




# City of Bowie

2614 Kenhill Drive  
Bowie, Maryland 20715

## MEMORANDUM

TO: City Council

FROM: David J. Deutsch,  City Manager

SUBJECT: Amendments to Prince George's County Ten-Year Water and Sewer Plan  
December 2006 Cycle of Amendments

DATE: February 15, 2007

---

### **I. Background**

The Prince George's County Water and Sewer Plan categories represent different planning levels for the provision of public water and sewer service. The County has been using water and sewer categories, also known as "service areas" and "system areas", since the adoption of the first Comprehensive Water and Sewer Plan in 1977. The process of changing categories allows public water and sewer service to be staged according to development proposals and supports high quality development by the landowner consistent with County policies.

The policy of linking water and sewer categories to stages of the development process assures that the water and sewer systems will expand appropriately to reach new development as it comes on line. Conversely, this system assures that when new developments are built, adequate water and sewer service will be available. The Water and Sewer Plan categories and their respective criteria are shown on Attachment #1.

Prince George's County has developed special policies to govern water and sewer planning in a manner consistent with the County's goals for development review. The policies governing changes to a designated category must take into account environmental factors, economic concerns, planning requirements, regulatory policies, engineering constraints, and public health concerns (see Attachment #2). An application may be rejected if these policies and criteria are not met, unless a hardship in meeting the policies and criteria is demonstrated by the applicant.

The County Council's public hearing for this amendment cycle is scheduled for March, 2007.

### **II. Proposal/Analysis**

One (1) application of interest has been filed in the Bowie area (see Attachment #3).

## Water and Sewer Plan Amendments

- A. **#06/W-15 Mill Branch Crossing Shopping Center – Request change from Category 5 to 4 on approximately 74 acres. Proposal: 800,000 square foot retail shopping center. The property is located at the intersection of US 301 and Mill Branch Road and is zoned C-S-C (Commercial Shopping Center). (see Attachment #3)**

The proposal conforms to the types of uses permitted in the C-S-C zone. The property was placed in the Developing Tier in the 2002 amendment to the County General Plan and received approval of Water and Sewer Plan Category 5, which included an adjustment of the Sewer Envelope Boundary shown in the Water and Sewer Plan in 2000. The property is not located within a Center or Corridor, nor is it part of a State Priority Funding Area (PFA).

The applicant has provided a narrative response to several of the application requirements (see Attachment #4). The narrative states that development of the site will include high-quality commercial retail uses; however, no further details are provided.

WSSC provided the following comments on the application:

**Water:** A 1,000' water extension is required to serve the property. This extension would connect to an existing 12" diameter main in Crain Highway and would abut one property in addition to the applicant's. Rights-of-way would be required. Relocation or take-over of an on-property water system would be required. Construction of this extension may involve the removal of trees.

**Sewer:** Estimated sewage flow: 140,000 gpd. Service to the southern portion of the property would require a 3,000' extension. This extension would connect to the existing 21" diameter sewer west of Crain Highway and would abut approximately two properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension may involve the removal of trees. Tunneling of US 301 would be required.

If the property will be held by a single entity, service to the northern portion can be provided by an on-site pumpover to the southern portion of the property. Otherwise, a 950' extension would be required. This extension would connect to an existing 12" diameter sewer main located south of Enders Lane, and would abut approximately two properties in addition to the applicant's. Rights-of-way would be required. Tunneling of US 301 would be required.

Pages 12 and 13 of the Preliminary Master Plan for Bowie and Vicinity Plan contain recommendations for the subject property (see Attachment #5). The site was recommended for high-quality retail development, including a hotel, having a high standard of design. A suitable mixed-use zone and high-end department stores were also recommended. The plan also provided the details of a future land swap between the property owner and M-NCPPC that would facilitate development of Green Branch Park. The Master Plan also recommended that the site include a comprehensively planned pedestrian circulation and trail system that would offer opportunities to access the future park property. Amendment #6 of CR-11-2006 rezoned the property from the R-A (Residential Agriculture) zone to the C-S-C zone. CR-11-2006 also included a stipulation that properties developing in the vicinity of the US 301/MD 197 intersection should undergo site plan approval prior to construction.

## Water and Sewer Plan Amendments

As stated in the last Water and Sewer Amendment review for this property, staff is extremely concerned that the proposal might duplicate other retail centers like Bowie Town Center and Bowie Gateway Center and take away from the market potential at other locations such as in the Bowie Mainstreet Area and Pointer Ridge. In addition, staff noted previously that the property will be impacted by the design of the US 301/MD 197 interchange. It is staff's understanding that traffic from a large retail shopping center was not considered in planning studies for this interchange.

The criteria for approval of Category 4 include proper zoning, the presence of adequate and available water and sewer service and an adequate description of the development proposal. Staff finds that the subject request does not provide sufficient information to comply with the specific recommendations in the Master Plan regarding high-end department stores and other high-quality retail stores. In addition, the development proposal does not include a hotel or a mixed-use proposal as described in the Master Plan. Finally, the significant amount of water and sewer infrastructure required to serve the subject proposal warrants a thorough examination of the land use proposal to justify the costs and timing of the proposed extensions. Because of the uncertainty related to the specific proposal, extension of water and sewer facilities may be premature at this time.

The criteria for *Category 5* include the proposed use being in compliance with existing zoning, water and sewer service is ultimately planned for the area and the proposal is in conformance with the approved Master Plan. Based on the above discussion, it appears that the subject application not only does not comply with the criteria for Category 4 but it also does not fully comply with the recommendations of the approved Master Plan, a requirement of Category 5 approval. Until better information can be provided, staff concludes that the site does not meet the criteria for advancement to Category 4.

Recommendation (#06/W-15): Denial of Category 4

### **III. Recommendation**

It is recommended that a letter containing the above recommendation be sent to the County Council regarding the proposed Water and Sewer Plan amendment cycle.

## Water and Sewer Plan Categories and Approval Criteria

<u>Category</u>	<u>Criteria</u>
Category 3 - Community System	<ul style="list-style-type: none"><li>A) Approved Preliminary Plan or Comprehensive Design Plan (CDP).</li><li>B) Development proposal is consistent with County's development policies and the State Growth Act</li><li>C) Adequate capacity exists</li><li>D) Projects for necessary system improvements are included in the approved WSSC CIP</li><li>E) Approved Stormwater Management Concept Plan and Detailed Site Plan (if applicable)</li></ul>
Category 4 - Community System Adequate for Development Planning	<ul style="list-style-type: none"><li>A) Proper Zoning</li><li>B) Service is adequate and available to site.</li><li>C) The development proposal includes an adequate description</li></ul>
Category 5 - Future Community System	<ul style="list-style-type: none"><li>A) The proposed development complies with applicable zoning</li><li>B) Water and sewer service is ultimately planned for the area</li><li>C) Property is in conformance with the Master Plan</li></ul>
Category 6 - Individual System No Community Service	<ul style="list-style-type: none"><li>A) Community service is not planned for the area</li><li>B) Rural sanitation and rural water supply requirements apply</li><li>C) Property is located outside the sewer envelope</li></ul>

## 2001 WATER AND SEWER PLAN POLICIES

September 7, 2001

### A. *Environmental factors*

Under this criterion, the proposal must:

- Protect the integrity of the water supply and the receiving waters;
- Protect and effectively utilize natural resources; and
- Preserve and protect environmental quality.

### B. *Economics and general fiscal concerns*

- New development shall be analyzed for its fiscal impact related to location, community needs, services and infrastructure.
- New development shall not unduly burden the existing taxpayers or the WSSC ratepayers.
- No water and sewer category change request shall be approved for development that would significantly increase the real estate vacancy rates.
- Retail development and employment opportunities shall be increased throughout the County.

### C. *Planning, zoning, and subdivision requirements*

- No Water and Sewer Category Change Request shall be processed or approved for land for which a change in zoning is proposed in:
  1. A Preliminary Area Master Plan adopted and transmitted by the Planning Board to the District Council;
  2. A Sectional Map Amendment adopted and transmitted by the Planning Board to the District Council;
  3. A Zoning or Special Exception application pending before the Prince George's County Planning Board or the District Council.

Once the District Council has adopted a zoning change, the processing of a water and sewer category change can proceed.

- All preliminary plats of subdivision must show a conceptual alignment of all proposed onsite and offsite water and sewer facilities before DER may deem the public water and sewer facilities adequate for the proposed development.
- All final plats of subdivision must be approved by DER for public water and sewer service, or by the Health Department for individual systems.

### D. *Federal, State, Regional, County, and Municipal land use plans and planning policies*

- Water and sewer service shall be provided in concert with the availability of other public facilities, and in accordance with the General Plan and applicable Master Plans.
- Public water and sewer service extensions are not generally made in rural areas of the County or in areas where low-density development is planned, except when these areas are specifically identified in an approved Area Master Plan as appropriate for public water and sewer service.

A+2'  
cont'd

2001 WATER AND SEWER PLAN  
September 7, 2001

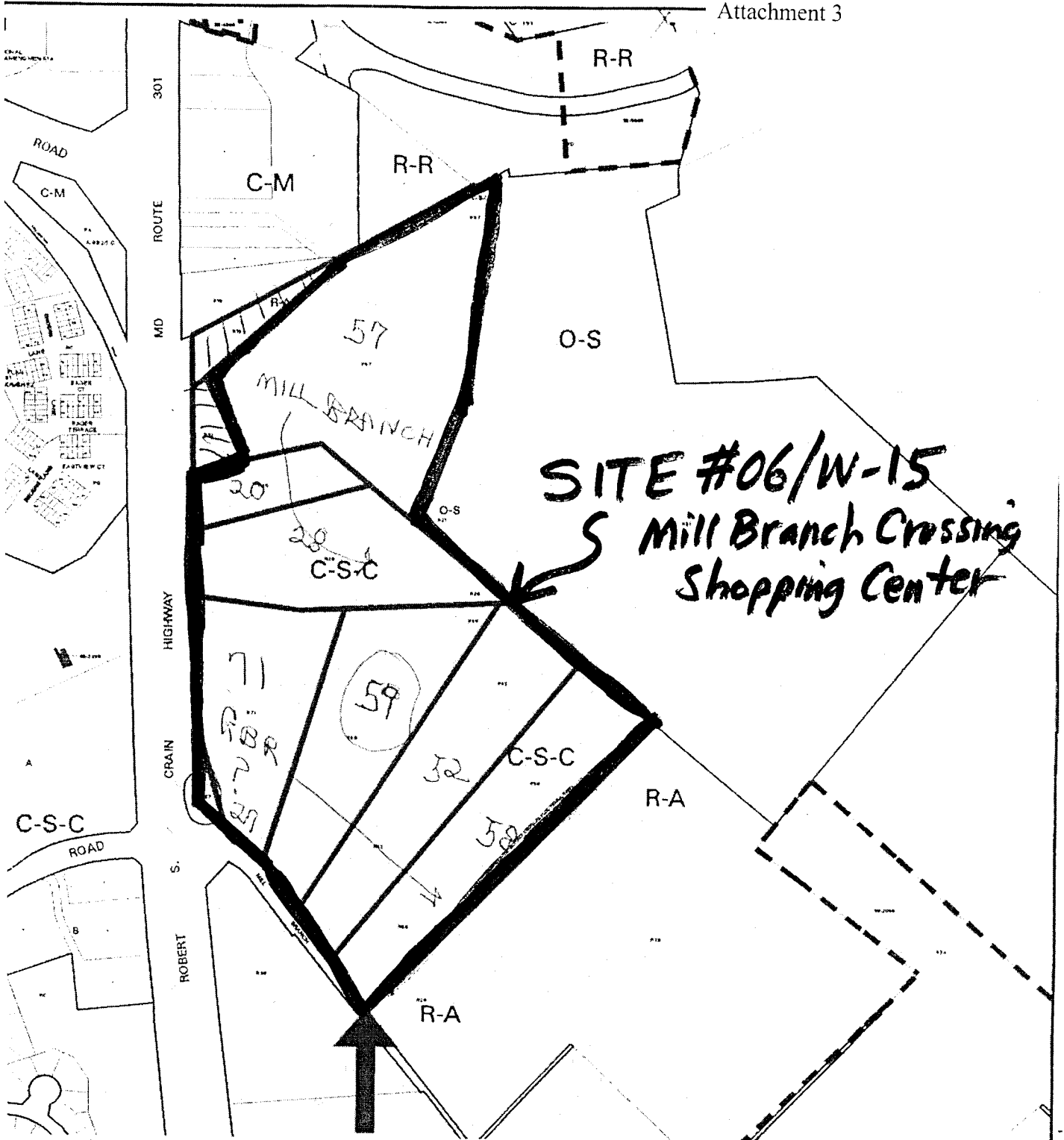
- The proposed development shall be in conformance with the Biennial Growth Policy Plan and Smart Growth policies.
  - The proposed development may not hamper the County's ability to provide adequate public services to the County and its residents.
  - An Adequate Public Facilities test may not be more than six years old.
- E. Water and sewer facility plans, engineering constraints, and the availability of transmission and treatment capacity*
- Public water and sewer service extensions shall not be allowed in the area outside the limit of planned sewer services – also called the Sewer Envelope.
  - No development shall be approved for the sole use of grinder pumps.
  - A development proposal must meet any conditions of an allocation policy set for the specific sewershed or water pressure zone.
  - Water and sewer systems must have adequate transmission and treatment capacities to serve the proposed development.
- F. The need to alleviate public health problems*
- The County's primary responsibility is to protect public health and safety.
  - Water and sewer service is restricted by any moratorium orders issued by MDE and WSSC.
  - No new developments will be approved that may impose a water and sewer moratorium on the County.
  - The County Health Department may request a category change for a community based on findings of a sanitary survey.

---

The County, by its adopted Plan, has a reasonable expectation that service will be available in accordance with the specific category designation. The designation, however, does not constitute a guarantee, a binding promise, a firm offer or a representation that water or sewer service will actually be provided. It is important to emphasize that the Water and Sewer Plan, as interpreted by the Maryland courts and by its nature as a planning tool, provides considerable flexibility in its implementation to accommodate growth within the County. Furthermore, the ability of the County to provide service must be secondary to the responsibility of the County to protect public health and safety, including the prevention of wastewater overflows and the pollution of the County's waters.

The developer must also be aware that actual water and sewer service is further dependent on:

- The transmission and treatment capacities of the water and sewer systems;
- Moratorium orders issued by MDE and WSSC and Federal and State Planning processes;
- An extension approval for the project from the WSSC before construction can begin;
- The acquisition of any necessary rights-of-way and the completion of engineering feasibility studies;



**SITE #06/W-15**  
**S Mill Branch Crossing**  
**Shopping Center**

WSSC GRID: 205NE14  
 SCALE: 1" = 500'  
 TAX MAP: 55  
 TAX GRID: E3  
 COUNCIL DIST: 4  
 PRINTED: November 30, 2006



APPLICATION NO: \_\_\_\_\_  
 REQUEST: \_\_\_\_\_  
 PAZ: \_\_\_\_\_  
 EXISTING ZONE: \_\_\_\_\_  
 PLANNING AREA: 74B

#4

**DEVELOPMENT REVIEW  
ENVIRONMENTAL FEATURES**

The Mill Branch Crossing Shopping Center project is located in the northeast quadrant of US 301 and Mill Branch Road having frontage on Route 301, (Crain Highway), and Mill Branch Road, in the Bowie area of Prince George's County, Maryland. The property is zoned C-S-C (commercial shopping center). The site is approximately 10% wooded. Based on a site reconnaissance by The Tech Group and available information, no non-tidal wetlands are associated with the site. Streams, areas of 100-year floodplain and steep slopes are located along the northern boundary of the site.

The site plan proposes an enhanced Landscape Plan providing both interior landscaping and exterior buffers in accordance with the Prince George's County Landscape Manual and in conjunction with suggestions and concerns of the local civic associations.

**ENHANCEMENT OF SURROUNDING COMMUNITY:**

The project will enhance the quality of life for the surrounding community by promoting the optimum use of the transportation system and public infrastructure, preserve environmentally sensitive areas and provide for the needs of the workers and residents in the area. Currently the commercial services that will be provided are scattered throughout the Prince George's County area and some of the services proposed in this complex may not be available at all in the area.

The development of this site will include high-quality commercial retail uses. The proposed aesthetics and neighborhood convenience of the Mill Branch Crossing Shipping Center are intended to enhance the current character of the area and compliment the Bowie Master Plan and future surrounding development.

**PUBLIC IMPROVEMENTS:**

A twenty-two foot easement exists from the property located at the northeast quadrant of the US 301/Mill Branch Road intersection to the Green Branch Regional Park. This existing easement will be vacated and replaced by a new temporary easement, fifty feet in width located on the Mill Branch Crossing property at its eastern-most property line on Mill Branch Road. The new temporary easement will be vacated when it is replaced by permanent access via a right-of-way to be constructed at the time the Mill Branch Crossing is developed. The new temporary easement on the eastern-most property line can form the boundary between the Developing Tier and the Rural Tier.

Traffic improvements will be provided along Mill Branch Road, and the intersections of US 303 at Mill Branch Road/Excalibur Road, US 301 at MD 197, US 301 at Harbor Way/Governor Road.

The main entrance to the subject site will be further extended to provide access to the adjoining Maryland National Capitol Park and Planning Commission property located along the north eastern boundary of the subject site.

The commercial development will not be a burden to the existing school system as it is not zoned residential and will not generate additional students of school age. To alleviate the negative impact on fire and rescue services, an automatic fire suppression system will be provided in all new buildings proposed in this development unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate

## **#8 Water and Sewer Category Change 5 to 4**

This development is located in the developing tier and meets the tier specific policies established in the General Plan 2002 in the following way:

The Mill Branch Crossing Shopping Center is located in the northeast quadrant of US 301 and Mill Branch Road having frontage on Route 301, (Crain Highway), and Mill Branch Road, in the Bowie area of Prince George's County, Maryland. The total site consists of approximately 74 acres and is zoned C-S-C, (Commercial Shopping Center). The site will sustain approximately 800,000 square feet of high-quality commercial retail space with associated parking.

The site is bordered to the northwest by commercial zoned parcels and to the northeast by residential zoned parcels. The site is bordered by agricultural uses to the south east and by open space to the northeast. US 301 borders the subject site along the western boundary and Mill Branch Road borders the subject site along the southwestern boundary. The subject property is within Master Plan area for Bowie, Collington, Mitchellville & Vicinity (April 2, 1991) south of Route 50.

It is anticipated that WSSC will require, as part of this project, the extension of the existing 16-inch water line located at the west side of Route 301 with a possible loop to the 12-inch waterline in Ball Park Road. Public sewer will be provided either under Route 301 and/or the 12-inch sewer line in Ball Park Road.

*Policy 1 Encourage low- to moderate density, transit and pedestrian oriented development.*

This project is consistent with the zoning for Prince George's County and proposes high-quality commercial retail uses located at the northeast quadrant of the US 301/Mill Branch Road Intersection which will promote the optimum use of the transportation system and public infrastructure.

*Policy 2: Preserve and enhance environmental features and green infrastructure elements.*

There is a drainage ravine consisting of a 100-year floodplain. This green area will remain in its natural state. Additionally the provided required environmental buffers will further preserve the 100-year floodplain.

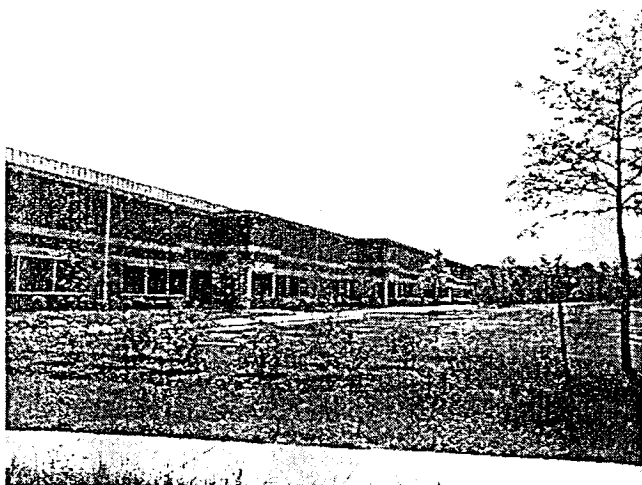
*Policy 3: Provide as many multimodal options as possible for new development to reduce the need for new arterial or major collector roads.*

This project is located along Maryland Route 301. Maryland Route 301 is categorized as major arterial roadway and has the capacity to support this type of development with minor improvements.

*Policy 4: Plan and provide public facilities to support the planned development pattern:*

Currently this project could be served with the public water and sewer located in Route 301 and/or Ball Park Road. The adjacent infrastructure with minor improvements will surely support the traffic generated by this project and may provide employment for the local residents.

**Policy 6:** Improve site design to maximize the preservation of environmentally sensitive areas, encourage a diversity of housing types, provide a mix of land uses in appropriate locations, and reduce the cost of providing new roads and other public facilities.



*Employment development at the Maryland Science and Technology Center located at US 50 at MD 3.*

**Strategies:**

1. Recommend and support future rezoning to a suitable mixed-use zone at the time of development and/or redevelopment in conformance with the stated land use concept and development guidelines at the following locations.

a. **Property in the northeast quadrant of US 50 and MD 3:** This entire property should be developed with a moderate- to high-density mixture of office, residential and parkland/open space uses. This will offer a mix of employment and residential uses that can create a place of activity and interaction for those who live, work, or visit in the area. The residential component should develop in such a way that the residential buildings and settings complement Melford, a National Register Historic Site. The development should conform to the following design guidelines:

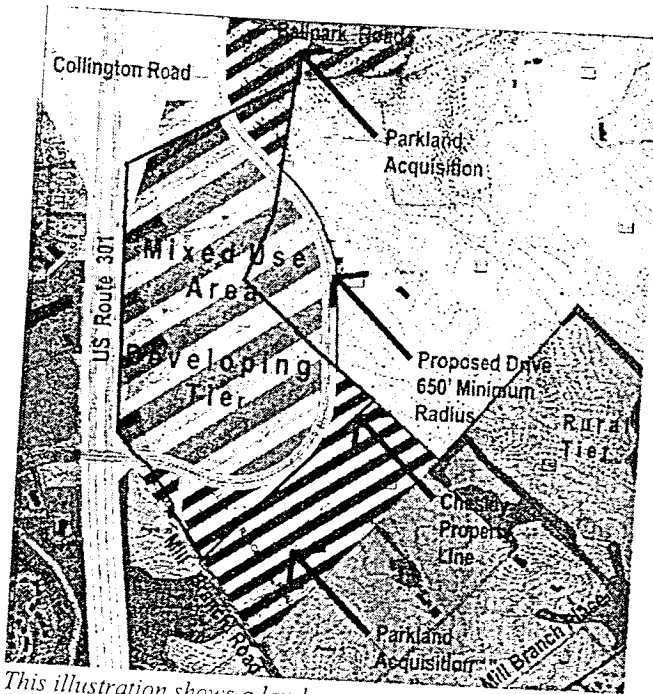
- (1) The average density for the residential development component should not exceed eight dwelling units per acre.
- (2) The 12.75-acre impact review area approved for the Melford Historic Site by the Historic Preservation Commission and the Planning Board (PGCPB No. 99-28A) should be integrated into a design plan that establishes viewsheds from the Melford Historic Site to

the  
prc  
allow it to be seen from greater distances. A dedicated pedestrian link between the Melford Historic Site and the cemetery should be created. Trails should be provided that connect it to the regional trail system.

- (3) Development abutting the Melford Historic Site, outbuildings, and cemetery should be compatible in scale, design, and character with the existing historic architectural character. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening, landscaping, berming, and open space, should be incorporated into the proposal to minimize any adverse impacts to the historic site.
- (4) Appropriate signage should be placed near the historic site illustrating the history of the area.

b. **Property located at the northeast quadrant of the US 301/Mill Branch Road intersection:** This property should be developed with high-quality commercial retail uses, including a hotel, given its proximity to the Bowie Regional Center. Future development should promote the optimum use of the transportation system and public infrastructure, preserve environmentally sensitive areas, and provide for the needs of the workers and residents in the area. A suitable mixed-use zone, such as a CDZ/L-A-C (Local Activity Center) Zone, is encouraged at this location. The development should conform to the following design guidelines:

- (1) The development should include high-end department stores; the proposed development should not include any discount department or big-box stores.
- (2) A perimeter road providing access to the Green Branch Regional Park shall be constructed along the eastern side of the property in collaboration with M-NCPPC; a mutually beneficial land swap between the property owner and M-NCPPC, as shown in the illustrative design plan, will help implement this development concept and facilitate better access to Green Branch Regional Park. The western boundary of this access road will form the boundary between the Developing Tier and the Rural Tier.



This illustration shows a land use concept that uses a new access road to serve both the developed and Green Branch Regional Park.

2. Support rezoning to a mixed-use category that is appropriate for implementing the land use concepts for the Bowie Regional Center and the mixed-use activity centers. This zone should include design standards and guidelines and may incorporate a form-based code that implements principles of new urbanism.

3. Recommend and support future rezoning to residential Comprehensive Design Zones at selected locations.

a. **Property located on the north and south sides of MD 450 extending from Race Track Road to MD 3:** The property contains approximately 489 acres. The portion of the property that is in the Rural Tier is intended for very low-density residential land use. Development at 1.6 to 2.6 dwelling units per acre would address environmental constraints if it were implemented by zoning that allows shifting development away from environmentally sensitive areas. The proposed development should provide diverse housing types including active senior housing, which would help to mitigate potential adverse impacts on school facilities and should be as close as possible to the planned Bowie Main Street mixed-use activity center. Given the size of this undeveloped property and the availability of transportation and public facilities, phasing plans should be provided in the development application. The following development guidelines are recommended:

(1) Dedicated pedestrian links between future development and the Bowie Main Street area should be established. Trails should be provided that connect to the regional trail system and Bowie Main Street.

(2) A large area should buffer the historic site of Sacred Heart Church, White Marsh, and Cemetery. Appropriate signage should be placed near the historic site illustrating the history of the area.

(3) A treed buffer along MD 450 should be retained or planted.

b. **Property located on the north side of Leeland Road and Oak Grove Road between US 301 and Church Road:** This property contains approximately 417 acres. Most of this site is not suitable for employment use, as previously planned, given the property's substantial environmental constraints. Lower intensity land use would reduce the number of vehicle trips on nearby roads. Low-density residential

(3) The development should include a pedestrian/hiker/biker system that is comprehensively designed to encourage pedestrian and biking activity within the development and with connections to the Green Branch Regional Park and Prince George's Stadium.

c. **Bowie Regional Center:** Develop a transit-oriented, moderate- to high-density mixture of office, retail, residential, and parkland/open space using a suitable mixed-use zone. (See Bowie Regional Center section for details.)

d. **Bowie Main Street:** Develop a mixture of commercial office, commercial retail, service, recreation, and medium-density residential uses using a suitable mixed-use zone. (See Mixed-Use Activity Centers section for details.)

e. **West Bowie Village:** Develop a mixture of commercial office, commercial retail, service, and recreation, parkland/open space uses for West Bowie Village using a suitable mixed use zone. (See Mixed-Use Activity Centers section for details.)

f. **Pointer Ridge:** Develop commercial retail, service, and recreation for the existing shopping center using a suitable mixed use zone. (See Mixed-Use Activity Centers section for details.)