

R E S O L U T I O N

WHEREAS, Jemals Greentec Land LLC is the owner of a 20.08-acre parcel of land known as Parcels 13 and 116 in Liber 13960 at folio 540; Lot 6 of Goddard Corporate Park recorded in Plat Book 244-74; Lot 8 of Goddard Corporate Park recorded in Plat Book 250-87; Lot 4 of Maryland Corporate Center recorded in Plat Book 151-29; and Lot 10 of Maryland Corporate Center recorded in Plat Book 250-86, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned Mixed Use-Transportation Oriented (M-X-T); and

WHEREAS, on November 20, 2018, Jemals Greentec Land LLC filed an application for approval of a Preliminary Plan of Subdivision for 34 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-18012 for Glenn Dale Commons Phase 2 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 February 7, 2019, 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 February 7, 2019, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-003-02-05, and APPROVED a Variance to Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-18012, including a Variation from Section 24-128(b)(12), for 34 parcels with the following conditions:

1. Prior to signature approval of this preliminary plan of subdivision, General Note 21 shall be revised to indicate 0 square feet of existing gross floor area, 0 square feet of proposed commercial, and 559,120 square feet of proposed residential.
2. Prior to certification of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
  - a. Revise the woodland conservation worksheet to accurately reflect the site's requirement.
  - b. Show all proposed grading and utility connections.
  - c. Update the legend on all sheets to show the proposed features, as well as existing.

- d. Revise the sheet numbering to refer to the six sheets within the plan set.
  - e. Provide the standard QR code approval block for this preliminary plan of subdivision on all sheets of the plan set.
  - f. Provide the standard woodland conservation approval block, filled-in with all previous approval information, on all sheets of the plan set.
  - g. Revise TCP Note 1 to refer only to the current conceptual site plan as the companion case.
  - h. Count all woodland within existing and proposed public utility easements as cleared.
  - i. Remove the drainage divide symbol from the plan.
  - j. Remove off-site clearing associated with a proposed trail and provide the following note: "Trail connections between phase 2 and other phases of Glenn Dale Commons shall be determined during subsequent development review applications."
  - k. Revise all woodland conservation areas to meet the minimum distance requirements per Section 25-122(b)(O) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO).
  - l. Have the revised plan signed and dated by the qualified professional preparing the plan.
3. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-003-02-07). The following note shall be placed on the final plat of subdivision:
- "This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-003-02-07 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."
4. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan shall show a limit of disturbance that does not encroach into the primary management area.
5. Prior to acceptance of the detailed site plan, the applicant shall provide sufficient information to support a full environmental evaluation of any proposed trails including, at a minimum, a

statement of justification with an analysis of alternative locations to minimize impacts to regulated environmental features, exhibits showing and quantifying the proposed impacts, cross sections, and details regarding surface type and location (natural surface vs. elevated boardwalk).

6. Development of this site shall be in conformance with approved Stormwater Management Concept Plan 6447-2016-01 and any subsequent revisions.
7. Substantial revision to the uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to approval of any permits.
8. Total development within this preliminary plan of subdivision (PPS) shall be limited to uses which generate no more than 162 AM peak-hour trips and 186 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new PPS.
9. The applicant shall, at the time of detailed site plan, evaluate options for a secondary emergency vehicular access to the site. This information shall be provided in writing and shall be reviewed by the Transportation Planning Section for the purpose of determining if or where secondary access is appropriate.
10. Prior to issuance of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below, in accordance with Section 24-124.01 of Subdivision Regulations and the cost cap in Subpart (c), have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
  - a. Relocate the bus stop and provide a shelter along Mission Drive, in coordination with the Prince George's County Department of Public Works and Transportation, Office of Transit.
  - b. Provide a bus landing and knee walls at the bus stop closer to MD 193 (Greenbelt Road), along Mission Drive, in coordination with the Prince George's County Department of Public Works and Transportation, Office of Transit.
11. At the time of detailed site plan (DSP), the applicant shall provide an exhibit showing the location, limits, details, and specifications of all off-site improvements, consistent with Section 24-124.01(f) of the Subdivision Regulations. Cost estimates shall be provided for all improvements. If it is determined at the time of DSP that the cost cap is exceeded, facilities shall be selected from the improvements listed in Condition 11 by the Prince George's County Department of Public Works and Transportation/Prince George's County Department of Permitting, Inspections and Enforcement, within the constraints of Section 24-124.01(c).
12. In accordance with the strategies of the 2006 *Approved Sector Plan and Sectional Map*

*Amendment for the East Glenn Dale Area (Portions of Planning Area 70)*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following, if feasible:

- a. The proposed natural surface trail and any necessary trail easements shall be shown on the detailed site plan. Details and specifications for any necessary bridge or boardwalk structures shall also be provided. The alignment and environmental impacts will be evaluated at that time.
  - b. Prior to issuance of the 100th building permit, the trail shall be bonded, permitted, and have a timetable for construction.
13. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall include on the final plat:
  - a. Grant the 10-foot-wide public utility easements, as delineated on the approved preliminary plan of subdivision or as modified on the approved detailed site plan.
  - b. A note indicating that a Variation from Section 24-128(b)(12) of the Subdivision Regulations is approved for the location of public utility easements, pursuant to the approved preliminary plan of subdivision.
14. The applicant and the applicant's heirs, successors, and/or assignees shall provide private on-site recreational facilities in accordance with the *Park and Recreation Facilities Guidelines*. At the time of detailed site plan, the type and siting of the facilities shall be determined, including appropriate triggers for construction.
15. The applicant and the applicant's heirs, successors, and/or assignees shall submit three original private recreational facilities agreements (RFA) to the Development Review Division (DRD) for construction of private recreational facilities on-site, for approval prior to submission of final plats. Upon approval by DRD, the private RFA shall be recorded among the Prince George's County Land Records and the liber folio indicated on the plat prior to recordation.
16. The applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on-site prior to issuance of building permits.
17. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established. The draft covenants shall be submitted to the Subdivision Review Section to ensure that the rights of The Maryland-National Capital Park and Planning Commission are included. The liber/folio of the declaration of covenants shall be noted on the final plat prior to recordation.
18. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association land as identified on the approved preliminary plan of subdivision and detailed site plan (DSP). Land to be conveyed shall be

subject to the following:

- a. A copy of the deed for the property to be conveyed shall be submitted to the Subdivision Review Section of the Development Review Division, Upper Marlboro.
- b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
- c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
- d. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved DSP. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
- e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division, in accordance with the approved DSP.
- f. The Planning Board, or its designee, shall be satisfied that there are adequate provisions to ensure retention and future maintenance of the property to be conveyed.

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 800 feet north of the intersection of MD 193 (Greenbelt Road) and Mission Drive. This preliminary plan of subdivision (PPS) includes the following legal lots recorded in Prince George's County Land Records: Parcels 13 and 116 in Liber 13960 at folio 540; Lot 6 of Goddard Corporate Park recorded in Plat Book 244-74; Lot 8 of Goddard Corporate Park recorded in Plat Book 250-87; Lot 4 of Maryland Corporate Center recorded in Plat Book 151-29; and Lot 10 of Maryland Corporate Center recorded in Plat Book 250-86. The application proposes 34 parcels in this phase of a mixed-use development for 232 two-family attached dwelling units. The property is subject to the 2006 *Approved Sector Plan and Sectional Map Amendment for the East Glenn Dale Area (Portions of Planning Area 70)* (East Glenn Dale Area Sector Plan and SMA).

The lots approved are to be accessed via a network of internal private streets and alleys. Section 24-128(b)(12) of the Subdivision Regulations requires that a 10-foot-wide public utility easement (PUE) be provided along one side of all private roads. A variation was approved for the location of the PUEs, as discussed further.

The subject site has frontage on Mission Drive, which is the sole access to the property. The site currently has frontage on Forbes Court; however, it is unimproved and the applicant intends to vacate the right-of-way in the future.

The applicant filed a Variance to Section 25-122(b)(1)(G) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) for the removal of two specimen trees. However, prior to the Planning Board hearing, the applicant withdrew the requested variance for Specimen Tree 2 in a letter dated February 5, 2019. The removal of Specimen Tree 1 was approved, as discussed further.

3. **Setting**—The property is located on Tax Map 36 in Grids A-1 and B-1, in Planning Area 70, and is zoned Mixed Use-Transportation Oriented (M-X-T). The subject property is bounded to the southeast by Mission Drive and to the southwest by Forbes Court, a dedicated public right-of-way. Adjacent properties to the east, south, and west are zoned M-X-T. Property to the east is developed with office uses, property to the south is vacant, and property to the west is developed with transportation and utility uses. The property to the north is developed with institutional and residential uses.
4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Vacant	Residential
Acreage	20.08	20.08
Gross Floor Area	0	0
Dwelling Units	0	232
Parcels	2	34
Lots	4	0
Variance	No	Yes 25-122(b)(1)(G)
Variation	No	Yes 24-128(b)(12)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on December 14, 2018. The requested variation from Section 24-128(b)(12) was accepted on December 14, 2018, and heard at the SDRC meeting on December 14, 2018, as required by Section 24-113(b) of the Subdivision

Regulations.

5. **Previous Approvals**—Prince George’s County Council Resolution CR-23-2006 was approved on March 28, 2006 to adopt the East Glenn Dale Area Sector Plan and SMA, which rezoned 12 acres of the instant PPS from the Light Industrial (I-1) Zone to the M-X-T Zone.

The Prince George’s County Planning Board approved Conceptual Site Plan CSP-06001 (73.27 acres) on December 7, 2006 and adopted PGCPB Resolution No. 06-282 on February 1, 2007, subject to 22 conditions, formalizing that approval. The Planning Board approved Conceptual Site Plan CSP-06001-01 on November 19, 2015 and adopted PGCPB Resolution No. 15-127 on December 10, 2015, subject to 11 conditions, formalizing that approval. The follow condition of CSP-06001-01 is applicable to this application:

9. **Total development within the subject property shall be limited to permitted uses within an M-X-T Zone, which generates no more than 961 AM and 1,117 PM peak-hour vehicle trips.**

**Any development with an impact beyond that identified herein above shall require additional conceptual plan approval with a new determination of the adequacy of transportation facilities.**

The approved development will generate 162 AM and 186 PM peak-hour trips and does not exceed the trip cap established with CSP-06001-01.

Four PPSs were previously applicable to the subject property. The Planning Board approved the following development plans: Preliminary Plan of Subdivision 4-87150 on September 10, 1987 (PGCPB Resolution No. 87-409), which applied to Lots 4 and 10; PPS 4-92011 on March 26, 1992 (PGCPB Resolution No. 92-70), which applied to the western part of Lot 8; PPS 4-94002 on March 24, 1994 (PGCPB Resolution No. 94-60), which applied to the remaining part of Lot 8 and Lot 6; and PPS 4-06123 on March 13, 2008 (PGCPB Resolution No. 08-38), which applied to Parcels 13 and 116 of the subject application. It is noted that all of the applicable PPSs noted above include properties outside the boundaries of this PPS, 4-18012.

Condition 5c of the PPS 4-06123 approval required a pedestrian connection to this development area, however, the trail is no longer being proffered with PPS 4-18012 in the same location. This condition reads as follows:

5. **The review of the detailed site plan shall include:**
  - c. **A pedestrian connection from the subject site to the active adult component of the Glenn Dale Commons plan (CSP-06001) if determined appropriate. The access location should be provided in the vicinity of Lots 22–24 and could result in the modification to the lotting pattern. If this connection is determined not to be appropriate, the applicant shall identify other opportunities to provide pedestrian connections which could include the**

**construction of a sidewalk off-site along Greenbelt Road (MD 193).**

It is noted that the active adult component referenced by this condition was revised via CSP-06001-01. The applicant provides, in their statement of justification submitted with the CSP-06001-02 revision, that active adult dwelling units may be provided in this development area. Nonetheless, a connection would be appropriate to improve connectivity between the subject site, with the adjoining portions of the Glenn Dale Commons development, and the recreational amenities. A trail is shown on the PPS and will be further evaluated at the time of DSP.

The instant application supersedes the prior PPS approvals for the subject site.

Zoning Map Amendment A-10038-C was approved by the Prince George's County District Council on March 12, 2018 to rezone part of the subject property (Lots 4 and 10 of Maryland Corporate Center (8.08 acres)) from the I-1 Zone to the M-X-T Zone, subject to six conditions, which have been evaluated as a part of this PPS review and will also be evaluated at the time of CSP and DSP review.

Conceptual Site Plan CSP-06001-02 was heard before the Planning Board on January 31, 2019 and approved preceding this application. The revision expanded the boundary of the existing approved CSP area to include Lots 4 and 10 of Maryland Corporate Center, which were rezoned to the M-X-T Zone via A-10038-C. The development approved with the CSP is consistent with the development analyzed herein.

6. **Community Planning**—The *Plan Prince George's 2035 Approved General Plan* (Plan 2035) locates the subject site in the Established Communities area. The vision for the Established Communities area is to accommodate context-sensitive infill and low- to medium-density development.

The East Glenn Dale Area Sector Plan and SMA recommends mixed-use development on the subject property. Conceptual Site Plan CSP-06001 included a mix of uses for the five-phase development. The instant application is for Phase 2, the final phase of the overall development.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application conforms to the sector plan.

7. **Stormwater Management**—An approved Stormwater Management (SWM) Concept Plan (6447-2016-01) covering Phases 2 and 5 of the Glenn Dale project was submitted with the subject application. According to the approval, the site flows into an existing SWM pond, which provides quantity and one-inch of water quality volume for the site. No additional information regarding SWM is needed. Development must be in conformance with the approved SWM concept plan, or subsequent revisions, to ensure that on-site or downstream flooding does not occur.
8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements of the Subdivision Regulations, the sector plan; the 2013 *Formula 2040: Functional Master Plan for*



*Parks, Recreation and Open Space*, as they pertain to public parks and recreational facilities and applicability to the review of a PPS.

The current plan indicates that there will be 232 two-family attached residential units, with a projected population of 701 residents. Pursuant to Section 24-135 of the Subdivision Regulations, the mandatory dedication requirement may be satisfied by the provision of a fee in-lieu payment, or private on-site recreational facilities. Private on-site recreational facilities are approved on this site.

The PPS provides open spaces area for the development of the private on-site recreational facilities which include the following amenities:

- A playground
- Benches/sitting areas
- Trails
- Dog Park

Per Section 24-135(b), the mandatory dedication requirements shall be met by the provision of private on-site recreational facilities. The details of the private on-site recreational facilities package shall be reviewed and approved at the time of DSP to serve the population generated by the development.

9. **Trails**—This PPS has been reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the area sector plan in order to implement planned trails, bikeways, and pedestrian improvements. The subject application includes two-family attached units within the larger Glenn Dale Commons development. Due to the site's location partially within the University Boulevard Corridor (per the Adequate Public Pedestrian and Bikeway Facility Areas map), it is subject to Section 24-124.01 (Adequate Public Pedestrian and Bikeway Facilities Required in County Centers and Corridors) of the Subdivision Regulations and the "Transportation Review Guidelines, Part 2."

The subject application is within a partially developed area between Northern Avenue and MD 193. Some office buildings and residential uses exist in the immediate vicinity, and the Glenn Dale Commons development proposes additional development on some of the undeveloped parcels. Three sector plan trail/bikeway recommendations are in the vicinity of the subject site. These include designated bike lanes and continuous sidewalks along MD 193, a bikeway along Northern Avenue, and a trail connection from the northern terminus of Forbes Boulevard to the north. The MPOT includes several policies related to pedestrian access and the provision of sidewalks. The Complete Streets section includes the following policies regarding sidewalk construction, the accommodation of pedestrians, and provision of complete streets:

**POLICY 1: Provide standard sidewalks along both sides of all new road**

**construction within the Developed and Developing Tiers.**

**POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

The area sector plan also identifies Northern Avenue as a “priority sidewalk corridor,” as noted in the strategy noted below:

**Designate Brookland Road, Facchina Lane, Hillmeade Road, and Northern Avenue as priority sidewalk corridors (area master plan, page 30).**

Sidewalks are shown along both sides of all internal roads, excluding alleys. Condition 5 of CSP-06001-01 addressed sidewalk construction along Northern Avenue.

The area sector plan (page 31) also includes a strategy for incorporating trail connections into new development, where feasible. This strategy, where feasible supports recommendations for a connection from Forbes Boulevard north to Northern Avenue and is noted below:

**Incorporate trails into new subdivisions as development occurs. Provide trail connections between subdivisions and land uses to the extent feasible.**

The plans reflect a natural surface trail connection linking Phase 2 with the trail along the SWM pond within Phase 3, to the northwest of the subject site. This trail is predominately proposed to follow the right-of-way for Forbes Court. At the time of detailed site plan (DSP), this trail shall either be located entirely on Parcel A or the site plan shall include appropriate easements to accommodate the trail. An internal pedestrian connection, as it will link the townhouses with the recreational facilities within the larger Glenn Dale Commons development, is supported. However, additional details of the trail and stream crossing, including the type of bridge or boardwalk necessary, will need to be provided and evaluated at the time of DSP.

Zoning Map Amendment A-10038-C included a number of conditions that are relevant to the subject application. The conditions related to bike and pedestrian access are noted below:

- 1. Additional pedestrian and vehicular connections should be provided.**
- 3. Standard sidewalks should be provided along both sides of all public roads, unless modified by Department of Public Works and Transportation (DPW&T).**
- 4. Bicycle parking should be provided on-site, with the number and location(s) to be determined at the time of Conceptual Site Plan and Detailed Site Plan.**

5. **The provision of a trail connection from the proposed multifamily dwelling units to Forbes Boulevard should be considered at the time of Conceptual Site Plan and Detailed Site Plan.**

Sidewalks are being provided as required. Bike parking has been required at the commercial space and multifamily units elsewhere in the Glenn Dale Commons development. The trail connection towards Forbes Boulevard is shown on the plans and will be further evaluated with the DSP.

Approved CSP-06001-01 recommended bike signage and sidewalk construction along Northern Avenue, as required by the conditions below:

4. **Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$210.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along Northern Avenue, designated a Class III Bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit.**

This fee was satisfied during the development of Phase 3, and building permits for Phases 1, 3, and 4 have been issued.

5. **The applicant may construct a standard sidewalk along the subject site's entire frontage of Northern Avenue, as determined by the Department of Permitting, Inspections and Enforcement (DPIE) with input from the Glenn Dale Citizen's Association.**

Glenn Dale Citizens Association opposed the construction of the sidewalk along Northern Avenue; consequently, a fee-in-lieu of construction of the sidewalk was accepted by DPIE with the development of Phases 1, 3, and 4.

The area sector plan also included recommendations that new development incorporate a variety of pedestrian safety features and amenities, as noted below:

**Incorporate pedestrian safety features such as raised crosswalks, improved lighting, curb bump-outs, and pedestrian signals into new development and redevelopment.**

These types of features will be evaluated at the time of DSP. Prior PPS and DSP approvals for other phases of the development incorporated these types of improvements where appropriate.

The MPOT recommends a trail connection from the end of Forbes Boulevard to Northern Avenue. Potential alignments for this trail or sidewalk connection have been evaluated at the time of prior approvals. However, at the time of the original CSP approval, testimony was provided from both the Glenn Dale Citizens Association and the Forestgate Homeowners Association that

both vehicular and pedestrian access to Glenn Dale Commons be directed from MD 193, not Northern Avenue, due to the primarily residential, large-lot nature of the development north of the subject site. Based on testimony at that time, this pedestrian connection was not required as part of the original approval and is not approved as part of the current PPS.

#### **Review of Off-Site Improvements**

The original bicycle and pedestrian impact statement (BPIS) submission proposed bus shelter installation along Mission Drive. The existing stops along the road provide service to the Greenbelt and New Carrollton Metro Stations. The memorandum dated December 27, 2018 from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) recommended the following improvements towards meeting the off-site BPIS requirement:

- Refresh crosswalks at the MD 193 and Mission Drive intersection;
- Install Americans with Disabilities Act (ADA) compatible pedestrian signals and ramps along the north and south legs of MD 193 and Mission Drive;
- Relocate the bus stop and provide a shelter along Mission Drive; and
- Provide a bus landing and knee walls at the bus stop closer to MD 193, along Mission Drive.

The crosswalks at the MD 193 and Mission Drive intersection are included on plans currently in review by MD SHA as part of improvements for the Lidl grocery store development just south of the subject property (Phase 5), so that item has been removed from consideration. Based on a cost estimate provided by the applicant, the installation of ADA compatible pedestrian signals and ramps along the north and south legs of MD 193 and Mission Drive exceed the established BPIS cost cap and those items have also been eliminated from consideration.

Per the December 21, 2018 memorandum from the applicant, a trail connection to Aerospace Drive may be provided, which connects the site with the larger Glenn Dale Commons development. Due to the request by WSSC to provide a water loop and the desire to limit environmental impacts, the trail is now proposed to predominately follow the Forbes Court right-of-way off-site, within the same disturbance required by the waterline. This trail connection is shown as a five-foot-wide natural surface trail on the Type 1 tree conservation plan (TCP1). The ultimate location is to be further evaluated at the time of DSP, and the trail has not been included as part of the BPIS requirements. Per Section 24-124.01(c), the cost cap for the off-site improvements is \$69,600.

#### **Demonstrated Nexus Finding**

The bus stop improvements will provide upgraded stops for bus routes to the Greenbelt and New Carrollton Metro Stations. Currently, pedestrian facilities are fragmented in the vicinity of the site and none of the existing bus stops along Mission Drive have shelters, so the improvements proffered by the applicant and proposed by DPIE will significantly improve the environment for pedestrians and transit users from the subject site. The plans reflect a natural

surface trail connection linking Phase 2 with the trail proposed along the SWM pond within Phase 3, to the northwest of the subject site. This trail is proposed to follow the right-of-way for Forbes Court. This internal pedestrian connection will link the townhouses with the recreational facilities within the larger Glenn Dale Commons development. Additional details of the trail and stream crossing, including the type of bridge or boardwalk necessary, will need to be provided and evaluated at the time of DSP.

#### **Finding of Adequate Bicycle and Pedestrian Facilities**

Based on the requirements and criteria contained in Section 24-124.01, the bus shelter and the natural surface trail within Forbes Court, the on-site and off-site bicycle and pedestrian facilities are adequate to serve the subject property. The bus shelter will provide future residents of the site with comfortable and accessible access to two Metro stations, and the internal trail will connect Phase 2 with the larger Glenn Dale Commons development and recreational facilities.

#### **Issues to be addressed with the Detailed Site Plan**

Cost estimates have not been provided for off-site improvements. These facilities need to be evaluated at the time of DSP. An exhibit with cost estimates needs to be provided with the DSP to ensure that the cost cap specified in Section 24-124.01(c) is not exceeded.

10. **Transportation**—The applicant proposes to develop 232 attached two-over-two dwellings units, and no improvements are proposed on the existing commercial office park, the Goddard Corporate Center. This phase consists of the final undeveloped parcels located within the Glenn Dale Commons mixed-use site.

#### **Background**

Glenn Dale Commons Phase 2 is subject to the East Glenn Dale Area Sector Plan and SMA. According to the Sector Plan, a “mixed-use, pedestrian-friendly community with vertical and horizontal mixed-use development including retail, office, residential, employment, live/work spaces, restaurant, and entertainment uses” is envisioned. The PPS is required to develop property with the residential uses and for further division of the land. Transportation findings related to adequacy are made with this application, along with determinations related to access, circulation, and layout.

#### **Traffic Analysis**

A traffic impact study (TIS) for the subject site was not completed for this application, rather it has been determined that there are enough trips entitled within the boundaries of the subject site to ensure that a TIS is not needed. The table below outlines previously established trip caps based on approved parcels. It was determined that there will be no net trips generated beyond prior entitlements, as shown in the following table:

<b>4-18012, Glenn Dale Commons, Trip Generation of Entitlements and Current Proposal</b>						
	<b>AM Peak</b>			<b>PM Peak</b>		
<b>Previous Entitlements Within Subject PPS</b>	<b>In</b>	<b>Out</b>	<b>Total</b>	<b>In</b>	<b>Out</b>	<b>Total</b>
Area of 4-06123 and 4-02002						
4-02002 Trip Cap	--	--	458	--	--	429
4-06123 – 70 single family detached	--	--	-53	--	--	-63
<b>Remaining Entitlement</b>	--	--	<b>405</b>	--	--	<b>366</b>
Area of 4-94002						
Existing Office Building	--	--	353	--	--	319
Lots 4 and 6	--	--	166	--	--	172
4-94002 Presumed Trip Cap	--	--	519	--	--	491
Less Existing Office Building	--	--	-353	--	--	-319
<b>Remaining Entitlement</b>	--	--	<b>166</b>	--	--	<b>172</b>
Area of 4-87150						
4-87150 Trip Cap	--	--	283	--	--	261
Portion of 4-87150 Not Included in 4-18012 (about 13.71 percent of area)	--	--	-39	--	--	-36
<b>Remaining Entitlement</b>	--	--	<b>244</b>	--	--	<b>225</b>
<b>Total Entitlement for Area of 4-18012</b>	--	--	<b>815</b>	--	--	<b>763</b>
<b>Current Proposal</b>						
<b>4-18012, 232 Two-Over-Two Residences</b>	<b>32</b>	<b>130</b>	<b>162</b>	<b>121</b>	<b>65</b>	<b>186</b>
<b>Difference: Entitlement versus Current Proposal</b>			<b>-653</b>			<b>-577</b>
<b>4-18012 Trip Cap</b>			<b>162</b>			<b>186</b>

A trip cap consistent with the analysis and the adequacy finding of 162 AM and 186 PM peak-hour trips is approved.

There are two master plan roadways near the site on MD 193. The first, Greenbelt Road (A-16) is a master plan arterial roadway, while the second, Northern Avenue (P-303), is a primary roadway east of the site. The site has no frontage on either roadway and, therefore, no master plan roadway dedication is required.

The single access point to the subject property is via Mission Drive, a local two-way road with minimal striping that provides access to MD 193. A major concern during this review has been the use of a single access point for 232 residences. Concerns include evacuation and access in the event of an incident or an emergency. Therefore, it will be required for the applicant to explore additional points of emergency vehicular access, in writing, during the DSP review. A condition in the rezoning case (A-10038-C) requested that “additional pedestrian and vehicular conditions should be provided,” and this factor was reiterated in response to CSP-06001-02.

Based on the preceding findings, adequate transportation facilities will exist to serve the proposed subdivision, as required, in accordance with Section 24-124.

11. **Schools**—This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and the “Adequate Public Facilities Regulations for Schools” (Council Resolutions CR-23-2001 and CR-38-2002), and it was determined that a school facilities surcharge, applicable at the time of permitting, may be used for construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes, as set forth in a memorandum from the Special Projects Section dated November 26, 2018 (Mangalvedhe to Turnquest), incorporated by reference herein.
12. **Public Facilities**—In accordance with Section 24-122.01 of the Subdivision Regulations, water and sewerage, police, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section dated November 26, 2018 (Mangalvedhe to Turnquest).
13. **Use Conversion**—The total development included in this PPS is 232 two-family dwelling units in the M-X-T Zone. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval and reflected on the PPS plan, that revision of the mix of uses shall require approval of a new PPS prior to approval of any building permits.
14. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a), when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The site abuts Mission Drive, which is a public road, and the applicant has delineated the required PUE.

Section 24-128(b)(12) of the Subdivision Regulations requires the following:

**Section. 24-128. - Private roads and easements.**

- (b) **The Planning Board may approve preliminary plans of development containing private roads, rights-of-way, alleys, and/or easements under the following conditions:**

- (12) **Private roads provided for by this Subsection shall have a public utility easement contiguous to the right-of-way. Said easement shall be at least ten (10) feet in width, and shall be adjacent to either right-of-way line.**

PUEs are approved to be located adjacent to Alleys A, B, C, D, E, F, G, and H within the site, rather than along the private streets. The applicant has requested a variation from Section 24-128(b)(12) for the location of the PUEs, as outlined below.

**Variation**—Section 24-113 sets forth the required findings for approval of a variation.

**Section 24-113. - Variations.**

- (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 Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:**

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

The alternative locations of the PUE in question provide utility service through one or two 10-foot-wide PUEs located within the private alleys. As designed, every unit is served through the alleys with ten-foot wide PUEs. The intent of the PUE requirement is met with the proposed alternate location. The location of the PUE at the rear of the units enhances vehicular circulation and the pedestrian realm by providing a streetscape with sidewalks on both sides of the private roads, visitor parallel parking in front of the units, and landscaping. The alternative location of the PUEs will not result in any reduction of utility availability to the units. Therefore, granting of the variation will not be detrimental to the public safety, health, or welfare, or be injurious to other property.

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

The property was rezoned to the M-X-T through A-10038. The condition on which this variation is based is unique to the property because it will facilitate the development with the density envisioned when the property was rezoned. This infill development consists of the last phase of the overall Glenn Dale Commons mixed-use project that was originally envisioned with the adoption of the East Glenn Dale Area Sector Plan. Specific conditions that are unique to this property include the fact that the property is platted with access limited to a single point from the existing Mission Drive cul-de-sac. The cul-de-sac is an



existing and improved public right-of-way and is the only existing access to an improved right-of-way, which creates a condition unique to this property. Collocating the 10-foot-wide PUE, with the 20-foot alleys, enable the proposed two-over-two condominium units to be sited on narrower parcels, which facilitates more area for parking, circulation, and multiple recreational areas. Parcel A is burdened by environmental features, which add to the uniqueness of the property and its limited development envelope. As evidenced by the ongoing development of the other phases within Glenn Dale Commons, environmental conditions exist within this last phase that are unique to this portion of the project, including floodplain, primary management area (PMA), stream buffer(s), and wetlands. The environmental features present design limitations and, if the strict application of the regulation was enforced, would further limit the development potential of the site.

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

The variation from Section 24-128(b)(12) is unique to and under the sole authority of the Planning Board. Therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation. This PPS and variation request for the location of PUEs was referred to the Potomac Power and Electric Company (PEPCO), the Washington Suburban Sanitary Commission (WSSC), Washington Gas, and Comcast. However, a response from PEPCO, Washington Gas, and Comcast was not received. The response from WSSC did not comment on the variation request.

**(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.**

There are environmental conditions specific to the property including, but not limited to, existing floodplain, PMA, stream buffer(s), and wetlands, which result in design limitations in achieving the density levels originally envisioned by the sector plan and the previously approved CSP. As proposed, the residential density for this phase is less than what was originally contemplated with CSP-06001 and CSP-06001-01. With less density proposed as a result of the existing conditions, a hardship exists. Strict application would result in more land area being utilized, which would further impact the achievable density. Such a scenario creates a hardship for the owner/developer. In addition to challenges in laying out the site due to the existing environs and other conditions previously mentioned, without the requested variation, the utility meters would have to be located on the front of each of the units, which is less attractive to the overall aesthetics of the community, creating a likely hardship in the ultimate salability of the product. Finally, the dry utilities being located in the rear of the units also

eliminates the hardship that would otherwise exist with water and sewer house connections conflicting with said dry utilities. As designed, and with the approval of this variation, this conflict will be avoided.

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

This is not applicable because the site is zoned M-X-T.

The Planning Board finds that the site is unique to the surrounding properties and the variation request is supported by the required findings. Approval of the variation will not have the effect of nullifying the intent and purpose of the Subdivision Regulations, which is to guide development according to the General Plan and sector plan.

Therefore, the Planning Board **approves** the Variation from Section 24-128(b)(12) to allow an alternative location of PUEs along private rights-of-way.

15. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. A Phase I archeological survey is not required on the subject property. This proposal will not impact any historic sites, resources, or known archeological sites.

16. **Environmental**—The following application and associated plans were previously reviewed for the subject site:

Development Review Case #	Phase	Associated Tree Conservation Plan	Authority	Status	Action Date	Resolution Number
CSP-06001	All	TCP1-003-02-01	Planning Board	Approved	12/7/2006	06-282
CSP-06001-01	All	TCP1-003-02-03	Planning Board	Approved	12/10/2015	15-127
DSP-16012	5 (LIDL)	TCP2-156-03-08	Planning Board	Approved	10/20/2016	16-123
NRI-076-06	All	N/A	Staff	Approved	4/24/2007	N/A
NRI-076-06-01	All	N/A	Staff	Approved	8/27/2015	N/A
NRI-076-06-02	All	N/A	Staff	Approved	10/22/2018	N/A
A-10038-C	2	N/A	District Council	Approved	3/21/2018	N/A
CSP-06001-02	All	TCP1-003-02-06	Planning Board	Pending		
4-18012	2	TCP1-003-02-07	Planning Board	Pending		

#### **Grandfathering**

Phase 2 of the project is not grandfathered with respect to the environmental regulations contained in Subtitle 24 (Subdivision Regulations) that came into effect on September 1, 2010 because the application is for a PPS. Phase 2 of the project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual.

#### **Site Description**

The overall Glenn Dale Commons property is located on the north sides of MD 193, the south and west sides of Northern Avenue, and the west side of Forbes Boulevard. The overall CSP site contains 83.62 acres and is zoned M-X-T. This property is in the Folly Branch watershed of the Patuxent River basin. Based on available information and the approved natural resources inventory (NRI), the site contains streams, wetlands, and 100-year floodplain. The predominant soils found to occur, according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include the Christiana-Downer complex, Fallsington sandy loam, Issue silt loam, Issue-Urban land complex, Russett-Christiana, Sassafras-Urban land, Urban Land-Beltsville, Urban land-issue, Urban land-Russett-Christiana, and Woodstown sandy loam complexes. According to available information, Marlboro clay is not found to occur on this property; however, Christiana complexes are present. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. No forest interior dwelling species are mapped on-site. The site has frontage on Greenbelt Road, a master plan designated arterial roadway regulated for noise. No designated scenic or historic roads will be affected by the application. The site is located within the Established Communities area of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035.

### **Countywide Green Infrastructure Plan**

The site is within the designated network of the 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan) and contains regulated and evaluation areas. The mapped regulated areas correspond closely to the PMA delineated on the plans, as submitted. While no impacts to the PMA have been requested with the current application, several areas of the limit of disturbance (LOD) encroach or are in close proximity to the PMA. The TCP1 shows a trail proposed to cross the regulated area, and the applicant had requested the removal of Specimen Tree 2, however, the applicant has withdrawn that request so that the removal of Specimen Tree #2 can be evaluated further with the pending DSP. The applicant intends to refile a variance request for the removal of Specimen Tree #2 at the time of DSP review. Additional information be provided at a later phase of development review for trail location is recommended.

### **Conformance with the Sector Plan**

The East Glenn Dale Area Sector Plan and SMA was approved by the District Council in CR-23-2006 Draft-2. This sector plan includes environmental-related policies and their respective strategies in the Environmental Infrastructure section, including green infrastructure, water quality, and tree cover. These environmental recommendations have been addressed with the current environmental regulations, which are evaluated in the next sections.

### **Review of Previously Approved Conditions**

The following text addresses previously approved environmental conditions related to the subject application. The text in **BOLD** is the text from the previous cases or plans. The plain text provides comments on the plan's conformance with the conditions.

Conformance with A-10038-C

The following conditions apply during the preparation and review of the CSP, DSP, and PPS:

1. **Additional pedestrian and vehicular connections should be provided.**
5. **The provision of a trail connection from the proposed multifamily dwelling units to Forbes Boulevard should be considered at the time of Conceptual Site Plan and Detailed Site Plan.**

A proposed five-foot-wide natural surface trail has been shown on the TCP1 largely within the Forbes Boulevard and Forbes Court rights-of-way and shows associated off-site clearing. The applicant has modified the original trail location to coincide with disturbance required for a waterline connection out to Forbes Boulevard and thus limit the disturbance to an area that was previously dedicated for a public street.

### **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.

### **Natural Resources Inventory/Existing Conditions**

An approved Natural Resources Inventory, NRI-076-06-02, was submitted with the application. There is a PMA comprised of streams, wetlands (including their associated buffers), and floodplain. The forest stand delineation indicates the presence of two forest stands within Phase 2 of the project and four forest stands on the remainder of the property. The site has 27.67 acres of gross tract woodland and six specimen trees. No revisions are required for conformance to the NRI.

### **Regulated Environmental Features**

This site contains regulated environmental features that are required to be preserved and/or restored, to the fullest extent possible, under Section 24-130(b)(5) of the Subdivision Regulations. The on-site regulated environmental features include streams and their associated 75-foot-wide buffers, wetlands and their associated 25-foot-wide buffers, and the 100-year floodplain. No letter of justification was submitted as part of this application.

While no impacts to the PMA were identified by the applicant, there are several areas shown on the plan where development is proposed to either encroach on the PMA or is within such close proximity that impacts would be likely for installation. It is not clear from the plans, as submitted, exactly what impacts would be needed. Alley E is proposed to serve a stick of five townhouses. The curb for this alley is shown to cross the PMA boundary. The LOD needed to install this road needs to be taken into consideration. Likewise, the proposed playground adjacent to this stick of townhouses is shown to be less than five feet from the PMA, with no LOD shown for construction purposes. Similarly, the parking spaces provided near the playground are also less than five feet from the PMA.

In addition to the proposed infrastructure located either within the PMA, or within close proximity to the PMA, the woodland conservation design requirements must also be taken into consideration. One of the woodland conservation design criteria requires that, at a minimum, woodland conservation areas shall be shown no closer than 5 feet from travel aisles and parking areas and 10 feet from areas used for loading and service areas as well as retaining walls.

No impacts were requested as part of this application. The TCP1 is required to show an LOD, in accordance with Section 25-122(b). The LOD must not encroach into the PMA because no impacts have been requested and no justification has been provided. If any impacts are proposed with future development applications, a revised TCP, with a letter of justification and exhibits, will be required.

### **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.”

A Subtitle 25 Variance application and a statement of justification dated August 29, 2018, in support of a variance, were submitted.

Originally, two of the site’s six specimen trees were proposed to be removed; Specimen Tree 1 is a 36-inch diameter at breast height (dbh) silver maple in fair condition (with dead branches) and Specimen Tree 2 is a 40-inch dbh red oak in fair condition (with dieback). The applicant has withdrawn their request for removal of Specimen Tree #2 at this time and will instead re-file the request with the DSP application to allow additional time to evaluate the condition and ultimate removal of Specimen Tree #2.

Section 25-119(d)(1) of the WCO contains six required findings to be made before a variance can be granted.

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

The five specimen trees that are proposed to be saved are located entirely within sensitive environmental areas on the site. Specimen Tree 1 is located near the edge of the existing treeline in the most developable portion of the site.

Based on the specimen trees’ locations within the site and the current conditions of the trees, removal of Specimen Tree 1 is supported.

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

Based on the various site constraints, granting of the variance to remove Specimen Tree 1 will allow the project to be developed in a functional and efficient manner, in accordance with its M-X-T zoning.

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

The removal of Specimen Tree 1 is primarily due to its proximity with the proposed developable portion of the site and the improvements required to provide for the health, safety, and welfare, such as site access, circulation, and SWM. If other properties encounter protected trees in similar locations 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 request is based on the specimen trees' form, health conditions, and locations on the site, with respect to the areas most suitable for development. Therefore, the request is not based on conditions or circumstances which are the result of actions by the applicant.

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

This request is based on the nature of the existing site, the distribution of the subject trees, and the existing infrastructure surrounding the site. This request is not based on a condition relating to land or a building use on a neighboring property.

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

All land development activities will require sediment control and SWM measures, to be reviewed and approved by the County. Granting the variance to remove Specimen Tree 1 will not directly affect water quality because the applicant has proposed the use of stormwater measures, such as micro-bioretenion features and an existing stormwater pond.

The required findings of Section 25-119(d) have been adequately addressed for the removal of Specimen Tree 1 only.

**Woodland Conservation**

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because it has previously approved TCPs.

The current TCP1 for the entirety of Glenn Dale Commons (83.26 acres), as submitted, shows a woodland conservation threshold of 12.12 acres and a woodland conservation requirement of 22.38 acres; however, calculations using the applicant's clearing and preservation numbers shows a requirement of 22.65 acres. The woodland conservation worksheet must be updated to accurately reflect the site's requirement. Because permits have been issued for several phases of the overall project, off-site woodland conservation requirements have previously been met for the developed phases. The current Phase 2 woodland conservation requirement is shown to be met with a combination of on-site preservation and off-site mitigation, in accordance with previous versions of the plan.

The plan requires technical changes to be in conformance with the Woodland and Wildlife Habitat Conservation Ordinance. The plan must show proposed grading and all proposed utility connections. The legends on all sheets must show the proposed features, as well as existing. The TCP1 plan set consists of six sheets, but they are currently labeled as Sheets 1, 2, 7, 8, 9, and 10 of 6. The sheet numbering needs to be consistent with the number of sheets within the plan set. The standard QR code approval block for this PPS needs to be provided on all sheets of the plan

set. The standard woodland conservation approval block, filled-in with all previous approval information, must be included on all sheets of the plan set. Note 1 of the TCP notes needs to be revised to refer to the current PPS application as the associated case (currently it lists both the pending CSP and the PPS). Woodland exists within the PUE of Forbes Court and must be shown and counted as cleared. There is a symbol shown on the plan that appears to be a drainage divide line; this symbol needs to be removed.

The plan shows 0.17 acre of off-site clearing associated with a proposed natural surface trail that is shown to cross a stream and its associated floodplain. The suitability for a trail connection and its potential alignment, along with any associated clearing of woodland, shall be determined at a later phase of development when a more detailed design can be provided. The TCP1 needs to be revised to remove any clearing associated with a trail. The following note shall be added to the plan: "Trail connections between phase 2 and other phases of Glenn Dale Commons shall be determined during subsequent development review applications."

Several areas of preservation have been shown on the plan overlapping and/or in close proximity to the development. Section 25-122(b)(O) requires that woodland conservation be designed in such a way as to ensure survival in perpetuity and that, at a minimum, woodland conservation areas shall be shown no closer than 10 feet from retaining walls, 20 feet from commercial buildings, 5 feet from travel aisles and parking, and 10 feet from loading and service areas. Some of these areas are also within the PMA. Clearing in the PMA to meet these minimums is not supported. The TCP1 must show woodland conservation areas, in keeping with Section 25-122(b)(O).

After all these revisions have been made, have the qualified professional who prepared the plan sign and date it.

### **Soils**

The predominant soils found to occur according to the USDA NRCS WSS include Christiana-Downer complex, Fallsington sandy loam, Issue silt loam, Issue-Urban land complex, Russett-Christiana, Sassafras-Urban land, Urban Land-Beltsville, Urban land-issue, Urban land-Russett-Christiana, and Woodstown sandy loam complexes. According to available information, Marlboro clay is not found to occur on this property; however, Christiana complexes are present. According to the *Prince George's County Soils Survey*, the principal soils on the site are in the Christiana series.

The applicant submitted a preliminary geotechnical exploration report prepared by Geo-Technology Associates, Inc., dated June 29, 2018, because of the presence of Christiana complexes; however, because the Christiana soils are complexes and not a continuous layer, and are not associated with steep slopes, the Christiana complexes are not a concern as a hazardous soil. No additional information regarding soils is needed.

17. **Urban Design**—Conformance with the following Zoning Ordinance regulations is required for the development at time of the required DSP review including, but not limited to, the following:



- Section 27-543(a) regarding the uses allowed in the Mixed Use–Transportation Oriented (M-X-T) Zone;
- Section 27-544 regarding regulations in the M-X-T Zone; and
- Section 27-547(b) regarding allowed uses in the M-X-T Zone.

Two-family attached dwellings units are permitted in the M-X T Zone. The subject property is a part of CSP-06001-02, which contains the mix of uses required by Section 27-547(d) of the Zoning Ordinance, by including retail businesses, dwellings, and office uses.

Section 27-574 specifies the requirements for the number of parking spaces in the M-X-T Zone, which will be analyzed at the time of the required DSP. It should be noted that tandem driveway parking spaces can only be counted as required parking spaces when they are on single-family dwelling lots, per Section 27-563 of the Zoning Ordinance, which would not apply to the approved parcels.

#### **Conformance with the 2010 Prince George’s County Landscape Manual**

In accordance with Section 27-548(d), the development is subject to the 2010 *Prince George’s County Landscape Manual*, specifically Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets. Conformance with the applicable landscaping requirements will be determined at the time of DSP review.

#### **Conformance with the Tree Canopy Coverage Ordinance**

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and requires a grading permit. The subject site is zoned M-X-T and is required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. Compliance with this requirement will be further evaluated at the time of DSP review.

#### **Other Design Issues**

During review of the PPS, a typical building layout to be able to analyze the physical spacing and arrangement; was requested however, one was not provided. Therefore, at the time of DSP, the arrangement of the proposed buildings to ensure the provision of high-quality urban design, as required in the M-X-T Zone, which may result in minor changes in the parcel lines or unit count will be reviewed.

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 Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, February 7, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of February 2019.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:AT:gh