof top deck or a minimum four-foot-deep cantilevered deck or a deck(s) attached to the townhouse above the first floor and supported by vertical posts.

- i. Label Lots 1, 7, 8, 13, 14, 20, and 21, Block A; Lots 1 and 12, Block B; Lots 1 and 12, Block C; Lots 1, 10, 11, and 20, Block D; Lots 1, 10, 11, and 20, Block E; Lots 1 and 7, Block F; Lots 1 and 34, Block G; Lots 1 and 17, Block H; Lots 1 and 12, Block I; Lots 1, 11, 12, and 20, Block J; and Lots 1 and 8, Block K, as highly visible lots.
  - j. Provide a note on the DSP to clearly indicate the green building techniques that are used in the buildings.
  - k. Provide a list of cost estimates of the proposed private recreational facilities on the DSP, separated for the multifamily dwelling units and the single family attached units, and revise the recreational facilities spreadsheet, in accordance with the values and multiplier provided in the *Parks and Recreation Facilities Guidelines*. Provide details and separated values to justify the value of the clubhouse.
  - l. Provide details of the building-mounted lights and the pole for the site lighting.
  - m. Update the parking and loading schedule to account for the number of required and proposed loading spaces, and clearly label these spaces on the site plan.
  - n. Provide templates on the DSP and architectural elevations with dimensions for all proposed townhouse units and remove the rendered elevations.
  - o. Provide plans and details for the pool area, including, but not limited to dimensions, fencing, shade, and seating.
  - p. Provide a note indicating the proposed density for the multifamily and townhouse dwelling units.
  - q. Provide pet waste stations, with bags, along the pedestrian path surrounding the stormwater pond on Parcel 18.
2. Prior to certification of the detailed site plan, the Type 2 tree conservation plan shall be revised, as follows:
    - a. Add an Environmental Planning Section approval box to sheet 11.
    - b. Add planting lists for afforestation areas 1 and 2.
    - c. Correctly label the woodland preservation area below the pond.
  3. Prior to certification of the Type 2 tree conservation plan (TCP2) for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review of legal sufficiency by the Maryland-National Capital Park and Planning Commission's Office of the General Counsel, and submission to Prince George's



County Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan, as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber \_\_\_\_\_ Folio\_\_\_\_\_. Revisions to this TCP2 may require a revision to the recorded easement.”

4. Prior to final plat approval, the applicant, and the applicant’s heirs, successors, and/or assignees shall demonstrate that the common entity established for ownership of Parcel 18 includes the townhouse lots or contains provisions for unfettered access and use of the amenities on Parcel 18 by the townhouse lot owners.
5. The proposed private recreational facilities shall be constructed and inspected by the Maryland-National Capital Park and Planning Commission, in accordance with the following schedule:
  - a. Construct the playground and recreational facilities on Parcel E, prior to approval of the 51st townhouse building permit.
  - b. Construct the playground and recreational facilities on Parcel K, prior to approval of the 101st townhouse building permit.
  - c. Construct the multifamily clubhouse and pool, prior to approval of the third multifamily building permit.
  - d. Construct the trail and recreational facilities on Parcel 18, prior to approval of the 150th townhouse building permit.

It is occasionally necessary to adjust the precise timing of the construction of recreational facilities, as more details concerning grading and construction become available. Phasing of the recreational facilities may be adjusted by written permission of the Prince George’s County Planning Board, or its designee, under certain circumstances, such as the need to modify construction sequence due to engineering necessity. An increase in the number of permits allowed to be released, prior to construction of any given facility, shall not exceed 10 percent over the number originally approved by the Planning Board.


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

\* \* \* \* \*

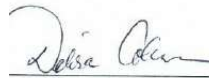
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 24, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of April 2022.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:NAB:rpg

  
Approved for Legal Sufficiency  
M-NCPPC Office of General  
Counsel

Dated 3/30/22

**Additional Back-up**

**For**

**DSP-20003-01**

**Dash In Mill Branch**

APPLICANT’S REVISED FINDINGS AND CONDITIONS

FINDINGS, pages 7 – 8

Site details include a retaining wall and a dumpster enclosure. The retaining wall is located along the property’s northern frontage and is proposed to be a modular concrete block wall, with a maximum height of 16.5 feet. The face of the retaining wall will be articulated with a brown and black textured architectural finish, to complement the materials used for the convenience store building. The design details for the retaining wall should be included with the DSP, and a condition has been included accordingly. ~~Furthermore, this retaining wall extends approximately 45 feet into adjoining Outlot 16, which is not included in the subject DSP. A condition is included herein, requiring the applicant to submit another amendment to DSP-20003, to show the off-site grading and the retaining wall and its details on Outlot 16.~~ The dumpster enclosure uses the same thin brick veneer and metal as used for the fuel island canopy columns.

CONDITIONS

1. Prior to certification, the applicant shall revise the detailed site plan (DSP) as follows, or provide the specified documentation:

\* \* \* \* \*

~~e. Curate all artifacts from the Phase III archeological investigations, Mill Branch Crossing Site, at the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland. Provide proof of the final disposition of the curated artifacts to the Historic Preservation Section of the Countywide Planning Division.~~

\* \* \* \* \*

4. ~~If s~~Street lighting ~~is not~~shall be provided ~~by the Mill Branch Crossing site developer~~ along the site access road from US 301 (Robert Crain Highway) prior to the issuance of a building permit for the Dash In convenience store, ~~the applicant shall install this lighting at the time of building permit,~~ subject to modification by the Maryland State Highway Administration.

~~5. Prior to the approval of a building permit for the retaining wall, Detailed Site Plan DSP-20003 shall be amended to show the off-site grading and the retaining wall and its details on Outlot 16.~~

KEY:

Underline indicates language added to findings/conditions;

~~Strikethrough~~ indicates language deleted from findings/conditions;

Asterisks \*\*\* indicate intervening existing findings/conditions that remain unchanged.

LAW OFFICES  
**GIBBS AND HALLER**  
1300 CARAWAY COURT, SUITE 102  
LARGO, MARYLAND 20774

EDWARD C. GIBBS, JR.  
THOMAS H. HALLER  
JUSTIN S. KORENBLATT

(301) 306-0033  
FAX (301) 306-0037  
gibbshaller.com  
July 25, 2023

The Honorable Peter A. Shapiro  
Chair  
Prince George's County Planning Board  
of the Maryland-National Capital  
Park and Planning Commission  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

Re: DSP-20003-01/Dash-In

Dear Chairman Shapiro:

I represent Green Branch LLC, the owner of the property forming the subject matter of the referenced Detailed Site Plan. My client fully supports the Detailed Site Plan filed by Dash-In which is to be considered by the Planning Board on July 27, 2023. However, there are certain conditions that the owner believes should be deleted from the staff recommendations. A copy of the conditions with the proposed deletions shown stricken through in red is attached to this correspondence. Further explanation follows:

**Condition 1.a.**

The Public Utility Easement (PUE) referenced in this condition is not shown on the recorded Final Plat of Subdivision and it will not be included in any future plats. Accordingly, it should be removed from the DSP and we suggest that the condition be deleted.

**Condition 1.c.**

The Mill Branch Crossing project consists of over 70 acres. Dash-In is leasing a small pad site within the project. Further, that site contained no historic artifacts. The owner believes it is unfair and unnecessary to place this obligation on Dash-In. My client's archeologist is preparing the curated artifacts at this moment. It simply is unnecessary to have this condition included

Honorable Peter A. Shapiro  
July 25, 2023  
Page 2

in this Detailed Site Plan. My client will be filing two Detailed Site Plans in the very near future for other components of Mill Branch Crossing. If the intent of this condition has not been satisfied by that time, the condition can be added to a Detailed Site Plan which is actually filed by the owner.

**Condition 4.**

We request this condition be deleted.

This condition is proposed to require street lighting along the site access road from US 301. This right-in/right-out roadway has been dedicated and is part of the State Highway Administration road system. Plans have already been approved for this road section and the State Highway Administration has not proposed or required any lighting. The issue of whether or not lighting would be provided is solely within the domain of the State Highway Administration. The owner respectfully would note there is no authority to require a condition, the subject of which is under the express control of a State agency.

**Condition 5.**

We request that this condition be deleted. Initially, it should be noted that a permit for the construction of the retaining wall has already been issued. That permit bears the Number 34654-2022-0. The permit was reviewed and approved by M-NCPPC. Further, the retaining wall was part of a revision to the previously approved rough grading permit. That permit is Number 29325-2015-03. Not only has the permit for the construction of the retaining wall been issued, it is presently under construction. This condition is no longer needed. Further, as owner, my client would submit that it is not appropriate to include a condition for this Detailed Site Plan requiring a revision to a Detailed Site Plan which is not under the control of the applicant.

In addition to these revised conditions, there are certain findings that need to be revised. Also attached to this correspondence is a copy of pages 7 and 8 from the Staff Report. Under the heading "Architecture" we suggest that the findings related to the construction of the retaining wall and the revision to DSP-20003 relating to Outlot 16 should also be deleted. With respect to the language in this finding regarding the face of the retaining wall, the owner would note that the finish of the face

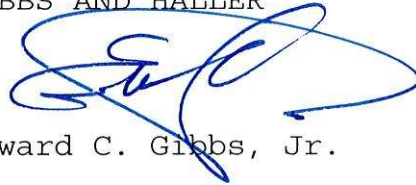
Honorable Peter A. Shapiro  
July 25, 2023  
Page 3

of the retaining wall is not to be articulated with black and brown architectural finish. The finish of the retaining wall was approved as part of the permit referenced above. We are uncertain as to how staff came to the conclusion that the face of the retaining wall would be utilizing materials similar to that used for the Dash-In building. In any event, that is not a correct finding.

Thank you for your consideration of these issues. I will be present at the Planning Board hearing in order to explain my client's position more fully. I would also note that I have contacted counsel for the applicant and have advised him of these proposed revisions.

Very truly yours,

GIBBS AND HALLER



Edward C. Gibbs, Jr.

Enclosures

## Owner's Proposed Revisions to Recommendations – DSP-20003-01

### RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommend that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-20003-01, and Type 2 Tree Conservation Plan TCP2-044-2021-01, for Dash In - Mill Branch, subject to the following conditions:

1. Prior to certification, the applicant shall revise the detailed site plan (DSP) as follows, or provide the specified documentation:
  - a. ~~The applicant shall confirm whether the public utility easement (PUE) located on the south side of the property, abutting Parcel 14 and not previously shown on the preliminary plan of subdivision, is proposed to be recorded. If the PUE is not proposed, it shall be removed from the DSP.~~
  - b. On Sheet DSP-4B, add a bearing and distance for the westernmost property line abutting US 301 (Robert Crain Highway).
  - c. ~~Curate all artifacts from the Phase III archeological investigations, Mill Branch Crossing Site, at the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland. Provide proof of the final disposition of the curated artifacts to the Historic Preservation Section of the Countywide Planning Division.~~
  - d. Revise the Parking Requirements on Sheet DSP-4 to list the minimum required number of parking spaces for the proposed convenience store to be 30, and the total number of required parking spaces to be 32.
  - e. Provide the minimum required number of parking spaces on-site, or reduce the total gross floor area of the convenience store to conform to the parking requirements in Section 27-568(a) of the prior Prince George's County Zoning Ordinance.
  - f. The applicant shall provide additional planting west of the gas pump canopy, behind the curb of the drive aisle. The quantity and type of planting shall be reviewed and approved by the City of Bowie.
  - g. Revise General Note 32 to identify that the nearest fire station is the Northview Fire Station (Company 816, located on Health Center Drive) which is approximately 1.5 miles away.
  - h. Label the width of the proposed egress-only access to the service road.
  - i. Provide a detail of the proposed crosswalk across the egress-only access to the service road.



- j. Provide a dimension between the proposed bicycle racks and the proposed building column, to ensure that a minimum 5-foot-wide clear pedestrian path is provided around the food or beverage store.
  - k. Provide a direct pedestrian route to the entrance of the building that shall include striped crosswalks crossing any drive aisles and associated Americans with Disabilities Act ramps where applicable.
  - l. Include the design details for the retaining wall in the DSP.
  - m. Revise the lighting details on Sheet DSP-12 to images of higher resolution.
  - n. Provide details of the building-mounted lights for the site lighting.
  - o. Add a north arrow to the photometric plan.
  - p. Provide signage details for all building signs, including the signs shown on the side building elevations, the logos etched on the glass doors, and site address signage, if any.
  - q. Revise the signage calculations to address Section 27-613(c)(3)(G) of the prior Prince George's County Zoning Ordinance, which regulates how the permissible sign area is to be divided between a building and a canopy.
  - r. Provide dimensions and details for the proposed on-site directional signs, to demonstrate that the directional signage meets the requirements of Section 27-631 of the prior Prince George's County Zoning Ordinance, for directional signs.
  - s. Provide a note on the DSP to clearly indicate the green building techniques that are used in the buildings.
  - t. Provide details of the proposed parallel parking spaces.
  - u. Revise the landscape plan to show the minimum number of required plant units, in accordance with Section 4.7, Buffering Incompatible Uses, of the 2010 *Prince George's County Landscape Manual*.
  - v. Revise the schedule for Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's County Landscape Manual*, to include all proposed plant types.
2. Prior to certification of the detailed site plan (DSP), the Type 2 tree conservation plan (TCP2) shall be revised as follows:
- a. Revise the clearing amount in the woodland conservation worksheet, to account for the additional 0.08 acre of woodland clearing and show how this additional requirement will be met.
  - b. Revise Line 16 in the woodland conservation worksheet (Clearing permitted without reforestation) to 1.41 acres.
  - c. Remove depictions of the proposed car wash (The car wash shall be depicted on the

revision to the TCP2 submitted with the special exception application).

- d. Revise the layout so that the entrance to the parking lot located east of the proposed convenience store matches the layout on the DSP.
3. At the time of building permit, all entrance and exit doors shall be equipped with mechanical door opening devices, preferably the overhead door sensory device, such as those typically found in grocery stores.
- ~~4. If street lighting is not provided by the Mill Branch Crossing site developer along the site access road from US 301 (Robert Crain Highway) prior to the issuance of a building permit for the Dash In convenience store, the applicant shall install this lighting at the time of building permit.~~
- ~~5. Prior to the approval of a building permit for the retaining wall, Detailed Site Plan DSP-20003 shall be amended to show the off-site grading and the retaining wall and its details on Outlot 16.~~
6. Prior to the approval of a fine grading permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall amend Detailed Site Plan DSP-20003-01, if necessary, to reflect the approved Special Exception, SE-22006, for the proposed car wash.

## Architecture

Architectural elevations for the convenience store show a coordinated design theme. The building materials include brick veneer, metal coping, aluminum, glass, and wood that will be in multiple colors including black, white, and brown. Separate architectural elevations are provided and are acceptable, but conditions have been included to label the cardinal directions on the elevations, and to dimension more architectural features. The fuel island canopy columns are proposed to be finished with thin brick veneer and metal panels, colored to match the materials on the store façade.

Site details include a retaining wall and a dumpster enclosure. The retaining wall is located along the property's northern frontage and is proposed to be a modular concrete block wall, with a maximum height of 16.5 feet. ~~The face of the retaining wall will be articulated with a brown and black textured architectural finish, to complement the materials used for the convenience store building. The design details for the retaining wall should be included with the DSP, and a condition has been included accordingly. Furthermore, this retaining wall extends approximately 45 feet into adjoining Outlot 16, which is not included in the subject DSP. A condition is included herein, requiring the applicant to submit another amendment to DSP-20003, to show the off-site grading and the retaining wall and its details on Outlot 16.~~ The dumpster enclosure uses the same thin brick veneer and metal as used for the fuel island canopy columns.