PGCPB No. 06-160 File No. DSP-05066

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 6, 2006, regarding Detailed Site Plan DSP-05066 for The Shops at District Heights, the Planning Board finds:

1. **Request:** The subject application requests approval of a 96,762-square-foot commercial shopping center in the C-S-C Zone.

2. **Development Data Summary**

	EXISTING	**PROPOSED**
Zone	C-S-C	C-S-C
Use(s)	Vacant	Commercial Shopping Center
Acreage	9.2481	9.2481
Parcels	2	2
Building Square Footage/GFA	0	96,762

	REQUIRED	**PROPOSED**
Total parking spaces	388	400
Of which handicapped spaces	8	14
Loading spaces	3	7

3. **Location:** The site is in Planning Area 75A and Council District 7. More specifically, it is located in the northwestern quadrant of the intersection of Silver Hill Road and Pennsylvania Avenue.

4. **Surroundings and Use:** The subject property is bounded to the south by Silver Hill Road and a single-family dwelling unit, a church and a fast-food restaurant beyond; to the east by Pennsylvania Avenue and a church beyond; to the west by a church; and to the north by an apartment complex.

5. **Previous Approvals:** The subject site received stormwater management concept approval from the Department of Environmental Resources on July 16, 2004. Such approval (22962-2004) is effective for three years, or until July 16, 2007. The Planning Board approved preliminary plan of subdivision 4-04125 for the site on November 18, 2005. A resolution formalizing that approval was then adopted on January 13, 2006, and the resolution was mailed out on January 18, 2006. The site is also the subject of approved special exception SE-1808.

6. **Design Features**: The site is accessed at two points from Silver Hill Road. The anchor of the shopping center, a proposed 71,007-square-foot Giant Food Store, is flanked most immediately on its western side by three retail units, measuring 1,400 square feet each, then by an additional 13

units, totaling an additional 18,200 square feet of retail space. Parking for the development is provided primarily in front of the proposed buildings. There is an additional retail building in the eastern corner of the site measuring 3,355 square feet. Loading is provided behind the buildings.

An eight-foot concrete security wall is indicated between the subject site and the multifamily housing to its north and approximately 46 feet of the subject property's Pennsylvania Avenue frontage. Staff would like to note that the Board of Zoning Appeals has approved a wall of the same design on the adjacent church property to which the subject wall will connect.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance.

   a. The subject application is in conformance with the requirements of Section 27-461, which governs permitted uses in commercial zones. The proposed commercial shopping center is a permitted use in the C-S-C Zone.

   b. The proposal is also in conformance with the requirements of Section 27-462, Regulations, regarding additional regulations for development in commercial zones.

   c. Please see Findings 12 and 13 below for further information on the requested departures from design standards.

8. **Preliminary Plan of Subdivision 4-04125:** The subject development must be developed in accordance with the conditions of approval indicated in PGCPB Resolution 04-279 that was adopted by the Planning Board on January 13, 2005. Each relevant condition of that approval is indicated in bold face type below and is followed by staff's comments.

   1. Prior to the issuance of building permits, the applicant shall obtain detailed site plan approval by the Planning Board. The detailed site plan shall address landscaping, architecture, on-site circulation, and the visual relationships between the shopping center and the adjacent residences.

   Comment: The subject application addresses landscaping by complying with the majority of the requirements of the *Landscape Manual* and seeking a departure. More particularly, the applicant has fully complied with the requirements of Section 4.2, Commercial and Industrial Landscaped Strip Requirements, and 4.3, Parking Lot Requirements, of the *Landscape Manual* and has requested a departure from design standards for its deviation from the requirements of Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual* for a portion of the rear 401 linear feet of the western property line and for the western 158 linear feet of the property line shared with Pennbrooke Terrace apartments. Please note that whereas staff is supportive of the departure with respect to the common property line shared with Pennbrooke Terrace, where the applicant intends to construct an eight-foot concrete wall, staff is not supportive of the departure along the side property line adjacent to the

church property, where no such wall would compensate for the lack of plantings.

The subject application addresses the preliminary plan's concern with architecture by offering visually interesting architecture with a mix of architectural forms and materials. Brick-colored ground face CMU provides an attractive accent to the varying colors ("powder tan," "pearl" and "early moss") of an EIFS product. Applicant has adequately addressed on-site circulation by providing only two entrances to the project, although it is located on a corner lot, and providing clearly defined travel ways through the parking lot and the stores as well as to the three loading areas provided on the site. Lastly, the preliminary plan condition regarding the visual relationships between the shopping center and the adjacent residences has been addressed by the construction of an eight-foot concrete wall, the design of which has been enhanced by both the offered design of stamped concrete formed to resemble white painted brick and by a condition below that would require the planting of a climbing vine at appropriate intervals along the base of the wall.

Should the Planning Board choose to approve the subject detailed site plan as recommended below by staff, the requirements of above condition 1 of the approval of the preliminary plan of subdivision would be fully met.

2. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (22962-2004-00), or any approved revision thereto.

Comment: As per revised comments received from the Department of Environmental Resources dated February 23, 2006, the site plan is consistent with approved Stormwater Management Concept Plan 22962-2004.

5. Total development within the subject property shall be limited to 96,802 square feet, consisting of an integrated shopping center or equivalent development, which generates no more than 90 A.M. and 405 P.M. peak hour trips. Any development other than that identified herein shall require a new preliminary plan of subdivision.

Comment: As per the Transportation Planning Section's comments dated June 22, 2006, the square footage shown on the current plan is within the trip cap.

9. **Special Exception SE-1808**: This special exception was approved in 1968, authorizing automobile sales, service, body repair shop, used car sales and service, and other related uses to a new car dealership on the site. However, since the site is currently vacant and because the requirements of a special exception approval are only relevant if the subject use is extant on the site, the requirements of that approval do not attach to the case at hand.

10. ***Landscape Manual:*** The proposed development is subject to Sections 4.2, 4.3 and 4.7 of the *Landscape Manual*. Staff has reviewed the submitted landscape plan for the project and while the plan is in general conformance with Sections 4.2 and 4.3, the plan is not in conformance with Section 4.7. The applicant has applied for a departure pursuant to Section 1.3(f) of the *Landscape Manual* for relief from the requirements of Section 4.7. Please see Finding 13 below for a more detailed

discussion of the departure application.

11. **Woodland Conservation Ordinance:** This property is not subject to the provisions of the Prince George's County Woodland Conservation Ordinance because although the gross tract area of the subject property is greater than 40,000 square feet, there is less than 10,000 square feet of existing woodland. A Type I tree conservation plan was not submitted with the review package and is not required. This site has an approved letter of exemption from the Environmental Planning Section, dated June 10, 2004. Since the letter will expire June 10, 2006, the applicant must procure an updated letter of exemption from the Environmental Planning Section. A copy of this letter of exemption must be submitted at time of building permit.

12. **Departure from Design Standards DDS-562 for loading operations within 50 feet of residentially zoned land:** The first requested departure from design standards requests relief from the requirement of Section 27-579 that loading operations or vehicular entrances (including driveways and doorways) to any loading space must be located at least 50 feet from any residentially zoned land. The applicable required findings for a departure from design standards pursuant to Section 27-239.01(b)(8) are listed below in bold face type followed by staff comment. The above departure from design standards is requested along both the northern and western boundaries of the subject site.

The purposes of this Subtitle will be equally well or better served by the applicant's proposal;

Comment: The purposes of the Zoning Ordinance as set forth in Section 27-102, particularly Section 27-102(6) that states that it is a purpose of the ordinance to promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development, will be equally or better served by the applicant's proposal. With respect to the western property line of the subject site, the 20 feet from the property line location of the access to the loading spaces represents an improvement over the preexisting access that only leaves five feet between it and the subject property line. However, the residentially-zoned land adjacent to the subject site on its western side is occupied by a church rather than residential land use, as contemplated by its zoning. The adjacent church is less likely to be negatively impacted by the proximity of the access to the loading area than residential use would be. Along the northern property line, the construction of the proposed eight-foot concrete wall would serve to mitigate the impact of having loading operations ten feet closer (40 instead of 50) to the shared property line.

The departure is the minimum necessary, given the circumstances of the request;

Comment: The constraints of the site dictate the driveway's location on the western side of the site and the design of the loading operations with its required turn-around radius at the north end of the site. Therefore, it may be said that the departure is the minimum necessary, given the circumstances of the request.

The departure is necessary in order to alleviate circumstances that are unique to the site or prevalent in areas of the county developed prior to November 29, 1949;

Comment: The departure is necessary because of the unusual combination of commercial, residential and institutional land uses in close proximity to the vicinity of the subject site. The site's peculiar and non-regular shape offers few alternatives for separate, safe and convenient access to and location of the loading areas.

The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

Comment: The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood if proposed conditions requiring additional landscaping along the western property line are fulfilled.

13. The second requested departure is pursuant to Section 1.3(f) of the *Landscape Manual,* which states that a departure from design standards is required where an applicant cannot meet the standards of the *Landscape Manual* and alternative compliance cannot be granted. Specifically, the applicant is requesting relief from the bufferyard width, the building setback, and the plant units per 100 linear feet of property line of Section 4.7 of the *Landscape Manual,* Buffering Incompatible Uses. Applicant is requesting a departure from design standards for landscaping requirements along portions of the northern and western property lines of the subject site. Prior to applying for the departure, the applicant unsuccessfully sought alternative compliance pursuant to Section 1.3 of the *Landscape Manual,* then received a letter from the Planning Director granting authority to pursue the subject departure as is required. For the northern 401 linear feet of the western boundary shared with the church, the applicant is requesting relief from the "B" bufferyard required in accordance with Section 4.7 of the *Landscape Manual.* A "B" bufferyard requires a building setback of 30 feet, a minimum landscaped yard width of 20 feet and the inclusion of a minimum of 321 plant units within that landscaped yard. The applicant is only showing a setback of 20 feet. In addition, the applicant has not complied with the requirement regarding the minimum landscaped yard width nor the plant units required in the buffer strip. Applicant has, in addition, requested relief from the Section 4.7 requirement that necessitates a "D" bufferyard along the western 158 linear feet of the northern property line of the site that is shared with Pennbrooke Terrace, an existing multifamily residential development. A D buffer requires a minimum building setback of 50 feet, a minimum width of the landscaped yard of 40 feet and 255 plant units in the buffer strip. Though the applicant is complying with the requirement regarding the minimum width of the landscaped yard, the setback shown is 40 feet instead of 50 feet and no plant units are indicated, where 255 are required. In addition, the applicant is requesting a departure from the setback requirement for the eight-foot concrete wall along the northern property line. Section 27-462, Regulations in Commercial Zones, specifies 12 feet, or the buffer required in the *Landscape Manual,* whichever is greater as the side yard setback. In this case, the 50-foot requirement in the *Landscape Manual* is greater and therefore would apply.

The applicable required findings for a departure from design standards pursuant to Section 27-239.01(b)(8) are listed below in bold type followed by staff comment.

The purposes of this subtitle will be equally well or better served by the applicant's proposal.

Comment: The purposes of the Zoning Ordinance, as expressed in Section 27-102, would be equally well or better served by the applicant's proposal along the northern, but not along the western, property lines. Section 27-102(a)(1) specifies protecting and promoting *inter alia* the health, safety, and welfare of the present and future inhabitants of the county. Staff agrees with the applicant's assertion that the wall, combined with the absence of plant materials along the northern property line, might aid in deterring crime in the area, thereby serving the purposes of the Zoning Ordinance. Staff would suggest, however, that the applicant be required to plant the required landscaped yard along the western property line, although the building setback portion of the *Landscape Manual's* 4.7 buffer cannot be complied with, and a departure from that portion of the *Landscape Manual* requirements is recommended. Additionally, and by recommended condition below, staff is recommending that shade trees that may be limbed up be utilized to fulfill the plant unit requirement so as to reduce the possibility that the vegetation provides cover for criminal activity.

The departure is the minimum necessary, given the circumstances of the request.

Comment: Staff concurs that in this unusual circumstance, the requested departure is the minimum necessary along the northern property line. A lower wall combined with the addition of plant materials might provide an environment more conducive to crime. Criminal activity in the area appears to be a chronic problem and appears to emanate from the adjacent residential development. Along the western property line, staff does not feel that the departure requested is the minimum necessary and, therefore, is recommending only a departure of ten feet in required building setback and that selected shade trees be utilized to fulfill the planting requirement.

The departure is necessary in order to alleviate circumstances that are unique to the site or prevalent in areas of the county developed prior to November 29, 1949.

Comment: The departure as presented by staff is necessary in order to alleviate circumstances that are unique to the site, including its simultaneous proximity to residential land use and a church and the unusual configuration of this corner lot, as well as a chronic problem with criminal activity shared by all land uses in the vicinity of the subject site.

The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

The wall proposed along the northern property line in the subject application utilizes a patterned concrete material. Its design includes a smooth concrete band coping at the top of the wall with a brick textured form liner finish for the remainder of the wall. The wall presents an acceptable aesthetic aspect similar to painted white brick. A condition below requires the applicant to plant climbing vines at appropriate intervals in order to enhance the

visual impact of the wall. The suggested plantings, primarily of shade trees, along the western property line will enhance its visual quality. Therefore, it can be said that the departure will not impair the visual, functional, or environmental quality or integrity of the site and neighborhood.

For a departure from a standard contained in the *Landscape Manual,* the Planning Board shall find, in addition to the requirements in paragraph (9)(A) above, that there is no feasible proposal for alternative compliance as defined in the *Landscape Manual,* which would exhibit equal or better design characteristics.

Comment: The alternative compliance committee's staff has informed staff that there is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, which would exhibit equal or better design characteristics. Further, in a letter dated April 27, 2006, the Planning Director agreed that the proposed landscape improvements and security wall would not meet the "equal or better" criterion of the *Landscape Manual* and a disapproval would be the ultimate conclusion of the Alternate Compliance Committee. Therefore it may be said that the applicant has met this requirement.

14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

Historic Preservation—In comments dated January 27, 2006, the Historic Preservation and Public Facilities Planning Section stated that the proposed project would have no effect on historic resources.

Archeological Review—In comments dated February 17, 2006, the staff archeologist stated that a Phase I archeological survey would not be recommended by the Planning Department on the subject property. They did mention, however, that state or federal agencies may require a Section 106 review and archeological survey.

Community Planning—In a memorandum dated February 15, 2006, the Community Planning Division stated that the subject application is not inconsistent with the 2002 approved General Plan Development Pattern policies for Developed Tier corridors and that it conforms to the land use recommendations of the 1986 approved master plan and adopted sectional map amendment for Suitland-District Heights and vicinity, Planning Areas 75A and 75B.

Transportation—In a memorandum dated June 22, 2006, the Transportation Planning Section offered the following:

> There is an approved subdivision (Preliminary Plan 4-04125 and PGCPB Resolution No.04-279) for the site. There are several transportation-related conditions on the underlying subdivision, and the status of these conditions are summarized below:

PGCPB No.04-279 (4-04125):

Condition 3: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with SHA.

These improvements included a new traffic signal at MD 458, frontage and safety improvements, including acceleration/deceleration lanes along MD 458, and any additional signage and pavement markings.

This condition is enforceable at the time of building permit.

Condition 4: At the time of final plat approval, the applicant shall dedicate 60 feet of right-of-way along MD 458 from the centerline of existing pavement.

This condition is enforceable at the time of final plat approval, and appears to be shown correctly on the submitted Detailed Site Plan.

Condition 5: Total development within the subject property shall be limited to 96,802 square feet consisting of an integrated shopping center, or equivalent development, which generates no more than 90 AM and 405 PM peak-hour trips. Any development other than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

The square footage shown on the current plan is within the trip cap.

On-site circulation is acceptable.

Insofar as the uses proposed on this site plan are generally consistent with the uses proposed at the time of preliminary plan, making the basis for the preliminary plan findings is still valid, and in consideration of the materials discussed earlier in this memorandum, the transportation staff finds that the subject property will be adequately served within a reasonable period of time with transportation facilities that are existing, programmed, or will be provided as a part of the development by the applicant.

The applicant is also requesting a departure from design standards for Section 27-579 (b), Loading Operations or Vehicular Entrances (including driveways and doorways), to any loading space within 50 feet of a residential zone. The site is bordered on the north by a residential complex (apartments). An eight-foot-high security wall is also proposed along the north side of the property along with a landscape buffer. The access driveways will be within the required 50-foot setback. Transportation Planning staff has no comments regarding the departure from design standards.

Subdivision—In comments dated January 31, 2006, the Subdivision Section stated that development would be subject to preliminary plan 4-04125 conditions of approval as indicated in Resolution PGCPB No. 04-279, which was adopted by the Planning Board on January 13, 2005. Further, they stated that as per Condition 1 of that resolution, the detailed site plan is required to address landscaping, architecture, on-site circulation and the visual relationships between the shopping center and the adjacent residences and church. They also stated that total development on the subject property must be limited to 96,802 square feet or equivalent development generating no more than 90 AM and 405 PM peak-hour trips as per Condition 5. They then deferred to the Transportation Planning Section to determine conformance with the trip cap, stating that development in excess of that limit would require the review and approval of a new preliminary plan of subdivision. The above conditions have been taken into account in the review of the subject application and/or are reflected in the recommended conditions below.

Trails—In comments dated February 22, 2006, the senior trails planner stated that there are no master plan trails issues identified in either the adopted and approved Suitland-District Heights master plan or the 1985 Equestrian Addendum to the Adopted and Approved Countywide Trails Plan. Additionally, he stated that the site lies just outside of the Suitland Mixed-Use Town Center Development Plan, which recognizes the importance of pedestrian accessibility in this area. The Suitland M-U-TC development plan recommends sidewalks at least six feet wide in residential areas and at least eight feet wide in commercial areas, buffered from vehicular traffic by a minimum six-foot-wide landscaped strip in order to allow for street trees and to buffer pedestrians from street traffic (Suitland M-U-TC, pages 30 and 36). Due to the commercial nature of the subject application and the proximity of residential development near the subject site, an enhanced pedestrian streetscape may be appropriate along the subject portion of Silver Hill Road.
With respect to sidewalk connectivity, the senior trails planner stated that due to the subject site's close proximity to the Suitland Metro, walking is a viable mode for some residents to get to Metro. Recent road improvements by the State Highway Administration along Silver Hill Road (MD 458) include standard sidewalks and wide outside curb lanes along both sides, including the frontage of the subject site. The sidewalks accommodate pedestrian movement along the subject heavily traveled corridor, while the wide outside curb lanes serve to accommodate on-road bicycle movement. However this sidewalk is directly behind the curb with no buffer for pedestrians from the fast-moving motor vehicle traffic. The subject site is slightly more than one mile from Metro. In closing, he stated that pedestrians should be safely and conveniently accommodated along Silver Hill Road within an attractive streetscape and recommended the provision of a minimum six-foot-wide sidewalk along the subject property's entire frontage of Silver Hill Road, separated from the curb with a minimum six-foot-wide landscape strip. On the western edge of the frontage, he suggested that the sidewalk should transition back into the existing sidewalk immediately behind the curb. Lastly, he stated that the site plan reflects sidewalk connections from Silver Hill Road to the proposed shopping center and to the 6,050-square-foot retail pad site. The senior trails planner's recommendation regarding sidewalk along Silver Hill Road is included in the recommended conditions below.

Permits—The Permit Review Section, in a memorandum dated January 30, 2006, offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions

below.

Environmental Planning—In a memorandum dated February 27, 2006, the Environmental Planning Section stated the following:

a. A forest stand delineation (FSD) was not submitted with this application and is not required. The subject property is predominantly cleared and developed. Woodland on-site is less than 10,000 square feet.

b. This property is not subject to the provisions of the Woodland Conservation Ordinance because although the gross tract area of the subject property is greater than 40,000 square feet, there is less than 10,000 square feet of existing woodland. A Type I tree conservation plan was not submitted with the review package and is not required. This site has an approved letter of exemption from the Environmental Planning Section, dated June 10, 2004. A copy of this letter of exemption must be submitted at time of building permit.

c. A Stormwater Management Concept Approval Letter (CSD 22962-2004-00) dated July 16, 2004, was submitted with the subject application. Requirements for stormwater management will be met through subsequent reviews by the Department of Environmental Resources.

Additionally, noting that the letter of exemption will be required as part of the application for any grading or building permit application, they stated that no further action/information would be required with respect to the forest stand delineation, the letter of exemption or stormwater management at this time.

Department of Environmental Resources (DER)—In revised comments dated February 23, 2006, the Department of Environmental Resources stated that the site plan is consistent with approved stormwater concept 22962-2004.

Fire/EMS Department—In comments dated June 7, 2006, the Prince George's County Fire/EMS Department offered comment on required access for fire apparatus, private road design, fire lane requirements, and the location and performance of fire hydrants.

Washington Suburban Sanitary Commission (WSSC)—In comments dated February 13, 2006, WSSC stated that water and sewer are available to the site, that an on-site plan review package should be submitted and that existing 14-inch and 24-inch water and 8-inch sewer main lines in Silver Hill Road are not shown on the plan. Further, they stated that the proposed sewer connection to an existing main for the retail building is unclear on the plan. These oversights are corrected in the recommended conditions below.

Maryland State Highway Administration (SHA)—In a letter dated February 15, 2006, SHA stated that the subject property is located at the intersection of MD 458 (Silver Hill Road) and MD 4 (Pennsylvania Avenue), both state roads classified as a principle arterial highway and urban

freeway/expressway, respectively. The former has an annual average daily trip (AADT) volume of 40,750 vehicles per day and a speed limit of 30 miles per hour, and the latter has an AADT of 27,875 and a speed limit of 55 miles per hour. Additionally, they stated that the applicant submitted a traffic impact study in August 2004 and that recommendations from that report were incorporated as a condition of approval of the preliminary plan for the subject property. Further they stated that an access permit with a required submission of storm drain design and calculations to the hydraulic engineering section of SHA would be required for the construction of improvements within the state right-of-way. Lastly, they stated that the applicant would have to have to have a plat prepared in SHA format for the dedication of right-of-way adjacent to MD 458 and MD 4.

Town of Capitol Heights—One June 8, 2006, the Town of Capitol Heights verbally informed staff that it did not plan to comment on the subject project as it is not located directly within its jurisdiction.

Town of District Heights—In a verbal statement made February 13, 2006, the Town of District Heights stated that they have no comment on the subject project.

15. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-05066, subject to the following conditions:

1. Prior to signature approval of the plans, the applicant shall accomplish the following changes to the plan or submit the following additional materials:

    a. The applicant shall show a minimum six-foot-wide sidewalk, separated from the curb by a minimum six-foot-wide planting strip, along the subject site's entire frontage of Silver Hill Road (MD 458), unless modified by the State Highway Administration.

    b. The applicant shall add a note to the plan stating that off-site information indicated on the detailed site plan is for informational purposes only and not intended to be made part of the subject approval.

    c. The existing 14-inch, 24-inch, and 8-inch WSSC utility lines in Silver Hill Road that the proposed sewer connection to an existing main shall be clearly and correctly indicated on the plans.

2. Prior to the issuance of building permits for the subject project, the applicant shall provide a current letter of exemption from the Environmental Planning Section with respect to the requirements of the

Prince George's County Woodland Conservation Ordinance.

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

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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 Eley, seconded by Commissioner Squire, with Commissioners Eley, Squire and Vaughns voting in favor of the motion, with Commissioner Parker opposing the motion, and with Commissioner Clark absent at its regular meeting held on Thursday, July 6, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of July 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:RG:bjs