

RESOLUTION

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 June 14, 2007, regarding Detailed Site Plan DSP-05113 for The Pointe at Cheverly, the Planning Board finds:

1. **Request:** The subject application is for approval of a mixed-use project with residential and commercial development. More specifically, the request is for the construction of two buildings. The larger of the two buildings is slated to include 200 residential units (118 one-bedroom units, 82 two-bedroom units, and the 5,580 square feet of commercial space) and the smaller of the two buildings is to include 44 units (28 one-bedroom and 16 two-bedroom units). The applicant also seeks to change the zoning of the site from the C-S-C (Commercial Shopping Area) and C-O (Commercial Office) Zones to the M-U-I Zone.

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	C-O/C-S-C	M-U-I
Use(s)	Office	Residential and Commercial
Parcels	4	4
Acreage	3.34 acres	3.34 acres
	Of which	
	Parcel A	1.3426 (58,486 square feet)
	Parcel B	1.1636 (50,702 square feet)
	Parcel D	.3791 (16,513 square feet)
Lots	1	1 (.2209 acre or 9.622 square feet)
Old Road Bed	10,055 square feet or 0.2308 acre	10,055 square feet or 0.2308 to be abandoned
Square Footage/GFA	0	5,580
Residential Units	0	244
		Of which
		146 one-bedroom (60%)
		98 two-bedroom (40%)

Parking and Loading Data

<b>Parking Required</b>	<b>Parking Provided</b>
371	371
Of which are handicapped spaces	8
<b>Loading Required</b>	<b>Loading Provided</b>
2	2

3. **Location:** The site is located in the southeastern quadrant of the intersection of 57<sup>th</sup> Street and Annapolis Road (MD 450) in the City of Cheverly, in Planning Area 69, Council District 5, and the Developed Tier.
4. **Surrounding Uses:** The site is bounded on the west side by 57<sup>th</sup> Avenue, with residential use on the opposite side of the street; to the north by a gas station and by multifamily residential use and a gas station diagonally across the intersection of MD 450 (Annapolis Road) and 57<sup>th</sup> Avenue. The primary land uses surrounding the site are residential except for the gas station fronting MD 450 and another gas station located diagonally across the intersection of MD 450 (Annapolis Road).
5. **Previous Approvals:** Stormwater management concept approval #18771-2001-00 was issued for the site on November 2, 2005, and will be effective until November 2, 2008. The site is also subject to the requirements of Preliminary Plan of Subdivision 4-05152 that was approved by the Planning Board on January 11, 2007. PGCPB Resolution No. 07-07 was adopted by the Planning Board on February 1, 2007, formalizing that approval, and mailed out to parties of record that same day.
6. **Design Features:** The generally V-shaped site has frontage on, and access to, both 57<sup>th</sup> Avenue and MD 450 (Annapolis Road). The project consists of two buildings, one five stories, containing all the 5,580 square feet of commercial space and 200 residential units; and one six stories, containing the additional 44 residential units. An option of internally connecting a commercial to a residential unit is being offered to potential purchasers though the applicant is making a commitment to the 5,580 square feet of commercial remaining commercial so that the project will remain a bona fide mixed-use project. The larger building, identified as "Building 1," is located on the western portion of the site, more proximate to the project's 57<sup>th</sup> Street frontage. The smaller building, identified as "Building 2," is more proximate to the project's MD 450 frontage. An existing gas station is located between the two buildings in the center of the "V" created by them, and fronts also on MD 450. The Baltimore-Washington Parkway bounds the site to the east and 58<sup>th</sup> Avenue dead ends into the subject property in the mid-portion of the southern boundary of the site. The project maintains an interparcel connection with the adjacent Howard Johnson Restaurant and Motor Lodge on its southeastern corner.

The access point at MD 450 is separated by a median where an entrance sign is located for the development. The access drive runs alongside Building 2 to a roundabout with a fountain in its center, which, located adjacent to the southern end of Building 1 and the eastern end of Building 1,

provides a focal point and an architectural amenity for the development. The fountain feature is landscaped and further enhanced by utilizing specialized pavement, chosen in a complementary color scheme to that utilized in the buildings. Loading and well-camouflaged trash receptacles are located on either side of the southern end of Building 2 and an additional loading area for Building 1 is located at its eastern end. The larger building is punctuated with three open courtyards, with the one in the most southeastern corner of the building providing sizeable outdoor pool and deck area for the development. The pool facility has an attendant bath house and is complemented by a well-equipped indoor exercise room for active recreational facilities for the development. Other amenities for the development's residents include a theater and card and/or meeting room.

Beginning at the roundabout, vehicular circulation wraps around Building 1 on its eastern and northern side, where several vehicular entrances are provided. The project is set into a sloped site, creating a design challenge resulting in a multilevel project with access provided to Building 1 on five different levels. The first entrance to the parking is located on the southern side of the building at the site's low point near 57<sup>th</sup> Avenue. A second entrance to the parking is located on the western end of its northern elevation, opposite the first, but at an increased elevation. The third entrance to the structured parking is located in the central part of the building on its north central portion, and the fourth is located on the eastern portion on the building's northern side. The fifth entrance to the parking is located at the building's southeastern corner.

Building 1 is an architecturally complex structure, containing a tower feature at the corner of 57<sup>th</sup> Avenue and MD 450 (Annapolis Road) and stepped architecture due to the site's topography, reflected in the stepped flat roof of the building. Materials utilized in the building's architecture are varied, though brick is predominant. Exterior Insulation Finish System (EIFS), aluminum, vinyl (windows only), metal (canopies), and split-face block are used in subordinate fashion to provide variety and periodic accents. Windows are generally paired, except on the uppermost story, and relief is provided by periodic vertical elements that protrude slightly from the main façade. The architecture for the interior of the courtyards is as well articulated as the external facades. Building 2 utilizes the same materials and, with its smaller size and less challenging topography, provides a more simple rectilinear shape complementing and referring back to the larger building on the site.

The site is well landscaped at its periphery and around the fountain located at the intersection of the two buildings. On the western side of the smaller building, where space prevents a wide buffer, the applicant is proposing to provide a single row of columnar evergreens, a wooden privacy fence, and a green wall to be planted with a climbing vine.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The DSP application has requested a rezoning of the property from Commercial Office (C-O) and Commercial Shopping Center (C-S-C) to the Mixed-Use Infill (M-U-I) Zone pursuant to Section 27-546.16 of the Zoning Ordinance. The application is also subject to Section 27-546.15, Purposes of the M-U-I Zone, Sec. 27-546.17, Uses in the M-U-I Zone, Section 27-546.18, Regulations in the M-U-I Zone, and Sec. 27-546.19, Site Plans for Mixed Uses. Section 27-546.16, Approval of the Zone, provides that property owned by a municipality or Prince George's

County Redevelopment Authority may be reclassified to the M-U-I Zone in conjunction with an application for a detailed site plan for such a property, provided certain procedures are followed. Staff will first address the requirements of this section by listing each element of the procedure in bold faced type below, then following them by staff comment, including the other relevant sections.

**The M-U-I Zone may be approved on property which has proposed development subject to site plan review and is in the Transit District Overlay Zone or the Development District Overlay Zone, or on property owned by a municipality or the Prince George's County Redevelopment Authority, which requests the zone.**

Comment: The subject property is owned partially by the Town of Cheverly and partially by the Prince George's County Redevelopment Authority and so meets this requirement.

**Property owned by a municipality or the Prince George's County Redevelopment Authority may be reclassified to the M-U-I Zone under the following procedures:**

- (A) **As to notice and hearing procedures in general, the Planning Board and the District Council shall follow the requirements in Part 3, Division 9, for site plan cases. The processing of applications filed by municipalities or the Prince George's County Redevelopment Authority shall be expedited, and the Planning Board must file its recommendation with the Council not later than 50 days after the application of the municipality or the Prince George's County Redevelopment Authority is accepted for filing.**

Comment: Due to the lack of a required noise study, the applicant consented to an extension of this time period. The application was then scheduled for the next available Planning Board meeting after the noise study was submitted to staff and found complete and adequate for review.

- (B) **The application by the municipality or the Prince George's County Redevelopment Authority shall include all materials required in Part 3, Division 9, for Conceptual Site Plan cases, with a statement which enumerates proposed uses on the site, demonstrates how the proposed mix of uses meets the M-U-I Zone purposes, and shows how the proposed development will promote redevelopment and revitalization in the vicinity of the property owned by the municipality or the Prince George's County Redevelopment Authority.**

Comment: All such materials were submitted by the applicant. Staff is in agreement that the proposed use meets the purposes of the M-U-I Zone. Each purpose of that zone is listed in bold face type, followed by staff's comment:

- (1) **To implement recommendations in the approved Master Plans, Sector Plans, or other applicable plans by encouraging residential or commercial infill development in areas where most properties are already developed;**

Comment: In comments dated March 1, 2007, the Community Planning Division stated that the subject project is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier and though the application does not conform to the land use recommendations of the 1994 approved master plan and sectional map amendment for Bladensburg-New Carrollton and vicinity (retail and office use, exclusively; not residential use), CB-80-2005 allows the rezoning to M-U-I, which permits the proposed mixed use development. The project is certainly residential or commercial infill development in an area where most properties are already developed as contemplated in the stated purposes of the M-U-I Zone. In the immediate sense, the project is bounded on the west side by 57<sup>th</sup> Avenue, with residential use on the opposite side of the street; to the north by a gas station and by multifamily residential use and a gas station diagonally across the intersection of MD 450 and 57<sup>th</sup> Avenue. The primary land uses surrounding the site are residential except for the gas station fronting MD 450 and another gas station located diagonally across the intersection of MD 450. These immediate surroundings are in turn surrounded by a mix of residential and commercial land use. This mix includes:

- Capital Plaza, a shopping center under construction with a Wal-Mart store as its anchor;
- A Safeway store located just east of Capital Plaza;
- The Cherry Hill Shopping Center, located on the opposite side of 450 from Capital Plaza;
- A retail center located at the intersection of MD 450 and MD 202;
- A number of stand alone restaurants and retail uses.

The proposed project certainly includes the type of commercial and residential infill development contemplated by the above-stated purpose of the M-U-I Zone.

**(2) To simplify review procedures for residential, commercial, and mixed residential and commercial development in established communities;**

Comment: The review procedure for the subject mixed residential and commercial development in an established community was greatly simplified by allowing the application itself to set its own standards eliminating the need for variances and departures. In that way, it was not penalized by the strictures of unusual topography nor by the proximity of existing development and the heavily traveled transportation routes flanking the site.

**(3) To encourage innovation in the planning and design of infill development;**

Comment: The proposed project is innovative in that it adjusts to the topographic requirements of the site and compacts itself by providing structured parking under the buildings and passive and active recreational areas within the building and in courtyards that are insulated from the visual and noise impacts of the proximate travel ways.

**(4) To allow flexibility in the process of reviewing infill development;**

Comment: The flexibility is inherent in the applicant's ability to set their own standards. Staff has

approached the review of the project with respect for the integrity of the project's design, while suggesting revisions in order to improve and clarify its design.

**(5) To promote smart growth principles by encouraging efficient use of land and public facilities and services;**

Comment: The land is efficiently used by designing the project in stepped fashion to embrace the site's topography. Also, by combination of commercial, residential and recreational space in a multifamily, high-rise project, the residential and commercial density is necessarily greater than would have been achieved through standard zoning regulation.

**(6) To create community environments enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses; and**

Comment: The mix of commercial and residential land use in the subject project will help to create a community environment. The commercial, located primarily along 57<sup>th</sup> Street, will bring vitality and potentially around-the-clock life to the streetscape. This will encourage economic vitality and enhance public safety by keeping more "eyes on the street." The commercial component of the project will provide employment opportunities, and the recreational package included for the project will provide recreational use, available to the project's residents.

**(7) To permit redevelopment, particularly in areas requiring revitalization, of property owned by a municipality or the Prince George's County Redevelopment Authority.**

Comment: The subject site is a redevelopment site, where previously derelict buildings have been razed, and is owned in part by the Town of Cheverly, a municipality, and in part by the Prince George's County Redevelopment Authority.

**(C) A municipality or the Prince George's County Redevelopment Authority shall file its application with Planning Board staff, which after acceptance must prepare a report and recommendation. The Planning Board shall hold a public hearing on the application, prepare its recommendation, files its decision with the Clerk of the Council, and send copies to persons of record.**

Comment: The Planning Board hearing on the subject application is scheduled and posted for June 14, 2007. After the hearing, staff will ensure that the Planning Board's decision is duly filed with the Clerk of the Council and that copies of the decision are sent to all persons of record.

**(D) Within 30 days of the mailing of the Planning Board decision any person of record may file with the Clerk of the Council comments on the application or a request for oral argument or both.**

Comment: Staff will ensure that persons of record are informed that within 30 days of the mailing of

the decision to them, they may file with the Clerk of the Council comments on the application or a request for oral argument or both.

- (E) **Before taking final action, the Council may refer the case to the Zoning Hearing Examiner, for review of specific issues. The Examiner shall give priority in scheduling to all such cases. After hearing, the Examiner shall address and make recommended findings on the issues in the referral order and the standards given below. A person who was not a party of record when the Planning Board closed the record may become one after the referral to the Examiner.**

Comment: This portion of the procedure is at the option of the District Council and provides guidance to the Examiner in the case.

- (F) **The District Council may take final action approving the application by the municipality or the Prince George's County Redevelopment Authority, for the M-U-I Zone, with or without conditions, if it finds that the mix of uses proposed in the application will meet the purposes of the M-U-I Zone and the proposed development will be compatible with existing and approved future development on adjacent properties, will not be inconsistent with an applicable Master Plan or the General Plan, as amended, will conform to the purposes and standards of an applicable TDOZ, DDOZ, or M-U-T-C Development District Plan, and will enhance redevelopment or revitalization in the vicinity of the property owned by the municipality or the Prince George's County Redevelopment Authority.**

Comment: This portion of the procedure is relevant to the District Council's actions with respect to the case, which will ensue after the Planning Board has made a decision on the case.

8. **The Requirements of Preliminary Plan of Subdivision 4-05152:** The Planning Board approved Preliminary Plan of Subdivision 4-05152 on January 11, 2007, then subsequently adopted PGCPB Resolution 07-07 on February 1, 2007. Staff has included each condition of that approval relevant to the subject detailed site plan in bold faced type below, followed by staff comment.

1. **A detailed site plan (DSP) shall be approved by the Planning Board and the District Council in accordance with Division 9, Part 3 of the Zoning Ordinance.**

Staff Comment: If the Planning Board approves the subject plan, part of this requirement will be met. Staff will ensure that the subject detailed site plan is appropriately transmitted to the District Council for review after conclusion of the Planning Board process.

2. **As part of the detailed site plan submittal, a Phase II noise study shall be submitted for review. The Phase II noise study shall address how noise has been mitigated to 65 dBA Ldn in outdoor activity areas and 45 dBA in the interior of residential buildings.**

Staff Comment: A Phase II noise study was submitted together with the detailed site plan. The Environmental Planning Section certified that it was complete and adequate in that it addressed how noise had been mitigated to 65 dBA Ldn in outdoor activity areas and 45 dBA in the interior of residential buildings.

- 3. The applicant, his heirs, successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.**

Staff Comment: The Urban Design Section has reviewed the plans and has concluded that adequate private recreational facilities were included in the project and that those facilities have been designed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.

- 4. The applicant shall allocate appropriate and developable areas for the private recreational facilities. The private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division (DRD) for adequacy and proper siting in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines at the time of the detailed site plan.**

Staff Comment: Appropriate and developable areas for private recreational facilities were allocated at the time of preliminary plan of subdivision approval. As part of the subject review, the Urban Design Section has determined that such facilities are adequate, properly sited and designed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. An outdoor pool and deck area and two courtyard passive recreational areas are complemented by an indoor exercise room.

- 6. The developer, his heirs, successor, and/or assignees shall satisfy the Planning Board that there are adequate provisions to ensure retention and future maintenance of the proposed recreational facilities.**

Staff Comment: A homeowners association is planned for the community and will provide for the future maintenance of the proposed recreational facilities that will have to be retained unless the applicant revises the approved detailed site plan.

- 7. The applicant and the applicant's heirs, successors, and/or assignees shall designate 57<sup>th</sup> Avenue as a Class III bikeway with appropriate signage. Because 57<sup>th</sup> Avenue is a county right-of-way, the applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.**

Staff Comment: A recommended condition below ensures compliance with this requirement.



8. **The applicant and the applicant's heirs, successors, and/or assignees shall provide a Class II hiker/biker trail along the subject site's entire frontage of Annapolis Road (MD 450), unless modified by SHA.**

Staff Comment: A recommended condition below ensures compliance with this requirement.

9. **Development must be in accordance with the approved stormwater management concept plan (18771-2004-00) and any subsequent revisions.**

Staff Comment: Comment offered by the Department of Public Works and Transportation states that the proposed development is designed in accordance with approved stormwater concept plan #18771-2004-00 and any subsequent revisions thereto. Due to the proposed intense development of the site, quality and quantity stormwater management requirements are proposed to be met through a 29,021 cubic foot underground structural sand filter with a 3,095 square-foot pre-treatment oil/grit separator.

10. **Total development within the subject property shall be limited to 244 condominiums and 5,580 square feet of general office space, or equivalent development, which generates no more than 181 AM peak hour and 205 PM peak hour vehicle 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.**

Staff Comment: The proposed project is limited to 244 condominium units and 5,580 square feet of general office space or equivalent development. The determination that the proposed commercial development included in the project generates no more than 181 AM peak-hour and 205 PM peak-hour vehicle trips is confirmed in the Transportation Planning Section's comments dated March 9, 2007.

9. ***Landscape Manual:*** The project is not subject to the requirements of the Prince George's County *Landscape Manual*. The project has endeavored, however, to generally follow its guidance, with the exception of the common boundary between the smaller of the two proposed buildings and the adjacent gas station. There, plans for the project propose a green wall, created by planting a climbing vine, a row of columnar evergreens and a privacy fence to substitute for a Section 4.7 buffer that would have been required pursuant to the *Landscape Manual*.
10. **The Woodland Conservation and Tree Preservation Ordinance.** This property is not subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is less than 40,000 square feet, there is less than 10,000 square feet of existing woodland on site, and there is no previously approved Type I tree conservation plan for this site. The site has an approved letter of exemption from the Environmental Planning Section issued December 1, 2006.

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

- a. **Historic Preservation**—In an email dated March 27, 2007, Historic Preservation and Public Facilities Planning Section staff indicated that the subject application would have no effect on the character of the adjacent Baltimore-Washington Parkway, listed in the National Register of Historic Places (#69-026).
- b. **Archeological Review**—In a memorandum dated February 21, 2007, the staff archeologist stated that a Phase I archeological survey would not be recommended on the subject site. Further, she stated that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicate the probability of archeological sites within the subject property is low. Aerial photographs indicate that a large building was placed on the property between 1938 and 1965 and was demolished by 2005. This indicates that any archeological sites that may have been present on the property have already been adversely impacted. In closing, she noted that Section 106 review may require archeological survey for state or federal agencies because Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their 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.
- c. **Community Planning** —In a memorandum dated March 1, 2007, the Community Planning North Division stated that the application is not inconsistent with the 2002 General Plan development pattern policies for the Developed Tier, but it does not conform to the land use recommendations of the 1994 approved master plan and sectional map amendment for Bladensburg-New Carrollton and vicinity (Planning Area 69) for retail and office uses. The application contains residential uses. Additionally, they stated that per CB-80-2005, a property owned by the Redevelopment Authority or a municipality may be rezoned to M-U-I for mixed-use development.
- d. **Transportation**—In a memorandum dated March 9, 2007, the Transportation Planning Section offered the following:
  - The site plan is acceptable from the standpoint of access and circulation, if the site plan is revised to show the proposed five-foot-wide Americans with Disabilities Act walkway along the entire length of the proposed driveway from the proposed traffic circle with a direct connection to the existing sidewalk along Annapolis Road.
  - Off-site traffic adequacy is not an issue in the review of a detailed site plan. On January 11, 2007, the Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-05152, The Pointe at Cheverly, with one transportation-related condition (Condition 10) and several trail-related conditions, and made a finding of adequate transportation facilities. Condition 10 limits the total

development within the subject property to 244 condominiums and 5,580 square feet of general office space, or equivalent development, which generates no more than 181 AM peak-hour and 205 PM peak-hour vehicle trips. The condition requires further that any development exceeding these limits must pursue the approval of a new preliminary plan of subdivision and, in that process, obtain a new determination of the adequacy of transportation facilities.

- The level of development proposed by the subject plan is within the required trip cap above. Thus it complies with the requirements of Condition 10 and no new preliminary plan approval must be obtained.

Staff has included a condition below that would require a revision to the plans to show the proposed five-foot-wide ADA walkway along the entire length of the proposed driveway from the proposed traffic circle with a direct connection to the existing sidewalk along Annapolis Road.

- e. **Subdivision**—In a memorandum dated March 1, 2007, the Subdivision Section stated that the property is the subject of Preliminary Plan 4-05152, approved by Planning Board on January 11, 2007. Further, they mentioned that the relevant resolution of approval, PGCPB Resolution No. 07-07, was adopted by the Planning Board on February 1, 2007. Noting that the preliminary plan would remain valid until February 1, 2009, or until a final record plat is approved, they stated that, as of the date of their writing, the applicant had not yet submitted the revised preliminary plan for signature approval and that by the requirements of the Zoning Ordinance, that must precede a recommendation of approval on the subject application. In general, however, they noted that the detailed site plan shows a single lot and access consistent with the approved but yet unsigned preliminary plan. More specifically, the Subdivision Section noted that the relevant resolution included 10 conditions, all of which relate to the review of the subject detailed site plan. Several general and/or urban design-related conditions are addressed below, by placing the condition in bold face type and following it with staff comment. However, please see Finding 11(h) for a detailed discussion of environmentally related condition 2, Finding 11(f) for a detailed discussion of trails-related Conditions 7 and 8, Finding 1(j) for a discussion of conformance with transportation-related Condition 9 and Finding 11(d) for a detailed discussion of Condition 10.

1. **A detailed site plan (DSP) shall be approved by the Planning Board and the District Council in accordance with Division 9, Part 3 of the Zoning Ordinance.**

Staff Comment: Should the subject DSP be approved, the applicant would have complied with Condition 1.

3. **The applicant, his heirs, successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlines in the Parks and Recreation Facilities Guidelines.**

Staff Comment: The Urban Design Section has reviewed the plans submitted for private recreational facilities and found them to be adequate and designed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.

- 4. The applicant shall allocate appropriate and developable areas for the private recreational facilities. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division (DRD) for adequacy and property siting in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines at the time of the detailed site plan.**

Staff Comment: Please see above comment in response to condition 3 of the relevant preliminary plan of subdivision.

- f. Trails**—In a memorandum dated March 15, 2007, the senior trails planner stated that the adopted and approved Bladensburg-New Carrollton and vicinity master plan designates Annapolis Road (MD 450) as a master plan bikeway/trail corridor. MD 450 is a heavily traveled corridor and provides pedestrian access to Cheverly, the nearby Bladensburg Town Center, local parks, and school facilities. Currently, sidewalks are narrow or fragmented. Recommendation 4 of the trails element of the master plan recommends a Class II hiker/biker trail along MD 450 through the planning area. As noted in the master plan, upon its completion, this trail would provide access to shopping, parks, schools, other trails and bikeways, and Metro. SHA may determine that it is appropriate to implement this master plan trail as an eight-foot-wide concrete sidewalk due to the urban setting of the site or other sidewalk improvements implemented in the vicinity. This facility was addressed by Condition 8 of the approved preliminary plan (4-05152).

Additionally, the senior trails planner noted that 57<sup>th</sup> Avenue is designated as a master plan bikeway, where an existing sidewalk runs along the site's frontage. The trails planner recommended the provision of one "Share the Road with a Bike" sign to alert motorists to the possibility of in-road bicycle traffic. Bicycle-compatible road improvements (such as designated bike lanes) can be considered at the time of road improvement or resurfacing. This bikeway was addressed by Condition 7 of approved preliminary plan 4-05152.

The senior trails planner's recommendations have been reflected in the recommended condition below.

- g. Permits**—In revised comments offered March 12, 2007, the Permit Review Section stated that because the case is simultaneously a rezoning and detailed site plan, design criteria would be determined in the detailed site plan approval process.
- h. Environmental Planning**—In a memorandum dated May 7, 2007, the Environmental Planning Section offered the following comments:

- (1) The detailed site plan application has a signed Natural Resources Inventory (NRI/117/05), dated October 28, 2005, which was included with the application package. The detailed site plan shows all the required information correctly.

**Environmental Planning Staff Comment:** No revisions are required for conformance to the NRI.

- (2) This property is not subject to the provisions of the Prince George's County Woodland Conservation Ordinance because although the site is more than 40,000 square feet in area, it contains less than 10,000 square feet of woodlands and it has no previously approved tree conservation plans. A standard letter of exemption from the ordinance was issued on December 1, 2006.

**Environmental Planning Staff Comment:** No further information is required at this time as it relates to woodland requirements. The letter of exemption should accompany all future applications for plans and permits.

- (3) A Stormwater Management Concept Approval Letter (18771-2001-00) dated November 2, 2005, was submitted with the subject proposal. The concept approval cited conditions of approval that do not affect the layout of the site. The associated stormwater management concept approval plan was not submitted with the application. A copy of the associated plan is required for a review for consistency with other plans.

**Environmental Planning Staff Comment:** The following condition should be recommended for the project: "Prior to certification of the detailed site plan, a copy of the approved stormwater management concept plan shall be submitted."

**Urban Design Staff Comment:** Such approved stormwater management concept plan has been subsequently received by staff and transmitted to the Environmental Planning Section. Therefore, inclusion of the above condition in the recommendation section of this report has become unnecessary.

- (4) The Baltimore-Washington Parkway is an adjacent expressway and MD 450 is an adjacent major arterial, both of which are noise generators and generally regulated for noise. Based on the Environmental Planning Section's noise model, an analysis of the noise generated by the roadways indicates that the 65 dBA Ldn noise contour is located approximately 722 feet from the centerline of the Baltimore-Washington Parkway and 275 feet from the centerline of MD 450.

A Phase II noise study was recently submitted. The noise study provided constant A-weighted sound level contours with no buildings and no ground elevations that are similar to the Environmental Planning Section noise model analysis. An extrapolation of the constant A-weighted sound level contours with buildings and no

ground elevations reflected a substantial noise reduction on the subject property. The study illustrates that no mitigation is needed for outdoor activity areas on the site. Interior noise levels will exceed the 45 dBA Ldn standard. Standard construction technologies can provide sufficient mitigation measures for interior and living areas. The study recommends the use of windows with a Sound Transmission Class of STC-25 to ensure the interior standard is met.

**Environmental Planning Staff Comment:** The following condition should be recommended for the project: “Prior to the approval of building permits, a certification by a professional engineer with competency in acoustic analysis shall be placed on the building permits stating that the building shells of structures within prescribed noise contours have been designed to reduce interior noise levels to 45 dBA (Ldn) or less.”

**Urban Design Staff Comment:** Such recommended condition has been included below.

- i. **Fire/EMS Department**—In a memorandum dated April 2, 2007, the Prince George’s County Fire/EMS department offered information on fire and emergency access, private road and fire lane design, and the location and performance of fire hydrants.
- j. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated March 16, 2007, DPW&T offered that with respect to 57<sup>th</sup> Avenue, a county-maintained roadway, the following:
  - Right-of-way dedication and roadway improvements would be required in accordance with DPW&T’s urban primary residential roadway standards.
  - All improvements within the public right-of-way would be required to be dedicated to the county and designed in accordance with the county road ordinance, DPW&T’s specifications and standards, and the Americans with Disabilities Act.
  - A review of the traffic impact study to determine the adequacy of access point(s) and the need for acceleration/deceleration and turning lanes is required.
  - Full-width, two-inch mill and overlay for all county roadway frontages are required.
  - Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the county road ordinance.
  - Conformance with street tree and street lighting standards is required.

Since existing utilities may require relocation and/or adjustments, coordination with the various utility companies would be required.

In a separate email dated May 3, 2007, DPW&T stated that the subject plan is in

conformance with approved Stormwater Concept #18771-2004.

- k. Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated March 1, 2007, WSSC stated the following:

- A sewer extension would be required.
- Water is available to the site.
- An on-site plan review package should be submitted in accordance with guidance from the Permit Services Unit of WSSC.

Since Project #DA4648Z07 is an approved project within the limits of the subject site, the applicant should contact WSSC for additional information.

- l. Maryland State Highway Administration (SHA)**—In a letter dated April 25, 2007, SHA stated they had no objection to the approval of Departure from Design Standards DDS-579 or the configuration of the lot as presented on Detailed Site Plan DSP-05113. SHA, however, noted that the applicant would be dedicating a right-of-way adjacent to the MD 450 entrance and that the applicant had not addressed all the comments in their October 28, 2006, correspondence submitted during the approval of a preliminary plan of subdivision for the site.
- m. Town of Cheverly**—In a letter dated February 26, 2007, the town administrator for the Town of Cheverly indicated that the Cheverly Town Council had voted unanimously on February 22 in support of the subject project.
- n. Landover Hills**—On February 28, 2007, a representative of the Town of Landover Hills verbally informed staff that they did not care to comment on the subject project.
- o. Bladensburg**—At the time of this writing, the City of Bladensburg has not offered comment on the subject project.
- p. Riverdale Park**—On May 11, 2007, a representative of the Town of Riverdale Park verbally informed staff that they did not care to offer comment on the subject project.
- q. Town of Edmonston**—On February 28, 2007, a representative of the Town of Edmonston verbally informed staff that they did not care to offer comment on the subject project.
- 12. As required by Section 27-285(b), 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-05113, subject to the following conditions:

- That the Planning Board recommend that the District Council APPROVE rezoning of the property from C-O and C-S-C to MUI; and
- That the Planning Board adopt the findings of this report and APPROVE the application with the following conditions:
  1. Prior to signature approval of the subject detailed site plan, the applicant shall obtain signature approval of Preliminary Plan 4-05152.
  2. Prior to signature approval of the subject detailed site plan, the applicant shall revise the plans as follows:
    - a. To show the proposed five-foot-wide ADA walkway along the entire length of the proposed driveway from the proposed traffic circle with a direct connection to the existing sidewalk along Annapolis Road.
    - b. To provide a Class II hiker/biker trail along the subject site's entire frontage of Annapolis Road (MD 450), unless modified by SHA.
  3. Prior to approval of the final plat, a note shall be added to the plat stating that, prior to issuance of the first building permit, the applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of appropriate Class III bikeway signage along 57<sup>th</sup> Avenue.
  4. Prior to the approval of building permits, a certification by a professional engineer with competency in acoustic analysis shall be placed on the building permits stating that the building shells of structures within prescribed noise contours have been designed to reduce interior noise levels to 45 dBA (Ldn) or less.

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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the



motion of Commissioner Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Vaughns, Squire and Parker voting in favor of the motion at its regular meeting held on Thursday, June 14, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12<sup>th</sup> day of July 2007.

R. Bruce Crawford  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

RBC:FJG:RG:bjs