



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 15-111(A)

File No. 4-14008

A M E N D E D R E S O L U T I O N

WHEREAS, DMD Holding Company, LLC is the owner of a 2.48-acre parcel of land known as Tax Map 89 Grid C-3 and is known as Parcel B, Block A, said property being in the 6th Election District of Prince George's County, Maryland, and being zoned One-Family Detached Residential (R-80) and Development District Overlay (D-D-O); and

WHEREAS, on April 29, 2015, Danner Development filed an application for approval of a Preliminary Plan of Subdivision for seven lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-14008 for Skyline Subdivision was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on October 8, 2015, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on October 8, 2015, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

*WHEREAS, by letter dated September 21, 2020, the applicant requested a waiver and reconsideration of Condition 9 relating to denial of access; and

*WHEREAS, on October 15, 2020, the Planning Board approved the request for reconsideration based on other good cause in furtherance of substantial public interest; and

*WHEREAS, on January 14, 2021, the Planning Board heard testimony regarding the reconsideration.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-002-15, and APPROVED a Variance to Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-14008, including a Variation from Section 24-121(a)(3) for seven lots with the following conditions:

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1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised to make the following technical corrections:
 - a. Revise General Note 6 to read “Purpose of the subdivision: 7 lots for single-family residential use.”
 - b. Revise General Note 13 to read “Existing Zone: R-80/D-D-O, Vacant.”
 - c. Combine General Notes 24 and 25 and correct to read “Water and Sewer Category 3.”
 - d. Add to a note to general notes stating “*The property is within the Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment (February 2014).*”
 - e. Add to the plan along the southern property line, depict the minimum building setback of 40 feet as well as the minimum landscaped yard as required by the 2010 *Prince George’s County Landscape Manual*, 4.7 Buffering Incompatible Uses.
 - f. Relocate the access to Suitland Road 420 feet south from the centerline of Randolph Road.
 - g. Label the existing driveway serving Parcel 78 as to be abandoned.
2. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Revise the approval block to read “TCP1-002-15.”
 - b. Add a note to the label for the 30-foot-wide landscape buffer located at the southern boundary of the property on Lot 7 which states: “Not credited as woodland conservation).”
 - c. Have the revised plan signed and dated by the qualified professional who prepared it.
 - d. Reflect the relocation of the entrance driveway on Suitland Road 420 feet south of the centerline of Randolph Road.
3. Prior to approval 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 Prince George’s County Department of Public Works and Transportation for the placement of one “Share the Road with a Bike” sign along Suitland Road.
4. A substantial revision to the uses on the subject property that affects Subtitle 24 adequacy findings shall require the approval of a new preliminary plan of subdivision prior to approval of any building permits.

5. Development of this site shall be in conformance with Stormwater Management Concept Plan 6244-2008-01 and any subsequent revisions. The approved concept plan shall be revised to match the final preliminary plan of subdivision. The concept should not depict any structures within the building setbacks or landscape yards of the 2010 *Prince George's County Landscape Manual*.
6. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement along the public rights-of-way, as reflected on the approved preliminary plan of subdivision.
7. Prior to approval of the final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall pay a fee-in-lieu of parkland dedication for the proposed residential development.
8. At the time of detailed site plan review, the following shall be addressed:
 - a. Provide a ten-foot-wide landscape strip along the front of Lots 1 through 7 with appropriate plant units and materials, outside the ten-foot-wide public utility easement.
 - b. The Stormwater Management Concept Plan, 6244-2008-01, shall be revised to reflect the preliminary plan of subdivision layout.
 - c. Label the abandonment of the driveway serving Parcel 78.
- *9. The final plat shall reflect denial of access to Suitland Road and Randolph Road, except for the ~~*[one]~~ three shared driveway access *points to Suitland Road as described by the Transportation Planning Section (M-NCPPC) and the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).
10. Total development shall be limited to uses that would generate no more than 5 AM and ~~*[6]~~ 5 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
11. Prior to preliminary plan of subdivision approval, the following note shall be placed on the Type 1 tree conservation plan which reflects this approval, directly under the woodland conservation worksheet:

“NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE):
The removal of one specimen tree (Section 25-122(b)(1)(G), ST-1, a 34-inch DBH white oak.”

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12. Prior to certification of the preliminary plan of subdivision (PPS), revise the PPS and Type 1 tree conservation plan to show the 65 dBA Ldn noise contour located at a distance of 91 linear feet from the centerline of Suitland Road.
13. At the time of detailed site plan, Lot 7 shall be deleted and the land area incorporated into Lot 6, unless the applicant is able to demonstrate:
 - a. The abandonment of the driveway crossing Lot 7 serving Parcel 78 (VFW), and
 - b. Alternative compliance shall be obtained by the applicant for the required bufferyard (Section 4.7) abutting Parcel 78 on Lot 7, to provide for a buildable area outside of the buffer by:
 - (1) Reducing the building setback by a minimum of ten feet, or
 - (2) Shifting the entire bufferyard ten feet to the south onto Parcel 78, by placing that portion of the buffer on Parcel 78 in an easement.
- *14. Prior to approval of the final plat of subdivision, *[a] draft vehicular access (Section 24-128(b)(9)) ~~*[and landscape]~~ easements located on Lots 1 through ~~*[7]~~ 6, if required, shall be submitted for approval to the Subdivision Review Section (M-NCPPC) and then shall be fully executed. The easement documents shall set forth the rights, responsibilities, and liabilities of the parties and include the rights of M-NCPPC. Prior to recordation of the final plat, the easement *, if required, shall be recorded in Prince George's County Land Records and the liber/folio of the easement shall be noted on the final plat, and the limit of the easement reflected on the final plat consistent with the approved preliminary plan of subdivision. *The requirement for vehicular access easements will be further reviewed at the time of detailed site plan.
- *15. Prior to approval of the detailed site plan, the Preliminary Plan of Subdivision (4-14008) and Type 1 Tree Conservation Plan (TCP1-002-15-01), which were revised to reflect six lots and three shared access driveways to Suitland Road in accordance with the reconsideration approved by the Prince George's County Planning Board on January 14, 2021, shall be signature-approved with revisions to the TCP1, as follows:
 - a. Revise the approval block on the "00" approval line to add "C. Schneider" to the approved by column.
 - b. Revise the approval block on the "01" approval line to add "4-14008 Reconsideration" to the "DRD #" column.

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c. Have the revised plan signed and dated by the qualified professional who prepared the plan.

*16. At the time of detailed site plan, the driveway to each lot shall include a turnaround to avoid the need for cars accessing each lot to back onto Suitland Road.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on Tax Map 89 Grid C-3 and is known as Parcel B, Block A, which is located in the southwestern quadrant of the intersection of and Suitland Road and Randolph Road as recorded in the Prince George's County Land Records in Plat Book NLP 129-93 on November 7, 1986, pursuant to the approval of Preliminary Plan of Subdivision 4-85067 (PGCPB Resolution No. 96-386(A)). That PPS approval was for the development of 66.28 acres of land which included 7 lots and 1 parcel, Parcel B, the subject site.

This approval is based on the revised plans received September 25, 2015. This preliminary plan of subdivision (PPS) proposes seven lots for the development of single-family detached dwellings. The lots range in size from 14,806 square feet to 19,066 square feet, which is above the minimum lot size of 9,500 square feet for the development of single-family dwellings in the R-80 Zone. Lots 1–7 meet or exceed the minimum lot width requirements at the front street line of 50 feet and the front building line of 75 feet. The lots are stacked from north to south, all fronting the western side of Suitland Road. Lots 1–6 are arranged and configured in a standard lotting pattern, and are supported. While Lot 7 technically meets the minimum standards for the R-80 Zone, it has an unusual configuration when compared to the other lots within the subdivision and lots on surrounding properties.

The configuration of Lot 7 is the result of the eastern property line of Parcel B, which extends in a south easterly direction from Suitland Road, resulting in a triangular shaped lot. Lot 7 lot width along the western edge of the access driveway, outside the building setback (landscape manual), is 40 feet and then widens to 125 feet wide along the rear lot line. All of the other six lots in the subdivision are 75 feet wide on the western edge of the access driveway and extend straight back to the rear lot lines in a uniform manner. The triangular configuration of Lot 7, with the additional constraints of the landscape manual building setback, reduce the developable area of the lot below the minimum lot size of 9,500 square feet to 9,064 square feet, as discussed further in the

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Urban Design Finding and discussed at length with the applicant beginning at the Subdivision and Development Review Committee (SDRC) meeting on July 17, 2015.

Also discussed was the fact that the PPS reflects an existing driveway over Lot 7 to Suitland Road which serves as a secondary access for the abutting VFW (Parcel 78) to the south. The applicant has provided evidence from the VFW that they intend to abandon any rights to this driveway which will result in Lot 7 being free and clear of this encumbrance. The Veterans of Foreign Wars Facility is considered a medium intensity as a "private club" in the Landscape Manual. A Type "C" buffer is required, between the "private club" and Lot 7 which consists of a 40-foot-wide minimum building setback, and a 30-foot-wide minimum landscaped yard, with 120 plant units per 100 linear feet. If the entirety of this 4.7 bufferyard is required to be placed on Lot 7, it reduces the developable area of the lot below the minimum lot size as discussed further in the Urban Design Section. The applicant stated to staff that they are in negotiations with the VFW, and have a tentative agreement to place (10) ten feet of the required bufferyard on Parcel 78 (VFW) along with a privacy fence. By relocating ten feet of the 4.7 Buffer onto the VFW property, it would result in a developable area on Lot 7, with 10,823 square feet free and clear of both the (Section 24-128(b)(9)) access easement and the resulting 4.7 bufferyard. At the time of DSP for the project, staff recommends that the area of Lot 7 be incorporated into Lot 6 resulting in a six-lot subdivision if alternative compliance is not granted for either of the two scenarios outlined above, which are conditions of this approval.

Suitland Road is classified in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) as an arterial roadway. Section 24-121(a)(4) of the Subdivision Regulations require that residential lots adjacent to existing roadways of arterial classification be platted with a minimum lot depth of 150 feet. The lots proposed in this PPS exceed this minimum requirement, with a lot depth of 200 feet. Section 24-121(a)(3) requires that subdivisions be designed to avoid direct access to an arterial or higher classification roadway. This PPS proposes ~~*[one]~~ three direct vehicular ~~*[access]~~ shared driveways onto Suitland Road, an arterial facility. ~~*[via a single shared driveway pursuant to Section 24-128(b)(9) to consolidate access for all seven lots. The vehicular access easement is intended to provide a consolidation to the benefit of the residents and promote the safety of the residents and the citizens traveling on Suitland Road. The easement should extend from the western edge of the ten foot PUE and include a ten foot wide landscaped strip parallel to Suitland Road and the 22 foot wide driveway. The individual driveways for each lot will connect to the 22 foot wide shared access driveway. The access and landscape easement shall be to the benefit of the lot owners to be maintained in common. The landscape strip, which will be parallel to Suitland Road, should be located on the eastern side of the 22 foot wide access driveway. At the time of detailed site plan, the ten foot wide buffer will be evaluated for the appropriate number of plant units and plant materials, which may include a low fencing to create a lane affect. As indicated, the applicant filed a variation request from the requirement of Section 24-121(a)(3) of the Subdivision Regulations which is recommended for approval based on the provision of the shared driveway within a (Section 24-128(b)(9)) access easement. The location~~

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~~of the connection to Suitland Road was evaluated by DPIE who recommended that the access location onto Suitland Road be relocated in front of Lot 6, approximately 420 feet south of the centerline of Randolph Road.]~~

The Planning Board **APPROVES** the PPS with the conditions set forth in this resolution.

3. **Setting**—The subject property is located in the southwest quadrant of the intersection of Suitland Road and Randolph Road. The property is zoned R-80 (One-family detached residential) within a development district overlay for the February 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* (Southern Green Line Sector Plan SMA). The site is bounded on the east by Suitland Road and on the north by Randolph Road. Abutting properties to the north across Randolph Road are zoned C-S-C (Commercial Shopping Center) and are developed with commercial land uses. The properties to the east across Suitland Road are zoned R-55 (One-family detached residential) and are developed with single-family detached dwellings. The property to the south is zoned R-80 (One-family detached residential) and is developed with the Veterans of Foreign Wars of the United States Post No. 9619. The properties to the west are zoned R-80 (One-family detached residential) and are developed with single-family detached dwellings.
4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	EXISTING	APPROVED
Zone	R-80/D-D-O	R-80/D-D-O
Use(s)	Vacant	Single-Family Detached
Acreage	2.48	2.48
Lots	0	*[7] <u>6</u>
Outlots	0	0
Parcels	1	0
Dwelling Units:		
Single Family Detached	0	*[7] <u>6</u>
Public Safety Mitigation Fee	No	No
Variance	No	Yes
		25-122(b)(G)
Variation	No	Yes
		24-121(a)(3)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on May 22, 2015. The requested variation to Section 24-121(a)(3) of the Subdivision Regulations was accepted on

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September 3, 2015 and was heard at the SDRC meeting on September 25, 2015 as required by Section 24-113(b) of the Subdivision Regulations.

5. **Community Planning**—The subject property is located in the Established Communities area of the Prince George's County Growth Policy Map in the *Plan Prince George's 2035 Approved General Plan*. The vision for Established Communities in Prince George's County is to have context-sensitive infill and low- to medium-density development. The application is consistent with the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035).

The February 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* recommends low-density residential development on the property. The sector plan's associated Development District Overlay Zone has no impact on the development application for this property. Underlying zoning regulations and the 2010 *Prince George's County Landscape Manual* apply. The application is consistent with the February 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment*. However, a detailed site plan is required prior to final plat.

The property is included within the Joint Base Andrews Imaginary Runway Surface Height Zone D. In this zone, the maximum height requirement is 150 feet, plus the difference between the site elevation and 280 feet. Since the site elevation is roughly 275 feet, ILUC regulations impose a 155-foot height requirement on the property. The Interim Land Use Controls expired June 30, 2015. If the controls are not extended, the provisions of Subtitle 27 dealing with development projects in the Joint Base Andrews Interim Land Use Control Areas will no longer apply.

6. **Stormwater Management**—The plans provided are not inconsistent with the approved Stormwater Management Concept Plan No. 10786-2010-01, dated September 25, 2014. The plan reflects the original plan with seven (7) lots and three (3) shared driveways from Suitland Road with one (1) lot accessing Randolph Road. The approved concept plan will be revised to meet the final preliminary plan layout, and shall be submitted with the DSP. The applicant proposes a total of 28 dry wells (four around each dwelling unit) to handle stormwater management for the entire project, to ensure that development of this site does not result in on-site or downstream flooding. Development must be in conformance with the approved SWM plan and any subsequent revisions.

*In accordance with the reconsideration request dated September 21, 2020, the applicant provided a revised SWM Concept Plan (10786-2010-03), approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) dated July 22, 2020, which shows six lots with three shared driveways directly accessing Suitland Road.

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7. **Parks and Recreation**—This PPS is too small to provide on-site recreation facilities. The payment of a fee-in-lieu of dedication is recommended for this PPS because the land available for dedication is unsuitable in size and location.
8. **Trails**—The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) recommends continuous sidewalks and designated bike lanes along the entire length of Suitland Road. DPW&T has just completed a Capital Improvement Project for a segment of Suitland Road, including the frontage of the property. Both frontages of Suitland Road and Randolph Road include standard sidewalks. DPIE indicated that the Suitland Road is currently at full build out configuration and did not recommend any frontage improvements or modifications. However, the provisions of one “Share the Road with a Bike” sign is recommended to designate the master plan bikeway, and included as a condition of approval.

The PPS is outside of the designated Branch Avenue Center, as defined in the Adequate Public Pedestrian and Bikeway Facility Areas Map of the Plan Prince George’s 2035. Therefore, the application is exempt from the requirements of Section 24-124.01 of the Subdivision Regulations and the “Transportation Review Guidelines, Part 2, 2013.”

9. **Transportation**—The subject property is located within Transportation Service Area – TSA 1, as defined in the *Plan Prince George’s 2035 Approved General Plan*. A traffic count was required pursuant to provisions in the “Transportation Review Guidelines, Part 1, 2012 (Guidelines).” A count was required for the intersection of Suitland Road and Suitland Parkway ramps (both eastbound and westbound) for the purpose of making an adequacy finding. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level of Service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Transportation “Guidelines.”

The findings and recommendations outlined below are based upon a review of materials and analyses conducted by the staff of the Transportation Planning Section consistent with the “Guidelines.” Using a trip generation rates from the “Guidelines,” it is determined that the proposed development would generate 5AM (1 inbound and 4 outbound) and *[6PM] 5PM ([4] 3 inbound and 2 outbound) weekday peak-hour vehicle trips.

The following critical intersection when analyzed with existing traffic using a count taken in June 2015 by the applicant and existing lane configurations, operates as follows:

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EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV), (AM & PM)		Level of Service (LOS), AM & PM)	
Suitland Road and Suitland Parkway Ramps	878	1,386	A	D

The critical intersection identified above is not programmed for improvements with 100 percent construction funding within the next six years in the current Maryland Department of Transportation “Consolidated Transportation Program (CTP)” or the Prince George’s County “Capital Improvement Program (CIP).” There were no background developments in the vicinity of the site. Regional traffic growth was estimated at 1.0 percent per year for two years and added to through traffic movements. The following critical intersections identified above, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV), (AM & PM)		Level of Service (LOS), AM & PM)	
Suitland Road and Suitland Parkway Ramps	891	1,402	A	D

The intersections under study, when analyzed with any programmed improvements and total future traffic operate as follows:

* [EXISTING] <u>TOTAL</u> TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV), (AM & PM)		Level of Service (LOS), AM & PM)	
Suitland Road and Suitland Parkway Ramps	893	1,404	A	D

It was found that the critical intersection operates acceptably under total traffic in both peak hours as currently constructed.

Site Access Evaluation

*A revised site plan shows the proposed *~~[seven]~~ six lots utilizing *~~[a parallel “service road”]~~ three shared driveways to Suitland Road *~~[with one point of consolidated access]~~ each driveway serving two lots. Any access to Suitland Road, which is an arterial road, must be reviewed by staff and approved by the Planning Board via a variation request based on the requirements of *Section 24-121(a)(3). *~~[of the Subdivision Regulations through an access easement 24-128(b)(9)]~~. An access point recommended by the Department of Permitting, Inspections and Enforcement (DPIE) and Department of Public Works & Transportation (DPW&T) is located 420 feet south of the centerline of Randolph Road, on Lot 6. This will improve traffic safety by

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~~moving the access point further away from Randolph Road. DPW&T would be the permitting agency for the shared access point, and should be reflected on the PPS and DSP prior to approval.]~~

Staff recommends approval of the ~~*[variation request and the proposed access point recommended by DPIE and DPW&T.]~~ variation request for three shared driveways. The site plan minimizes the number of access points on Suitland Road to ~~*[one]~~ three, which is ~~*[preferred by]~~ an acceptable configuration, in accordance with Section 24-121(a)(3). ~~*[of the Subdivision Regulations.]~~ Motorists are used to encountering driveways on Suitland Road. *Given the higher speeds and greater traffic volumes on an arterial, and because each driveway connects directly to Suitland Road, each lot shall include a turnaround to avoid the need for cars accessing each lot to back onto Suitland Road.

~~*[A turnaround should be included at the end of the shared driveway near Randolph Road so that trucks or delivery vehicles will not have to back up more than 150 feet. A distance of 150 feet is a standard guideline used to determine whether or not to require a turnaround. The proposed access point by DPIE and DPW&T is 420 feet from the centerline of Randolph Road.]~~

Master Plan Roads

Suitland Road is listed in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) as an arterial master plan roadway (A-41) with a variable width right-of-way of 89 to 120 feet. Further examination has indicated that a 100-foot right-of-way is being maintained between Allentown Road and the Suitland Parkway. Plat NLP 129-93 recorded November 7, 1986 for the Skyline Subdivision shows 50 feet of public right-of-way dedication from the centerline of Suitland Road and 30 feet of public right-of-way dedication from centerline of Randolph Road. Therefore, the centerlines of both Suitland Road and Randolph Road must be labeled on the plan, depicting that the dedication of 50 feet from centerline for Suitland Road and 30 feet from the centerline for Randolph Road has previously occurred, and that additional road dedication is therefore not required.

10. **Schools**—This PPS has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and County Council Resolution CR-23-2003 and concluded the following:

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**Impact on Affected Public School Clusters
Single Family Detached Units**

Affected School Clusters #	Elementary School 3 Cluster	Middle School 3 Cluster	High School 3 Cluster
Dwelling Units	7 DU	7 DU	7 DU
Pupil Yield Factor	.177	.095	.137
Subdivision Enrollment	1	1	1
Actual Enrollment	11,626	4,454	8,008
Total Enrollment	11,627	4,455	8,009
State Rated Capacity	14,216	5,518	9,389
Percent Capacity	82%	81%	85%

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between Interstate I-495/95 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority (WMATA); or \$12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$9,035 and \$ 15,489 to be paid at the time of issuance of each building permit.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved transit district overlay zone; or where there is no approved transit district overlay zone within a one-quarter mile of a Metro station; or within the Bowie State MARC Station Community Center Designation Area, as defined in the 2010 *Approved Bowie State Marc Station Sector Plan and Sectional Map Amendment*. The bill also established an exemption for studio or efficiency apartments that are located within the County Urban Centers and Corridors as defined in §27A-106 of the County Code; within an Approved Transit District Overlay Zone; or where there is no approved transit district overlay zone then within a one-quarter mile of a Metro station. This act is in effect from October 1, 2013 through September 30, 2018.

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

11. **Fire and Rescue**—The Special Projects Section has reviewed this preliminary plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

Section 24-122.01(e)(1)(E) states that “A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Morningside Fire/Emergency Medical Services Company 27, a first due response station (a maximum of seven (7) minutes travel time), is located at 6200 Suitland Road, Camp Springs, Maryland.

12. **Police Facilities**—The subject property is located in Police District IV, Oxon Hill. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The PPS was accepted for processing by the M-NCPPC Planning Department on April 29, 2015.

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date 4/29/2015	3/2015-4/2014	7 minutes	17 minutes
Cycle 1			
Cycle 2			
Cycle 3			

Based upon police response time standards, the response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency calls were met on May 5, 2015.

13. **Water and Sewer Categories**—The 2008 *Water and Sewer Plan* designates Parcel B in Water and Sewer Category 3, inside the Sewer Envelope, in the Growth Policy Area, and within Tier 1 under the Sustainable Growth Act and will therefore be served by public systems. Water and Sewer lines in Suitland Road abut Parcel B. Proposed Lots 1 through 7 will each abut the existing water and sewer lines in Suitland Road.
14. **Health Department**—On July 15, 2015, the Environmental Engineering/Policy Program performed a site inspection where it was noted that trash and debris is present on the site, and should be removed.
15. **Use Conversion**—This preliminary plan of subdivision was analyzed based on the proposal for residential development. The analysis includes access, mandatory dedication, public facilities, and density specifically related to the land use and layout proposed with this application. While the subject application is not proposing any nonresidential development, if such a land use were proposed, a new preliminary plan of subdivision shall be required.
16. **Public Utility Easement (PUE)**—In accordance with Sections 24-122(a) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the owner’s dedication on the final plat:

“Utility easements are granted pursuant to the terms and provisions recorded among the Land Records of Prince George’s County in Liber 3703 at Folio 748.”

The preliminary plan of subdivision delineates a ten-foot-wide public utility easement (PUE) along Suitland Road and Randolph Road. The PUE is to be shown on the DSP and will be required on the final plat prior to approval.

17. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources, historic districts or known archeological sites.
18. **Environmental**—The Environmental Planning Section approved a Natural Resource Inventory, NRI-045-06-01, for this project area on November 9, 2012. No other environmental reviews or tree conservation plan approvals have occurred on this site.

Grandfathering

The project is subject to the environmental regulations of Subtitle 24, 25 and 27 that came into effect on September 1, 2010 and February 1, 2012, because the application is a new preliminary plan.

Site Description

This 2.48-acre site in the R-80 Zone is located at the southwest corner of Suitland Road and Randolph Road. According to mapping research and as documented on the approved NRI (NRI-045-06-01), there are no regulated environmental features present on-site. The site is entirely wooded and contains one specimen tree, a 34-inch diameter at breast height (DBH) white oak. This site slopes towards Suitland Road and drains to the Henson Creek subwatershed. The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), are the Beltsville-Urban land complex and Sassafras-Urban land complex. According to available information, Marlboro clay and Christiana complex are not identified on the property. According to the Sensitive Species Project Review Area (SSPRA) layer prepared by the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered (RTE) species on or in the vicinity of this property. The site has frontage on Randolph Road, which is not classified, and Suitland Road, which is a designated master planned arterial road. Roads classified as arterial or higher are generally evaluated for traffic-generated noise impacts when adjacent residential uses are proposed. There are no designated scenic or historic roads adjacent to the site. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains no Regulated, Evaluation or Network Gap Areas within the designated network of the plan.

Plan Prince George’s 2035 Approved General Plan

The site is located within the Established Communities Area of the Growth Policy Map and Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*.

Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment

The project area is located just within the boundary limits of the within the February 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment*. In the approved sector plan, there are no Environmental Infrastructure recommendations or guidelines. The woodland conservation, regulated environmental features and noise are discussed in the Environmental Review Section.

Countywide Green Infrastructure Plan Conformance

According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains no Regulated, Evaluation or Network Gap Areas within the designated network of the plan.

Conformance with the Water Resources Functional Master Plan

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection and preservation of drinking water, stormwater, and wastewater systems within the county, on a county-wide level. These policies are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, county ordinances for stormwater management, 100-year floodplain and woodland conservation, and programs implemented by the Prince George's County Department of Permitting, Inspections & Enforcement (DPIE), Prince George's County Department of Health, Prince George's County Department of the Environment (DoE), Prince George's Soil Conservation District, Maryland-National Park and Planning Commission (M-NCPPC) and Washington Suburban Sanitary Commission (WSSC) are also deemed to be consistent with this master plan.

Environmental Review

As revisions are made to the plans submitted the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

Woodland Conservation

The site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland.

The site contains a total of 2.48 acres of woodlands. The site has a woodland conservation threshold of 0.50 acres and a total requirement of 1.44 acres, based on clearing of 2.27 acres. The Type 1 tree conservation plan (TCP1) proposes to meet this requirement with off-site woodland conservation (1.44 acres).

Several technical revisions are required to the plan. Revise the M-NCPPC approval block on the plan to read "TCP1-002-15." A note should be added to the label for the 30-foot-wide 4.7

landscape buffer located at the southern boundary of the property on Lot 7 which states:
“Not credited as woodland conservation.”

Specimen Trees

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted County Code effective on September 1, 2010.

The site contains one specimen tree. The specimen tree table on the TCP1 shows the removal of a 34-inch White Oak (ST-1). The limits of disturbance on the plan also show that this tree is to be removed. A Subtitle 25 Variance Application, a statement of justification in support of a variance, and a tree removal plan were submitted by the applicant and stamped as received by the Environmental Planning Section on April 29, 2015.

Section 25-119(d) of the WCO contains six required findings [**text in bold**] to be made before a variance can be granted. The Letter of Justification submitted addresses the required findings for removal of one specimen tree (ST-1).

(A) Special conditions peculiar to the property have caused the unwarranted hardship

The condition comments for this specimen tree are listed as trunk damage, cavities, top damage, die back, and needs pruning. The tree proposed for removal is located within an existing woodland edge and if left on-site subsequent to development may pose a hazard.

The condition and location of the specimen tree proposed for removal is a special condition peculiar to the property. All of these factors occurred beyond the owner’s control and have created an unwarranted hardship for this site.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas

If other properties include a tree in similar location and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants

Staff generally supports the removal of specimen trees in the most developable areas if the tree could become a hazard or if the tree is in poor condition and cannot be saved from further decline. If other properties include a tree in similar location and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant

The site is undeveloped. The applicant has taken no action to date on the subject property.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property

The requested variance does not arise from a condition relating to the land or building use, either permitted or nonconforming on a neighboring property. There are no existing conditions on the neighboring properties that have any impact on the location or size of the trees, nor are there conditions that are affecting the layout and development of the site with respect to the specimen trees to be removed.

(F) Granting of the variance will not adversely affect water quality

Granting the variance to remove ST-1 will not directly affect water quality because the reduction in tree cover caused by specimen tree removal is minimal, as clearing of the entire site is proposed for development. Specific requirements regarding stormwater management for the site will be further reviewed by the Department of Permitting, Inspections and Enforcement.

The required findings of Section 25-119(d) have been adequately addressed by the applicant for the removal of one specimen tree (ST-1) and the Planning Board **APPROVES** the variance.

Regulated Environmental Features

This site is undeveloped and does not contain any regulated environmental features that are required to be protected under Section 24-130(b)(5) of the Subdivision Regulations. No further information concerning the regulated environmental features is needed at this time.

Noise

The site has frontage on Suitland Road which is classified as an arterial road. The following design requirements are specified in Section 24-121(a)(4):

- “(4) Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate.”

The preliminary plan and TCP1 indicate that the proposed lots have lots depths ranging from 186 feet to 200 feet from the edge of the right-of-way, which exceeds the 150-foot minimum lot depth requirement.

The project proposes lots for the development of seven single-family dwelling units on Suitland Road, an arterial roadway. This site is located in a dense residential area with limited commercial land uses along Suitland Road. Using the EPS Noise Model and applying an average daily traffic (ADT) count at build-out of 21,085 vehicles, as indicated on the Maryland State Highway traffic volume map, and a posted traffic speed of 30 mph, the unmitigated 65 dBA Ldn noise contour is located approximately 91 feet from the center line of Suitland Road. The unmitigated 65 dBA Ldn noise contour was not shown on the revised preliminary plan or TCP1, and a noise study was not submitted with this application. Therefore, the PPS and TCP1 must reflect the EPS 65 dBA Ldn noise line prior to signature approval.

The proposed residential structures will be located outside of the 65 dBA Ldn noise contour of 91 feet from the centerline of Suitland Road. Because standard building shell construction will reduce interior noise levels by at least 20 decibels, interior noise levels of no more than 45 dBA Ldn will be met. Exterior noise levels for active rear yards behind the houses will be less than 65 dBA Ldn, and the proposed structures will provide additional noise shielding. No additional noise information is required with the DSP.

Watershed Management Plan

Section 24-130(b)(4) of the County Code requires that “Where a property is partially or totally within an area covered by an adopted Watershed Plan, the plat shall conform to such plan.”

The approved stormwater concept plan is required to be designed in conformance with any approved Watershed Management Plan, pursuant to Subtitle 32 Water Resources and Protection, Division 3 Stormwater Management, Section 172 Watershed Management Planning. As such, the requirements of Section 24-130(b)(4), which requires that a subdivision be in conformance with any watershed management plan have been addressed with the approval of the stormwater concept plan by the Department of Permitting, Inspections and Enforcement.

Soils

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), are the Beltsville-Urban land complex and Sassafras-Urban land. According to available information,

Marlboro clay and Christiana complex are not identified on the property. This information is provided for the applicant's benefit.

***Summary of Reconsideration Request**

A request was made for the reconsideration of Preliminary Plan 4-14008 to modify the approved PPS from having one driveway serving seven lots, with access to Suitland Road; to three driveways serving six lots, with access to Suitland Road. The reconsideration plan proposed two residential lots per driveway.

The limit of disturbance changed slightly with a smaller area of woodland preserved-assumed cleared being shown in the rear yard areas. The TCP1 was revised and submitted with this application to account for the lot reduction and driveway access to Suitland Road. The woodland conservation worksheet has not changed because the site limit of disturbance is in general conformance with the previous approval, and the woodland conservation requirement of 1.44 acres will still be met with the off-site woodland credits.

No changes to any of the previously approved environmental conditions are necessary for this reconsideration request; however, a new condition to address technical corrections for the associated revised TCP1 is included.

19. **Urban Design**—A detailed site plan is required for the subject project because the property is within the D-D-O, and single-family detached units are not exempt from this requirement. Although there are no specific recommendations for the subject property in the Southern Green Line sector plan, the property's location within the area covered by the development district overlay zone subjects the development to detailed site plan review.

The requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), apply to the project. More particularly, the following sections of the Landscape Manual are applicable to the subject review: Section 4.1, Residential Requirements, Section 4.6, Buffering Developments from Streets, Section 4.7, Buffering Incompatible Uses and Section 4.9, Sustainable Landscaping Requirements.

- **Section 4.1 Residential Requirements:** Section 4.1 (c)(1)(C) of the Landscape Manual requires that each single-family detached unit on a lot that measures 9,500 to 20,000 square feet be planted as follows:
 - (i) **Plant a minimum of three major shade trees and two ornamental or evergreen trees per lot.**
 - (ii) **At least one of the major shade trees shall be planted on the south and/or west side and within thirty feet, where feasible, of the residential structure.**

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- (iii) **At least one of the required major shade, ornamental, or evergreen trees shall be located in the front yard or, in the case of a corner lot, in the front or side yard facing the street. This shade tree may also count toward fulfillment of the landscaping for energy conservation requirement found in Section 4.1(c)(1)(C)(ii), if located in accordance with such requirement.**

The DSP should demonstrate conformance to the requirements of Section 4.1 of the Landscape Manual.

- **Section 4.6 Buffering Development from Streets:** Section 4.6 (c)(1)(A)(i) of the Landscape Manual is intended to buffer the rear yard and the lowest story of the rear exterior walls of dwelling units from streets. The lotting pattern and dwelling orientation on Lot 1 is clearly visible from Randolph Road. A 20-foot-wide buffer between the rear yard and the right-of-way will be required on Lot 1 at the time of DSP.
- **Section 4.7 Buffering Incompatible Uses:** The subject site is bordered on the east by a Veteran of Foreign Wars facility (Parcel 78). The Veterans of Foreign Wars Facility is considered a medium intensity as a “private club” in the Landscape Manual. A Type “C” buffer is required, between the “private club” and Lot 7 which consists of a 40-foot-wide minimum building setback, and a 30-foot-wide minimum landscaped yard, with 120 plant units per 100 linear feet. If the entirety of this 4.7 bufferyard is required to be placed on Lot 7, it reduces the developable area of the lot below the minimum lot size. The proposed area for Lot 7 (19,066 square feet), minus the (Section 24-128(b)(9)) access easement (2,966 square feet), and the area of the (40) forty-foot Landscape Manual building setback, would result in a building envelope of approximately 9,064 square feet, which is less than the minimum lot area of 9,500 square feet expected in this zone. In addition to the reduced developable lot area, the lot has a triangular shape which make house siting problematic to meet the setback of the dwellings on the abutting lots (Lots 1-6). The applicant stated to staff that they are in negotiations with the VFW, and have a tentative agreement to place (10) ten feet of the required bufferyard on Parcel 78 (VFW) along with a privacy fence. By relocating ten feet of the 4.7 Buffer onto the VFW property, it would result in a reasonable developable area on Lot 7, with 10,823 square feet free and clear of both the (Section 24-128(b)(9)) access easement and the resulting 4.7 bufferyard. At the time of DSP for the project, staff recommends that the area of Lot 7 be incorporated into Lot 6 resulting in a six lot subdivision if alternative compliance is not granted for one of the two scenarios outlined above, which is recommended as a condition of this approval.
- **Section 4.9 Sustainable Landscaping Requirements:** Section 4.9 of the Landscape Manual requires that a percentage of plants within each plant type shall be a native species. Generally fifty percent of shade and ornamental trees and 30 percent of evergreen trees and shrubs are required to be native species. At the time of DSP, the landscape plan should demonstrate conformance to the requirements.

At the time of DSP, the project will be subject to the requirements of the Tree Canopy Coverage Ordinance. The applicant should include the required schedule demonstrating conformance on the landscape plan.

- *20. **Variation 24-121(a)(3)**—The subject property has frontage on and proposes direct access onto Suitland Road which is classified as an arterial road in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The Subdivision Regulations restricts direct vehicular access to an arterial facility, and requires that the subdivision be designed with alternatives (Section 24-121(a)(3)). The subdivision proposes to restrict the access by consolidating the access points ~~*[to a single location]~~ into three shared driveways. A variation request for direct access onto Suitland Road utilizing ~~*[a shared driveway]~~ three shared driveways, each serving two lots, was submitted for review. Section 24-121(a)(3) requires the following:

When lots are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road.

The proposed subdivision is designed to have access to ~~*[a shared driveway that is covered by an easement as allowed for in 24-128(b)(9) of the Subdivision Regulations to serve Lots 1-7]~~ three shared driveways, with each serving two lots. [With the slight alteration on where the access point will be relocated, to the front of Lot 6, the shared driveway] This configuration of three shared driveways is supported by DPIE and the Transportation Planning Section (M-NCPPC).

Section 24-113(a) sets forth the required findings for approval of variation request as follows:

- (a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:**

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

The PPS layout is consistent with the intent of 24-121(a)(3), which is to limit the access points onto an arterial and ~~*to consider~~ design

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alternatives. *During the development of the DSP for the subject property, DPIE expressed preference for three access points serving a total of six lots, instead of the single access serving seven lots as shown on the approved PPS 4-14008. DPIE has approved a concept plan showing the location and design of each of the three separate shared driveways onto Suitland Road. The applicant intends to work with the County to ensure that the proposal will not be detrimental to the public safety, health, or welfare or injurious to other property.

- (2) **The conditions on which the ~~*[variations are]~~ variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

This request is not applicable to other properties because ~~*[it is a consolidated access point, which functions as an interior street, even though in this particular case, it is defined as a driveway (Section 27-107.01 (225)).]~~ all other lots in this area have direct access to a frontage road or a lower classification street. The site is a small piece of infill along Suitland Road. The only other possible access would be onto Randolph Road, and access at that location would conflict with access to the existing church and commercial strip.

- (3) **The ~~*[variance]~~ variation does not constitute a violation of any other applicable law, ordinance or regulation.**

The request does not constitute a violation of any law, Ordinance or Regulation.* ~~[Although the subdivision still proposes a single access onto an arterial, through the utilization of a 24-128(b)(9) easement, it's a reduction from seven driveways to one, which is the intent of 24-121(a)(3).]~~

- (4) **Because of the peculiar physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.**

The uniqueness of the property is imposed by the fact that the property has limited space to develop in and is completely surrounded by existing development. The property is bounded on the north and west by existing rights-of-way, immediately to the south is the existing VFW, and to the

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east are lots with existing single-family detached homes. The shape of the parcel is unusual compared to other abutting properties because the site has limited frontage on Randolph Road and is oblong, resulting in twice the amount of frontage on Suitland Road, an arterial classification.

Based on the proceeding findings, the Planning Board **APPROVES** the variation from Section 24-121(a)(3) for *~~one~~ three direct access locations onto Suitland Road for *~~a~~ three shared driveways. * ~~[, and the authorization to utilize a Section 24-128(b)(9) access easement to serve Lots 1-7.]~~

21. **Town of Morningside**—The PPS was referred to the Town of Morningside. As of the writing of this report, staff has not received comments from the Town of Morningside.
22. At the public hearing on October 8, 2015, the Planning Board accepted Citizen Exhibit 1 into the record. The letter is in support of the PPS.
- *23. **Reconsideration**—By letter dated September 21, 2020, Norman D. Rivera, Esquire, representing DMD Holding Company LLC, requested a waiver of the Prince George’s County Planning Board’s Rules of Procedure (Section 12(a)), which require that a reconsideration request be submitted no less than 14 calendar days after the date of notice of the final decision (Section 10(a)). In this case, the resolution of approval (PGCPB Resolution No. 15-111) was adopted by the Planning Board on October 29, 2015 and mailed out on November 3, 2015. On October 15, 2020, the Planning Board granted a waiver of the Planning Board’s Rules of Procedure to admit a reconsideration request submitted more than 14 days after the adoption of the resolution. The Planning Board also granted the applicant’s request for a reconsideration, in accordance with Section 10(e) of the Rules of Procedure. The Planning Board granted the request for reconsideration based on other good cause, in furtherance of substantial public interest. The applicant’s specific request was for reconsideration of Condition 9 of the resolution, which pertains to denial of access. The applicant provided, in support of the reconsideration request, an updated PPS showing six lots with three shared access easements, a revised TCP1, and a revised statement of justification to request a Variation to Section 24-121(a)(3) for three access driveways to an arterial road. The applicant also submitted a copy of the revised SWM concept plan (10786-2010-3) approved by DPIE and letters of support from the Mayor of the Town of Morningside and adjoining property owners. Prior to approval of the DSP or issuance of any permit for this property, the applicant shall have the revised TCP1 and the updated PPS 4-14004 filed with the reconsideration signature approved and provided in the PPS case file as the approved plans. This requirement has been conditioned with the reconsideration approval.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Shoaff, with Commissioners Washington, Shoaff, Bailey, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, October 8, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of October 2015.

*This is to certify that the foregoing is a true and correct copy of the reconsideration 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, Doerner, Geraldo and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, January 14, 2021, in Upper Marlboro, Maryland. The adoption of this amended resolution based on the reconsideration action taken does not extend the validity period.

*Adopted by the Prince George's County Planning Board this 4th day of February 2021.

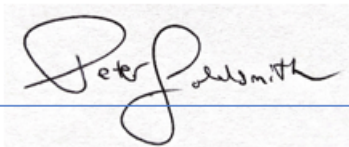
Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

PGCPB No. 15-111(A)
File No. 4-14008
Page 25

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APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, appearing to read "Peter J. Smith", is written over a light blue horizontal line. The signature is contained within a rectangular area that has a light gray background.

M-NCPPC Legal Department
Date: January 20, 2021

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