

R E S O L U T I O N

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 December 1, 2016, regarding Detailed Site Plan DSP- DSP-98061-04 for Navy Federal Credit Union, City of Capitals, Lot 5, Block A, the Planning Board finds:

1. **Request:** The subject application is for approval of a 4,175-square-foot bank with drive-through service on Lot 5, Block A, City of Capitals.
2. **Development Data Summary:**

|                        | <b>EXISTING</b> | <b>APPROVED</b> |
|------------------------|-----------------|-----------------|
| Zone(s)                | C-M             | C-M             |
| Use                    | Vacant          | Bank            |
| Total Acreage          | 2.24            | 2.24            |
| Net Acreage            |                 | 1.40            |
| Lot                    | 1               | 1               |
| Total Gross Floor Area | 0               | 4,175 sq. ft.   |

OTHER DEVELOPMENT DATA

|   | <b>Required</b> | <b>Provided</b>      |
|---|-----------------|----------------------|
| <b>Parking Spaces</b>                       |                 |                      |
| Office– 2,000 sq. ft. (1 space/250 sq. ft.) | 8 spaces        | 36 spaces            |
| 2,175 sq. ft. (1 space/400 sq. ft.)         | 6 spaces        |                      |
| <b>Total parking spaces</b>                 | 14              | 36                   |
| <b>Handicap Spaces</b>                      | 2               | 3 (2 van accessible) |
| <b>Loading Spaces</b>                       | N/A             | 0                    |

3. **Location:** The subject site is located in Planning Area 71B, Council District 4, at the intersection of Heritage Boulevard and Mitchellville Road, specifically, at 16300 Heritage Boulevard.
4. **Surrounding Uses:** The site is part of the larger Bowie Gateway Center and is bounded to the north by a restaurant in the C-M Zone; to the east by US 301; to the west by Lowe’s in the C-M Zone; and to the south by Collington Road (MD 197).

5. **Previous Approvals:** The subject property is part of an overall property known as City of Capitals, the International Renaissance Center, and most currently as the Bowie Gateway Center. Approximately 88.44 acres of the 102-acre site was rezoned from the Rural Residential (R-R) to the C-M Zone in 1975 as part of the Bowie-Collington Sectional Map Amendment (Prince George's County Council Resolution CR-108-1975, Amendment 14) and required a concept plan of development. The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment* retained the property in the C-M Zone. The most current Comprehensive Site Plan CSP-78020-10 was approved by the Prince George's County Planning Director on April 23, 2015 to allow a restaurant and retail use on the site. Preliminary Plan of Subdivision 4-98060 was approved for Lots 5 through 7, Block A by the Prince George's County Planning Board and adopted on December 17, 1998 (PGCPB Resolution No. 98-303).

A stormwater management plan was approved by the City of Bowie (No. 02-0816-205NE14) on August 19, 2016 and is valid until August 19, 2019.

6. **Design Features:** The applicant proposes to develop a one-story, 4,175-square-foot bank with drive-through service on an odd-shaped lot. Building dimensions should be shown on all the plans. Vehicular access to the site is via driveways from the existing On the Border and Chili's restaurants, which in turn have their access from Heritage Boulevard. No direct access to the site is provided from either MD 197 or US 301. A wooden trash enclosure is shown near the westernmost entrance to the site. Ten parking spaces are provided west of the drive-through which will be used by employees. Additional parking for customers is located on the east side of the building, with a few spaces provided at the building entrance.

#### **Architecture**

The proposed bank is a generally square-shaped building with a connected vehicle drive-through on its west side and a projecting, covered entrance on its south elevation. The building has a blue metal standing seam roof with varying roof-lines and an overhang that wraps around the entire building. The façades are finished with a red brick watertable and sand-colored exterior insulation finishing system (EIFS). The EIFS should be replaced with brick in a similar sandy color in conformance with a City of Bowie condition that was also agreed to by the applicant at the City's public hearing. Storefront windows and the glass double doorway at the entrance provide visual interest. The eastern elevation includes a horizontal row of windows and a curtainwall glass door. A metal security door is shown on the north elevation in the same sandy color as that of the building.

#### **Signage**

A coherent, unified sign package for the bank is proposed that includes a freestanding sign, one building-mounted sign, and directional signage. The 62-square-foot building-mounted sign consists of dark blue channel letters with "Navy Federal Credit Union" text and the bank's logo above the buildings entrance. The freestanding monument sign is proposed to be located at the site's easternmost access from the north. A monument sign detail was provided showing the Navy Federal Credit Union logo within a 36-foot-wide aluminum sign area framed in EIFS with a

standing seam gable roof. The pylon sign is 20 feet high including four-foot-high stone masonry wainscoting atop an EIFS-faced concrete masonry unit (CMU) base. EIFS running trim is provided between the base and sign area. Further discussion of the monument sign is provided in Finding 7 below.

**Lighting**

Details of the proposed lighting fixtures are provided that indicate they are full-cut off luminaires. The elevations show that downward-directed building-mounted sconces are proposed and details are provided.

**COMPLIANCE WITH EVALUATION CRITERIA**

7. **Prince George’s County Zoning Ordinance:** The application has been reviewed for compliance with the requirements of the Zoning Ordinance in the C-M Zone and the site plan design guidelines of the Zoning Ordinance. It is noted that the entire City of Capitals site was originally approved as an integrated shopping center; however, over the years as uses changed, the DSPs that had been approved were not reviewed as part of an integrated shopping center. This has created some confusion with regard to the amount of parking provided and signage that has been approved for the overall 102-acre site. At this point, it is neither practical nor feasible for the applicant to show site plan conformance with the requirements for an integrated shopping center. For the purposes of this application, the site plan has been reviewed for conformance with the C-M Zone and the site design guidelines.

- a. The subject application is in conformance with the requirements of Section 27-461, which governs permitted uses in commercial zones. The proposed bank with drive-through service is a permitted use in the C-M Zone.
- b. The DSP shows a site layout that is generally consistent with the applicable site design guidelines including Section 27-462, Regulations, for the C-M Zone. The DSP is also consistent with Section 27-274 regarding site design guidelines. The applicant has provided the following comments in support of the application.

**Section 27-274. Design Guidelines.**

**(1) General.**

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

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

**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.**

**Applicant's Response:**

“This Detailed Site Plan promotes the purposes of Detailed Site Plans. Specifically, this plan helps to fulfill the purposes of the C-M Zone in which the subject land is located. A bank is permitted in the C-M Zone. The plan gives an illustration as to the approximate location and delineation of the bank building, drive-through, parking, green areas, and other similar physical features and land uses proposed for the site.”

Upon review, the Planning Board adopts the applicant's response as a finding.

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.**

**Applicant's Response:**

“This Detailed Site Plan complies with the design guidelines provided in (2). The plan illustrates that all parking and loading areas are located and designed to provide safe and efficient vehicular and pedestrian circulation within the site. Specifically, the plan shows that the interior travel lanes are 22 feet, large enough to provide parking as well as through traffic that can travel in both directions. There will be 35 total parking spaces. The minimum required is 36 spaces. There is parking located at convenient locations throughout the site and has been located in areas that allow for the safe circulation of pedestrian to and from the bank building. The 2 handicap parking spaces are located directly in front of the bank building.”

Upon review, the Planning Board adopts the applicant's response as a finding.

**(3) Lighting**

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

**Applicant's Response:**

“This Detailed Site Plan complies with the design guidelines set forth in (3). Adequate lighting will be provided to illuminate entrances, parking, and loading areas throughout the site. There will be pole mounted lighting located on the parameter of the parking areas as well as along each of the drive aisles. The proposed lighting will provide patrons with a bright, safe atmosphere while not causing a glare onto adjoining properties.”

Upon review, the Planning Board adopts the applicant's response as a finding.

**(4) Views**

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

**Applicant's Response:**

“This Detailed Site Plan complies with the design guidelines outlined in sub-part (4). This plan is designed to preserve, create, or emphasized views from the public roads that surround the property. The property has frontage on MD 197 and US 301 and the applicant is proposing to install landscape strips (in accordance with 4.2 of the Landscape Manual) along those frontages. In addition, the applicant is proposing to construct a one story building that has been oriented with the front of the building facing the corner of MD 197 and US 301 rather than interior to the site.”

Upon review, the Planning Board adopts the applicant's response as a finding.

**(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.**

**Applicant's Response:**

“This Detailed Site Plan complies with the design guidelines outlined in sub-part (5). Most of the green area of the site is located along the parameter since these areas fall within the ultimate right-of-ways for MD 197 and US 301. Those areas will be contain landscaping in compliance with Section 4.2 of the Landscape Manual and will also contain landscaped bio-retention ponds.”

Upon review, the Planning Board adopts the applicant's response as a finding.

**(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.**

**Applicant's Response:**

“The applicant is not proposing any site or streetscape amenities as part of this bank. The bank is located within an existing commercial center. Site and streetscape amenities were previously installed with earlier development in the center.”

Upon review, the Planning Board adopts the applicant's response as a finding.

**(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.**

**Applicant's Response:**

“The Detailed Site Plan shows the proposed topography for the property. The applicant designed this facility so as to minimize grading on the site and preserve the natural contours as much as feasible.”

Upon review, the Planning Board adopts the applicant's response as a finding.

**(8) Service Areas**

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

**Applicant's Response:**

“This Detailed Site Plan complies with the design guidelines outlined in sub-part (8).”

Upon review, the Planning Board adopts the applicant's response as a finding.

**(9) Public Spaces**

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

**Applicant's Response:** The applicant is not proposing to provide any additional public space in this development.

Upon review, the Planning Board adopts the applicant's response as a finding.

**(10) Architecture**

- (A) When architectural considerations are references 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.**

**Applicant's Response:**

“This Detailed Site Plan complies with the design guidelines outlined in sub-part (10). The exterior and architectural façade of the building will be compatible with the prevailing architecture and appearance of the other buildings in the Bowie Gateway Center. The applicant is proposing a single story building with a navy blue split seam roof. The façade will be constructed of brick and stucco.



“This combination will add visual interest to the building. The drive through will be covered with a canopy extending from the roof of the building.”

Upon review, the Planning Board adopts the applicant’s response as a finding.

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);**

**Applicant’s Response:**

“Although the property is not subject to a Conceptual Site Plan, it is subject to a development concept site plan. Specifically, the subject property was rezoned as part of a larger rezoning from R-R to C-M by the County Council in 1975 as part of the Bowie-Collington Sectional Map Amendment (CR-108-1975, Amendment 14). Amendment 14 states, in part, prior to the issuance of building and/or grading permits for this property the owner /developer submit to the Planning Board for its approval a comprehensive site plan showing the proposed development for the entire property, or any portion thereof and showing in particular:”

- “1. Relationship of the proposed uses and structures to natural features such as drainage, topography and vegetation;
- “2. Relationships of the proposed uses and structures to existing and anticipated uses of adjoining properties;
- “3. Internal circulation considerations of all proposed and necessary modes including pedestrian, bike, car and truck;
- “4. Relationship of car compounds to buildings, buffers and public ways;
- “5. Relationship of buildings and other structures to others on same lot and on adjacent lots;
- “6. Placement, sizing and appropriateness of landscape elements;
- “7. Signing and lighting;
- “8. Location and treatment of off-street loading areas used by trucks; and
- “9. Storm water management.

“Comprehensive Site Plan CSP-78020 was a development concept site plan approved on August 24, 1978. The Planning Board in its approval of SP-78020-01 determined that the approved development concept plan, along with the detailed site plan for individual lots, would constitute the ‘Comprehensive Site Plan’ required by CR-108-1975. The District Council adopted the findings and conclusions of the Planning Board in their order affirming the decision on October 9, 1989. The applicant, therefore contends that the approved development concept plan in conjunction with this Detailed Site Plan meets the requirements of CR-108-1975.”

The Planning Board concurs that the DSP is in conformance with the applicable regulations and site design guidelines of the Zoning Ordinance.

- c. Parking is in conformance with Part 12 of the Zoning Ordinance. The site plan parking table reflects that a total of 14 spaces are required and that 36 are provided. The applicant indicated that the additional spaces are necessary to accommodate bank employees and customers. Additional landscaping has been provided to mitigate the increased impervious surface. Because of drainage concerns, impervious pavers were not considered an option.
- d. The signage for the DSP has been reviewed for conformance with Section 27-613, which governs signs attached to a building or canopy. The submitted plans provide dimensions for the proposed building-mounted signage which indicates that the square footage proposed is within the allowed standards. The applicant is proposing a freestanding sign with 104 square feet in sign area that exceeds the 76 square feet in area allowed per Section 27-614. Because the applicant does not intend to request a departure from sign design standards, the sign area should be reduced in conformance with the standard. The applicant is also encouraged to consider reducing the proposed 20-foot-high sign to a height in proportion to the allowable sign area, with further consideration given to the location of the monument sign which is interior to the site and not along a public roadway.

The proposed freestanding/monument sign was reviewed for conformance with Section 27-614 of the Zoning Ordinance and found to exceed the allowed standards for sign face area. Based on the site’s frontage, the maximum sign area allowed is 76 square feet; the applicant is proposing 105 square feet of sign area. Because the applicant has indicated they do not intend to file a departure from sign design standards, the detail sheet shall be revised to show the freestanding sign in conformance with the above zoning requirement. The detail sheet shall also be revised to reflect the City of Bowie’s condition (agreed to by the applicant) that the four-foot-high base and running trim be constructed of same red brick proposed for the watertable of the building.

- 8. **Conceptual Site Plan SP-78020**—The subject site was rezoned as part of a larger rezoning from the R-R to C-M Zone by the County Council in 1975 as part of the Bowie-Collington Sectional Map Amendment (CR-108-1975, Amendment 14). Amendment 14 required a comprehensive site plan (SP) showing specific features and elements, which was essentially a conceptual site plan and is referred to as such to avoid confusion with Comprehensive Design Zone plan requirements.

Conceptual Site Plan SP-78020 was a development concept site plan approved on August 24, 1978. A staff memorandum dated March 23, 1989 (Ma to the Prince George's County Planning Board) for the approval of SP-78020-01 (City of Capitals) states the following:

“On July 26, 1979, the Planning Board approved a revised version of its initial August 24, 1978 approval of the development concept plan (labeled ‘Comprehensive Site Plan’) as part of the ‘Comprehensive Site Plan’ for the City of Capitals. This development concept plan approval required that prior to the development of any portion of the entire site, a detailed site plan for that portion must be approved by the Planning Board. The approved development concept plan, along with the detailed site plan for individual lots, would constitute the ‘Comprehensive Site Plan’ required by Amendment 14 of CR-108-1975.”

Comprehensive Site Plan SP-78020-01 was approved by the Planning Board on April 6, 1989 (PGCPB Resolution No. 89-167) for the City of Capitals development. Finding 3 of the resolution reflects the requirement for DSP review by the Planning Board, stating the following:

**3. The plan along with the detailed site plans for individual developments within the City of Capitals will constitute the comprehensive site plan required.**

The District Council adopted the findings and conclusions of the Planning Board in their order affirming the Planning Board's decision on October 9, 1989. Since the approval of SP-78020-01, several revisions have been submitted for minor land use and lot layout changes, but addressing individual lots and blocks. On November 18, 1993, the Planning Board approved SP-78020-04 (PGCPB Resolution No. 93-307), a revision to amend the proposed uses for Lot 1 of Block E (from which the subject site was later re-subdivided).

The most current revision, CSP-78020-10, was approved by the Planning Director on April 23, 2015 to allow an eating or drinking establishment with drive-through service and retail, in addition to an existing office use, on Lot 5, Block E. The current proposal does not require a revision to the CSP.

9. **Preliminary Plan of Subdivision 4-98060 and Record Plat VJ 187-89**—Preliminary Plan of Subdivision 4-98060 was approved by the Planning Board and adopted on December 17, 1998 (PGCPB Resolution No. 98-303) to subdivide Lot 3, Block A into three lots, Lots 5, 6 and 7, with five conditions. The following conditions are applicable to the review of this DSP and warrants discussion as follows:

**4. Development of the site shall be in conformance with the Conceptual Site Plan, SP-78020/09.**

The site plan is in conformance with the Conceptual Site Plan as noted above. The site plan is also in conformance with Record Plat VJ 187-89.

10. **Detailed Site Plan SP-98061 and its revisions:** Detailed Site Plan DSP-98061 was approved on April 22, 1999 (PGCPB Resolution No. 99-64) with one condition. The DSP was for the On the Border and Chili's restaurants. The condition is not applicable to the current development proposal. Detailed Site Plan DSP-98061-01 was a Director level application for On the Border that was never certified. DSP-98061-02 was a previous application for the Navy Federal Credit Union that was not pursued. DSP-98061-03 is a Director level revision to the Chili's restaurant and it is currently pending.
11. **2010 Prince George's County Landscape Manual:** The proposed development is subject to Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.5, Stormwater Management Facilities; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).
  - a. **Section 4.2, Requirements for Landscape Strips along Streets**—Applies to all public and private road frontages, which include Collington Road (MD 197) and Robert Crain Highway (US 301). The applicant is showing a 10-foot-wide landscape strip along a portion of US 301, in an area proposed to be dedicated to the Maryland State Highway Administration (SHA). The landscape strip should be shown within the limits of disturbance (LOD), adjacent to the proposed property boundary, where the required plantings are shown on the plan. The landscape strip for Collington Road should also be clearly delineated on the plan, with the required amount of plantings shown in the landscape strip to ensure conformance with this section.
  - b. **Section 4.3(c)(1), Parking Lot Perimeter Landscape Strip**—Requires that a planted landscape strip be provided between the parking lot and any adjacent property line. The landscape plan shows that two perimeter landscape strips are provided although just one, 111 linear feet along the north property line is required. The plan also shows areas where the 4.3.1 schedule and 4.7 schedule overlap. The plan should be revised to indicate the correct linear measurements of the required landscape strips and ensure that they do not overlap.

**Section 4.3(c)(2), Parking Lot Interior Planting Requirements**—Requires that a certain percentage of the interior parking area, in accordance with the size of the parking lot, be interior planting area and to be planted with one shade tree for each 300 square feet. The landscape plan identifies a parking area totaling 29,220 square feet, which is subject to an eight percent planting area requirement. The applicant appears to have miscalculated the interior parking area by including the drive-through area, which is not considered parking. In addition, the applicant has credited a number of trees toward interior planting requirements that are not located within the interior planting area. The schedule shall be adjusted to provide a recalculation of the interior planting area and

indicate the required number of trees accordingly. In addition, a minor shade tree shall be provided (or relocated) to the area where the flagpole is shown near the building entrance, to be credited toward meeting the interior planting requirements.

- c. **Section 4.4, Screening Requirements**—Requires that all dumpsters and loading spaces be screened from all public roads and adjacent properties. The proposed trash facilities are enclosed in eight-foot-high wooden structure with gate. The applicant is in agreement with a City of Bowie condition requiring the enclosure to be the same red brick that is on the building with a metal gate, which should be reflected in a revised detail.
  - d. **Section 4.7, Buffering Incompatible Uses**—Requires that a buffer be provided between adjacent incompatible land uses. Because both adjacent uses—the Lowes (building supply) to the west and the restaurant to the north are considered medium-impact uses, no buffer is required. As noted above, the boundary area subject to the 4.7 requirements should be shown accurately on the plan and in the 4.7 schedule. The area should not overlap with any other required schedule.
  - e. **Section 4.9, Sustainable Landscaping Requirements**—Requires that certain percentages of native plants be provided on-site, along with no invasive plants and no plants being planted on slopes steeper than three-to-one. The submitted landscape plan provides the required schedule; however, the number of plant units does not match what is provided in landscape schedule. The landscape schedule shows 45 shade trees proposed; the 4.9 schedule shows 44 shade trees. Moreover, the 4.9 schedule does not include any of the nine ornamental trees proposed in the landscape schedule. The two schedules should show the same number of plant units. The landscape schedule should also be revised to indicate the correct total number of evergreen shrubs provided and whether all the proposed species are native or not.
12. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The subject site was previously exempt from the Woodland Conservation Ordinance requirements, but on-site woodland areas have regenerated, requiring a tree conservation plan. A Type 2 Tree Conservation Plan was submitted and has been reviewed.

The site contains a total of 1.30 acres of woodlands and has a woodland conservation threshold of 0.34 acre. This application proposes to remove 0.90 acre of woodlands, for a total woodland conservation requirement of 0.56 acre. The plan shows the requirement being met with 0.56 acre of off-site mitigation. There is proposed 0.40 acre of “woodland not credited” to remain on-site. There are minor plan view, notes, and table revisions required that are included as conditions in the approval of this application.

This site does not contain any regulated environmental features that are required to be protected under Section 27-285(b)(4) of the Zoning Regulations. No further information concerning the regulated environmental features is needed at this time.

### **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.”

Effective on October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted County Code effective on September 1, 2010. A Subtitle 25 Variance Application, a statement of justification in support of a variance, and a tree removal plan were received on April 14, 2016.

The specimen tree table on the TCP2 shows four specimen trees with the removal of one specimen tree (ST #1) and the critical root zone impacted on another specimen tree (ST #4). These two trees proposed for impact are located on-site and the other two specimen trees are located off-site within the Collington Road right-of-way. The limit of disturbance on the plan also shows that the two on-site trees are being impacted.

Section 25-119(d) of the WCO contains six required findings [**text in bold**] to be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for the two specimen trees individually. The Planning Board agrees with the approach to the analysis because there are different concerns for the two trees with respect to the required findings and because the location, species and condition of the trees has been called out separately as necessary.

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

The site slopes to the south towards Collington Road and elevation changes will require fill material to level the parcel to allow any kind of development. Specimen Tree 1 is proposed for removal because over 50 percent of the critical root zone is being excavated. Adding fill material to raise the grade of the site is impacting less than 25 percent of the critical root zone of Specimen Tree 4. This tree can be saved through various protective measures. If Specimen Tree 1 was preserved, development would not be significantly limited, but the tree would die and have to be removed in the future.

The two off-site specimen trees to remain (ST 2 and 3) are located within the Collington Road right-of-way and can be impacted or removed by consent of SHA if required.

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

The site could still be developed if Specimen Tree 1 were to remain preserved; however, if the root zone is severely impacted the health of the tree would suffer and would need to be removed. If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

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

The Planning Board generally supports the removal of specimen trees when a significant amount of critical root zone is being excavated/cut, because of the significant amount of grading required to develop the site. If other properties include trees in similar locations and in similar condition 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 site is undeveloped. The applicant has taken no action to date on the subject property.

**(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.**

The requested variance does not arise from a condition relating to the land or building use, either permitted or nonconforming on a neighboring property. There are no existing conditions on the neighboring properties that have any impact on the location or size of the trees, nor are there conditions that are affecting the layout and development of the size with respect to the specimen trees to be removed.

**(F) Granting of the variance will not adversely affect water quality.**

Granting the variance to remove the specimen trees will not directly affect water quality because the reduction in tree cover caused by specimen tree removal is minimal. Specific requirements regarding stormwater management for the site will be further reviewed by the Department of Permitting, Inspections and Enforcement (DPIE).

In summary, the required findings of Section 25-119(d) have been adequately addressed by the applicant. The Planning Board approves the variance request to allow the applicant to remove Specimen Tree 1 (ST #1) and impact the critical root zone of Specimen Tree 4 (ST #4).

13. **Prince George’s County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of tree canopy coverage on projects that require a grading or building permit for more than 5,000 square feet of disturbance. The applicant has provided a TCC schedule in conformance with the requirement. The TCC Ordinance requires that 10 percent tree canopy coverage be provided in the C-M Zone. The TCC schedule shows that 0.14 acre or 6,098 square feet of tree canopy coverage is required on the subject property; 14,551 square feet is shown provided, which meets the requirement. It is noted, however, that the TCC should be signed, sealed and dated by a licensed landscape architect.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
  - a. **Community Planning—**
    - (1) This application is consistent with Plan Prince George’s 2035 Approved General Plan policies for a Town Center. The General Plan established five Town Centers that are focal points of concentrated residential development and limited commercial activity serving Established Communities. The proposed application is located within The Bowie Town Center. Town Center designations in the General Plan carry with them the following general guidelines that are relevant to this application:
      - Floor area ratios for new commercial development: 1-2.5 FAR.
      - Transportation Characteristics: Largely automobile-oriented with access from arterial highways, Limited bus service along with on demand bus service.
    - (2) This application is consistent with the 2006 *Approved Master Plan for Bowie and Vicinity and the Sectional Map Amendment* policies for the Bowie Regional Center, as amended by *Plan Prince George’s 2035 Approved General Plan*. The Center is envisioned as a pedestrian friendly, transit-oriented community with a regional market. There is a diverse mix of moderate -to-high density and intensity of residential, commercial, and employment uses. There are no General Plan or Master Plan issues raised by this application.
  - b. **Subdivision Review—**Lot 5 is recorded in land records in VJ 187-89, pursuant to the approved preliminary plan of subdivision 4-98060 (PGCPB Resolution No. 98-303). The site plan conforms to the record plat. There are no subdivision issues.



c. **Environmental Planning—**

- (1) The project is subject to the current regulations of Subtitle 24 and 25 that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new detailed site plan.
- (2) A Natural Resource Inventory plan (NRI-119-2016) was submitted with the review package, which was approved on June 28, 2016. The NRI is consistent with the submitted base information on the TCP2 for the subject property. No revisions are required for conformance with the NRI.
- (3) This site does not contain any regulated environmental features that are required to be protected under Section 27-285(b)(4) of the Zoning Regulations. No further information concerning the regulated environmental features is needed at this time.
- (4) The required findings of Section 25-119(d) have been adequately addressed by the applicant for the removal of Specimen Tree 1 and the impacting of the critical root zone of Specimen Tree 4.
- (5) A Stormwater Management Concept Approval Letter (02-0816-2015NE14) and associated plan were submitted with the application for this site. The approval was issued on August 19, 2016 from the City of Bowie Department of Public Works. The approved plan proposes the use of an existing stormwater pond and four new micro-bioretenion facilities. In the eastern portion of the site there are two micro-bioretenion facilities that empty out into an existing on-site stormwater pond. This existing pond then drains to an outfall rip-rap area of the existing off-site SHA stormwater pond. The stormwater then drains under Crain Highway to an unnamed tributary to Green Branch, then to Green Branch and into the Patuxent River. There are two micro-bioretenion facilities in the western portion of the site that sheet flow across the Collington Road right-of-way to the existing SHA stormwater pond. The existing on-site stormwater pond receives stormwater from the adjacent Lot 6 (On the Border restaurant site). No primary management area (PMA) will be disturbed as part of these activities. No stormwater management fee is required for on-site attenuation/quality control measures. No further action regarding stormwater management is required with this DSP.
- (6) The site has frontage on MD 197 (Collington Road), a master planned arterial roadway, and US 301 (Crain Highway), a master planned freeway both of which are traffic noise generators. Because the proposed development is for a commercial use, traffic generated noise is not regulated.

- (7) The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), are the Collingwood-Wist-Urban land complex and Udorthents soils. According to available information, Marlboro clay and Christiana complex are not identified on the property. This information is provided for the applicant's benefit. The county may require a soils report in conformance with County Council Bill CB-94-2004 during the building permit process review.

d. **Transportation Planning—**

- (1) On November 19, 1998, the Planning Board approved Preliminary Plan of Subdivision 4-98060 for the subject property. The preliminary plan was approved with the following transportation-related conditions:

1. **The Detailed Site Plan shall ensure that vehicular access to the site from Heritage Boulevard shall be located to directly align with that of Lot 8, Block E (the existing Applebee site).**
3. **A note shall appear on the final plat that access is provided from Heritage Boulevard to all lots pursuant to Section 24-128(b)(9) of the Subdivision Regulations and that direct access to US 301 and MD 197 is denied.**

The approved preliminary plan created three lots: Lot 5, Lot 6 and Lot 7. Lots 6 and 7 were the subject of an approved Detailed Site Plan DSP-98061 (PGCPB Resolution No. 99-64) which proposed the construction of two restaurants (On the Border and Chili's). Both restaurants have subsequently been built and share a common access from Heritage Boulevard which aligns directly with that of Lot 8, Block E (Applebee's site).

Access to and from the proposed bank will be from the existing parking area of the On the Border and Chili's restaurants, which in turn have their access from Heritage Boulevard. Additionally, no access is proposed to either US 301 or MD 197 for the subject application. Consequently, the Planning Board concludes that these two conditions have been satisfied.

5. **Prior to issuance of building permits, the applicant shall provide to the State Highway Administration, a Memorandum of Understanding (MOU) in which the terms of payment for excess parking on the subject property shall be defined. The MOU shall also outline the terms regarding the relocation of the proposed storm water management facility.**

A Memorandum of Understanding (MOU dated December 22, 1999) was provided to SHA prior to the issuance of the building permits for the previously approved restaurants. The Planning Board therefore concludes that this condition has also been fully satisfied.

- e. **Historic Preservation**—The application has no impact on historic or archeological resources.
- f. **Trails**—The DSP application was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements. The following summarized comments are provided:
  - (1) Both the area master plan and the MPOT recommend a shared use path along MD 197. This has been implemented along the east side of MD 197 to the north of Mitchellville Road. MD 197 between US 301 and MD 197 (including the frontage of the subject site) is open section with no pedestrian facilities. However, as the subject site does not have direct access to MD 197, there is no nexus for improvements along the site's short frontage, unless otherwise recommended by the operating agency.
  - (2) The Complete Streets section of the MPOT includes the following policies regarding sidewalk construction and the accommodation of pedestrians which relate to frontage improvements and internal pedestrian circulation:

**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.**

The submitted site plan reflects a sidewalk connection linking the proposed parking with the front of the building. Also shown is a sidewalk/crosswalk connection linking the subject site with the adjoining property and the surrounding sidewalk network. No additional sidewalk connections are recommended. The submitted site plan also reflects a small amount of bicycle parking on-site.

Based on the above, there are no master plan trail recommendations for the subject application.

- g. **Permit Review**—Permit review issues have either been addressed in revisions or are not applicable to the subject application.
- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated October 5, 2016, DPIE noted that a fine grading permit will be required for the proposed development.
- i. **Prince George’s County Health Department**—In a memorandum dated October 21, 2016, the Health Department provided standard comments regarding dust and noise issues during construction. A condition is included to address these issues in the approval of this application.
- j. **Prince George’s County Fire/EMS Department**—Comments have not been received from the Fire/EMS Department.
- k. **Prince George’s County Police Department**—Comments have not been received from the Police Department.
- l. **Washington Suburban Sanitary Commission (WSSC)**—In comments dated September 15, 2016 and September 19, 2016, WSSC offered comments on needed coordination with buried utilities, WSSC easements, and connections to existing water and sewer lines.
- m. **Verizon**—Comments have not been received from Verizon.
- n. **Baltimore Gas and Electric (BG&E)**—Comments have not been received from BG&E.
- o. **City of Bowie**—In a letter dated September 21, 2016 from the City of Bowie, it was noted that the City Council held a public hearing on September 19, 2016 and voted to approve the DSP with six conditions. The applicant is in agreement with all of the conditions provided below:

- (1) One additional handicap parking space shall be provided, bringing the number of such parking spaces provided on the property to three. At least one of these spaces shall be van accessible.

The site plan indicates that three handicap spaces are provided, and that two spaces are van accessible.

- (2) All handicap parking spaces shall be painted blue in their entirety, in addition to providing the standard pavement-painted symbol and signage located at the head of each space. A note shall be provided on the site plan reflecting this condition.

A condition is included in the approval of this application requiring the above note.

- (3) The pavement-painted directional arrows shown on the detailed site plan shall be provided in the field.

This requirement will be enforced at the time of permit issuance.

- (4) A segment of six-foot-wide sidewalk shall be constructed at the head of the group of four parking spaces located in the eastern portion of the site, and at the head of the five parking spaces immediately to the west of the drive-through canopy.
- (5) The sidewalk proposed abutting the five parking spaces next to the canopy and the sidewalk on the east side of the drive-through exit shall be shifted to the north to provide a more direct route for pedestrians to the building entrance.

The sidewalks are shown on the site plan, although the widths must be labeled.

- (6) Parking lot lighting shall use full cut-off fixtures that are fully shielded and directed downward to reduce off-site glare and light spill-over. The combined height of the light poles and support base shall not exceed 25 feet, or the height of the building, whichever is lower.

Lighting details show that proposed pole-mounted and building-mounted fixtures are both downward-directed. A note is required to ensure that full cut-off fixtures be provided. The height of the poles is 25 feet height; the building height is 28 feet.

- (7) All building-mounted wall sconces shall be directed downward.

The detail provided indicates the sconces are directed downward.

- (8) The four-foot base and the running trim on the free-standing signage structure shall both be constructed of the same brick used on the base of the building. The remainder of the signage structure shall be constructed of the lighter-colored brick used on the building.

The sign details show that stone is proposed for the sign base and that EIFS is proposed for the sign structure. A condition is included in the approval of this application requiring the above materials.

- (9) No flags, banners or large inflatable forms of advertising shall be mounted, suspended or otherwise displayed from the building, or be permitted on the site, except one standard-size American flag. A note shall be provided on the site plan reflecting this recommendation.

A condition is included in the approval of this application regarding the above note.

- (10) The dryvit proposed on the building shall be replaced with brick, similar in color to that of the dryvit (sandy), to provide a contrast in colors of brick used on the building.

Although a materials board indicates that brick is the primary building material for the bank, the elevations still indicate EIFS is proposed. A condition is included in the approval of this application requiring the applicant to replace the EIFS with brick.

- (11) The color of the solid door and frame proposed on the rear (northern) elevation shall match the predominant color on that elevation.

A condition is included in the approval of this application addressing the door color.

- (12) All roof-mounted HVAC equipment shall be screened from street level view.

A condition is included in the approval of this application addressing the above screening issue.

- (13) The height of the walls of the enclosure area shall be increased to a minimum height of eight feet. The material used on the exterior walls of the trash area shall be the same dark-colored brick used on the base of the building. Gates enclosing the trash area shall be visually solid and constructed of a metal product, the color of which shall be compatible with the color of the brick of the trash area walls.

- (14) A revised detail including the above features shall be shown and noted on the plans.

The detail for the trash enclosure indicates that it will be eight feet in height. A condition is included in the approval of this application requiring details in conformance with the above.

15. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the Planning Board finds that the DSP represents a reasonable alternative for satisfying the site design guidelines if Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
16. As required by Section 27-285(b)(2) of the Zoning Ordinance, the subject DSP is also in general conformance with the previously approved conceptual site plan for this site.
17. Section 27-285(b)(4) of the Zoning Ordinance requires that a DSP demonstrate that the regulated environmental features have been preserved and/or restored to the fullest extent possible. Because the site does not contain any regulated environmental features, this required finding does not apply.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP- DSP-98061-04, subject to the following conditions:

1. Prior to certificate of approval, the detailed site plan shall be revised or additional information provided as follows:
  - a. Show the building dimensions and canopy height.
  - b. All sidewalk widths shall be labeled on the plans.
  - c. The sidewalk proposed abutting the five parking spaces next to the canopy and the sidewalk on the east side of the drive-through exit shall be shifted to the north to provide a more direct route for pedestrians to the building entrance.
  - d. Add the following general notes to the plan as follows:
    - (1) All handicap parking spaces shall be painted blue in their entirety, in addition to the standard pavement-painted symbol and signage located at the head of each space.
    - (2) Parking lot lighting shall use full cut-off fixtures that are fully shielded and directed downward to reduce glare and light spill over. All building-mounted wall sconces shall also be directed downward.
    - (3) No flags, banners, or large inflatable forms of advertising shall be mounted, suspended, or otherwise displayed from the buildings or be permitted on the site, except one standard-size American flag.

- (4) During the demolition/construction phases of this project, the applicant shall conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, and the construction noise control requirements as specified in the Code of Maryland Regulations (COMAR).
  - (5) Indicate the most recent preliminary plan of subdivision and comprehensive site plan approvals.
- e. The exterior insulation finishing system (EIFS) proposed on the building shall be replaced with brick, in a similar sandy color.
  - f. The color of the solid door and frame proposed on the rear (northern) elevation shall match the predominant color on that elevation.
  - g. All roof-mounted HVAC equipment shall be screened from street-level view.
  - h. The sign area shall be reduced in conformance with Section 27-614 to no more than 76 square feet.
  - i. The four-foot base and the running trim on the free-standing monument sign shall both be constructed of the same brick used on the base of the building. The remainder of the structure shall be constructed of the same lighter-colored brick used on the building
  - j. The material used on the exterior walls of the eight-foot-high trash enclosure shall be the same dark-colored red brick used on the base of the building. The gate enclosing the trash area shall be visually solid and constructed of metal, the color of which shall complement the color of the brick of the enclosure walls. A revised detail shall be clearly and legibly provided on the plan.
  - k. The Tree Conservation Plan shall be revised as follows:
    - (1) Revise the plan view to show the woodland edge and second growth edge with the appropriate symbols. The legend shall be revised accordingly.
    - (2) Have the revised plan signed and dated by the qualified professional who prepared the plan.



1. Revise the landscape plan as follows:

- (1) The 4.2 landscape strip for US 301 shall be shown within the Limits of Disturbance, adjacent to the proposed property boundary. The 4.2 landscape strip for Collington Road shall also be clearly delineated on the plan, with the required amount of plantings shown in the landscape strip to ensure conformance with this section.
- (2) The landscape plan shall be revised to indicate the correct linear measurements of the required landscape strips for Sections 4.3.1 and 4.7. The landscape strips shall not overlap.
- (3) The 4.3.2 schedule shall be adjusted to provide a recalculation of the parking area and indicate the required number of trees accordingly. In addition, a shade tree shall be provided (or relocated) to the area where the flagpole is shown near the building entrance, to be credited toward meeting the interior parking requirements.
- (4) The trash enclosure shall be constructed of the same red brick as that on the building, with a metal gate, that shall be reflected in a revised detail.
- (5) The 4.9 schedule and Landscape Schedule (planting plan) shall show the same number of plant units. The Landscape Schedule shall also be revised to indicate the correct total number of evergreen shrubs provided and whether or not all the proposed species are native.
- (6) The Tree Canopy Coverage worksheet shall be signed, sealed and dated by a licensed landscape architect.

2. The following note shall be placed on the final plat:

“This development is subject to restrictions shown on the approved Type 2 Tree Conservation Plan (TCP2-025-16), or as modified by a future 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 Conservation/Tree Preservation Policy.”

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, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Bailey temporarily absent, at its regular meeting held on Thursday, December 1, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of January 2017.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator

PCB:JJ:CF:rpg