

R E S O L U T I O N

WHEREAS, Mid-Atlantic Real Estate Investment, Inc. is the owner of a 2.85-acre parcel of land known as Parcels B, C, F, G, part of Parcel D, and Lot 1, said property being in the 6th Election District of Prince George's County, Maryland, and being zoned Mixed-Use Town Center (M-U-TC); and

WHEREAS, on June 24, 2009, Mid-Atlantic Real Estate Investment, Inc. filed an application for approval of a Preliminary Plan of Subdivision (Staff Exhibit #1) for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-08058 for Equinox Condominiums 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 December 3, 2009, for its review and action in accordance with Article 28, Section 7-116, 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 December 3, 2009, 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 the Type I Tree Conservation Plan (TCPI/008/09), and further APPROVED Preliminary Plan of Subdivision 4-08058, Equinox Condominiums, including a Variation from Section 24-121(a)(3) for 1 parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plans shall be revised to demonstrate the bearings and distances of the proposed east property line.
2. Development of this site shall be in conformance with the Stormwater Management Concept Plan 3338-2009-00 and any subsequent revisions.
3. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/008/09).
4. Applications for building permits for Parcel A shall contain a certification, to be submitted to M-NCPPC, prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.

5. The plans submitted to the Suitland Mixed-Use Town Center Design Review Committee shall include an illustrative detail of the proposed green roof areas shall be provided. A planting detail for the green roofs shall also be submitted.
6. In conformance with the 2006 *Approved Suitland Mixed-Use Town Center Zone Development Plan*, the plans submitted to the Suitland Mixed-Use Town Center Design Review Committee shall provide the following or as determined appropriate through the review:
 - a. Provide standard sidewalks (minimum 6-8-feet wide) along the entire property frontage of Huron Avenue and wide sidewalks (minimum 8-16 feet wide) along the entire property frontage of Silver Hill Road, subject to modification by DPW&T.
 - b. Provide access ramps where all sidewalks meet road or driveway locations, subject to modification by DPW&T.
 - c. Provide a major pedestrian crossing on Silver Hill Road at Chelsea Way subject to approval and modification by the State Highway Administration (SHA).
 - d. Provide pedestrian-friendly streetscape amenities as recommended in the development plan.
 - e. Provide illuminated pedestrian connections between parking areas and adjacent buildings, and details of lamp, poles or other details of illumination locations as recommended in the development plan.
 - f. Provide buffered bike lanes behind the curb and part of the public realm within the 120-foot-wide right of way of Silver Hill Road, subject to approval by SHA.
 - g. Provide a minimum of two bicycle parking spaces for every 2,500 square feet of public open space shown on the preliminary plan. Inverted U-shaped bicycle parking facilities or other modern enhanced bicycle parking facilities are recommended. Wheel racks shall not be acceptable.
7. The applicant shall provide for a ten-foot public utility easement (PUE) or an alternative easement acceptable to all applicable utilities to be reflected on the final plat of subdivision.
8. A raze permit shall be obtained through the Department of Environmental Resources (DER) prior to the removal of any existing buildings. Any hazardous materials located in any structures on-site must be removed and properly stored or discarded prior to the structures being razed.
9. Prior to approval of the final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall;

- a. Provide a fee-in-lieu payment of \$25,000.00 for the Bradbury Community Recreational Center; and
 - b. Provide on-site private recreational facilities that meet at least the minimum requirement for mandatory park dedication not met through the fee-in-lieu payment in “A” above. These facilities shall be subject to a Recreational Facilities Agreement (RFA) and bonding requirements.
10. An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision unless the Prince George’s County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
11. Prior to the approval of the final plat, the following notes shall be placed on the plat:
 - a. Development of this site shall be in conformance with the Stormwater Management Concept Plan 3338-2009-00.
 - b. This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/008/09) 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 and Tree Preservation Ordinance. This property is subject to the notification provisions of County Council Bill 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, (M-NCPPC) Prince Georges County Planning Department.
12. Any non mixed-use development of the subject property shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
13. Total development within the subject property shall be limited to a mix of uses which generate no more than 138 (35 in, 103 out) AM peak-hour trips, and 207 (124 in, 83 out) PM peak-hour trips. Any development generating a traffic 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.
14. Prior to the issuance of any building permits within the subject property, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction and/or operation through the operating agency’s (access) permit process, and (c) have an agreed-upon timetable for construction and/or operation with the appropriate operating agency:
 - a. Silver Hill Road (MD 458)/Chelsea Way Extended—The applicant and the applicant’s heirs, successors, and/or assignees are required to coordinate with DPW&T and SHA to extend and construct, per DPW&T primary residential street specification, Chelsea Way

from Huron Avenue to Silver Hill Road. The design shall include pedestrian crossings on all approaches at all intersections of Chelsea Way unless modified by DPW&T/SHA. The applicant, applicant's heirs, successors and/or assignees shall fully fund the design, and installation of a traffic signal at Chelsea Way and Silver Hill Road with pedestrian and biker accommodations and other related improvements required by DPW&T and SHA, if and when warranted by SHA and/or DPW&T.

- b. Circulating Private Shuttle Bus – Per the approval of the DPW&T and in connection with the proposed development, and the development approved in Preliminary Plan 4-08051, the applicant and the applicant's heirs, successors and assignees, shall be required to;
 - (1) Execute an agreement with DPW&T which will provide full financial guarantee for the provision and operation of a private neighborhood circulator bus service that will travel to and from the subject site and with stops at major multifamily residential neighborhoods along Silver Hill Road south of Pennsylvania Avenue (MD 4), en-route to Suitland Metro Station. This service at minimum shall consist of two 30 person-capacity minibuses with service frequency of no more than 15 minutes in each direction to and from the Suitland Metro Station and the subject site over a six-hour period per day (three hours during the AM peak period, three hours during the PM peak period). A copy of the executed agreement shall be submitted to M-NCPPC, Transportation Planning Section as part of any building permits; or
 - (2) Coordinate with DPW&T to file a bond or other financial guarantee with DPW&T to modify and extend the DPW&T The-BUS and/or WMATA existing or planned bus routes which connect the subject property with other major multifamily residential neighborhoods along Silver Hill Road south of Pennsylvania Avenue (MD 4), and the nearest Metrorail Station (Suitland). The modification to existing bus service shall have the following parameters:
 - (a) Service every 15 minutes during eight hours per weekday (three hours during the AM peak period, three hours during the PM peak period, and two midday hours from 11:30 a.m. to 1:30 p.m.) in both directions.
 - (b) Buses shall have a capacity of 30 persons, at a minimum.
 - (c) The agreement for provision of this service shall be in the form of a covenant that runs with the land in perpetuity and shall be recorded in the Land Records of Prince George's County.

- c. BUS Shelter—The Provision of an all-weather bus shelter improved with a bench, trash bin, and schedule, per DPW&T and/or WMATA standards, at the existing bus stop along both sides of Sliver Hill Road nearest to the subject site.
 - d. Site Access Driveways—Provision of a limited inbound-only access driveway constructed per SHA standards. Use of a raised channelized island to physically prevent site-generated traffic from exiting at this location, if deemed appropriate by SHA, shall be used. Provision of a raised channelized island on Huron Avenue, at its approach with Suitland Road, per DPW&T standards, to physically prevent left turns from Huron Avenue onto southbound Suitland Road.
15. The applicant and the applicant's heirs, successors and/or assignees shall submit three (3) original Recreational Facilities Agreements (RFA) to the Development Review Division (DRD) for construction of recreational facilities on-site for approval prior to the submission of final plats. Upon approval by DRD, the RFA shall be recorded with the County Land Records.
16. 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 the construction of recreational facilities, prior to the issuance of building permits. The required recreational facilities shall be determined with the full review of the permit site plan.

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, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.

2. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	APPROVED
Zone	M-U-TC	M-U-TC
Use(s)	Commercial building	Mixed-use
Acreage	2.85	2.85
Lots	1	0
Parcels	5	1
Dwelling Units:		
Multifamily Apartments	0	225
Single-family Dwellings	0	0
Retail/Commercial	3,658 sq ft	15,000 sq ft
Public Safety Mitigation Fee	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on July 10, 2009. The requested variation to Section 24-121(a)(3) of the Subdivision Regulations was accepted on June 24, 2009, as discussed further in the Transportation section of this report, and was also heard on July 10, 2009 at SDRC as required by Section 24-113(b).

3. **Environmental**—Preliminary Plan of Subdivision 4-08058 and the Type I Tree Conservation Plan, TCPI/008/09, for Equinox Condominiums, stamped as received on October 29, 2009, have been reviewed. An approved Natural Resource Inventory, NRI/065/05, was also submitted with the application.

The NRI indicates that there are no streams, nontidal wetlands, floodplain, steep slopes, and severe slopes on the site. The southeast portion of the site drains into Henson Creek and the northwest portion of the site drains into Oxon Run, both in the Potomac River watershed. The site contains one stand of woodland totaling 0.67 acre and is dominated by locust, cherry, and mulberry. The understory is dominated by various invasive plants, including English ivy and multiflora rose. No specimen trees were identified on the site. This stand has low priority retention due to the lack of environmental features and abundant presence of invasive species, which were described as covering the entire forest floor. All woodland conservation should be met off-site.

The site is subject to the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the gross tract area of the property is greater than 40,000 square feet and there are more than 10,000 square feet of existing woodland. A Type I Tree Conservation Plan (TCPI/008/09) has been submitted and reviewed. The woodland conservation threshold for this site is 0.67 acre and the total requirement based on the proposed clearing is 0.91 acre. This requirement is proposed to be met with 0.91 acre of fee-in-lieu. A fee-in-lieu of on-site woodland conservation is acceptable for this site because the on-site woodlands are not desirable for

preservation due to the extensive presence of invasive species, and the requirement is below one acre. Development of this subdivision should be in conformance with an approved Type I Tree Conservation Plan (TCPI/008/09).

According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. The predominant soil type found to occur on this property, according to the *Prince George's County Soil Survey*, is in the Beltsville series. This information is provided for the applicant's benefit. No further action is needed as it relates to this preliminary plan review. A soils report may be required by the county during the permit review process. If basements are proposed, then a soils report will be required by the county pursuant to County Council Bill CB-94-2004.

Silver Hill Road is classified as an arterial roadway that is regulated for noise impacts. The proposed use includes multifamily residential units. According to the Environmental Planning Section's noise model, the unmitigated 65 dBA Ldn noise contour is approximately 247 feet from the centerline of Silver Hill Road. The submitted plans correctly show the location of the unmitigated 65 dBA Ldn ground level noise contour. Based on its location, a significant portion of the proposed buildings fronting Silver Hill Road will be impacted by noise levels above the state standard of 45 dBA Ldn for interior noise levels. The proposed swimming pool is shown behind the proposed multifamily building and will be shielded from noise impacts with the development of that building.

Because there are no outdoor activity areas requiring mitigation, no further information regarding impacts to outdoor activity areas is required based on the current design. For interior noise, the residential portion of the proposed multifamily buildings must be designed to mitigate indoor noise levels to the state standard of 45 dBA Ldn or less. At the time of site plan review, the applicant should submit a certification by a professional engineer with competency in acoustical analysis to show that residential development building shells, within prescribed noise corridors, have been designed to reduce interior noise levels to 45 dBA Ldn or less.

There are no designated scenic or historic roads adjacent to this property. The site is not within the designated network of the June 2005 *Approved Countywide Green Infrastructure Plan*. This property is located in the Developed Tier as delineated on the 2002 *Prince George's County Approved General Plan*.

Master Plan Conformance

The subject site is located in the 2006 *Approved Suitland Mixed-Use Town Center Zone Development Plan*. The only significant environmental concern addressed in this development plan is the use of low-impact development (LID) techniques to address water quantity and quality control for the site.

Page 26 of the plan states:

1. **Low-impact development techniques, as contained in the current version of the design manual, “Low-impact Development Design Strategies: An Integrated Design Approach,” as published by the Prince George’s County Department of Environmental Resources, shall be used on all sites as the primary method of collecting and/or treating stormwater.**

A Stormwater Management Concept Approval Letter and Plan (3338-2009-00) have been submitted. The plan proposes an underground stormwater storage facility and bioretention areas on the northwest side of the site. According to the concept plan, approximately 60 percent of the two buildings proposed in this application will be constructed using green roof techniques. All of these techniques are considered low-impact development stormwater management techniques. No further action with regard to stormwater management is required.

Water and Sewer Categories

The water and sewer categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources (DER) dated 2008, and the subject site will therefore be served by public systems.

4. **Community Planning**—The 2002 *Prince George’s County Approved General Plan* locates this property in the Developed Tier and within a designated Regional Center. One of the visions for the Developed Tier is to create a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, and medium- to high-density neighborhoods.

The Developed Tier centers represent a concentration of mass transportation, particularly Metrorail and commuter rail service that makes it desirable to plan development that generates enough commuter and pedestrian traffic to produce sufficient ridership. Centers in the Developed Tier should be developed at sufficient intensities with integrated mixed land uses and to sustain existing bus service and create additional opportunities for more walking, biking, or drive-to-transit opportunities. The preliminary plan proposes a mix of land uses and intensities that are consistent with the recommendations of the General Plan.

This property is also located within the 2006 *Approved Suitland Mixed-Used Town Center Zone Development Plan*, in Planning Area 75A. The land use recommendation is for mixed-use, transit-oriented retail, office, and residential uses. The mix of land uses and intensities proposed with this preliminary plan are consistent with the Approved Suitland M-U-TC Zone Development Plan.

The Suitland M-U-TC Zone Development Plan objective is to encourage flexibility in land uses within a defined area in Suitland to create active, economically viable settings in which to live and work. A set of local design standards and guidelines have been established as part of the development plan to ensure that new development meets this intent. All development proposals must meet these design standards which address site design, building design, public spaces (particularly the streetscape), and parking and loading standards during the submittal of detailed development plan.

This property is classified in the plan as appropriate for Boulevard development. “The land use mix reflects a neighborhood service center surrounded by new residential development” (2006 Approved Suitland M-U-TC Zone Development Plan, p 16). This property has frontage on Silver Hill Road which is appropriate for street level retail. The rear backs onto Huron Avenue, a local residential street, which is part of a planned redevelopment project to be undertaken by the Redevelopment Authority. Development on the rear of the subject property should be compatible and sensitive to the scale of future residential development that may result from this request for proposal (RFP) process.

The building frontage along Silver Hill Road shall meet the goal and objectives of the public realm and shall provide street-level uses that are related directly to pedestrians, encourage a permeable storefront to enhance natural surveillance, and use high-quality paving, lighting, and other landscape elements (2006 Approved Suitland M-U-TC Zone Development Plan, pp 19–20).

Along with the subdivision plan, the applicant submitted preliminary design details for the development. These included recreational amenities, a pool in a prominent location in the front of the building, a pedestrian connection to Huron Avenue, and a proposed roof garden for stormwater management. All of these key design features should be included in the ultimate design of the project. They are critical to implementing important M-U-TC design standards for high-quality development which utilizes low-impact development techniques.

The Suitland M-U-TC Zone Development Plan requires that all new development to be reviewed by the Suitland Mixed Use Town Center Design Review Committee. The Design Review Committee is advisory to the Prince George’s County Planning Board and assisted by staff from the Community Planning Division. As of this date, the Design Review Committee has not been established.

5. **Department of Parks and Recreation (DPR)**—The preliminary plan application has been reviewed by the Department of Parks and Recreation (DPR) for conformance with the requirements and recommendations of the Suitland Mixed Use Town Center Zone Development Plan, the Land Preservation and Recreation Program for Prince George’s County, and current zoning and subdivision regulations as they pertain to public parks and recreation.

The Suitland M-U-TC Zone was established to encourage flexibility in land design while establishing appropriate mid-density, mixed-use centers. Key components of the Suitland M-U-TC Zone as it pertains to parks and recreation are:

- Expand and enhance the existing open-space network to create an open-space network from Washington National Cemetery through a new Suitland Federal Center green to the Suitland Community Park.
- Provide a multi-modal transportation system consisting of public rail and bus service, pedestrian paths, bicycling opportunities, and automobile access.

- Establish a hiker/biker network with accessibility throughout the area.
- Provide bicycle lanes and a pedestrian path network.
- Incorporate various forms of open/public spaces, such as façades, plazas, atriums, etc. in development.
- Establish a series of interconnected open spaces and pedestrian connections that link key development areas.

The approved Suitland Mixed-Use Town Center Zone Development Plan shows the subject property designated as a Boulevard development with the northern corner designated as public open space/urban park. Existing surrounding parks are Suitland Community Park and Suitland Neighborhood Mini-Park (undeveloped), which are both within one-half mile of the proposed development. At one to two miles from the proposed development are Bradbury Community Center, DuPont Heights Neighborhood Park, and William Beanes Community Center Park. Existing surrounding schools include Shadyside Elementary School, Drew-Freeman Middle School, and Suitland High School; all within one-half mile could provide recreational opportunities as well. The level-of-service (LOS) of parks and recreation needs analysis projects that the development will generate an additional 475 people to the local community. The existing community has need of land for recreational activities and facilities.

The Prince George's County Subdivision Regulations (Section 24-134) requires mandatory dedication of parkland for all residential developments. Based on the density of the development, the subject property is required to dedicate 15 percent of the land area or 0.42 acre for public parklands. The subject property is not adjacent or contiguous to any property currently owned by M-NCPPC. The 0.42 acre of dedicated land would not be sufficient to provide for the types of active recreational activities that are needed. DPR also recognizes that the dedication of land for public parklands is not harmonious and conducive to a high-density, urban-type development.

The current plan proposal calls for this requirement to be met with private on-site recreational facilities. The developer has proffered and shown on the plans the following recreational facilities:

- Outdoor swimming pool
- Indoor Fitness Center
- Outdoor Pocket Park
- On-Site Concierge service

The recreation guidelines for Prince George's County also sets standards based on population. Based on the projected population for the development, the typical recreational needs are:

- (1) Picnic Area
- (1) Sitting Areas
- (1) Preschool Playground
- (0.6) School Age Playground
- (1) Open Play Areas
- (1) Fitness Trail (6 stations)
- (0.6) Basketball-Multi-purpose
- (0.5) Tennis courts

The current design proposal does not meet all of the requirements based on the constraints and layout of the property. DPR has concluded that the private recreational outdoor facilities provided are minimal with the swimming pool being a seasonal activity. The indoor fitness center and on-site concierge service are considered typical sales and marketing opportunities within the proposed development. DPR's finding is that the private on-site recreational facilities are not superior or equivalent to those that would have been provided under the provisions of mandatory dedication.

Therefore, in accordance with Section 24-134(a) of the Subdivision Regulations, a fee-in-lieu payment for this preliminary plan is recommended. A payment of a fee-in-lieu for mandatory dedication of parkland is recommended because the land available for dedication and private recreational facilities provided is not sufficient to meet the recreational needs of the projected population. The fee-in-lieu payment should be paid in conjunction with the approval of final plat.

6. **Trails**—This preliminary plan was reviewed for conformance with the *Adopted and Approved Countywide Trails Plan* and the appropriate area master plan in order to implement planned trails.

The subject site is approximately 2,000 feet north of the Suitland Metro transit station and located in the Suitland Mixed-Use Town Center area. Master-plan trails are recommended in the 2006 *Approved Suitland Mixed-Use Town Center Zone Development Plan*.

The *Approved Prince George's County Master Plan of Transportation* (November 17, 2009) recommends that Silver Hill Road contain sidewalks and designated bike lanes between Branch Avenue (Old Branch Avenue) and Walker Mill Road. The planned facilities will provide direct access to the transit station, the Branch Avenue Corridor, the Suitland Federal Center, commercial and mixed-use areas being planned for the update of the Subregion IV master plan, and nearby schools, including Suitland High School.

Sidewalks exist along Silver Hill Road at the subject site. These existing sidewalks are narrow and placed immediately behind the curb. Sidewalks also exist along the property frontage on Huron Avenue. There are currently no bikeways on either roadway. There is also little in the way of streetscape amenities such as trees, landscaping, special pavers, or pedestrian-scale lighting.

Analysis:

2006 Approved Suitland Mixed-Use Town Center Zone Development Plan

The 2006 *Approved Mixed-Use Town Center Zone Development Plan* was created to provide a reference for developers and designers to fulfill the design review requirements and achieve the community's design goals. In terms of pedestrians and bicyclists, the plan's concept is to encourage pedestrian-scaled buildings, and attractive pedestrian-scaled networks of sidewalks, improved vehicle and pedestrian access, and open-space enhancements (p 15).

The goals in the mixed-use town center plan that are directly related to the pedestrian and bicyclist environment include goals to create a unique image and promote a sense of community, maintain a vibrant community atmosphere, maximize accessibility to the Suitland Town Center with a multimodal transportation system, and to build a high-quality public realm with a network for pedestrians that is functional, attractive, safe, and enjoyable. To realize these goals, the plan recommends various modes of transportation including way-finding signage, pedestrian-scaled amenities, and a pedestrian path network and bicycle lanes on Silver Hill Road. The development plan specifically recommends that new development should provide access from locations other than the main streets, improve pedestrian crossings of roads, and establish interconnected open spaces and pedestrian connections that link key areas (p 20).

Intended and Proposed Use:

Bike Lanes

Silver Hill Road (MD 458) from Branch Avenue to Walker Mill Road is a master-planned 120-foot-wide right-of-way for a four to six lane road. It currently has six vehicle lanes. There are no details of how the planned bicycle lanes on Silver Hill Road will be incorporated along the frontage of the property or how they will transition into the property to implement the master-planned bike lanes proposed in the Suitland Mixed-Use Town Center Zone Development Plan and the *Approved Countywide Master Plan of Transportation*.

Although the details of a future road configuration are not provided, staff supports the minimum 60-foot from centerline dedication for Silver Hill Road that is provided by the applicant. Because bike lanes are master-planned for Silver Hill Road, it will be the State Highway Administration's (SHA) decision whether or not to implement the master-planned bikeway (currently recommended as bike lanes) on Silver Hill Road.

Efforts should be made by the Planning Board, the Department of Public Works and Transportation (DPW&T) and SHA to find alternative methods of implementing the master-planned bike lanes along Silver Hill Road. One idea that could be explored is to construct buffered bike lanes behind the curb that would be constructed and maintained by private entities or quasi-public agencies such as a development district. These buffered bike lanes could be incorporated into the public realm.

The conceptual drawing on page 26 of the *Approved Suitland Mixed-Use Town Center Zone Development Plan* includes bike lanes in the road. By raising these bike lanes behind the curb, the bike lanes could be implemented by the development community. This effort would take

coordination with all agencies. There have been few precedents along Silver Hill Road within the Suitland Mixed-Use Town Center area. Without this kind of effort, it is unlikely that bike lanes can ever be constructed in this location.

Sidewalks

The subject proposal includes wide sidewalk areas adjacent to Silver Hill Road in front of the proposed buildings utilizing the current road and sidewalks. The sidewalks in the proposal appear to be incorporated into a pedestrian-friendly streetscape with amenities, but no details of the amenities are provided for review. These details should be provided for review and conformance with the mixed-use town center plan at the time of Design Review Committee.

Internal sidewalks on the proposal extend from Silver Hill Road along the front of the buildings and connect to an existing sidewalk on the south side of Huron Avenue. The sidewalks include curb extensions that make for shorter and safer crossing distances for pedestrians. The sidewalks on Huron Avenue should be widened along the entire property frontage to a minimum of five feet in width, subject to approval by DPW&T.

Silver Hill Road (MD 458) Pedestrian Crossing

A major pedestrian crossing is planned in the Suitland M-U-TC Zone Development Plan for the intersection of Chelsea Way and Silver Hill Road in the vicinity of the proposed development. This crossing would have to be approved by SHA. Without a signal, this road crossing would not be safe. At the time of Design Review Committee, a more detailed plan should minimally show how the pedestrian network will be designed from the buildings to the road crossing, and the applicant should propose the crossing to SHA for their comments to determine if a pedestrian signal can be implemented at this location.

7. **Transportation**—The findings and recommendations contained herein are based on the review of a new and revised traffic impact study that was received on October 14, 2009. This revised traffic impact study was found acceptable and was referred to the Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) on October 19, 2009 for their review and comments.

The subject property consists of approximately 2.85 acres of land in the M-U-TC Zone. The property is located on the north side of Silver Hill Road (MD 458), approximately 420 feet north of Suitland Road (MD 218), and within the Developed Tier. The site is currently improved with one commercial building. There are four existing curb cuts along the subject site's frontage on Silver Hill Road (MD 458). In accordance with the approved Suitland Mixed Use Town Center Development Plan (Plan), the applicant proposes to develop the subject property with a mixed-use development consisting of 225 multifamily residential units and 15,000 square feet of retail space.

The subject property is in the Developed Tier as defined in the General Plan, and is also located within the Suitland Mixed-Use Town Center. As such, the subject property must also be evaluated in accordance with the development requirements of the approved Suitland Mixed Use Town Center Development Plan (TDDP).

The following is the transportation adequacy standards for the Developed Tier:

- **Links and signalized intersections:** Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better.
- **Unsignalized intersections:** *The Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed as an unacceptable operating condition. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The findings and recommendations outlined below are based upon a review of all materials received and analyses conducted by staff consistent with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.”

Traffic Analysis

The application is proposing to redevelop the subject site with 225 multifamily residential units and 15,000 square feet of commercial retail. The proposed development would generate a total of 168 (54 in, 114 out) AM peak-hour trips, and 315 (178 in, 137 out) PM peak-hour trips. According to the guidelines, 60 percent of retail traffic should be considered as pass-by trips, trips that already on the area road network. The proposed development is expected to generate only 138 (35 in, 103 out) new AM peak hour trips, and 207 (124 in, 83 out) new PM peak hour trips.

Pursuant to the scoping agreement, the following intersections are identified as those which the proposed development would have the most impact:

- Pennsylvania Ave (MD 4)/Silver Hill Road (MD 458)—signalized
- Silver Hill Road (MD 458)/Brooks Drive—signalized
- Silver Hill Road (MD 458)/Suitland Road (MD 218)—signalized
- Silver Hill Road (MD 458)/Park Lane—unsignalized
- Silver Hill Road (MD 458)/Porter Avenue—unsignalized
- Suitland Road (MD 218)/Huron Avenue—unsignalized
- Porter Avenue/Huron Avenue—unsignalized

None of the intersections identified above are programmed and fully funded for construction for improvements within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program (CTP), or the Prince George’s County Capital Improvement Program (CIP).

Based on the existing intersection lane uses, traffic controls, recently conducted intersection turning movement counts, the recommended critical lane volume (CLV) analysis procedure for

signalized intersections, and the Highway Capacity Manual (HCM) procedure for unsignalized intersections, the existing AM and PM peak hour traffic conditions and levels-of-service (LOS) are shown in the table below:

EXISTING CONDITIONS		
Intersection	AM Peak Hour	PM Peak Hour
	(LOS/CLV or Avg. Delay)	(LOS/CLV or Avg. Delay)
MD 4 / Silver Hill Road (MD 458)	B / 1029	D / 1332
Silver Hill Road (MD 458) / Brooks Drive	A / 957	A / 922
Silver Hill Road (MD 458) / Suitland Road (MD 218)	D / 1429	D / 1499
** Silver Hill Road (MD 458) / Park Lane	B / 13	D / 30
** Silver Hill Road (MD 458) (MD 458) / Porter Avenue	C / 24	C / 25
** Suitland Road (MD 218) / Huron Avenue	E / 41	F / 51
** Huron Avenue / Porter Avenue	A / 8	A / 8
**Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service "E" which is deemed acceptable corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1600 or less is deemed acceptable as per the Guidelines.		

The traffic study identified six background developments consisting of an additional 668 multifamily residential dwelling units, a 6,300-square-foot church with a day care for maximum of 40 students, and 123,262 square feet of new retail space, whose impact would affect some or all of the study intersections. Additionally, a growth rate of 2 percent per year for three years (through 2011) was applied to the existing traffic counts. A second analysis was done to evaluate the impact of the background developments on the existing infrastructure. The analysis revealed the following results:

BACKGROUND CONDITIONS		
Intersection	AM Peak Hour	PM Peak Hour
	(LOS/CLV or Avg. Delay)	(LOS/CLV or Avg. Delay)
MD 4 / Silver Hill Road (MD 458)	B / 1114	E / 1462
Silver Hill Road (MD 458) / Brooks Drive	B / 1013	B / 1033
Silver Hill Road (MD 458) / Suitland Road (MD 218)	E / 1528	F / 1702
** Silver Hill Road (MD 458) / Park Lane	B / 15	D / 39
** Silver Hill Road (MD 458) / Porter Avenue	C / 29	D / 33
** Suitland Road (MD 218) / Huron Avenue	F / 50	F / 71
** Huron Avenue / Porter Avenue	A / 8	A / 8
**Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service "E" which is deemed acceptable corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1600 or less is deemed acceptable as per the Guidelines.		

The total traffic represents a combination of background traffic and site-generated traffic. Using general trip generation rates recommended by the guidelines, as well as the Institute of Transportation Engineer's (ITE) use-specific trip generation rates, it is projected that the proposed development would generate a total of 168 (54 in, 114 out) AM peak-hour trips, and 315 (178 in, 137 out) PM peak-hour trips. Discounting for the pass-by trips associated with retail use, the net new trips that would be generated by the proposed development on the subject property are projected to be 138 (35 in, 103 out) and 207 (124 in, 83 out) vehicle trips during the AM and PM peak hour, respectively. A third analysis was done to evaluate the impact of the proposed development by using the combination of the projected background and site generated traffic, or total traffic. The results of this analysis are shown below:

TOTAL CONDITIONS		
Intersection	AM Peak Hour	PM Peak Hour
	(LOS/CLV)	(LOS/CLV)
MD 4 / Silver Hill Road (MD 458)	B / 1131	E / 1479
Silver Hill Road (MD 458) / Brooks Drive	C / 1184	C / 1304
Silver Hill Road (MD 458) / Suitland Road (MD 218)	E / 1562	F / 1756
Silver Hill Road (MD 458) / Chelsea Way Extension (w/ proposed signal)	A / 869	A / 902
** Silver Hill Road (MD 458) / Park Lane	B / 38	E / 48
** Silver Hill Road (MD 458) / Porter Avenue	D / 31	D / 35
** Suitland Road (MD 218) / Huron Avenue	F / 73	F / 90
** Huron Avenue / Porter Avenue	A / 8	A / 8
** Silver Hill Road (MD 458) / Park Lane	A / 9	A / 8
**Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service "E" which is deemed acceptable corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1450 or less is deemed acceptable as per the Guidelines.		

The results shown in the table above have indicated that all signalized intersections, except for the intersection of Silver Hill Road with Suitland Road, would operate acceptably under total traffic conditions.

All unsignalized intersections are projected to operate adequately, except for the intersection of Huron Avenue with Suitland Road (MD 218). Signalization is not feasible due to the close

proximity of this intersection with the existing signalized intersection of Silver Hill Road and Suitland Road. Staff would recommend additional geometric improvements that would prohibit left turns from Huron Avenue to southbound Suitland Road.

To address the reported inadequacies for the intersection of Silver Hill Road with Suitland Road, the applicant proffered to use traffic mitigate procedures pursuant to County Council Bill CB-116-1993. For the following reasons, the application mitigation plan focuses on strategies that would promote the use of transit and pedestrian and bicycle modes to and from the subject site, rather than evaluating actions that might result in road widening:

- There are very limited rights-of-way available along all four corners which make provision of any additional roadway widening highly unlikely;
- The reliance on wider roads to improve mobility is not consistent with the approved Suitland Mixed Town center (M-U-TC) Development Plan accessibility goal which envisions provision of a multimodal transportation system consisting of roads, public transit (rail and bus), sidewalks, and bike trails and paths; and
- This approach was proffered by the applicant as part of another development application approved by the Planning Board (Suitland Gateway, Preliminary Plan 4-08051).

With concurrence from SHA, and since the suggested mitigation approach to improve the existing transit service usage would not result in any physical changes to the intersection's existing and/or proposed configurations, staff finds the recommended mitigation approach acceptable.

The calculated CLV for this intersection with total traffic during the PM peak hour is reported to be 1,756, which exceeds the LOS E maximum level (1,600) by less than 25 percent. Per Section 24-124(a)–(6) of the Subdivision Regulations, the required mitigation plan proffered by the applicant shall, at minimum, eliminate at least 150 percent of the development-generated critical lane volume at this intersection or reduce the critical lane volume to 1,600. Since the difference between the reported CLVs for the PM peak hour for background and total traffic is 54 (1,756-1,702), the proffered mitigation measures must reduce the PM CLV for this intersection by only 81 ($54 \times 1.5 = 81$). The CLV of 1,756 reflects a total of 903 vehicle trips from the east-west direction. Since the proposed bus service would be generally in an east-west direction, elimination of the equivalent 159 ($81 \times 903/1756$) vehicle trips in an east or west approach would be required. Assuming an average vehicle occupancy rate of 1.25 persons per vehicle and the regional average rate for peak hours, the proposed bus service must be able to serve at least 200 (159×1.25) persons during each peak period.

In order for the proposed bus service to function as effectively at a minimum, the proposed bus service route, while serving the subject site, include stops at major multifamily residential neighborhoods along Silver Hill Road, south of Pennsylvania Avenue (MD 4), and Suitland High School en-route to the Suitland Metro station. The proposed bus service, at minimum, should consist of two 30-person capacity mini buses with service frequency of no more than 15 minutes in

each direction to and from the Suitland Metro station over an eight-hour period (three hours during the AM peak period, three hours during the PM peak period, and two midday hours of 11:30 a.m. to 1:30 p.m.) on each week day. The implementation of this action requires coordination with and approval from DPW&T.

Upon review of the applicant's traffic study, the Planning Board agrees with its overall conclusion regarding the road system being able to accommodate the proposed development. The Planning Board also supports the traffic study's conclusions with regard to the extension of Chelsea Way, provision of a median break/traffic signal at the intersection of Chelsea Way and Silver Hill Road (MD 458), and the closure of the median along Silver Hill Road at Park Lane. It is recommended, subject to SHA approval, that the proposed elimination of left turning traffic from Huron Avenue to southbound Suitland Road be achieved through the use of a raised channelized island on Huron Avenue.

At the hearing of December 3, 2009, applicant stated on the record that with reference to the anticipated requirement of road construction work at Silver Hill Road and Chelsea Way Extended, the applicant believes that it will extend and construct, per DPW&T primary residential street specification, Chelsea Way from Huron Avenue to Silver Hill Road. The applicant believes that the design should include a full section road from Silver Hill Road to the applicant's property boundary, a half section road from the applicant's property boundary to Huron Avenue, pedestrian crossings on all approaches at the intersection of Chelsea Way and Silver Hill Road, provided that adequate R/W is available unless modified by DPW&T and/or SHA. The applicant, applicant's heirs, successors and/or assignees should fully fund the design, and installation of a traffic signal at Chelsea Way and Silver Hill Road with pedestrian and bike accommodations and other related improvements required by DPW&T and SHA, if and when warranted by SHA and/or DPW&T.

Variation to Section 24-121(a)(3)

Section 24-121(a)(3) of the Subdivision Regulations establishes design guidelines for lots that front on arterial roadways. This section requires that these lots be developed to provide direct vehicular access to either a service road or an interior driveway when feasible. This design guideline encourages an applicant to develop alternatives to direct access onto an arterial roadway. The applicant has submitted a variation request for one limited inbound-only access driveway from Silver Hill Road onto the property.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests and reads as follows:

- (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 further provided that**

the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

As discussed below, the approval of the applicant's request does not have the effect of nullifying the intent and purpose of the Subdivision Regulations. In fact, strict compliance with the requirements of Section 24-121(a)(3) of the Subdivision Regulations could result in inadequate access and circulation for the mixed-use development proposed.

Planning Board approval of these variations requires that four separate findings outlined in Section 24-113 be made for each variation:

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

Currently there are four driveways along the applicant's road frontage on Silver Hill Road that have existed for many years with little or no safety concern. In order to enhance the traffic flow and reduce potential conflicts along Silver Hill Road, the applicant is proposing to reduce the number of curb cuts from four to one. Furthermore, SHA, which has the permitting authority regarding driveways onto Silver Hill Road, and is generally charged with ensuring safe access to this roadway, has indicated no concern with the proposed inbound-only access for the site.

(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 proposed mixed-use development is in conformance with the unique design standards and guidelines of the *Approved Suitland Mixed-Use Town Center Zone Development Plan*, which envision a successful town center with easy access to planned mixed-use developments along Silver Hill Road. The property borders three types of streets - residential, commercial, and a paper road - which is unique for the area. The main entrance to the proposed mixed-use development will be along Chelsea Way, which the applicant will construct to coincide with this development. The retail/commercial space of the development will front Silver Hill Road, a commercial arterial road. The limited access point from Silver Hill Road will be used as a secondary entrance to the parking garage, fire department access, sanitation access, and parking for the retail users. This second entrance will reduce the number of trucks entering onto the property from the main entrance along Chelsea Way and would greatly improve traffic operation to and from the site.

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

The existing four driveways are permitted by SHA. Therefore, it appears that the granting of this variation for reducing the four driveways to one would 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 strict letter of these regulations is carried out;**

The property has frontage on three roads; Huron Avenue, which is a residential road; Silver Hill Road, which is a commercial arterial road; and Chelsea Way, which is currently a paper road. Based on the configuration of the site it is appropriate to grant a variation allowing some inbound traffic via a driveway from Silver Hill Road. One alternative to this variation includes forcing the traffic to use the congested intersection of Silver Hill Road at Suitland Road then turning at the unsignalized intersection of Suitland Road with Huron Avenue to reach the subject site. Another alternative would be the utilization of only Chelsea Way at Silver Hill Road to gain access to the site which may create the need for additional widening of the westbound approach from Silver Hill Road. Both alternatives are deemed unacceptable and the proposed variation is preferred.

In summary, the Planning Board approved the variation from Section 24-121(a)(3), allowing an inbound-only access driveway from Silver Hill Road onto the subject site.

Transportation Conclusions

Based on the preceding findings, the plan conforms to the required findings for approval of the preliminary plan of subdivision pursuant to Section 24-124 of the Subdivision Regulations if the application is approved with conditions.

8. **Schools**—The residential portion of this preliminary plan was reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and County Council Resolution CR-23-2003, and staff concluded the following:

Multifamily with Structured Parking - Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	198 DU	198 DU	198 DU
Pupil Yield Factor	.04	.04	.03
Subdivision Enrollment	7.92	5.94	5.94
Actual Enrollment	32,447	9,888	16,168
Total Enrollment	32,454.92	9,893.94	16,173.94
State Rated Capacity	39,187	11,571	16,314
Percent Capacity	82.82%	85.51%	99.14%

Source: Prince George's County Planning Department, M-NCPPC, April 2009

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between I-95/495 and the District of Columbia; \$7,000 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 (WMATA); or \$12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$8,120 and \$13,921 to be paid at the time of issuance of each building permit.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

9. **Fire and Rescue**—The preliminary plan has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B) thru (E) of the Subdivision Regulations.

It had been determined that the residential portion of this preliminary plan is within the required seven minute response time for the first due fire station, Silver Hill, Company 29, using the *Seven Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

Pursuant to County Council Resolution CR-69-2006, the Prince George's County Council and the County Executive temporarily suspended the provisions of Section 24-122.01(e)(1)(A) and (B) regarding sworn fire and rescue personnel staffing levels.

The Fire/EMS Chief reported that the Fire/EMS Department has adequate equipment to meet the standards stated in County Council Bill CB-56-2005.

Nonresidential

This preliminary plan has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B) thru (E) of the Subdivision Regulations.

The existing engine service at Silver Hill Fire/EMS Station, Company 29, located at 3900 Old Silver Hill Road, Suitland, Maryland, has a service travel time of 3.4 minutes, which is beyond the 3.25-minute travel time guideline.

The existing ambulance service at Silver Hill Fire/EMS Station, Company 29, located at 3900 Old Silver Hill Road, Suitland, Maryland, has a service travel time of 3.4 minutes, which is within the 4.25-minute travel time guideline.

The existing paramedic service at Silver Hill Fire/EMS Station, Company 29, located at 3900 Old Silver Hill Road, Suitland, Maryland, has a service travel time of 3.4 minutes, which is within the 7.25-minute travel time guideline.

The existing ladder truck service at District Heights Fire Station, Company 26, located at 6208 Marlboro Pike, District Heights, Maryland, has a service travel time of 3.0 minutes, which is within the 4.25-minute travel time guideline.

In order to alleviate the negative impact on fire services due to the inadequate service discussed, an automatic fire suppression system should be provided in all new buildings proposed in this preliminary plan unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

10. **Police Facilities**—The subject property is located in Police District III, 7600 Barlowe Road, Palmer Park, Maryland.

The response time standard is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department June 24, 2009.

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date 6/24/2009	6/2008-5/2009	7 minutes	9 minutes
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency calls were met July 21, 2009.

The Police Chief has reported that the Police Department has adequate equipment to meet the standards stated in County Council Bill CB-56-2005.

Pursuant to County Council Resolution CR-69-2006, the Prince George's County Council and the County Executive temporarily suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police personnel staffing levels.

Nonresidential

The police facilities test is performed on a countywide basis for nonresidential development in accordance with the policies of the Planning Board. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department and the latest population estimate is 820,852. Using 141 square feet per 1,000 residents, it calculates to 115,740 square feet of space for police. The current amount of space, 267,660 square feet, exceeds the guideline.

11. **Water and Sewer Categories**—Section 24-122.01(b)(1) of Subdivision Regulations states: "the location of the property within the appropriate service area of the Ten Year Water and Sewerage

Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System.

12. **Health Department**—The Prince George’s County Health Department has evaluated the proposed preliminary plan of subdivision. A raze permit must be obtained through the Department of Environmental Resources (DER) prior to the removal of any existing buildings. Any hazardous materials located in any structures on site must be removed and properly stored or discarded prior to the structures being razed.
13. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that an on-site stormwater management is required. A Stormwater Management Concept Plan 3338-2009-00 has been approved with conditions. Development must be in accordance with this approved plan. In addition to the review by DPW&T, the 2006 *Approved Suitland Mixed Use Town Center Zone Development Plan* recommends the use of low-impact development techniques to manage stormwater as discussed further in the Environmental Planning Section of this report.

Through the preliminary plan process the applicant has made significant modifications to the original proposal which included changes to the conceptual building, parking and access locations. However, the stormwater management concept plan remains the same and will be provided by underground stormwater facility. The Stormwater Management Concept Plan 3338-2009-00 shows the location of the underground stormwater facility to be in the ten-foot public utility easement (PUE). The applicant is aware of the location and understands the underground stormwater facility will need to be relocated free and clear from the ten- foot public utility.

14. **Public Utility Easement (PUE)**—The preliminary plan should include the required ten-foot-wide public utility easement that is free from any obstructions along all the streets. However, the 2006 *Approved Suitland Mixed Use Town Center Zone Development Plan* contains design standards and guidelines for streetscape that do not conform to the standards of the public utility easement.

The applicant should provide a ten-foot public utility easement or an alternative easement acceptable to all applicable utilities, prior to final plat approval.

15. **Historic**—Phase I archeological survey is not recommended on the above-referenced 2.85-acre property located at 4828 Silver Hill Road in Suitland, Maryland. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property has already been developed. However, the applicant should be aware that there are five previously identified archeological sites, two prehistoric sites and three multi-component prehistoric and historic sites, located within a one-mile radius of the subject property. In addition, there are three County Historic Sites, Ridgeway-Hagen House (76A-001), Suitland House

(75A-021), and Suitland Parkway (76A-022), located within a one-mile radius of the subject property.

Moreover, Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to take into account the effects of the undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.

16. **Urban Design**—Preliminary Plan of Subdivision 4-08058 proposes to subdivide five existing parcels and one existing lot in the M-U-TC (Mixed-Use Town Center) Zone, into one parcel for the construction of 225 multifamily dwelling units and 15,000 square feet of commercial space. The property has been developed with a one-story commercial building and associated parking. The site was the subject of Special Exception SE-1431 for a gas station use and Special Exception SE-3654 for a fast food use. However, neither use is currently in operation.

According to the 2006 *Approved Suitland Mixed-Use Town Center Zone Development Plan*, development that increases existing gross floor area by 15 percent or 7,500 square feet, whichever is smaller, subjects a site to full review for compliance with the design standards. Although the square footage of the existing building was not provided on the plans, it is evident that the applicant's proposal will result in an increase in existing gross floor area of at least 15 percent and 7,500 square feet, therefore the development will be subject to full review for compliance with the design standards.

The land use concept for the Boulevard and Main Street areas of the development plan recommends primarily a mix of commercial uses at street level. More specifically, the portion of the Boulevard at the corner of Silver Hill and Suitland Roads is identified as a prime location for multi-tenant office and retail redevelopment. The contemplated mixed-use is interpreted to include residential development. In addition to the proposed 225 multifamily dwelling units, the proposal designates 15,000 square feet for commercial uses such as convenience retail, eating and drinking establishments, and service-office space occupying the site's frontage as recommended along Silver Hill Road. The proposed development is consistent with the Suitland M-U-TC Development Plan.

The 2006 *Approved Suitland Mixed-Use Town Center Zone Development Plan* contains design standards and guidelines for development proposals within the town center area. These requirements and recommendations are very specific in nature and should be considered when a more detailed plan of development is submitted showing buildings, open space and pedestrian and vehicular circulation patterns. In this case, the Suitland Mixed-Use Town Center Development Plan established a design review process, which requires that permits be reviewed by the Suitland Mixed-Use Town Center Design Review Committee to ensure that the proposal will meet the development plan goals, design principles, standards and guidelines. It should be noted that the concept plan designates two open-space/urban plaza areas within the boundaries of the subject site, which should be incorporated into the ultimate site design in accordance with the development plan's recommendations and requirements pertaining to open space. Conformance with these

requirements should be determined when a more detailed plan of development is submitted to the Suitland Mixed-Use Town Center Design Review Committee.

The table of uses for the M-U-TC Zone, found within Section 27-547 of the Zoning Ordinance, indicates that dwelling units are permitted without a special permit only if located within a building containing commercial uses on the first floor. The subject application proposes both commercial retail and residential uses but does not specify the intended arrangement of the uses. The need for a special permit application should be determined prior to the issuance of a building permit.

Per Section 27-546.10 of the Zoning Ordinance, landscaping and screening within the M-U-TC Zone shall be provided in accordance with the approved Town Center Development Plan. Conformance with the 2006 *Approved Suitland Mixed-Use Town Center Zone Development Plan*, to which this site is subject, should be determined when a more detailed plan of development is submitted for review. Although the development plan does not include requirements for landscaped strips along streets, such landscaped strips in accordance with the requirements of Sections 4.3(a), Parking Lot Landscaped Strips, and/or 4.2, Commercial and Industrial Landscaped Strips, of the *Prince George's County Landscape Manual* should be incorporated into the overall design, especially for those portions of the frontage along Silver Hill Road where the proposed surface parking lots are located. Appropriate screening should be considered in the site design. In addition, any loading spaces and/or mechanical equipment should be screened in accordance with Section 4.4, Screening Requirements, of the *Prince George's County Landscape Manual*.

17. **Use Conversion**—The subject property is proposing to construct 225 multifamily dwelling units and 15,000 square feet of commercial space in the M-U-TC Zone. The 2006 Approved Suitland Mixed-Use Town Center Development recommends mixed-use development for the area. A new preliminary plan should be required if the development is not mixed-use.

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.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Cavitt, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, December 3, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of January 2010.

Patricia Colihan Barney
Acting Executive Director

By Frances J. Guertin
Planning Board Administrator

PCB:FJG:QN:arj