

PGCPB No. 2025-059

File No. 4-24014

## R E S O L U T I O N

WHEREAS, Walton Maryland, LLC ETAL are the owners of a 447.19-acre tract of land known as Parcel 8, Parcel 10, and Parcel 35, said property being in the 11th Election District of Prince George's County, Maryland, and being zoned Legacy Comprehensive Design (LCD); and

WHEREAS, on February 28, 2025, D.R. Horton, Inc. filed an application for approval of a Preliminary Plan of Subdivision for 1,024 lots and 140 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-24014 for Dobson Farms 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 at a public hearing on July 10, 2025; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 27-1704(b) of the Zoning Ordinance, subdivision applications submitted under a valid comprehensive design plan, approved under the prior Zoning Ordinance, and still valid pursuant to the time limit specified under Section 27-1704(a), may be reviewed and decided in accordance with the Subdivision Regulations, Subtitle 24, Prince George's County Code in existence at the time of the approval of the comprehensive design plan; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

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

WHEREAS, at the July 10, 2025 public hearing, 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 Subtitles 24 and 25, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-011-2023-01, APPROVED a Variance to Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-24014, including a Variation from Section 24-128(b)(7)(A), for 1,024 lots and 140 parcels, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised as follows:
  - a. Show and label the extent and limits of the ultimate right-of-way and dedication to meet the required 50 feet from road centerline along the subject property's frontage of McKendree Road.

- b. Add a general note reflecting the variation request to Section 24-128(b)(7)(A) of the prior Prince George's County Subdivision Regulations, to allow 94 lots to be served by private alleys without frontage on public streets.
  - c. Revise General Note 25 to "141.35 acres of stream valley parkland and provision of on-site master planned trail."
  - d. Correct General Note 28 to reflect TCP1-011-2023-01.
  - e. On Sheet 4 of the plan set, add the block label to the block abutting Road JJ, Road LL, and Road II.
  - f. On Sheet 4 of the plan set, correct the proposed 10-foot-wide public utility easement located on Lot 26 along the intersection of Road II and Road LL, to be a minimum of 10 feet wide.
  - g. On Sheet 3 of the plan set, label the parcel in Block E adjacent to Road JJ and Parcel D6.
  - h. On Sheet 7 of the plan set, label the parcel adjacent to Lot 11 in Block M.
  - i. On Sheet 8 of the plan set, label the parcel adjacent to Lot 25 and Road M in Block Y, the parcel adjacent to Lot 16 and Road L in Block X, and the parcel adjacent to Lot 10 and Road M in Block X.
2. Prior to signature approval of the preliminary plan of subdivision, a corrected statement of justification (SOJ) for primary management area (PMA) impacts shall be submitted. The corrected SOJ shall indicate that PMA Impact Area L is no longer requested. The numbering of all subsequent PMA impact areas shall be revised accordingly.
3. Prior to approval, the final plat of subdivision shall include:
- a. Right-of-way dedication along McKendree Road in accordance with the approved preliminary plan of subdivision.
  - b. Right-of-way dedication of all public streets in accordance with the approved preliminary plan of subdivision.
  - c. In accordance with Section 24-122(a) and Section 24-128(b)(12) of the prior Prince George's County Subdivision Regulations, granting of a minimum 10-foot-wide public utility easement along both sides of all public streets, and along at least one side of all private streets, in accordance with the approved preliminary plan of subdivision.
  - d. A note indicating approval of a Variation from Section 24-128(b)(7)(A) of the prior Prince George's County Subdivision Regulations, to allow Lots 29–50, Block B; Lots 17–42, Block D; Lots 1–16, Block G; Lots 1–10, Block X; Lots 1–10, Block Y; and Lots 1–10, Block Z to be served by private alleys, while fronting on private streets or

open space. This note shall only appear on the final plats on which the above-listed lots appear.

4. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, and the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following improvements and show the following facilities at the time of specific design plan:
  - a. A minimum 10-foot-wide shared-use path along the property frontage of McKendree Road unless modified by the permitting agency with written correspondence; any modifications shall be in accordance with Prince George's County Department of Public Works and Transportation and Maryland State Highway Administration adopted standards.
  - b. A minimum 10-foot-wide shared-use path along the alignment of the Mattawoman Creek Trail throughout the site.
  - c. A standard bicycle lane, shared road pavement markings, and signage in accordance with American Association of State Highway and Transportation Officials guidelines, along proposed Roads A and C, as determined by the permitting agency.
  - d. A minimum 5-foot-wide sidewalk along both sides of all internal roadways, where the shared use path is not proposed.
  - e. Provide perpendicular Americans with Disabilities Act-compliant curb ramps and crosswalks crossing all vehicular access points along the frontage and throughout the site, crossing internal intersections.
  - f. Short-term bicycle parking at any proposed recreational areas.
5. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
  - a. Add the standard Subtitle 25 variance note under the Specimen Tree Table or Woodland Conservation Worksheet identifying, with specificity, the variance decision consistent with the decision of the Prince George's County Planning Board:

“NOTE: This plan is in accordance with the following variance(s) from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE) for the removal of the following specified specimen trees (Section 25-122(b)(1)(G)): (ST-32 (32 inch Red maple), ST-33 (32 inch Red maple), ST-35 (36 inch White oak), ST-48 (30 inch Willow oak), ST-49 (30 inch Tulip poplar), ST-55 (32 inch Tulip poplar), ST-62 (31 inch Willow oak), ST-65 (30 inch Tulip poplar), ST-67 (37 inch Tulip poplar), ST-125 (32.5 inch Black oak), ST-126 (33.5 inch White oak), ST-127 (32 inch White oak), ST-216 (34 inch Pin oak), ST-217 (31 inch Red Maple), and ST-218 (34 inch Red maple).

- b. Add a revision note and have the revised plan signed and dated by the qualified professional preparing the plan.
6. Development of this site shall be in conformance with Stormwater Management Concept Plan (14756-2023-SDC), and any subsequent revisions.
7. At the time of final plat, in accordance with Section 24-134(a)(4) of the prior Prince George's County Subdivision Regulations, approximately  $\pm 142$  acres of parkland as shown on the preliminary plan of subdivision (Parcels N, R, R1, S, CC, and NN) shall be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). The land to be conveyed shall be subject to the following conditions:
  - a. An original, special warranty deed for the property to be conveyed, signed by the Washington Suburban Sanitary Commission Assessment Supervisor, shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department along with the application of first final plat.
  - b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed including, but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs, and gutters, and front-foot benefit charges prior to and subsequent to application of the building permit.
  - c. The boundaries, lot or parcel identification, and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
  - d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Prince George's County Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
  - e. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled, and underground structures shall be removed. The Prince George's County Department of Parks and Recreation shall inspect the site and verify that land is in an acceptable condition for conveyance, prior to dedication.
  - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the Prince George's County Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.

- g. In general, no stormwater management facilities, tree conservation, or utility easements shall be located on land owned by, or to be conveyed to, M-NCPPC. However, the Prince George's County Department of Parks and Recreation (DPR) recognizes that there may be a need for conservation, or utility easements in the dedicated M-NCPPC parkland. Prior to the granting of any easements, the applicant must obtain written consent from DPR and DPR shall review and approve the location and/or design of any needed easements. Should the easement requests be approved by DPR, a performance bond and maintenance and easement agreements may be required prior to the issuance of any grading permits.
  - h. The land to be conveyed shall not include any areas of applicant-proffered meadow or wetland habitat creation. Native tree and/or shrub planting may be substituted for meadow habitat creation, subject to the approval of the Prince George's County Planning Department staff.
  - i. The applicant is responsible for the plant installation, maintenance, bonds, and all other requirements, including maintenance period fulfillment and compliance associated with forest planting, forest edge treatment, and woodland understory enhancement environmental proffers occurring on parkland conveyance areas.
  - j. The applicant and the applicant's heirs, successors and/or assignees shall demonstrate any liens, leases, mortgages, or trusts have been released from the land to be conveyed to M-NCPPC.
- 8. The parcels to be conveyed to The Maryland-National Capital Park and Planning Commission shall be reflected on a Type 2 tree conservation plan (TCP2). The TCP2 shall be reviewed and recommended for approval by the Prince George's County Department of Parks and Recreation.
- 9. The applicant shall submit a copy of the letter, to be provided by the Prince George's County Department of Parks and Recreation, consenting to the placement of woodland conservation easements on lands to be dedicated to The Maryland-National Capital Park and Planning Commission, with all subsequent development applications, for inclusion in the project record.
- 10. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established for the subdivision. The draft covenants shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department, to ensure that the rights of the Prince George's County Planning Board are included. The book/page of the declaration of covenants shall be noted on the final plat, prior to recordation.
- 11. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey land to a homeowners association, as identified on the approved preliminary plan of subdivision and site plan. Land to be conveyed shall be subject to the following:

- a. A copy of the recorded deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department.
  - 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 operations 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 the homeowners association shall be in accordance with an approved site plan and tree conservation plan. 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 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 of the Prince George's County Planning Department.
  - f. Covenants recorded against the conveyed property, ensuring retention and future maintenance of the property by the homeowners association, including the reservation of rights of approval by the Prince George's County Planning Director.
12. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCP1-011-2023-01, in conformance with Section 25-121 of the Prince George's County Code. 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 (TCP1-011-2023-01 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 (WCO). 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 (M-NCPPC), Prince George's County Planning Department.”
13. Prior to the issuance of permits for this subdivision, in conformance with Section 25-119(a)(3) of the County Code, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a woodland and wildlife habitat conservation easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 tree conservation plan, when approved.”

14. At the time of final plat of subdivision, a conservation easement shall be described by bearings and distances, in conformance with Section 24-130(b)(5) of the prior Prince George’s County Subdivision Regulations. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section of the Prince George’s County Planning Department, prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

15. The applicant, the applicant’s heirs, successors, and/or assignees shall construct the master-planned trail. The master-planned trail shall be designed in accordance with the standards outlined in the *Park and Recreation Facilities Design Guidelines*. The timing of construction of the master-planned trail shall be determined with the approval of a specific design plan. A public use easement shall be provided over the trail, with the width of the easement determined by the Prince George’s County Planning Department, at the time of the specific design plan. The timing of construction and public use easement shall include the portion of the master plan trail located on existing Parcel 6.
16. Prior to submission of the final plat of subdivision for any residential lot/parcel, the applicant, and the applicant’s heirs, successors, and/or assignees shall submit three original executed public recreational facilities agreements (RFAs) to the Prince George’s County Department of Parks and Recreation (DPR) – Park Planning & Environmental Stewardship Division (PP&ES) for construction of the master-planned trail, for approval. Upon approval by DPR staff, the RFA shall be recorded among the Prince George’s County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation. The public RFA shall establish the timing for the construction of the trail established with the specific site plan. The public RFA shall include the portion of the master plan trail located on existing Parcel 6.
17. Prior to approval of building permits for residential development, the applicant and the applicant’s heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantees to the Prince George’s County Department of Parks and Recreation, for the construction of the master-planned trail.
18. The applicant and the applicant’s heirs, successors, and/or assignees shall submit construction drawings of the master-planned trail to the Prince George’s County Department of Parks and Recreation, with timing of the trail construction to be determined at the time of the specific design plan for the residential development.

19. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall provide a draft public use access easement and maintenance agreement or covenant for the master-planned trail, to the Maryland-National Capital Park and Planning Commission (M-NCPPC), Department of Parks and Recreation, for approval. The easement agreement shall contain the rights of M-NCPPC, be recorded in land records, and the Liber/folio shown on the final plat, prior to recordation. The final plat shall reflect the location and extent of the easement, in accordance with the approved specific design plan.
20. Prior to, or concurrent with, approval of the first final plats, the applicant shall record adjoining Parcel 6 within Sustainable Growth Tier IV as an outparcel(s). The applicant may file a minor final plat, in order to complete the recordation of the outparcel(s) in the Prince George's County Land Records.

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 applicable 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 south of McKendree Road, approximately 1,400 feet west of its intersection with US 301 (Robert Crain Highway). The property consists of all the lots of the Country Club Estates subdivision recorded in Plat Book WWW 61, page 51 in the Prince George's County Land Records, as well as tax parcels known as Parcel 8 (recorded in Book 50133, page 391 of the Land Records), Parcel 10 (recorded in Book 34677, pages 101 and 110), and Parcel 35 (recorded in Book 41072, page 211).

The 447.19-acre property is in the Legacy Comprehensive Design (LCD) Zone. However, this preliminary plan of subdivision (PPS) was submitted for review in accordance with the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations effective prior to April 1, 2022 (the prior Zoning Ordinance and prior Subdivision Regulations), pursuant to Section 27-1704 of the current Zoning Ordinance. Therefore, this PPS is reviewed pursuant to the standards of the prior Residential Suburban Development (R-S) Zone which were effective prior to April 1, 2022. The site is subject to the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (master plan) and other applicable plans, as outlined herein.

The subject property was included in Comprehensive Design Plan CDP-22002, which was approved by the Prince George's County District Council on January 22, 2024, pursuant to the prior Zoning Ordinance. Pursuant to Section 27-1704(b) of the Zoning Ordinance, subdivision applications submitted under a valid CDP, approved under the prior Zoning Ordinance, and still valid pursuant to the time limit specified under Section 27-1704(a), may be reviewed and decided in accordance with the Subdivision Regulations in existence at the time of the approval of the CDP.

In accordance with Section 24-4503(a)(4) of the Subdivision Regulations, this PPS is supported by and subject to approved Certificate of Adequacy ADQ-2024-020.

This PPS allows subdivision of the property into 1,024 lots and 140 parcels for development of 1,024 residential dwelling units, specifically 678 single-family detached and 346 single-family attached dwelling units.

The applicant filed a request for a Variation from Section 24-128(b)(7)(A) of the prior Subdivision Regulations, to allow lots in the R-S Zone to be served by private alleys without frontage on public streets. This request is discussed further in the Transportation finding of this resolution.

The applicant filed a request for a Variance to Section 25-122(b)(1)(G) of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), to allow removal of 15 specimen trees. This request is discussed further in the Environmental finding of this resolution.

3. **Setting**—The subject property is located on Tax Map 164, Grids A2, A3, B2-B4, C1-C3, D1-D3, E1-E3, F1, and F2, and it is within Planning Area 85A. The subject site is bounded to the north by undeveloped land in the Agricultural-Residential (AR) and Residential, Rural (RR) Zones, single-family dwellings in the Residential Estate (RE) Zone, and McKendree Road with single-family dwellings in the RR Zone beyond. The property is bound to the south by Charles County; to the east by townhouses in the Residential, Single-Family-Attached (RSF-A) Zone; and to the west by undeveloped land in the LCD Zone. The property also abuts Mattawoman Creek, which runs east-west along the southern portion of the property and serves as the boundary between Prince George's County and Charles County.

Portions of the property have been farmed extensively. More recently, certain parts of the property were the site of surface mining operations, which have since ceased. While the central portion of the property has been cleared for the mining operation, the northern, eastern, and southern areas remain generally wooded, especially along Mattawoman Creek.

4. **Development Data Summary**—The following information relates to the subject PPS and the evaluated development.

	EXISTING	EVALUATED
Zones	LCD	R-S
Use(s)	Vacant/Agricultural	Residential
Acreage	447.19	447.19
Parcels	3	140
Lots	43	1,024
Outlots	1	0
Dwelling Units	0	1,024
Variation	No	Yes, 24-128(b)(7)(A)
Subtitle 25 Variance	No	Yes, 25-122(b)(1)(G)

The subject PPS, 4-24014, was accepted for review on February 28, 2025. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, the PPS was referred to the Subdivision and Development Review Committee and comments were provided to the applicant at its meeting on March 14, 2025. Pursuant to Section 24-113(b) of the prior Subdivision Regulations, the requested Variation from Section 24-128(b)(7)(A) was also received on February 28, 2025. Revised plans and documents were received on April 11, 2025, which were used for the analysis contained herein.

5. **Previous Approvals**—The property is the subject of several prior approvals, which include a zoning map amendment and basic plan, a comprehensive design plan (CDP), a specific design plan (SDP), and special exceptions (SE). The applicable prior approvals are separately discussed in detail below:

**Zoning Map Amendment A-10059** was recommended for approval by the Planning Board pursuant to PGCPB Resolution No. 2021-109 and was adopted on September 9, 2021. The zoning map amendment and basic plan were approved by the Prince George's County District Council on October 17, 2022 (Zoning Ordinance No. 8-2022), rezoning the property from the prior Residential-Agricultural (R-A) and Residential-Estate (R-E) Zones to the prior R-S Zone, and approved development of up to 1,106 single-family detached and attached dwelling units. The following development data for the site applies to A-10059:

**Development Data Table**

<b>Gross Tract Area</b>	<b>581.06 ac.</b>
<b>100-year Floodplain</b>	<b>213.84 ac.</b>
<b>½ Floodplain</b>	<b>106.92 ac.</b>
<b>Net Tract Area*</b>	<b>474.14 ac.*</b>
<b>*Net Tract Area=Gross Tract Area-1/2 Floodplain</b>	
<b>Base Density recommended 474.14ac@1.6DU/ac 758</b>	
<b>Units Max. Density recommended 474.14ac@2.6DU/ac</b>	
<b>1,232 Units Density Proposed 857-1,106 Units</b>	

Of the five conditions of A-10059, the following are relevant to the review of this PPS and are provided below in **bold**, with analysis provided in plain text:

1. **The Applicant shall provide a stream corridor assessment survey with a NRI plan review.**

An updated natural resources inventory (NRI) with stream corridor assessment was approved prior to the CDP review.

2. **The Applicant shall meet the entire Woodland Conservation requirement on-site for the prior R-S Zone applicable prior to April 1, 2022. The Tree Canopy Coverage requirements shall be met on-site pursuant to the standards of the prior R-S Zone applicable prior to April 1, 2022.**

The Type 1 tree conservation plan (TCP1) approved with the CDP for the site shows the entire woodland requirement met on-site using the prior woodland conservation threshold for the R-S Zone, as required by this condition. The Type 2 tree conservation plan (TCP2) submitted with SDP-2303 also showed the entire woodland conservation requirement as met on-site. The TCP1 submitted with the subject PPS continues to show the entire woodland conservation requirement for the development to be met on-site.

**3. The Applicant shall create new wetland and enhance existing wetlands with adjoining meadows focusing on providing wildlife habitat.**

The approved TCP1 shows four types of habitat creation areas for the open and forested areas on-site. The amended TCP1 submitted with this PPS shows the locations of the required habitat enhancement areas. All details regarding this requirement shall be finalized and shown on the subsequent SDP and associated TCP2, prior to their certification.

The applicant provided a description of what they envisioned these environmental habitat proffer areas would look like for this PPS. Below are the applicant's habitat descriptions, with minor technical revisions:

**Wetland Creation**—New areas of wetlands will be created through minimal grading and the introduction of native wetland species local to the region. These areas will be located in lower topographic regions, within the vicinity of the Mattawoman floodplain and its connected wetlands. The goal of these new wetlands is to create a habitat extension of the Mattawoman watershed system, creating a more robust transitional buffer between the development and the mature woodlands along Mattawoman Creek. These created wetland areas will add to and enhance the existing wetland network, meeting the three criteria for wetlands by containing wetland hydrology, hydric soils, and dominant hydrophytic vegetation. Native pollinator vegetation is anticipated to consist of herbaceous, shrub, and tree species to create a diverse ecosystem. These wetland habitat pockets and extensions will be placed in areas that are currently unforested and will not require the clearing of any woodlands. PPS 4-24014 shows wetland creation habitat area located within Parcels H, CC, and OO.

**Meadow Habitat Creation**—In areas that are not proposed for reforestation plantings, native meadows will be created utilizing minor grade changes and purposeful plantings, to create a different type of habitat edge adjacent to the existing woodlands. These areas are envisioned to create connections from isolated wetlands to forest edge regions. A mix of both wet and dry meadows will be utilized to ensure maximum plant diversity that will serve as a habitat for birds and pollinating insects. These types of habitats are rarely proposed with development applications, and this development offers a unique opportunity to create something different on this site. These meadows will be situated in areas that are currently unforested and will not require the clearing of any woodlands. The PPS shows meadow creation habitat area located within Parcels CC, CC1, and OO.

**Forest Edge Treatment**—Forest edge treatments are selective plantings of new tree and shrub species that can protect vulnerable mature canopy edges of existing woodlands. The planting of understory, flowering, and canopy species along the forest edge will ensure a greater natural buffer between this development and the adjacent woodlands, protecting the existing woodlands from windthrow and invasive species encroachment. These forest treatment areas will be selected specifically based on the adjacent woodlands, and their proximity to the development footprint. These reinforced edges will be prioritized in locations where woodland is to be cleared, and a new forest edge can be created in areas where there are opportunities to further protect more mature forests. The PPS shows forest edge treatment area located within Parcels L1, L2, S3, BB2, 00, and W3.

**Woodland and Understory Enhancement**—Opportunities exist throughout the existing woodlands for selective low-footprint woodland enhancement. This will be accomplished through the planting and establishment of native herbaceous species along with infill planting of shrubs and understory trees. The strategic establishment of lower and mid-canopy species within the existing woodland provides the opportunity to balance the existing forest ecosystem with a suitable understory of native trees, shrubs, and herbaceous plantings. To ensure survivability of these areas, extensive deer protection will be utilized such as fencing and other methods.

These enhanced vegetation areas will create a new seed source for the surrounding forest, raising the probability of these plants spreading into the adjacent woodlands. The PPS shows the woodland and understory enhancement areas located within Parcels N, L, CC, BB2, and OO.

**4. The Applicant shall provide selective woodland understory enhancement focusing on habitat and biodiversity.**

The approved TCP1 showed the understory enhancement areas for the open and forested areas on-site. The amended TCP1 approved with this PPS shows the same location of the understory enhancement areas as the prior TCP1. Each subsequent development application shall include greater detail regarding this requirement. The final details regarding this requirement shall be shown on the subsequent SDP and associated TCP2, prior to their certification.

**5. The Applicant shall provide ecological enhancement through selective environmental site design planting motifs that both replicate and increase the biodiversity of the local ecology.**

The approved TCP1 showed four types of habitat creation areas for the open and forested areas on-site. The TCP1 approved with this PPS shows the locations of the ecological enhancement through selective environmental site design planting motifs areas. Each subsequent development application shall include greater detail regarding this requirement. All details regarding this requirement shall be finalized and shown on the subsequent SDP and associated TCP2, prior to their certification.

**CDP-22002** was approved by the Planning Board on September 14, 2023 (PGCPB Resolution No. 23-100) and on January 22, 2024, the District Council ordered a final decision of approval. The CDP approved residential development, with a mix of housing types consisting of up to 1,106 dwelling units, subject to 19 conditions. Existing Parcel 6, located on the west side of the property included in the CDP, is within the Sustainable Growth Tier IV and, therefore, cannot be included in this PPS. Of the 19 conditions of CDP-22002, the following are relevant to the review of this PPS and are provided below in **bold**, with analysis provided in plain text:

2. **Prior to acceptance of the preliminary plan of subdivision application, a statement of justification (SOJ) for the necessary primary management area (PMA) impacts shall be included in the application package. The SOJ shall address all proposed impacts on regulated environmental features. PMA impacts, solely associated with the creation of lots, will not be allowed.**

Primary management area (PMA) impacts, for infrastructure design only, were approved with prior SDP-2303. A statement of justification (SOJ) for three additional impacts to the PMA was submitted for review with this PPS. The PMA impacts are further reviewed in the Environmental finding of this resolution. The additional impacts approved with this PPS are for trail connections and are not associated with the creation of lots.

3. **Prior to acceptance of the preliminary plan of subdivision application, a variance request and impact sheets for the removal of any specimen trees shall be included in the application package.**

A variance request for removal of 19 specimen trees was approved for infrastructure design with SDP-2303. A variance request and SOJ for removal of an additional 15 specimen trees was submitted for review with this PPS. All specimen tree removal requests and critical root zone (CRZ) impacts are reviewed further in the Environmental finding of this resolution.

4. **The preliminary plan of subdivision application shall include a detailed soils study, demonstrating that the site is geologically suitable for the approved development.**

This PPS includes 1,024 residential lots and 140 parcels. The site was previously mined, and the lands were reclaimed. As part of these mining practices, disturbed and unsafe soils were created. A geotechnical report was submitted on May 2, 2024, dated November 3, 2023, for Dobson Farm. The geotechnical report stated the existing fills encountered at the prior gravel mines are considered unsuitable for direct support of the proposed structures. Therefore, the report provided a geotechnical recommendation to remove the fill and replace it with compacted fill, which will make the development feasible.

5. **An approved stormwater management concept plan and approval letter, or an indication that an application for such approval has been filed, shall be submitted with the preliminary plan of subdivision application.**

An approved stormwater management (SWM) concept plan (14756-2023-SDC) was submitted with this PPS. The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) issued its approval on May 2, 2024.

**6. At the time of preliminary plan of subdivision, the applicant shall provide a plan for:**

- a. Evaluating archeology Site 18PR1195, at the Phase II level, \*[and] or**
- b. Avoiding and preserving the resource in place.**

The archeological Site 18PR1195 is clearly identified on Sheet 19 of the PPS and will be avoided for development and preserved.

**7. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated at the Maryland Archaeological Conservation Laboratory in St. Leonard, Maryland, prior to approval of any grading permits.**

No Phase II excavations will need to be completed.

**8. The preliminary plan of subdivision application shall include a bicycle and pedestrian impact statement.**

A bicycle and pedestrian impact statement was submitted with this PPS, the details of which are contained in the Transportation findings of this resolution.

**9. At the time of preliminary plan of subdivision, a new traffic impact analysis shall be submitted.**

- a. In a supplemental analysis, the applicant shall show whether a roundabout at the entrance would be an alternative to address capacity, operational, and safety concerns.**
- b. The Traffic Impact Study Scoping Agreement shall include a second site access point, as recommended by the operating agency.**

A new traffic analysis was provided with this PPS and determined that a roundabout at the entrance of McKendree Road and Dawn Chorus Lane is acceptable. A second site access point is also shown, providing a total of three access points.

**10. At the time of preliminary plan of subdivision application submittal, the applicant shall submit a traffic signal warrant analysis for McKendree Road and Site Access/Dawn Chorus Lane.**

The roundabout configuration was found to be adequate, and a traffic signal warrant is no longer required.

- 16. Prior to, or concurrent with, approval of the first final plats, the applicant shall record the portion of the property within Sustainable Growth Tier IV as an outparcel(s). The applicant may file a minor final plat, in order to complete recordation of the outparcel(s) in the Prince George's County Land Records.**

Parcel 6, located on the west side of the property, is included in the boundaries of the CDP. Parcel 6 is located within Sustainable Growth Tier IV and therefore cannot be included in a major residential subdivision pursuant to Section 24-119(a)(2) of the prior Subdivision Regulations. Therefore, Parcel 6 is not included in the subject PPS, but is labeled as Outparcel A on the PPS. However, a master plan trail loop is shown on Parcel 6, with timing for construction to be established with a future SDP. To ensure that the land within Sustainable Growth Tier IV is not developed, but to allow construction of the master plan trail, this CDP condition required that the land within Sustainable Growth Tier IV be platted as one or more outparcels, prior to or concurrently with approval of final plats of subdivision.

To accomplish this platting, the applicant has completed a lot line adjustment by deed, pursuant to Section 24-107(c)(9) of the prior Subdivision Regulations, so that the boundary between prior Parcels 6 and 8 coincides with the boundary between Sustainable Growth Tier IV and Sustainable Growth Tier I. This was completed prior to the filing of the subject PPS for the remaining area within Sustainable Growth Tier I. All or part of the land within Sustainable Growth Tier IV may be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC), if requested by the Prince George's County Department of Parks and Recreation (DPR) and agreed to by the applicant. This may necessitate division of the land into two or more outparcels if part of the land is to be conveyed and part of the land is to be retained by the owner. To ensure the platting of Parcel 6 as one or more outparcels, this condition has been carried forward as a condition of approval of this PPS.

- 19. At the time of preliminary plan of subdivision and specific design plan, a variety of lot sizes, as conceptually depicted on the revised illustrative plan for the comprehensive design plan, shall be provided. The proposed larger single-family detached lots shall be located where abutting lots are developed with, or zoned for, larger lot single-family detached dwellings, unless smaller lots are proposed to be set back and/or buffered from those lots, above the normal requirements of the Prince George's County Landscape Manual. Otherwise, the smaller single-family detached lots and single-family attached units shall be located interior to the development, to create a transition from the existing abutting larger lots.**

The lotting pattern and submitted exhibits support this condition for the purposes of this PPS. This condition will be further evaluated at the time of SDP.

**SDP-2303** was approved by the Planning Board on June 6, 2024 (PGCPB Resolution No. 2024-051) for infrastructure improvements for public streets, water, sewer, stormdrain utilities, and SWM facilities, subject to five conditions. One of the conditions is applicable to this PPS and is listed below in **bold** text, with analysis provided in plain text:

2. **With the acceptance of the preliminary plan of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**
  - a. **Provide a variance request and full evaluation regarding the removal of Specimen Trees ST-126 and ST-127 within the residential lots.**
  - b. **Provide a statement of justification and full evaluation regarding primary management area Impact Areas E and L within the residential lot areas.**

Removal of Specimen Trees ST-126 and ST-127 and PMA Impact Areas E and L were evaluated with this PPS. The two specimen trees are approved for removal with this PPS. With SDP-2303, PMA Impact Areas E and L were previously requested for a trail connection and interior road grading. PMA Impact Area E was subsequently requested for approval with this PPS, since more detailed information is available. PMA Impact Area L has been removed and is no longer requested. The variance request for specimen tree removal and PMA impacts is evaluated further in the Environmental finding of this resolution.

There are several special exceptions previously approved for the subject property, which permitted the use of the site as a golf course, a country club, and a sand and gravel mine. Prior approvals which are relevant to the review of this PPS are further discussed in the Environmental finding of this resolution.

6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) is discussed, and conformance with the master plan is evaluated, as follows:

**Plan 2035**

Plan 2035 places the subject property in the Established Communities Growth Policy Area. The vision for the Established Communities growth policy area is that it is most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met” (page 20).

While this PPS is not required to conform with Plan 2035, this PPS is consistent with multiple goals stated in Plan 2035. Plan 2035 also makes the following land use and housing and neighborhood goals that affect the subject property:

**Direct future growth toward transit-oriented, mixed-use centers in order to expand our commercial tax base, capitalize on existing and planned infrastructure investments, and preserve agricultural and environmental resources.** (page 93)

**Provide a variety of housing options—ranging in price, density, ownership, and type—to attract and retain residents, strengthen neighborhoods, and promote economic prosperity. (page 181)**

This PPS accomplishes these goals by constructing low-density housing in an environmentally sensitive manner in the Mattawoman Creek Watershed, near a planned transit center.

#### **Master Plan**

The master plan recommends residential low land use on the subject property. The intent for the residential low designation is for residential areas up to 3.5 dwelling units per acre, with primarily single-family detached dwellings (page 31). Basic Plan A-10059 reclassified the subject property from the R-A and R-E Zones into the R-S Zone. Per Section 27-513 (a) of prior Zoning Ordinance, the R-S Zone permits one of two density ranges: a range of either 1.6 to 2.6 dwelling units per acre, or 2.7 to 3.5 dwelling units per acre. This PPS includes primarily single-family detached dwellings, with a density of 2.16 dwelling units per acre, based on the total net area of the subject property as approved in the basic plan. Therefore, the proposed use and density conforms with the land use and density recommended by the master plan.

Provisions of the master plan and other functional master plans, including policies and strategies that are found applicable to the development of the subject property, and the PPS conformance to these policies and strategies, are further discussed throughout this resolution.

#### **Zoning**

The 2013 sectional map amendment associated with the master plan retained the subject property in the R-A and R-E Zones. Basic Plan A-10059 reclassified the subject property from the R-A and R-E Zones to the R-S Zone. On November 29, 2021, the District Council approved Council Resolution CR-136-2021, the Countywide Sectional Map Amendment, which reclassified the subject property from the R-S Zone to the LCD Zone. However, this PPS is reviewed according to the prior R-S zoning.

#### **Aviation/Military Installation Overlay Zone**

This PPS is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

7. **Stormwater Management**—An application for a major subdivision must include an approved SWM concept plan, or indication that an application for such approval has been filed with the appropriate agency or the municipality having approval authority. A SWM Concept Plan (14756-2023-SDC) and an associated letter approved by DPIE on May 2, 2024, and expiring on May 2, 2027, were submitted with the subject PPS. The plan proposes to use 19 microbioretention ponds, 18 submerged gravel wetlands, three grass swales, and 15 disconnect areas (sheet flow to conservation areas). A SWM fee is also required for providing on-site attenuation and quality control measures. No further information pertaining to SWM is required at this time.

Development of the site, in conformance with the SWM concept plan and any subsequent revisions, will ensure that no on-site or downstream flooding occurs. Therefore, this PPS satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of the master plan; the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation, and Open Space*; the 2022 *Land Preservation, Parks and Recreation Plan for Prince George's County*; and Sections 24-134 and 24-135 of the prior Subdivision Regulations, as they pertain to public parks and recreation and facilities.

The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* provides goals and policies related to parks and recreation (pages 135–140). The master plan indicates that M-NCPPC owns approximately 261 acres of local and parkland in the planning area.

The master plan recommends that local parkland acquisition should be pursued due to expected increases in population. The master plan recommends acquisition of additional land along Timothy Branch and Mattawoman Creek. Mattawoman Creek is a highly sensitive environmental feature designated as the Mattawoman Creek Special Conservation Area (page 78). Additional acquisitions along the Mattawoman Watershed Stream Valley Park and the Timothy Branch (page 138) are recommended to meet long-term parkland needs. The master plan also includes a 50-acre floating park symbol near the western edge of Dobson Farms along the Mattawoman Watershed Stream Valley Park (page 139). This development aligns with the intention of the master plan, to provide natural undeveloped land in the subregion and to support existing development for future residents.

The PPS shows environmental features on the property which include Timothy Branch and Mattawoman Creek, on-site recreation, and trail alignments. The subject property is adjacent to existing M-NCPPC-owned property, approximately 47 acres of land directly east of the subject property along the Mattawoman and Timothy Branch stream valley that was conveyed to M-NCPPC with PPS 4-20002, Dobson Ridge (PGCPB No. 2021-04). In addition to on-site recreational amenities, future residents of the subject development will use facilities in the Accokeek-Brandywine Region. Nearby park facilities include the Rose Creek Connector Trail, located in the Rose Creek Estates community directly across from Dobson Farms on McKendree Road. This trail continues in the Chaddsford community, located approximately one mile north of the subject property. Other Park facilities include the Southern Area Aquatic and Recreation Complex approximately 4.5 miles northeast of Dobson Farms, Brandywine-North Keys Park located 6 miles northeast, and Accokeek East Park approximately 5 miles southeast. Also, Cedarville State Forest is located 3.5 miles east of Dobson Farms.

This PPS will generate an additional 2,734 people (2.67 persons per dwelling unit) for Planning Area 85A. Sections 24-134 and 24-135 of the prior Subdivision Regulations, which relate to mandatory dedication of parkland, provide for the dedication of land, the payment of a fee-in-lieu, and/or the provision of private on-site recreational facilities, to serve the active recreational needs of residential development.

Based on the development density, 5 percent of the net residential lot area (22.36 acres) is the required amount of land for dedication to M-NCPPC for public parks. However, per the CDP, the applicant proposed dedicating approximately 165.83 acres to M-NCPPC. The land dedication to M-NCPPC by the applicant aligns with the environmental goals, policies, and strategies contained in the master plan. The M-NCPPC Dedication Exhibit, which was submitted by the applicant along with the PPS and TCP1, was reviewed. It was determined that it is not in the best interest of the Prince George's County Department of Parks and Recreation (DPR) to accept Parcel J, Parcel T, Parcel BB, and Parcel FF as additions to the M-NCPPC park system (red hatched areas outlined in yellow on the M-NCPPC Dedication Exhibit). By excluding these areas, the park dedication is reduced from 165.83 acres to 141.35 acres. The remaining area shown in pink, (not outlined in yellow) as well as Outparcels A, B, and C (outlined in blue on the exhibit), will be dedicated to M-NCPPC as an addition to the park system and critically important for the protection of the Mattawoman Creek, a designated special conservation area.

The three Outparcels A, B, and C, totaling 133.82 acres and shown on the M-NCPPC Dedication Exhibit, are collectively shown as Outparcel A on the PPS. This outparcel will be platted prior to or concurrently with approval of final plats of subdivision, pursuant to Condition 16 of the CDP. This outparcel will be conveyed to M-NCPPC once reforestation of all areas proposed to meet the WCO requirements has been completed by the applicant.

The applicant provides all woodland conservation on-site, inclusive of land for conveyance to M-NCPPC. The 2022 *Land Preservation, Parks, and Recreation Plan*'s stated goal to acquire land adjacent to the Timothy Branch and Mattawoman Creek, as well as increase the retention of forests and wetlands, supports the placement of woodland conservation easements to the County on lands which will eventually be conveyed to M-NCPPC. Establishment of these easements further preserve areas identified for woodland preservation, afforestation, reforestation, and natural vegetative regeneration. On the TCP1 submitted with this PPS, there are some areas of forest edge treatment and woodland understory enhancement (environmental proffers) provided on the parkland dedication areas. DPR does not accept areas where environmental proffers of meadow habitat and wetland creation are provided by the applicant. If these habitat creation areas are located within the parkland dedication area, they shall be revised to forest habitat proffer areas and include native tree and/or shrub planting. The TCP2 will be reviewed with subsequent development applications and comments related to the details of the plantings on parkland dedication areas will be provided, at that time.

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) recommends a planned public trail along the Mattawoman Stream Valley Watershed Park and the Timothy Branch in Brandywine. The PPS shows construction of approximately 14,000 linear feet of trails, including the master plan Mattawoman Creek Trail, throughout the community. The best possible alignment of the master-planned trail on the subject site was determined, considering the sensitive environmental features and woodland conservation requirement. The master-planned trail will be constructed within dedicated parkland and/or along internal roads or open space parcels within the subdivision. A public use easement will be granted to M-NCPPC to cover the area of the master plan trail not located within public rights-of-way (ROWs).

Section 24-134(a)(4) of the prior Subdivision Regulations allows land, shown for preservation as part of a stream valley park on an official master plan, to be dedicated in lieu of active recreation, provided that the Planning Board finds that there is a reasonable amount of active recreation in the general area and that any trails shown on the master plan are provided. In addition to preserving the Mattawoman Stream Valley Watershed Park as dedicated parkland, the PPS also shows construction of the Mattawoman Creek Trail as a 10-foot-wide shared use path along and within internal roads and open space parcels. The PPS also shows active and passive recreational facilities for the residential development including a clubhouse and approximately 10 acres of open space.

Based on the preceding finding, the provision of mandatory dedication of parkland will be met through the dedication of approximately 141.35 acres of parkland and provision of on-site master-planned trail, in accordance with Section 24-134(a)(4) of the prior Subdivision Regulations.

9. **Transportation**—This PPS was reviewed for conformance with the MPOT, the master plan, and the prior Subdivision Regulations to provide the appropriate transportation facilities.

#### **Transportation Related Master Plan Conformance**

##### **Master Plan Right-of-Way**

The subject property has frontage along master-planned roadway McKendree Road (MC-502), which is identified per MPOT and the master plan as a major collector roadway, with recommended width of 100 feet of ROW. The PPS shows the ROW of McKendree Road along the property frontage and the required dedication; however, these are not labeled. The PPS shall delineate the ultimate ROW width as 50 feet from the road centerline and the dedication for McKendree Road, to meet the master plan requirement.

##### **Master Plan Pedestrian and Bike Facilities**

The MPOT recommends a planned shared roadway along McKendree Road that impacts the subject site. Shared roadway pavement markings (sharrows), provided along the property frontage, satisfy MPOT recommendations. However, DPIE has identified that this improvement should not be implemented along McKendree Road. Therefore, the frontage of McKendree Road shall include a 10-foot-wide shared-use path to accommodate multimodal use and meet the intent of this facility. The MPOT also recommends a planned hard surface trail along the Mattawoman Creek. The PPS identifies the alignment of the trail as a 10-foot-wide shared use path within the site. The trail is located within the ROWs of public roads or homeowners association-owned open space parcels. A public use easement granted to M-NCPPC will be required to cover the width of the trail in locations where it is not located within public ROWs. The intent of this facility also has been met.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling (MPOT, pages 9–10):

### **Complete Streets**

**Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

The plan sheets identify sidewalks and/or a 10-foot-wide shared-use path along either side of all internal roadways.

**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 plan sheets include a 10-foot-wide shared-use path along the frontage of McKendree Road. Crosswalks crossing each vehicular access point shall be provided.

**Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 *AASHTO Guide for the Development of Bicycle Facilities*.**

The frontage of McKendree Road includes a 10-foot-wide shared-use path to accommodate multimodal use. The plan sheets also include bikeway facilities internal to the site.

In addition, the master plan recommends the following:

- **Promote pedestrian and bicycle opportunities as part of a multi-modal transportation network.**
- **Promote and encourage cycling and walking for commuting purposes as an alternative to driving a car.**

The planned development includes a shared-use path along the property frontage of McKendree Road, and a comprehensive internal network that connects to trail and bikeway facilities within the site. As part of the bicycle and pedestrian improvements, the development will also create new sidewalk connections and crossing to the adjacent properties, meeting the intent of these policies.

### **Access and Circulation**

The subject PPS shows three access points for the property that will all facilitate right-in/right-out movements. The central access point is via a roundabout circle. The PPS shows the overall 42.86 acres of public roadway dedication. Within the site, a 10-foot-wide shared-use path for the alignment of the Mattawoman Creek Trail, bikeway facilities, and sidewalk along both sides of the roadway are provided. The overall circulation of the site is found to be sufficient.

The property also includes the undeveloped public ROWs of Meadow Drive, Meadow Court, Green View Lane, and Scenic Avenue, which will be required to be vacated, in order to achieve the approved lotting pattern. A minor vacation petition will be required to be approved for the vacation of the undeveloped public roadways, prior to final plat approval for the subject PPS.

Pursuant to Section 24-128(a) of the prior Subdivision Regulations, a private road, ROW, or easement cannot be the sole means of vehicular access to any lot and every building must be located on a lot or parcel of land having frontage on and direct vehicular access to a public street. In the R-S Zone, however, access to townhouses via private alleys is permitted pursuant to Section 24-128(b)(7)(A) of the prior Subdivision Regulations, provided the lots served have frontage on and pedestrian access to a public ROW.

Ninety-four of the lots are served by alleys and do not have frontage on a public ROW. The applicant submitted a request for a variation from Section 24-128(b)(7)(A), to allow these units to instead front on private streets and open spaces.

#### **Variation Request**

The below listed criteria are contained in Section 24-113 of the prior Subdivision Regulations and must be met for a variation to be approved. The criteria are listed below in bold text, and findings regarding each criterion are given in plain text.

- (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, or welfare, or injurious to other property;**

The intent of the requirement, that townhouses be located on a lot or parcel of land having frontage on and direct vehicular access to a public street, is to ensure such dwellings are adequately served by fire, rescue, and service vehicles. All private streets are designed to accommodate and provide unimpeded access to fire, rescue, and service vehicles. All lots are also accessed by public or private streets, which provide unimpeded access to McKendree Road. Since adequate access to all units is provided via the private streets, alleys, and pedestrian circulation systems, there is no need for additional public streets within the development. For these reasons, the development, as designed, will not impact public safety, health, or welfare, nor is there evidence that the proposal will be injurious to other properties if this variation is approved.

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

The site is unique in that it is encumbered by streams, wetlands, woodlands, significantly rolling terrain, and the prominent Mattawoman Creek along the entire southern boundary. To achieve the densities envisioned by the master plan, basic plan, and CDP, and to create a comprehensively planned community that is burdened by unique environmental features, a variation is necessary for 94 out of 1,024 residential lots to not front on public streets. The site constraints encourage a compact development form in order to place dwellings in the area of the site most suitable for development, and alleys help achieve this development form. Furthermore, in accordance with the conditions of the basic plan and CDP, the majority of the property is preserved as parkland, woodland, and open space. These factors are unique to the property and not generally applicable to other properties.

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

No law, ordinance, or regulation are known which would be violated by the granting of this variation. The granting of a variation is unique to the Subdivision Regulations and under the sole authority of the Planning Board.

- (4) Because of the particular 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;**

As described above, there are several aspects of the site's conditions and physical surroundings which constrain the site layout, including streams, wetlands, woodlands, rolling terrain, and the prominent Mattawoman Creek along the entire southern boundary. If the strict letter of Section 24-128(b)(7)(A) of the prior Subdivision Regulations were to be carried out, a particular hardship to the owner would result because, in order to continue to provide alleys to the affected units, public streets would have to be provided for the units to front on, which would be a greater amount of infrastructure required, compared to private streets. Public streets are generally wider and limit the ability for on-street parking. Given the unique conditions which include extensive environmental features throughout the site, the requirements of prior development approvals which limit the site development areas, and, since the development can be effectively served by private streets and alleys, there is no need for greater infrastructure investment. The private streets allow more compact development while serving the needs of residents. Strict compliance with this regulation presents a hardship to the applicant, as it would require additional infrastructure, but would not result in a superior design outcome. For these reasons, this criterion is met.

- (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.**

The site is evaluated in accordance with the prior R-S Zone. Therefore, this criterion is not applicable.

Based on the aforementioned findings, extraordinary hardship or practical difficulties would result from strict compliance with this Subtitle and the variation request is supported by the required findings. Approval of the variation also does not have the effect of nullifying the intent and purpose of the Subdivision Regulations, but instead results in a better outcome than could be achieved through strict compliance with the Subdivision Regulations. Therefore, the Variation from Section 24-128(b)(7)(A) is approved to allow Lots 29–50, Block B; Lots 17–42, Block D; Lots 1–16, Block G; Lots 1–10, Block X; Lots 1–10, Block Y; and Lots 1–10, Block Z to be served by private alleys, while not having frontage on a public ROW.

10. **Public Facilities**—This PPS was reviewed for conformance to the master plan in accordance with Section 24-121(a)(5). The master plan contains the following policies:

- **Construct new public schools at locations that are convenient for the populations they serve and require minimal bussing of students.** (page 132)
- **Locate police, public safety, and fire/rescue facilities to meet the needs of the community and in accordance with the standards contained in the Public Safety Facilities Master Plan.** (page 134)

The proposed development will not impede achievement of any of the above-referenced policies. The analysis provided with this resolution and approved ADQ-2024-020 illustrates that, pursuant to adopted tests and standards, public safety facilities and water and sewer services are adequate to serve the proposed development. There are no master-planned police, fire and emergency medical service facilities, public schools, parks, or libraries recommended on the subject property.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades, renovations to existing facilities, and construction of new facilities; however, none of its recommendations affect the subject site.

Section 24-122.01(b)(1) of the prior Subdivision Regulations states that the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for PPS or final plat approval. The 2018 *Water and Sewer Plan* placed the property in the water and sewer

Category 4, Community System Adequate for Development Planning. This category comprises properties where water and sewer lines are available and/or accessible for extending.

An administrative amendment will be required to advance the site to water and sewer Category 3 prior to approval of the final plat. Category 4 is sufficient for PPS approval.

11. **Public Utility Easement**—In accordance with Section 24-122(a) of the prior Subdivision Regulations, 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 public utility easements (PUEs) is 10 feet wide along both sides of all public ROWs. The subject property has frontage on the public ROW of McKendree Road. The dedication of public ROWs is also shown on this PPS to access the lots and parcels. The required PUEs are provided along McKendree Road and both sides of all public ROW within the project.

In addition, Section 24-128(b)(12) of the prior Subdivision Regulations requires that all private streets have a 10-foot-wide PUE along at least one side of the ROW. The PPS includes private streets within the single-family attached portion of the development. The PPS shows PUEs along at least one side of all private streets.

12. **Historic**—The master plan contains goals and policies related to historic preservation (pages 155–159). However, these are not specific to the subject site or applicable to the proposed development.

A Phase I archeology survey was conducted on the subject property from September to December 2020. The study consisted of background research and an archeological field survey of 730 acres, including the 580-acre portion of the property planned for development. Background historical research indicated that various parcels within the subject property were primarily part of the late seventeenth-century land patents called Blackwell and Bullwick, surveyed for Richard Brightwell and Thomas Gantt. The land surrounding these patents was acquired by Thomas Gantt, Jr.; most of the property likely served as open agricultural areas until the twenty-first century.

One previously identified site, 18PR602, a Late Archaic-period indigenous short-term camp and early- to mid-twentieth-century artifact scatter, associated with a farm outbuilding, is in the south-central portion of the property.

A total of 5,954 shovel test pits (STPs) were excavated. Of these, 45 positive STPs contained 379 artifacts, resulting in the identification of 12 isolated finds, five new archeological sites, and an expansion of previously recorded Site 18PR602. Sites 18PR1193, 18PR1194, and 18PR1197 are late nineteenth- to twentieth-century artifact scatters associated with former farm buildings. Site 18PR1195 is an indigenous late woodland-period artifact scatter, and Site 18PR1196 is a pre-contact lithic scatter of unknown temporal affiliation. The applicant’s archeological

consultant concluded that Sites 18PR1193, 18PR1194, and 18PR1197, and the expansion of Site 18PR602, retain low potential to provide significant data on historic or pre-contact lifeways and recommended no further work on those sites.

The late woodland-period component of Site 18PR1195 represents an archaeological resource type that has been minimally studied along the upper Mattawoman Creek drainage. The applicant's consultant recommends that Site 18PR1195 either be avoided (preserved in place) or be subjected to Phase II archeological investigations, to evaluate its integrity and significance. The subject PPS shows archeological Site 18PR1195 avoided for disturbance and preserved in place. No further archeological investigations are required.

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

Development Review Case	Associated Tree Conservation Plan or Natural Resources Inventory	Authority	Status	Action Date	Resolution Number
SE-2970	N/A	District Council	Approved	6/12/1978	48-1978
SE-4669	TCP2-061-09	District Council	Approved	5/13/2013	5-2013
A-10059	TCP2-061-09	District Council	Approved	10/11/2022	2021-109
NRI	N/A	Staff	Approved	3/23/2021	N/A
NRI	NRI-001-2202	Staff	Approved	3/31/2022	N/A
CDP-22002	NRI-001-2022-01	Planning Board	Approved	9/14/2023	2023-100
SDP-2303	TCP1-011-2023	Planning Board	Approved	6/6/2024	2024-051
4-24014	TCP2-008-2024	Planning Board	Approved	Approved	2025-059

### Grandfathering

This property is subject to the grandfathering provisions of the 2024 Woodland and Wildlife Habitat Conservation Ordinance because the property had a TCP that was accepted for review on or before June 30, 2024. The property must conform to the environmental regulations of the 2010 Woodland Conservation Ordinance (2010 WCO) and the 2018 Environmental Technical Manual (ETM). The property is also subject to the environmental regulations in prior Subtitles 24 and 27 because there are previously approved development review entitlements, CDP-22002 and SDP-2303.

### Site Description

The property included in this PPS is 447.19 acres; however, the PPS is part of the overall TCP1 approved with CDP-22002, which was a 581-acre site located between McKendree Road to the north and the border of Charles County to the south, bounded to the west by Gardner Road, and to the east by the Dobson Ridge subdivision. Most of the site is within Environmental Strategy Area 2. Parcels 6 and 8 are within Environmental Strategy Area 3 and priority preservation area as designated by the Plan 2035.

The Green Infrastructure Plan (GI Plan) was approved on March 17, 2017, with the adoption of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017). According to the GI Plan, a majority of the site is either in a regulated or evaluation area within the designated network of the plan. There are five areas that are not within the network areas, but are surrounded by both regulated and evaluation areas. The regulated areas contain intermittent and perennial streams, associated stream buffers, and adjacent woodlands. Evaluation areas include patches of land known to contain one or more sensitive environmental features of concern such as interior forests, areas of predicted wetland migration, and protected lands. The regulated areas are mapped in association with the Mattawoman Creek and its tributaries, and the evaluation area is associated with the woodland adjacent to the stream valleys providing wildlife connections between the streams. The Mattawoman Creek Stream Valley is identified in the GI Plan as Special Conservation Area No. 10, containing unique environmental features requiring careful consideration when proposing land development. According to available information from the Maryland Department of Natural Resources Natural Heritage Program, rare, threatened, and endangered species are not mapped on-site.

As documented on the approved NRI-001-2022-01, the site contains 382.39 acres of existing woodlands. The northern portion of Parcel 8 is subject to SE-2970, which permitted the use of a 102-acre tract of land as a sand and gravel mine. This area is currently used for agriculture. SE-4669 was approved in 2011 and was approved to use a haul road across Parcels 8 and 10.

According to the approved NRI, the property contains mapped regulated environmental features (REF) including streams, stream buffers, wetlands, wetland buffers, and 100-year floodplain. The site contains mapped forest interior dwelling species (FIDS) habitat. The on-site Mattawoman Creek is designated by the state as a Tier II waterway, which are those waters that have a water quality that is significantly better than the minimum water quality standards. The entire property is within the Mattawoman Creek watershed.

The conservation methods of the 2010 WCO require priority to be placed on the preservation of on-site woodland and wildlife habitat areas, the planting of stream corridors, and emphasizes the preservation of large contiguous woodland within the green infrastructure network. The site contains mapped FIDS, which is another high priority for the preservation and enhancement of on-site woodland.

### **Plan 2035**

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map. It is within the Established Communities of the General Plan Growth Policy Map. The project is not within the boundaries of a transit-oriented center as identified in Plan 2035.

## **ENVIRONMENTAL CONFORMANCE WITH APPLICABLE PLANS**

### **Conformance with the 2013 *Approved Subregion 5 Master Plan***

Chapter V of the master plan includes applicable goals, policies, and recommendations. The following policies are applicable to the current project with regards to natural resources

preservation, protection, and restoration. The text in **bold** is the text from the master plan, and the plain text provides analysis on plan conformance:

**A. Green Infrastructure:**

**Policies:**

- **Implement the master plan’s desired development pattern while protecting sensitive environmental features and meeting the full intent of environmental policies and regulations.**
- **Ensure the new development incorporates open space, environmental sensitive design, and mitigation activities.**
- **Protect, preserve, and enhance the identified green infrastructure network within Subregion 5.**

The overall project site contains REF, woodland areas, and regulated and evaluation areas as identified in the GI Plan. The site is also required to provide bioretention and infiltration per the approved SWM concept letter. SDP-2303 approved impacts to REF for infrastructure (SWM and road crossings) only. This PPS approves three additional PMA impacts to the on-site 100-foot-wide stream buffers and 100-year floodplain for the trail connections.

All woodland conservation (woodland preservation, natural regeneration, and stream buffer planting) will be protected through a woodland and wildlife habitat conservation easement in accordance with Section 25-122(d). Conformance with the GI Plan is discussed further in this resolution.

**B. Water Quality, Stormwater Management (SWM), and Groundwater:**

**Policies:**

- **Encourage the restoration and enhancement of water quality in degraded areas and the preservation of water quality in areas not degraded.**
- **Protect and restore groundwater recharge areas such areas of streams.**

In accordance with this master plan policy, and Section 24-130(b)(3) of the prior Subdivision Regulations, the development will be subject to current SWM requirements. This PPS allows for construction of the residential community on a partially wooded parcel. The SWM design is required to be reviewed and approved by DPIE to address surface water runoff issues in accordance with Subtitle 32, Water Quality Resources and Grading Code, of the County Code. This requires that the environmental site design be implemented to the maximum extent practicable. A SWM Concept Approval Letter 14756-2023-SDC and

associated plan are submitted with the PPS. The approval was issued from DPIE on May 2, 2024. The concept plan reflects the overall development and proposes to construct 19 microbioretention ponds, 18 submerged gravel wetlands, three grass swales, and 15 disconnect areas (sheet flow to conservation areas).

### **C. Watersheds:**

#### **Policies:**

- **Ensure that, to the fullest extent possible, land use policies support the protection of the Mattawoman Creek and Piscataway Creek watersheds.**
- **Conserve as much land as possible, in the Rural Tier portion of the watershed, as natural resource land (forest, mineral, and agriculture).**
- **Minimize impervious surfaces in the Developing Tier portion of the watershed through use of conservation subdivisions and environmentally sensitive design and, especially in the higher density Brandywine Community Center, incorporate best stormwater design practices to increase infiltration and reduce run-off volumes.**

The geographic area of the PPS is within the Mattawoman Creek watershed in Environmental Strategy Area 2 (formerly the Developing Tier) and is not in the Rural Tier. In accordance with this master plan policy, and Section 24-130 of the prior Subdivision Regulations, the development of the site will be subject to the current SWM regulations, which require that environmental site design be implemented to the maximum extent practicable.

The southern portion of the subject property contains the main stem and floodplain of Mattawoman Creek. This main stem and floodplain of Mattawoman Creek is identified as a special conservation area in the GI Plan. Also, the Mattawoman Creek is identified in the master plan as a primary corridor. These corridors include the mainstems of the major waterways within the study area and are identified for conservation and preservation. The master plan also identifies Timothy Branch as a Secondary Corridor, which is also located on the site and runs from north to south along the eastern portion of the site. Secondary corridors are areas where connectivity is critical to the long-term viability and preservation of the green infrastructure network, and they are critical to preserving the subregion's water quality. The confluence of these two major waterways occurs on the southeastern portion of the site.

The proposed development is outside the environmentally sensitive areas, except for PMA impacts approved for infrastructure with SDP-2303 and the three new PMA impacts approved with this PPS. These impacts were not reviewed previously because the prior SDP application was for infrastructure only. This PPS approves three new impacts to the green infrastructure network for trail

connections. The remaining PMA areas will be preserved within protective easements in accordance with Section 24-130(b)(5) of the prior Subdivision Regulations.

**D. Chesapeake Bay Critical Area:**

- **Enhance the County's Critical Area protection program in response to local, regional, and statewide initiatives and legislative changes.**

This property is not located in the Chesapeake Bay Critical Area.

**Conformance with the Green Infrastructure Plan**

The GI Plan was approved on March 17, 2017, with the adoption of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017). According to the GI Plan, a majority of the site is either in a regulated or evaluation area within the designated network of the plan. There are five areas that are not within the network areas, but are surrounded by both regulated and evaluation areas. The regulated areas contain intermittent and perennial streams, associated stream buffers, and adjacent woodlands. Impacts are shown within both the regulated and evaluation areas for residential development. The text in **bold** is the text from the GI Plan, and the plain text provides findings on plan conformance:

**Policy 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.**

*Strategies*

- 1.1 **Ensure that areas of connectivity and ecological functions are maintained, re-stored, and/or established by:**
  - a. **Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
  - b. **Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**
  - c. **Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**

- d. Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these.**

Pursuant to Basic Plan A-10059, the applicant is required to provide environmental habitat enhancement and creation areas to improve the on-site woodland and adjacent open areas to improve the Mattawoman Valley water quality. The subject site was previously mined, and the open areas and adjacent woodland areas were impacted by the mining activity. Previously approved TCP1 and TCP2s showed the locations of four types of habitat creation areas: wetland creation, meadow habitat creation, forest edge treatment, and woodland understory enhancement. These four habitat areas are described in the Previous Approvals finding of this resolution. The environmental habitat enhancement and creation areas are discussed further in this finding.

The SWM concept impacts to REF for infrastructure were reviewed and approved with SDP-2303. The limited woodland clearing and impacts to REF areas are the minimum to construct stormwater structures that were approved by DPIE. These impacts are consistent with the approved SWM Concept Plan 14756-2023-SDC.

**1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.**

- a. Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**

This subject property has Mattawoman Creek and Timothy Branch within its boundary. The GI Plan has identified the Mattawoman Creek Stream Valley as a special conservation area (number 10 in the plan). These are areas of countywide significance in need of special attention because they contain unique environmental features that should be carefully considered when land development proposals are reviewed in the vicinity, to ensure that their ecological functions are protected or restored and that critical ecological connections are established and/or maintained. The main stem of the Mattawoman Creek is located on-site and runs east to west along the southern portion of the property.

The site contains mapped regulated area within the GI Plan along the stream valleys. The woodland adjacent to the regulated areas is mapped as evaluation area within the GI Plan. These areas are the highest priority for preservation of REF and woodland.

The Dobson Farms area was previously used for surface mining for sand and gravel. The area contains open fallow areas and woodlands. The open areas are former mining locations. The on-site regulated areas are mostly wooded along the on-site intermittent and perennial stream systems. The evaluation areas are located in the open fallow areas and woodlands that are adjacent to regulated areas. Any development within the on-site woodlands and previously disturbed areas will impact portions of the green infrastructure network. The on-site REF areas contain impacts that were previously approved for infrastructure with the SDP application. This PPS approves three additional impacts for trail connections. One of these trail connections is required as part of a master plan trail system and the other two are internal trail system connections. In accordance with this master plan policy and strategies, and Section 24-130(b)(5), the remaining on-site REF woodlands will be preserved in a conservation easement with the final plat of subdivision.

**Policy 2: Support implementation of the 2017 GI Plan throughout the planning process.**

**2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**

Impacts to REF were reviewed and approved with SDP-2303. These REF impacts were limited to infrastructure, to construct the required road crossings, utilities (water and sewer connections), and SWM structures that were reviewed and approved by DPIE. Mitigation to streams, wetlands, and wetland buffers will be reviewed by the Maryland Department of the Environment. Woodland replacement for infrastructure clearing will be included in the overall woodland conservation requirement per the 2010 WCO.

This PPS approves additional impacts on-site for three trail connections. One trail impact is for a required master plan trail connection to the adjacent Dobson Ridge subdivision. The other two trail connections are part of the interior pedestrian trail system for the Dobson Farms subdivision.

In accordance with this master plan policy and strategies, and Section 24-130(b)(5) and Section 25-121(b), on-site woodland preservation is shown with additional areas of natural regeneration and planting, which will buffer the green infrastructure network while allowing construction of the development.

**Policy 4: Provide the necessary tools for implementation of the 2017 GI Plan.**

**4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate**

**portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

The property does contain special conservation areas associated with Mattawoman Creek and Timothy Branch. In accordance with this master plan policy, Section 24-130(b)(5) and Section 25-122(d), the REF will be placed in a conservation easement established with the final plat, and the on-site woodland conservation areas, including areas of woodland preservation, natural regeneration, and stream buffer afforestation areas, will be placed in a woodland and wildlife habitat conservation easement granted to Prince George's County with the TCP2.

**Policy 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.**

**5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**

In accordance with this master plan policy and Sections 24-130(b)(3), 24-130(b)(5), and 24-130(c) of the prior Subdivision Regulations, state regulations require that developments treat stormwater on the subject property and outfall the water safely to a wetland or stream system without creating erosion. The outfall structures are located on-site outside the boundaries of the REF. However, some stormwater outfall structures are located within the REF and will be reviewed by DPIE and the Prince George's County's Soil Conservation District.

**5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

The PPS meets the entire woodland conservation requirement on-site with the preservation of 101.98 acres of existing woodlands and 1.82 acres of reforestation. With the exception of areas for impacts, preservation and replanting are a priority along the REF and associated buffers to contribute to improved water quality.

**Policy 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.**

***General Strategies for Increasing Forest and Tree Canopy Coverage***

**7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**

In accordance with this master plan policy, Section 24-132(a), and Subtitle 25 (Division 2,) the woodland conservation requirement is met entirely on-site. The use of off-site banking credits or fee-in-lieu was not requested or approved. This PPS meets all its woodland conservation requirement on-site with woodland preservation and reforestation. The woodland conservation requirement is met with 101.93 acres of woodland preservation and 1.82 acres of on-site reforestation.

**7.10 Continue to focus conservation efforts on preserving existing forests and ensuring sustainable connectivity between forest patches.**

Retention of existing woodlands and planting of native species on-site is required by both the ETM and the 2010 *Prince George's County Landscape Manual*. Most of the on-site preservation is preserved within the on-site regulated areas.

**OTHER ENVIRONMENTAL REVIEW**

**Natural Resources Inventory/Environmental Features**

Section 24-120(a)(22) of the prior Subdivision Regulations requires an approved NRI with PPS applications. The site has an approved NRI-001-2022-01, which was approved on March 31, 2023, shows the existing conditions of the property, and was submitted with this PPS.

No revisions are required for conformance to the NRI.

**Environmental Habitat Enhancement and Creation Areas**

As part of A-10059, the applicant was required to maintain the prior woodland conservation threshold, minimize stream impacts, and provide additional woodland habitat enhancement and creation. The subject property is identified as a special conservation area in the GI Plan as part of the Mattawoman Stream Valley.

The applicant provided a stream corridor assessment survey with the NRI plan review, to meet the entire woodland conservation requirement for the R-S Zone on-site. This survey provided environmental recommendations for additional woodland conservation credits such as:

- Creation and enhancement of wetlands with adjoining meadows focusing on providing wildlife habitat,
- Selective woodland understory enhancement focusing on habitat and biodiversity,
- Ecological enhancement through selective environmental site design planting motifs that both replicate and increase the biodiversity of the local ecology,
- Develop and foster an interconnected community of complimentary micro-ecosystems,

- Establish local hydrology that benefits the overall health of the Mattawoman's floodplain biome.

The above recommendations will expand wildlife habitat within the Mattawoman and Timothy Branch stream valleys.

There will be four types of habitats enhanced and created by the applicant (four wetland creation areas, five meadow habitat creation areas, seven forest edge treatment areas, and 14 woodland understory enhancement areas) as part of this overall Dobson Farms subdivision.

As part of the previous tree conservation plans for this site, the applicant provided more detailed information such as specific location and proposed seeding mixtures, and tree and shrub species. With the SDP and TCP2 for residential development (not architecture), the applicant shall provide all final planting schedules, planting notes, details, construction schedule, various soil amendments and grading, if required, for the creation of these four habitat areas on the SDP and TCP2, prior to their certification. Regarding the subject TCP1, there are no additional concerns or comments on the environmental habitat enhancement and creation areas at this time.

### **Woodland Conservation**

This property is subject to the provisions of the 2010 WCO because the property has previously approved tree conservation plans. This project is also subject to the ETM. TCP1-003-2019-01 was submitted with this PPS.

The overall site contains a total of 198.36 acres of net tract woodlands, 184.03 acres of wooded floodplain, and has a woodland conservation threshold of 77.25 acres (20 percent). This project includes clearing of 94.63 acres of woodland in the net tract, 1.96 acres of wooded floodplain, and 0.93 acre of off-site clearing, resulting in a woodland conservation requirement of 103.80 acres. The PPS meets this woodland conservation requirement all on-site with 101.98 acres of woodland preservation and 1.82 acres of reforestation.

### **Specimen Trees**

Tree conservation plans are required to meet all requirements of Subtitle 25, Division 2, which includes the preservation of specimen trees, per Section 25-122(b)(1)(G). Every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the construction tolerance chart in the ETM for guidance on each species' ability to tolerate root zone disturbances).

If, after careful consideration has been given to the preservation of the specimen trees, there remains a need to remove any of the specimen trees, a variance to Section 25-122(b)(1)(G) is required. Applicants can request a variance to the provisions of Division 2 of Subtitle 25 (the Woodland and Wildlife Habitat Conservation Ordinance or WCO) provided all of the required findings in Section 25-119(d) can be met. An application for a variance must be accompanied by a letter of justification (LOJ) stating the reasons for the request and how the request meets each of the required findings.

### **Review of Subtitle 25 Variance Request**

A Subtitle 25 Variance Application and an SOJ dated August 2024 in support of the variance were received on October 17, 2024.

Section 25-119(d)(1) of the WCO contains six required findings to be made before a variance can be granted. The SOJ submitted seeks to address the required findings for the variance. A variance to Section 25-122(b)(1)(G) was requested for the clearing of the 15 specimen trees on-site. This variance is requested to the 2010 Woodland and Wildlife Conservation Habitat Ordinance (WCO) which requires, in Section 25-122, that “woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated case.” The subtitle variance application form requires an SOJ of how the findings are being met.

The text below in **bold**, labeled A–F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria:

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

In order to establish an unwarranted hardship, the applicant has the burden of demonstrating that, without a variance, the applicant would be denied a use of the property that is both significant and reasonable. In addition, the applicant has the burden of showing that such a use cannot be accomplished elsewhere on the property without a variance.

The previous application for infrastructure approved the removal of 19 specimen trees. This PPS includes residential lots and interior road network for a residential subdivision. The 15 specimen trees requested for removal are located within the areas shown with development on the prior entitlements. The 15 trees were not associated with required infrastructure and, as such, could not be approved with the previous SDP for infrastructure application.

The 15 specimen trees were identified as Specimen Trees ST-32, ST-33, ST-35, ST-48, ST-49, ST-55, ST-62, ST-65, ST-67, ST-125, ST-126, ST-127, ST-216, ST-217, and ST-218. Development cannot occur on the portions of the site containing PMA, which limits the site area available for development. The requested 15 specimen trees are outside of the PMA. Requiring the applicant to retain the 15 specimen trees on the site would further limit the development to the extent that it would cause the applicant an unwarranted hardship. The overall site contains 189 specimen trees. The Planning Board approved the removal of 19 specimen trees with the SDP-2303, and the applicant requested to remove 15 additional specimen trees with this PPS. The preservation of the requested 15 specimen trees would be difficult because SDP-2303 approved all the requested on-site woodland clearing, but not the specimen trees within the cleared woodland area. The efforts to save the specimen trees around the approved woodland cleared areas would hinder the development of the property and leave hazardous specimen trees for the homeowner to remove later.

The proposed use, for residential development, is a significant and reasonable use for the subject site. The Dobson Farm development includes a mix of single-family attached and detached dwellings. A similar residential development is located on the adjacent property to the east (Saddle Ridge). This adjacent new development contains only single-family attached dwellings, but like Dobson Farm, the Saddle Ridge development has a significant amount of on-site REF areas. Both sites are impacted by Mattawoman Creek and Timothy Branch. The other properties to the north are existing single-family lots and future mining areas.

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

Denying the variance would deprive the applicant of rights commonly enjoyed by others in similar areas because an adjacent subdivision with the same significant amount of on-site REF had limited developable area. This similar subdivision was previously farmed, and woodlands were left undisturbed within and adjacent to REF area. Specimen trees would then be saved because of their location within the REF areas. The subject site was formerly mined and used for various mining operations. Woodland areas were cleared where the mining product was located and woodland preserved where the product was absent, and REF was present. The woodland areas on the property area were left to mature and specimen trees grew throughout the preserved woodland areas. With significant on-site REF areas that are undevelopable, the woodland areas outside the REF are the only areas where development could occur.

Enforcement of the requirement that all specimen trees be preserved, along with an appropriate percentage of their critical root zone, would deprive the applicant of rights commonly enjoyed by others in similar areas. The 15 specimen trees are being removed due to their location within the grading areas for the residential lots and roadways. The applicant is providing all of the woodland conservation requirements on-site, and the remaining 155 specimen trees are located within the woodland conservation areas which will be placed in preservation.

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

Not granting the variance would prevent the residential project and the overall Dobson Farms subdivision from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. If other similar residential developments were reclaimed mining sites and partially wooded with REF and specimen trees in similar conditions and locations, it would be given the same considerations 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 applicant has taken no action leading to the conditions or circumstances that are the subject of the variance request. The removal of the 15 specimen trees would be the result of their location within the interior area of the residential development, limits of disturbance, and preserving the woodland conservation requirement on-site to achieve optimal development for the single-family attached dwelling subdivision with associated infrastructure.

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

There are no existing conditions, existing land, or existing building uses on the site, or on neighboring properties that have any impact on the location or size of the specimen trees. The trees have grown to specimen tree size based on natural conditions and have not been impacted by any neighboring land or building uses.

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

The removal of 15 specimen trees will not adversely affect water quality. Furthermore, the Dobson Farms development will not adversely affect water quality because the project will be subject to the sediment and erosion control requirements of the Prince George's County Soil Conservation District, and the approval of a SWM concept plan by DPIE. The plan proposes to use microbio retention ponds, submerged gravel wetlands, grass swales, and disconnect areas. The applicant meets the woodland conservation requirement with on-site woodland preservation and reforestation.

The required findings of Section 25-119(d)(1) have been adequately addressed for the removal of 15 specimen trees identified as Specimen Trees ST-32, ST-33, ST-35, ST-48, ST-49, ST-55, ST-62, ST-65, ST-67, ST-125, ST-126, ST-127, ST-216, ST-217, and ST-218.

The variance for removal of 15 specimen trees, for development of the site, is therefore approved.

**Preservation of Regulated Environmental Features/Primary Management Area**

This subject site contains REF including steep slopes, floodplains, wetlands, streams, and their associated buffers which comprise the PMA.

Section 24-130(b)(5) of the prior Subdivision Regulations states: "Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject area shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the ETM established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat."

Impacts to REF should be limited to those that are necessary for development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the

reasonable use and orderly and efficient development of the subject property; or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines; road crossings for required street connections; and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to REF.

SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

With SDP-2303 the applicant requested 27 PMA impacts; however, the Planning Board approved 25 impacts, specifically Impact Areas A through K, M through Z, and AA. Condition 2b of SDP-2303 requires that with the acceptance of the PPS, the applicant provide an SOJ and full evaluation of the PMA impact areas E and L.

With this PPS, the applicant determined that Impact Area L was no longer needed and removed it from the request. However, in doing this, the applicant incorrectly re-lettered the prior SDP Impact Areas M through AA, identifying SDP Impact M as L. This is not correct as the Impacts L through AA were evaluated and approved previously with SDP-2303. Prior to signature approval of this PPS, the applicant shall correct the PMA SOJ to add prior Impact Area L to the list and indicate that Impact Area L is no longer requested.

The PMA impact request for this PPS is for the remaining impacts needed for residential development that were not approved with SDP-2303. The applicant proposed three PMA impact areas as part of this PPS and provided an SOJ with the initial application dated September 2024 for all PMA impacts throughout the subject site. The approved SDP-2303 granted 25 PMA infrastructure impacts for road crossing, stormwater facilities, and water and sewer connections. The new impact areas requested with the PPS were identified as Impact Areas E, AA, and BB in the applicant's SOJ. Due to the deletion of Impact Area L, the impact areas requested with this PPS should be identified as Impact Areas E, BB, and CC.

The applicant submitted an SOJ for three PMA impact areas E, AA, and BB, which are to be identified as PMA Impact Areas E, BB and CC with this PPS, for three trail connections. For the analysis of the PMA impacts submitted with this PPS, requested Impact Area AA is identified as Impact Area BB, and the requested Impact Area BB is identified as Impact Area CC. Impact Area E is the same impact as identified with the SDP, there is no change to this impact identification. One of these trail impacts is for a required master plan trail connection, and the other two trail connections are part of the interior trail system for the Dobson Farms subdivision.

Impact Area	Impact Type	PMA Impact Sq. Ft.	Stream Impact LF	Wetland Impact Sq. Ft.	Wetland Buffer Impact Sq. Ft.	Stream Buffer Impact Sq. Ft.	Floodplain Impact Sq. Ft.
E	Trail Connection	939	-	-	-	-	939
BB	Trail Connection	6,534	-	-	-	4,108	6, 534
CC	Trail Connection	4,240	-	-	-	4,240	789

PMA = primary management area

Sq. Ft. = square feet

LF = linear feet

#### **Totals**

Impact Area	Square Feet	Acres
Primary Management Area	11,713	0.27
Streambed	-	-
Wetland	-	-
Wetland Buffer	-	-
Stream Buffer	8,348	0.19
Floodplain	8,262	0.19

#### **Impact 1 Trail Crossing – One Trail Crossing – Impact Area E**

The trail impact is for constructing a connection with the approved master plan trail crossing to the adjacent Dobson Ridge subdivision in Block F, east of Lots 6 and 7. This trail section will be comprised of natural surface materials.

#### **Impact 2 Trail Crossing – One Trail Crossing – Impact Area BB**

This trail impact is for an interior trail loop design in the westernmost portion of the property, outside of the geographic area of this subdivision. The trail surface will use an existing roadbed and existing stream crossing. No existing forest or wetlands will be impacted with this trail section.

#### **Impact 3 Trail Crossing – one trail crossing – Impact Area CC**

This trail impact is for an interior trail loop design in the westernmost portion of the property, outside of the geographic area of this subdivision. The trail surface will use an existing ford crossing. No existing forest or wetlands will be impacted with this trail section.

The PPS provides master plan and interior pedestrian trail network systems to the Dobson Farms residential subdivision. Based on the level of design information available at the present time, and in accordance with Section 24-130(b)(5) of the prior Subdivision Regulations, the REF on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the Type 1 tree conservation plan, and in the SOJ for impacts to REF and associated exhibits dated September 2024. The three impact areas (E, BB, and CC), for interior pedestrian trail connections, are approved.

### **Soils**

Section 24-131 of the prior Subdivision Regulations states “The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes.”

According to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, soils present include Aquasco silt loam, Beltsville silt loam, Beltsville-Urban land complex, Croom gravelly sandy loam, Croom-Marr complex, Dodon fine sandy loam, Fallsington sandy loam, Grosstown gravelly silt loam, Lenni and Quindocqua soils, Leonardtown silt loam, Marr-Dodon complex, Potabac-Issue complex, and Udorthents soils. Marlboro and Christiana clay are not found to occur on this property.

### **Erosion and Sediment Control**

Section 24-130(b)(3) of the prior Subdivision Regulations requires the submission of a sediment control concept study with the PPS. This site is within a Tier II catchment area. Tier II waters are high-quality waters within the State of Maryland as designated by the Maryland Department of Environment that are afforded special protection under Maryland’s Anti-degradation policy. A 150-foot-wide expanded buffer is required on-site for all intermittent and perennial streams in accordance with the Prince George’s Soil Conservation District requirements. Redundant erosion and sediment control measures may be required on the grading, erosion, and sediment control plan reviewed by the Soil Conservation District. This Tier II buffer is shown on the approved NRI and submitted TCP1. The Soil Conservation District will review the proposed buffer impacts with the future erosion and sediment control plans.

14. **Urban Design**—This development requires filing a specific design plan (SDP) in accordance with Section 27-478 of the prior Zoning Ordinance. The general uses evaluated for this property in the R-S Zone are permitted per Section 27-515. Under the prior Zoning Ordinance, conformance to the following regulations, but not limited to, will be required to be demonstrated at the time of SDP review:

- Section 27-480 – General development regulations (Comprehensive Design Zones)
- Section 27-511 – Purposes of the R-S Zone
- Section 27-513 – Regulations (R-S) Zone
- Section 27-528 – Planning Board action (Specific Design Plans)
- Part 11 – Off-Street Parking and Loading; and
- Part 12 – Signage

Conformance with the requirements of the Landscape Manual and Tree Canopy Coverage Ordinance will be evaluated at the time of the specific design plan.

15. **Community Feedback**—The Planning Board received two items of additional backup regarding the subject PPS, prior to the noon deadline on July 8, 2025. The first item was a letter submitted by the applicant to request a revision to Condition 18 in the technical staff report. The second item was a letter from the Brandywine/TB, Southern Region Neighborhood Coalition (BTB Coalition). In their letter, BTB expressed concerns regarding the impact of the development on the surrounding community, and the issue of adequate public facilities with regard to police response times.

It is noted, however, that adequacy of transportation facilities, police, schools, and other public facilities were not evaluated as part of this PPS and were evaluated with the certificate of adequacy.

16. **Planning Board Hearing**—At the July 10, 2025 Planning Board hearing, staff presented a slide-by-slide presentation of the PPS to the Board. Staff provided information on the revisions to Condition 18 requested by the applicant and, instead, recommended revised language. The revised language for Condition 18 would allow the construction drawings for the master-planned trail to be reviewed at the time of future SDP. The applicant's attorney, Matthew C. Tedesco, then spoke on behalf of the applicant, beginning his summary by stating that, notwithstanding the fact that this PPS has a supporting approved ADQ that allowed for mitigation of failed police response times through the payment of a fee under an applicant-executed mitigation agreement, the applicant reserves their rights to appeal the conditions of approval of the ADQ, which includes the condition requiring a mitigation agreement. Mr. Tedesco then continued by providing a brief history of the project and its prior uses, emphasizing the project's consistency with prior approvals and the residential low development recommended by the General Plan and the master plan. He further noted the various housing styles at different price points proposed throughout the development. He then concluded his remarks by listing the applicant's citizen outreach efforts and that the applicant is in agreement with staff's recommendations and the revised language for Condition 18, as read into the record by staff.

One representative of BTB Coalition provided testimony in opposition of this case. The speaker testified to the general concerns regarding safety, inadequate infrastructure, pollution, increased traffic, police adequacy, and overburdened schools. The speaker also mentioned lack of outreach to the community by the applicant. The applicant addressed the issues raised by the representative including evidence of the outreach made to directly to the representative. The Planning Board approved the PPS unanimously, with conditions, as recommended by staff and approved revised Condition 18, as read into the record by staff.

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.

\* \* \* \* \*

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, and Barnes voting in favor of the motion at its regular meeting held on Thursday, July 10, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of July 2025.

Darryl Barnes  
Chairman

By   
Jessica Jones  
Planning Board Administrator

DB:JJ:MV:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: July 22, 2025