THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 15-123

File No. SP-150004

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed SP-150004, Suitland Town Center, requesting Special permit for a mixed-use development including age-restricted apartments and amendments to the development standards of the Suitland M-U-TC Zone and the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* within the D-D-O Zone in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on November 19, 2015, the Prince George's County Planning Board finds:

A. **Location and Field Inspection:** The 25.16-acre subject property is located in the Suitland Mixed Use Town Center (M-U-TC) Zone, on the north side of Suitland Road, south of Lacey Avenue, and west of Porter Avenue. The subject property contains a number of lots and parcels with both commercial and residential uses. Much of the site is cleared but undeveloped; the former buildings having been razed. The Suitland Elementary School is located to the north and west of the site.

The existing commercial buildings located at 4606, 4620, 4628, and 4646 Suitland Road were built in 1950, 1956, 1956, and 1954, respectively. They have undergone substantial changes through the years, both structurally and in use.

The area to the north of the commercial buildings was the location of the Suitland Manor garden apartments, which were constructed in 1942. The complex became increasingly troublesome as it fell into disrepair. In an attempt to begin rehabilitation of the area, the Redevelopment Authority began purchasing and razing the multifamily buildings from the largely absentee property owners. All of the apartment buildings and townhouses were demolished by 2009.

B. **History:**

July 1983:	Parcel 53 and Parcel A were purchased by VHG Associates Limited Partnership.
May 2000–March 2003:	The Prince George's County Planning Board approved three separate detailed site plans (DSP-99021, DSP-02030, and DSP-02062) for day care centers in the strip commercial center owned by VHG Associates Limited Partnership in the northwest quadrant of the intersection of Suitland Road and Huron Avenue.
September 2004:	Parcels 55, 54, and 10 were purchased by Mid Atlantic Real Estate Investments, LLC.

July 7, 2005:	The Planning Board approved, with modifications, the preliminary development plan for the Suitland Mixed-Use Town Center per PGCPB Resolution No. 05-134. The development plan is the end result of the extensive neighborhood revitalization efforts focused on the Suitland area that date back to the early 1990s.
February 28, 2006:	The modified development plan and zoning map amendment were approved by the District Council via CR-014-2006 DR-2.
2000–2007:	The Redevelopment Authority purchased the remainder of the subject property, consolidating the vast majority of the site under single ownership.
October 29, 2015:	The Suitland Design Review Committee reviewed the application and recommended approval with conditions.

C. **Master Plan Recommendation:** This subject property is located in the Existing Communities policy area of the Prince George's County Growth Policy Map of the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035). The vision for established communities is to have context-sensitive infill and low- to medium-density development.

The property is in the Suitland M-U-TC Zone. The 2006 *Approved Suitland Mixed-Use Town Center Development Plan* (Suitland M-U-TC Development Plan) establishes design standards and guidelines that govern development within the zone, as well as local review process. The 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* (Southern Green Line Station Sector Plan and SMA) establishes the future land use and modifies the allowed uses within the Suitland M-U-TC boundary. The sector plan establishes development policies and design guidelines for new development that are more permissive than the Suitland M-U-TC Zone in terms of building height and building setbacks from the street. It also recommends retaining the Suitland M-U-TC Zone, but outlines specific recommendations to amend the Suitland M-U-TC Development Plan that include replacing the M-U-TC development concept with the sector plan future land use map and revisions to the applicability section and setback, parking, and height and bulk requirements.

The purposes of the M-U-TC Zone are to:

- Provide for a mix of commercial and limited residential uses which establish a safe, vibrant, 24-hour environment; designed to promote appropriate redevelopment of, and the preservation and adaptive reuse of, selected buildings in older commercial areas;

- Establish a flexible regulatory framework, based on community input, to encourage compatible development and redevelopment;

- Mandate approval of a development plan at the time of zoning approval that includes minimum and maximum development standards and guidelines, in both written and graphic form, to guide and promote local revitalization efforts; and

- Provide for legally existing buildings to be expanded or altered, and existing uses for which valid permits have been issued to be considered permitted uses, and eliminating nonconforming building and use regulations for the same.

This application conforms to the M-U-TC land use recommendations of the development plan because the mix of uses proposed are permitted. The proposal implements the purpose to promote reinvestment in an older commercial area and it proposes to renovate an older building that takes advantage of a flexible regulatory framework to enhance the town center. The proposed renovation and construction of the mix of uses conforms to the intent and policies of the sector plan and SMA. In addition, the applicant meets most of the applicable standards of the development plan, with the exception of some of the design standards for which the applicant must gain approval from the Planning Board. These are discussed in detail in Finding H of this report.

D. **Request:** The applicant is seeking approval of a special permit for the age-restricted apartments and to depart from certain design standards contained in the Suitland M-U-TC Development Plan. The special permit process is the only vehicle by which the applicant can receive departures from these standards.

This special permit site plan proposes the development of approximately 80,331 square feet of commercial retail space, 563 multifamily residential dwellings, 137 senior apartments, 219 townhomes, two single-family detached homes, a 45,000-square-foot performing arts center, and a 33,000-square-foot public plaza with a seasonal ice skating pavilion and a 36,000-square-foot neighborhood park.

E. **Surrounding Uses:** The site is surrounded by the following uses:

North— Suitland Elementary School and single-family residences in the One-Family Detached Residential (R-55) Zone.

East— Single-family residences in the R-55 Zone.

South— Suitland Corner commercial shopping center and Suitland Federal Center in the M-U-TC Zone.

West— The Suitland United States Post Office and various M-U-TC-zoned commercial properties.

F. **Special Permit Findings:** Section 27-239.02(a)(6)(B) of the Prince George's County Zoning Ordinance states that "The Planning Board may grant a special permit in the M-U-TC Zone if it finds that the site plan is in conformance with the approved Town Center Development Plan and

its guidelines and any specific criteria for the particular use. In the event a special permit is approved by the Planning Board, the approval is conditional upon the issuance of a building or use and occupancy permit by the Department of Environmental Resources (DER), Permits and Review Division."

The Suitland M-U-TC Development Plan sets forth guidelines for all development in the town center. Because the applicant is proposing redevelopment of nearly the entire site, they are subject to all of the guidelines and development standards. These are discussed further in Finding H of this report.

G. **Recommendation of the Municipality—Suitland M-U-TC Local Design Review Committee (Suitland LDRC):** On October 29, 2015, in accordance with the local review process, the Suitland Design Review Committee reviewed the application and recommended approval with conditions that several of the guidelines and standards be brought to the attention of the Planning Board for final resolution or obtain departure from standards during the special permit hearing.

H. **Design Standards of the 2006 Approved Suitland Mixed-Use Town Center Development Plan:** As previously stated, the applicant is subject to the design standards which have been listed and evaluated by staff. The applicant has requested a departure from some of the design standards contained in the plan, which have also been evaluated by staff for conformance to the required findings. The applicable M-U-TC standards are discussed below:

1. **Commercial District**

a. **Site Design**

(1) *Building Placement*
The building setback varies from 18 to 28 feet, which exceeds the maximum 22 feet allowed from the edge of the curb.

A departure is required in order to site buildings more than 22 feet from the edge of the curb. Staff supports the departure request because the deeper setbacks will provide more public space and is consistent with the proposed recommendations for setbacks contained in the sector plan.

(2) *Landscaping, Buffering and Screening*
Screening service components from the public view of the adjacent development and from the public rights-of-way. Screening is also required between the commercial district development and property in the noncommercial district development area dumpster and loading areas.

The service components serving the commercial part of the proposed development are located within the two building complexes along Suitland Road. Access to service components is provided through either Homer Avenue or new Street B.

b. **Building Design**

(1) *Form and Massing*

(a) Building Height (Suitland Road) – Building height along Suitland Road varies from five to six stories, exceeding the required five-story maximum.

A departure is required in order to have buildings higher than five stories along Suitland Road. The Planning Board supports the departure to allow the applicant to build higher building along Suitland Road, consistent with the proposed increased height recommendations contained in the sector plan.

(b) Traditional roof styles such as gabled, hipped, stepped, and peaked roofs add interest and variety to buildings and should be incorporated in developments.

The proposed buildings in both commercial and residential districts are designed in a contemporary style with flat roofs and, therefore, do not have all of the roof elements as described above. The roof elements described above are mainly for traditional main street style architecture. The proposed townhouses are designed in a similar way to be consistent with the nonresidential buildings. The proposed architecture for the commercial and residential districts are acceptable. Only the two single-family detached units included in the application may have elements as required by this standard. However, no elevations for the single-family dwellings have been provided.

(2) *Façade Design*

(a) Ground floor windows shall meet the following criteria:

i. Dark-tinted windows and mirrored windows that blocked two-way visibility are prohibited as ground floor windows.

The proposal includes mirrored windows that block two-way visibility, which is not consistent with the requirement. The elevation should be revised to provide clear ground floor windows.

(b) Façade materials shall be high quality, durable and attractive (such as brick, stone and masonry). Imitation or synthetic exterior

building materials that stimulate the appearance of natural stone or brick shall be avoided.

For nonresidential buildings, a combination of brick, cementitious panels, and stucco of various colors has been used. For the residential buildings, a combination of brick and cementitious panels of varied color has been used. The combination of different materials used is acceptable. However, for the nonresidential buildings along Suitland Road, a minimum 50 percent of the front elevation should be finished with brick, excluding all windows and doors.

(3) *Building Lighting and Security*
Lighting is an integral element in the overall architectural design and character of all buildings within the town center. The standards require both building and perimeter lighting to be provided.

Building and perimeter lighting are not provided. The applicant should provide the required lighting information.

c. **Streetscape**

(1) *Sidewalk and Storefronts*
Sidewalks shall be a minimum of eight feet wide and should be a maximum of 16 feet and constructed of durable attractive materials such as brick, stone, or high-quality concrete accented with brick.

The special permit plan provides a deeper setback than 16 feet along Suitland Road that creates a more attractive and spacious public realm.

(2) *Street Furniture and Streetscape Elements*
All new retail and office development shall provide a minimum of two bicycle parking spaces per 10,000 square feet of gross floor area, or fraction thereof.

The applicant should provide a bicycle calculation table on the plan for the buildings in the commercial district.

(3) *Site and Streetscape Lighting*
Lighting design and fixtures should be an integrated part of the development project.

The special permit plan does not provide any lighting fixture details. As discussed previously, the applicant needs to provide lighting information.

2. **Residential District**

a. **Site Design**

(1) *Building Placement*
Building Height (Residential District) – The proposed senior housing is six stories which exceeds the required maximum of three stories.

A departure is required in order to have the building for senior housing higher than six stories. The Planning Board supports the departure to allow the applicant to build a higher building for senior housing, consistent with the proposed increased height recommendations contained in the sector plan.

(2) *Landscaping, Buffering and Screening*
When a multifamily residential use is adjacent to the single-family detached units, the M-U-TC standards (under Site Design–Landscaping, Buffering, and Screening) for the residential district require that a landscape yard of no more than 20 feet in width, with a minimum of 80 plants per 100 linear feet of the adjacent property line, should be provided.

In this case, even though no single-family detached residences are in this position, the plan does show the rear of the townhouses directly fronting multifamily buildings. The intent of the standard is to minimize the negative impact of the multifamily, such as traffic (if there is any) on the single-family living. The applicant should reorient the townhouse building to avoid the rear being seen from the multifamily site, or revise the plan to show adequate buffering between the two uses.

For the area where the proposed art center building is adjacent to the townhouses (in Block I), a similar treatment should be provided.

b. **Building Design**

(1) *Form and Massing*

(a) Building Height – Buildings should be a minimum of two stories and a maximum of three stories in height, not including active living space in a dormered attic.

The townhouse building included in this special permit has roof top terraces and a fourth story that is higher than the maximum building height. A departure is required in order to have building higher than three stories. The Planning Board supports the departure to allow the applicant

to build one-story higher, consistent with the proposed increased height recommendations contained in the sector plan.

(b) Traditional roof styles such as gabled, hipped, stepped, and peaked roofs add interest and variety to buildings and should be incorporated in developments.

See the above building roof discussion under Commercial District.

(2) *Façade Design*
Façade design should emphasize architectural elements such as porches, windows, balconies, variations in rooflines, dormers, window and door treatments, cornice, and turrets. Façade materials shall consist primarily of brick or stone. Single-family (detached/attached) should have masonry façades on at least 100 percent of three sides, including the front (excluding gables, windows, trim, and doors). Multifamily residential building types should incorporate masonry façades (brick, stone, or approved equal) on 100 percent of all façades (or sides).

The applicant is showing elevations which contain substantial brick, masonry and cementitious building treatments, although it falls short of 100 percent as called for in this standard. At the public hearing, the applicant requested a departure from this standard. The Planning Board considered testimony from the applicant as to their wishes to provide a minimum 70 percent brick, stone or cementitious material, consistent with that shown to and approved by the Suitland M-U-TC Local Design Review Committee. Following the discussion, the staff recommended approval of the departure as being in line with the wishes of the Suitland M-U-TC Local Design Review Committee and the need for flexibility called for in the sector plan.

c. **Streetscape**

(1) *Sidewalks*
A continuous sidewalk system shall be provided on both sides of the streets. Sidewalks shall be between six and eight feet in width, shall be buffered from vehicular traffic by a minimum six-foot-wide landscape strip, and shall be paved with bricks, concrete pavers, or high-quality concrete accented with brick. Concrete with broom finish may also be an acceptable finish if approved by the Design Review Committee.

The residential area sidewalk varies from four to five feet, buffered by a five-foot-wide landscape strip, in most cases. The design standard requires six to eight feet wide sidewalk, buffered from vehicular traffic by a six-foot-wide landscape strip. A departure is supported by the Planning Board. A six-foot-wide sidewalk is

recommended along all private streets. The Prince George's County Department of Public Works and Transportation (DPW&T) will control the width of sidewalks within the public rights-of-way.

(2) *Site and Streetscape Lighting*

See the above discussion under Commercial District.

3. **Public Spaces**

(1) The Special Permit application utilizes alley in the site design of the townhouse units. The M-U-TC standards (under Streetscape/Alleys) requires that all alleys be 22 feet in width, with 18 feet of pavement, in order to provide secondary pedestrian or service access to the rear of lots.

The plan shows conformance with the required alley width. However, some alleys are longer than the 150 feet, which will require that turn-around capacity be provided at the end of the alleys. There are two alleys that exceed the 150-foot limit. They are Parcels C and F, Block D. The applicant must revise the plan to either shorten the alley or provide turn-around capability prior to approval of the special permit plan.

(2) *Furniture and Streetscape Elements*
Street furniture such as benches and trash receptacles should be provided at appropriate locations along streets.

The application does not provide elevation details of the proposed art center, as well as street furniture and streetscape elements of the urban park. The location of bicycle racks and the provision of the minimum requirements for outdoor seating, trash receptacles, and water fountains must be shown.

(3) *Site and Streetscape Lighting*

See above discussion under Commercial District. The intent of light fixtures is to be an integral component of the overall architectural design and character of a proposed development. The Suitland Town Center development proposes street lights that are 25 feet high and located about 70 feet apart. The M-U-TC Development Plan recommends ornamental street lights and should be 15 feet at maximum height. Consideration should be given to placing street lights closer to avoid leaving dark areas for security reasons and encourage walkability. This can be shown by requiring the applicant to submit a photometric study.

4. **Parking and Loading**

(1) *Circulation and Parking Area Design*
Curb cuts onto "neighborhood streets" shall be located no closer than 20 feet to the point-of-curvature of an intersection so that they will not create a traffic hazard.

The special permit plan should be revised prior to approval to show conformance with this requirement.

(2) At least one parking space in each parking lot of 20 spaces or more should be designated for police vehicles.
The applicant should mark the parking space for police vehicles on the plan.

5. **Signage**

A common sign plan shall be provided for each new multi-tenant office, nonresidential, and mixed-use building or when there is more than one principal building on a single parcel.

A detailed sign plan is not provided as required, as well as incorporating a ground-mounted or monumental gateway or entrance sign for the proposed multifamily complex. The applicant should provide the required sign plan prior to approval of the special permit.

I. **Required Findings:** Section 27-548.00.01(a) of the Zoning Ordinance states:

(1) A Special Permit may be permitted by the Planning Board, in accordance with the provisions of Section 27-239.02.

(2) The Planning Board is authorized to allow departures from the strict application of any standard or guideline approved in a Town Center Development Plan in accordance with the procedures set forth in Section 27-239.01 and subject to the following findings:

(A) A specific parcel of land has exceptional narrowness, shallowness, or shape; exceptional topographic conditions; or other extraordinary situations or conditions;

The subject property is 25.16 acres in area and constitutes numerous lots and parcels. While it is not a small property, the site's unique shape and other infill development constraints challenge traditional design approaches for lot arrangement and other design elements. This was recognized at the time of the Southern Green Line Station Sector Plan and SMA, which made specific recommendations towards adding additional flexibility to many of the design standards in the Suitland M-U-TC Development Plan. However,

because the development plan has not been amended, this special permit process is the only avenue available to the applicant to gain approval of a plan that conforms to both the existing design guidelines and those proposed for change in the sector plan. This situation results in a unique circumstance and extraordinary situation or condition not found in other properties in the area.

(B) The strict application of the Development Plan will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and

The Southern Green Line Station Sector Plan recommends retaining the Suitland M-U-TC Zone, but outlines specific recommendations to amend the Suitland M-U-TC Development Plan that include replacing the M-U-TC development concept with the sector plan future land use map and revisions to the applicability section and setback, parking, and height and bulk requirements.

Although the sector plan recommends updates to the Suitland M-U-TC Development Plan, those updates have not yet been made and approved by the Planning Board. As a result, the standards in the development plan still govern development within the M-U-TC Zone boundary. Even though this application meets the vision and intent of the M-U-TC Zone and the Southern Green Line Sector Plan for Suitland areas that are intended to encourage flexibility in land uses and design that create an active and vibrant mixed-use development in an urban form, the applicant is stuck between the approved development standards and the more flexible recommendations of the sector plan. Strict application of the development standards, which are now recognized as being too onerous, would ignore the recommendations of the plan and result in peculiar and unusual practical difficulties to the applicant as they move forward in trying to rehabilitate this area, which is sorely needed.

Based on the applicant's statement of justification and the preceding analysis, the Planning Board believes that the strict application of the development plan standard would result in an unusual practical difficulty to comply with the standards by not allowing the applicant the alternatives to the development plan as proposed by the Southern Green Line Station Sector Plan.

(C) The departure will not substantially impair the intent, purpose, or integrity of the General Plan, Master Plan, or the Town Center Development Plan.

The departures will not substantially impair the integrity of the M-U-TC Development Plan. The intended purpose of the M-U-TC Zone is "to be flexible and allow the applicant alternatives to strict application of all of the design standards when developing in accordance with the goal, design principles, and intent statements of the development plan" (*emphasis added*). The same is true regarding the development plan itself, as it is intended to *"create a flexible framework for reviewing and approving future development in the M-U-TC Zone,"* and its purpose is to *"establish a flexible regulatory*

framework...to encourage...redevelopment..." Sections 27-546.13(a)(1) and 27-546.09(a)(6) of the Zoning Ordinance (*emphasis added*). With these purposes and general guidelines in mind, the proposed development and the requested departure do not substantially impair the goals of the development plan, instead, it significantly improves what had become a blighted area of the County as well as addresses the recommendations of the Southern Green Line Station Sector Plan, which suggests greater flexibility is needed.

J. **Parking Requirements:** The Suitland M-U-TC Development Plan contains parking standards which differ from those contained in the Zoning Ordinance, having both a maximum (1,947 spaces) and minimum (1,160 spaces) number of parking spaces based on what is required by Section 11. The applicant is providing 1,506 parking spaces. The parking requirement has been met.

K. **Tree Canopy Coverage:** The Prince George's County Tree Canopy Coverage Ordinance became effective on September 1, 2010. The applicant's proposal must show the tree canopy coverage calculations to ensure conformity thereto.

CONCLUSION

The Planning Board may grant departures from the standards contained in the 2006 Suitland M-U-TC Development Plan through the special permit process. Based on the submitted site plan, justification statement, and other submitted materials, this site is not in full conformance with the development plan standards. However, it is important to keep in mind that this proposal is essentially rebuilding the entire Suitland Town Center. In addition, the subsequent 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* outlines specific recommendations to amend the Suitland M-U-TC Development Plan that include replacing the M-U-TC development concept with the sector plan future land use map and revisions to the applicability section, setback, parking, and height and bulk requirements. The Planning Board believes that the requested departure is justified. Therefore, the Planning Board APPROVE Special Permit Application No. SP-150004 including the requested departure.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVE the above-noted Special Permit application, subject to the following conditions:

1. Prior to certification of the special permit, the site plan shall be revised as follows:

   a. Provide details of the lighting fixtures included in this application.

   b. Provide a deck over the garage, a uniform cantilever deck, or a Juliette balcony on rear garage loaded townhouses at the second level of each unit. The design and materials shall be determined prior to certification by the Urban Design Section as the designee of the Planning Board.

c. Provide a photometric study for the areas between the residential and commercial districts to make sure that the lighting in the commercial districts will not spill over into the adjacent residential districts.

d. Provide a signage plan for the proposed development.

e. Revise the plan to either shorten or provide turn-around capacity for those alleys longer than 150 feet.

f. Provide a note on the plan indicating that the finished square footage and architectural elevations of the proposed single-family detached units in Block 6, Lots 20/21 shall be provided prior to building permit.

g. The applicant shall revise the special permit plan to reorient Lots 18 through 24, Block E, so that they are parallel with the townhouse sticks for Lots 12-17 and 25-30, Block E, instead of perpendicular, or revise the plan to demonstrate adequate buffering between Lots 18-24, Block E, and the proposed apartment housing for the elderly.

h. Provide appropriate landscape buffering between the townhouses and the proposed art center building.

i. Revise the elevations for building along Suitland Road and new Street B to provide non-mirrored ground floor windows.

j. Provide information on green building techniques that will be used in this project.

k. Provide an exhibit to identify the fronts of the buildings surrounding the central green in Block D. In no circumstance shall any rear of the buildings front on the central green.

l. Provide a landscape detail sheet to show details of the special pavers and other street furniture.

m. Provide a tree canopy coverage schedule on the landscape plan.

n. Provide a bicycle calculation table on the plan for all nonresidential buildings.

o. Provide a brick/masonry percentage table for all nonresidential buildings.

p. All single-family houses, townhouses, multifamily buildings, and nonresidential buildings along Suitland Road shall be designed and built with at least 70 percent brick, masonry, or cementitious materials, or equivalent, in accordance with the MUTC Committee approval.

2. Prior to certification of the special permit site plan and signature approval of the preliminary plan of subdivision, the two plans shall be reconciled and found to be conforming.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Shoaff, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, November 19, 2015 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of December, 2015.

Patricia Colihan Barney
Executive Director

Jessica Jones

By Jessica Jones
Planning Board Administrator

PCB:JJ:TL:ydw

APPROVED AS TO LEGAL SUFFICIENCY
M-NCPPC Legal Department
Date 12/1/15