

PGCPB No. 2025-006

File No. DET-2022-020

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the applicant, Christopher Land, LLC, submitted an application for approval of a detailed site plan; and

WHEREAS, in consideration of evidence presented at a public hearing on January 16, 2025, regarding Detailed Site Plan DET-2022-020 for McKendree Road, the Planning Board finds:

I. EVALUATION CRITERIA

The subject property is within the Residential, Single-Family-Attached (RSF-A) Zone. This application is being reviewed under the requirements of Section 27-3605(e) of the Prince George's County Zoning Ordinance. The Planning Board has considered the following in reviewing this detailed site plan:

- A. The Prince George's County Zoning Ordinance;
- B. Preliminary Plan of Subdivision PPS-2022-025;
- C. Certificate of Adequacy ADQ-2022-071;
- D. The 2018 *Prince George's County Landscape Manual*;
- E. The Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- F. The Prince George's County Tree Canopy Coverage Ordinance;
- G. Referral comments; and
- H. Community Feedback.

II. BACKGROUND

- A. **Request:** The subject detailed site plan (DET) includes the development of 79 single-family attached (townhouse) residential dwelling units. The applicant also filed an alternative compliance request from the requirements of Section 4.6, Buffering Development from Streets, and Section 4.10, Street Trees (For Private Streets), of the 2018 *Prince George's County Landscape Manual* (Landscape Manual), and a Type 2 tree conservation plan (TCP2). The applicant requests two waivers under Section 27-6200 of the Prince George's County Zoning Ordinance. First, under Section 27-6207(b)(2), they seek a waiver from the requirement in Section 27-6207(b)(1), to provide a pedestrian walkway cross-access between developments. Second, under Section 27-6208(b)(2), they

request a waiver from the requirement in Section 27-6208(b)(1), to provide an internal bicycle circulation system and for bicycle cross-access between adjoining parcels.

- B. Development Data Summary:** The design includes a single development phase with 79 dwelling units.

| | EXISTING | EVALUATED |
|---------------------|--------------------------------------|---|
| Zone(s) | RSF-A | RSF-A |
| Use | Single Family detached dwelling unit | Single-family attached (townhouse) dwelling units |
| Total Gross Acreage | 12.86 | 12.86 |
| Floodplain | 4.54 acres | 4.54 acres |
| Total Net Acreage | 8.32 | 8.32 |
| Dwelling Units | 1* | 79 |

Note: *One single-family detached dwelling unit with accessory structures. These structures are to be razed to make way for the development included herein.

- C. Location:** The subject property is located on the north side of McKendree Road, approximately 420 feet from the intersection of McKendree Road and Robert Crain Highway (MD 5).

- D. Surrounding Uses:** The subject property is surrounded by the following uses:

North— Immediately to the north is the Timothy Branch stream, which continues through the site. Beyond that are several commercial properties in the Commercial, Service (CS) Zone.

South— Across McKendree Road, there is the Dobson Ridge development (Detailed Site Plan DSP-20007) with 196 single-family attached units in the Residential, Single-Family-Attached (RSF-A) Zone.

East— Abutting the property to the east includes a Wawa Gas Station and a AAA Auto Repair shop.

West— Vacant land and properties zoned Rural Residential (RR), with single-family detached homes located in the Rose Creek Estates neighborhood.

- E. Previous Approvals:** The property is subject to Preliminary Plan of Subdivision PPS-2022-025, which was approved by the Prince George's County Planning Board on January 4, 2024 (PGCPB Resolution No. 2024-002), for 79 lots and 13 parcels, with 23 conditions. This property is also subject to an approved Certificate of Adequacy, ADQ-2022-071, which was approved on January 17, 2023, subject to two conditions. The ADQ is valid for 12 years from the date of its approval and subject to the additional

expiration provisions of Section 24-4503(c)(1)(C) of the Prince George's County Subdivision Regulations. The PPS also approved 4.62 acres of parkland dedication with construction of the master-planned Timothy Branch stream valley trail (Timothy Branch trail) on-site to meet the parkland dedication requirement. The conditions of the PPS also outline the requirements for the dedication and construction of the Timothy Branch trail.

F. Open Spaces: The open spaces will be provided with on-site improvements.

1. **On-site:** The majority of the required open space set-aside will be met with preservation of natural features. In addition, a central passive recreation area is provided with benches, bike racks, and sidewalks. The combined open space provided is 6.28 acres, or 49 percent of the site's gross acreage.

G. Design Features:

1. **Architecture.** The application includes three models: the Cameron, the Carlyle, and the Gunston. All models are 20–24 feet wide and vary in depth. Enhanced elevation has been provided for the high visibility locations. The elevations offer a variety of material and architectural elements such as masonry veneer, horizontal siding, bay windows, balconies, optional decks, and a cantilever canopy over each entry door.
2. **Parking.** Parking requirements are met (162 required, 181 provided including 23 guest parking spaces) mostly in the garage, driveway, and perpendicular and parallel parking spaces along streets throughout the community. Four bicycle racks (eight parking spaces) are provided throughout the community.
3. **Signage.** The applicant has provided one entrance sign in the median of the west entrance along McKendree Road, which is set back from the roadway and does not impede the sightline. Materials consist of precast concrete cap, stone columns, and brick sign face. The sign will be illuminated via ground-mounted lighting. Landscaping at the base of the sign is provided.
4. **Lighting.** Lighting is approved along the street and alleys. Photometric plans and lighting details have been provided for the site showing full cut-off, light emitting diode (LED) fixtures.

III. COMPLIANCE WITH EVALUATION CRITERIA

A. Prince George's County Zoning Ordinance: The DET application has been reviewed for compliance with the requirements of the Zoning Ordinance.

1. Detailed Site Plan Decision Standards (Section 27-3605(e))

This DET meets the detailed site plan decision standards contained in Section 27-3605(e) of the Zoning Ordinance, as follows:

- (1) **The proposed development represents a reasonable alternative for satisfying the applicable standards of this Subtitle, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use;**

As provided throughout this resolution, the DET meets the applicable standards or includes reasonable alternatives to meet the intended purposes, without causing unreasonable costs. For example, an alternative trail location is included as a sustainable solution while the originally planned location may cause primary management area (PMA) impact along the Timothy Branch stream.

- (2) **The proposed development complies with all conditions of approval in any development approvals and permits to which the detailed site plan is subject;**

As discussed in detail below in finding B, this DET complies with the applicable conditions of approval for PPS-2022-025.

- (3) **The proposed development demonstrates the preservation and/or restoration of the regulated environmental features in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-4303(D)(5) of Subtitle 24: Subdivision Regulations;**

According to the approved Natural Resources Inventory, NRI-082-05-02, the site contains 100-year floodplain, wetlands, streams, and their associated buffers comprising the PMA along the western portion of the site. There are five specimen trees scattered throughout the woodland areas of the property. The regulated area is found along the on-site stream system, and the TCP2 shows woodland in this area as being preserved and conveyed to the Maryland-National Capital Park and Planning Commission (M-NCPPC) as parkland.

The NRI has identified five specimen trees on-site. Two on-site specimen trees were approved to be removed with PPS-2022-025 and Type 1 Tree Conservation Plan TCP1-019-2023.

Four PMA impacts are included with this application. Impacts 1 and 2 were approved with the PPS and are being modified due to new stream buffer impacts resulting from the enactment of Prince George's County Council Bill CB-022-2024, which increased the minimum stream buffer requirement. The approved NRI depicts the prior 75-foot stream buffer as it was approved prior to the enactment of CB-022-2024. No revision

to the NRI is required, as the 25 feet of additional stream buffer is correctly shown on the TCP2.

Impact 3 is associated with the site's stormwater management (SWM) and is supported after the Planning Board received confirmation from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) that the outfall is necessary and that a revision to the approved SWM concept plan is not required. Impact 4 is a temporary impact for grading as a result of new stream buffer regulations which increase the PMA by 25 feet. The Planning Board finds the regulated environmental features (REF) have been preserved to the fullest extent possible.

- (4) Proposed development located within a Planned Development (PD) zone shall be in conformance with the PD Basic Plan and PD Conditions of Approval that apply to that development;**

The approved development is not located in a planned development zone. Therefore, this criterion is not applicable.

- (5) The proposed development conforms to an approved Tree Conservation Plan, if applicable;**

The DET is in conformance with the submitted tree conservation plan. Analysis of the tree conservation plan is included in Finding III.E below.

- (6) The development proposed in a detailed site plan for infrastructure complies with applicable regulations of PART 27-6: Development Standards, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge;**

The subject application is not a DET for infrastructure. Therefore, this provision does not apply.

- (7) Places of worship located on a lot between one (1) and two (2) acres in size shall also meet the following standards:**

(A) The minimum setback for all buildings shall be twenty-five (25) feet from each lot line;

(B) When possible, there should be no parking or loading spaces located in the front yard; and

(C) The maximum allowable lot coverage for the zone in which the use is proposed shall not be.

The approved development does not include a place of worship. Therefore, this criterion is not applicable.

(8) Notwithstanding any other provision in this Section to the contrary, in determining whether to approve an alteration, extension, or enlargement of a legal conforming building, structure, or use filed in conformance with Section 27-1707(c), the Planning Board shall find that the proposed alteration, extension, or enlargement will benefit the development and will not substantially impair implementation of any applicable area master plan or sector plan.

The approved development does not alter, expand, or enlarge existing structures or uses. Therefore, this criterion is not applicable.

2. Residential, Single-Family-Attached (RSF-A) Zone (Section 27-4202(f))

The single-family attached (townhouse) use is permitted in the RSF-A Zone, subject to the applicable standards in Section 27-4202(f)(2), Intensity and Dimensional Standards, of the Zoning Ordinance. The maximum allowed density under the Townhouse Dwelling category is 16.33 DU/acre, and the approved density is 9.5 DU/acre. The DET is in compliance with the Intensity and Dimensional Standards, which are also listed on the plan.

The project includes rear-loaded townhomes that are served by alleys. For these townhomes, per Footnote 7, the minimum rear yard setback may be reduced to zero feet when a 20-foot-wide or wider alley is provided, or to a range between 5 to 10 feet when an alley less than 20 feet in width is provided. Since the approved alley right-of-way (ROW) is 22 feet throughout the development, the minimum setback is zero feet. The provided rear yard setbacks are in compliance with the minimum requirements.

3. Applicable Development Standards (Section 27-6)

a. Section 27-6206(b). Vehicular Accessway Classifications

(1) Driveways

Driveways are accessways that function solely to provide direct and immediate vehicular access between an alley or street and the principal origin and destination points within an abutting development, or part of a large development. They generally handle low vehicular travel speeds and traffic volumes, but may handle higher vehicular traffic volumes

within large commercial and mixed-use developments (e.g., driveways within mixed-use developments or shopping center parking areas). Driveways are generally not located in the public right-of-way for their principal length, or along building frontages in the Transit-Oriented/Activity Center base and Planned Development (PD) zones, and are not considered streets.

(2) Alleys

- (A) Alleys make up a specialized classification of accessway that primarily functions to provide secondary vehicular access and/or service and delivery vehicle access between a street and the rear or sides of lots or buildings. Alleys may provide primary vehicular access for dwellings designed to have no driveway access from the fronting street, or access may be provided through a combination of an alley and a driveway from a fronting street. Alleys may not provide primary vehicular access for dwellings that do not have a fronting street.**

(3) Connectivity

The accessways defined in Sections 27-6206(b)(1) and 27-6206(b)(2) shall connect to public or private streets, which shall follow standards of design and construction as defined in the Prince George's County Specifications and Standards for Roadways and Bridges and in Subtitle 23: Roads and Sidewalks, SHA design standards (if applicable), or those of the applicable municipalities having jurisdiction.

Pursuant to Section 27-6104 of the Zoning Ordinance, this development standard is also applicable at the time of PPS. The alley access for townhomes was reviewed per Section 24-4204 of the Subdivision Regulations and approved with PPS-2022-025 (PGCPB Resolution No. 2024-002). The same access scheme is approved with this DET, which includes a single private road and alleys which form a grid, and remains in conformance with the required criteria of the Subdivision Regulations and Zoning Ordinance.

b. Section 27-6207. Pedestrian Access and Circulation.

(a) Required Pedestrian Access.

(1) General Pedestrian Access.

(2) Sidewalks Required

- (A) All new development subject to this Section, except for development fronting a rural road, or single-family subdivisions where the density is 1 dwelling unit per 2 acres or less, shall install sidewalks on both sides of all streets having curb and gutter construction within the development site and along the entire frontage of the development site with an existing street (unless an existing sidewalk meeting County standards is already in place).**

Along the easternmost section of Private Road A, a 10-foot-wide master-planned trail is provided in lieu of a sidewalk. The remainder of Private Road A has sidewalks on both sides of the street and, as such, the development conforms with this requirement.

- (B) Where a development site fronts an existing street with insufficient right-of-way width to accommodate installation of a required sidewalk along the frontage, the developer shall install a sidewalk on the development site within a dedicated widening of the right-of-way or dedicated public easement running parallel and adjacent to the public street.**

A 10-foot-wide master-planned trail is included along McKendree Road. Additional ROW dedication is shown in accordance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT).

- (C) The Planning Director may waive or modify the requirement for sidewalks where the applicant clearly demonstrates that such sidewalks are impractical or infeasible due to the presence of topographic conditions or natural features, such as steep grades that do not allow connections to be made without stairs.**

The application has met the requirements of this section and there is no need for a waiver.

(b) Pedestrian Connectivity

All new multifamily, townhouse, nonresidential, and mixed-use development shall comply with the following standards:

- (1) The internal pedestrian circulation system shall be designed to allow for pedestrian walkway cross-access between the development's buildings and parking areas and those on adjoining lots containing a multifamily, townhouse, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow multifamily residential, nonresidential, or mixed-use development (including land in the Residential, Transit-Oriented/Activity Center, and Nonresidential base and PD zones).**
- (2) The Planning Director may waive or modify the requirement for pedestrian cross-access where the applicant clearly demonstrates that such cross-access is impractical or infeasible due to police concerns about through-traffic routes complicating law enforcement, Environmental Site Design requirements, or the presence of any of the following at the point(s) where through-connections would otherwise be required: topographic conditions, natural features, visual obstructions or parking space locations that create traffic hazards, or the existence of mature or protected trees.**
- (3) Easements allowing cross-access to and from properties served by a pedestrian cross-access, along with agreements defining maintenance responsibilities of landowners, shall be recorded with the Land Records of Prince George's County before issuance of a building permit for the development.**

The applicant is providing pedestrian connectivity along the McKendree Road frontage via a sidewalk within the ROW, which connects to the east adjoining property. The DET shows this sidewalk does not extend fully to the west property line. A

condition is included herein to continue the sidewalk along the property frontage up to the western edge of the property frontage, unless modified by DPIE, Prince George's County Department of Public Works and Transportation, or the Maryland State Highway Administration in accordance with a specified code requirement, policy requirement, or guideline.

The approved master-planned Timothy Branch trail provides a stub for future cross-access connection from the site to the east. Further, the Timothy Branch trail will provide a stub for pedestrian cross-access to the north of the site.

A waiver pursuant to Section 27-6207(b)(2), of the requirement in Section 27-6207(b)(1), to provide pedestrian walkway cross-access between the developments, is requested regarding the property to the west. The Timothy Branch stream runs from the north to the south along the entire western boundary of the site. Cross-access to the western property boundary outside of the right would need to cross the Timothy Branch stream and associated environmental areas, resulting in additional PMA impacts. In order to preserve the environmental areas to the fullest extent possible, and ensure trails with dry passage, cross access is found to be infeasible at this location. Instead, connectivity to the west should be consolidated to one location, as recommended within the public ROW. The Planning Board concurred with this finding in PGCPB Resolution No. 2024-002 and the Planning Director approved this waiver.

c. **Section 27-6208. Bicycle Access and Circulation**

(a) **Required Bicycle Access**

(1) **Internal and Adjoining Bicycle Access**

All new development subject to this Section shall provide for internal bicycle circulation such that bicycle access to the development's primary use is safe, convenient and intuitive, specifically by providing the following, in coordination with the Department of Public Works and Transportation, State Highway Administration, or a municipality with jurisdiction over the streets.

The DET submission shows that the internal street network is designed to provide sufficient space to accommodate a system of pedestrian and bicycle

facilities consistent with the MPOT and master plan recommended policies.

- (A) **Bicycle parking facilities required by Section 27-6309, Bicycle Parking Standards, in areas near the primary entrance(s) of principal buildings (or the buildable area of lots, for subdivisions) for bicycle storage;**

The application includes four bicycle racks throughout the development. The bicycle racks will be installed on a paved surface and are in visible, well-lit areas conveniently accessible and adjacent to amenity areas.

- (B) **Connections to any adjacent existing or planned (identified in the applicable Area Master Plan or Sector Plan, or in the Countywide Master Plan of Transportation) on-street or off-street bicycle facilities outside the development, or internal bicycle systems in adjacent developments;**

The application shows ROW dedication along McKendree Road that will accommodate multiple improvements, including a 5-foot-wide bicycle lane.

- (C) **Connections to any designated or planned rail transit or bus stops and shelters (on-site or on an adjacent street); and**

There are no current or planned transit facilities on or adjacent to the site.

- (D) **Connections to any recreational amenities internal to the development, such as open space.**

Open space access is provided for bicycles via the approved private road.

(2) **Required Bikeway Network Improvements**

- (A) **All new development subject to this Section shall be required to install bike lanes, bike**

paths, or other bicycle improvements. Additional bikeway network improvements are encouraged where appropriate, such as within large development sites and to provide additional connections to nearby bicycle routes. The facilities shall be established in part, through an agreement and/or easements which include assurances for their maintenance.

The DET submission includes the master-planned Timothy Branch trail, which is a multiuse path designed to accommodate pedestrians and bicycles. This path runs parallel to Private Street A, along the complete north/south length of the site. A 5-foot-wide bicycle lane is included in the dedication along McKendree Road, which runs the entire east/west length of the site. Given the size of this development, The Planning Board finds the included bicycle facilities adequate for the purposes of this regulation.

- (B) The Planning Director may, for private streets or, when advised by the permitting agency, for public streets, waive or modify the requirement for bike lanes, bike paths, or other bicycle improvements where the applicant clearly demonstrates that the facilities are impractical or infeasible due to topographic conditions, natural features, or visual obstructions that create hazards.**

The application has met the requirements of this section and there is no need for a waiver.

- (C) Where a development site fronts an existing street with insufficient right-of-way width to accommodate installation of a required bike path along the frontage, the applicant may install a bike path on the development site, within a public easement running parallel and nearby the public street. Such bicycle paths shall not be restricted from public use and shall allow physical passage at all times.**

The application shows ROW dedication along McKendree Road that will accommodate multiple improvements, including a 5-foot-wide bicycle lane.

(b) Bicycle Connectivity Between Developments

All new multifamily, townhouse, nonresidential, and mixed-use development shall comply with the following standards:

- (1) Any internal bicycle circulation system shall be designed and constructed to provide bicycle cross-access between it and any internal bicycle circulation system on adjoining parcels containing a multifamily, townhouse, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow townhouse, multifamily, nonresidential, or mixed-use development (including land in the Residential, Transit-Oriented/Activity Center, and Nonresidential base and PD zones).**
- (2) The Planning Director may waive or modify the requirement for bicycle cross-access on determining that such cross-access is impractical or undesirable for typical bicyclists' use due to the presence of topographic conditions, natural features, or safety factors. Undesirable conditions shall be defined as those limiting mobility for bicycles as a form of transportation, such as steep grades, narrow connections bounded on both sides by walls or embankments, or limited visibility when straight-line connections are not achievable.**

Pursuant to Section 27-6208(a)(2)(B) of the Zoning Ordinance, the applicant is asking for a waiver of bicycle cross-access to the west adjoining parcel due to topographic conditions and natural features, including the Timothy Branch stream and associated environmental areas, which would result in additional PMA impacts. The Planning Board concurred with this finding in PGCPB Resolution No. 2024-002 and the Planning Director approved this waiver.

The DET shows a 5-foot-wide bicycle lane along the McKendree Road frontage, providing bicycle

connectivity to the east and west adjoining properties within the public ROW. Accordingly, the subject property would not be devoid of bicycle connectivity.

The master-planned Timothy Branch trail will provide cross-access to the adjoining properties to the north and east. The trail continues along the majority of the south edge of the site, providing further connection to adjacent properties to the east.

d. **Section 27-6300. Off-Street Parking and Loading**

The DET is in conformance with the applicable standards in Section 27-6300 of the Zoning Ordinance, including parking, loading, and bicycle parking requirements and standards. The visitor parking spaces have been provided at a rate of at least one visitor parking space for every 20 dwelling units per Section 27-6305(g) of the Zoning Ordinance.

| Parking & Bicycle Tabulations | | | |
|--|-----------------|------------|------------|
| Requirement | Required | | Provided |
| 2.0 per Dwelling Unit Section 27-6305 | 79 DU x 2=158 | 158 | 158 |
| 1 Visitor Space/20 DU Section 27-6305(g) | 79 DU/20=3.95 | 4 | 23 |
| Total Parking | | 162 | 181 |
| Total Bicycle Space Section 27-6309(a)(1) | Min. 2, Max. 20 | 4 | 8 |

Note: Section 27-6310 of the Zoning Ordinance provides requirements for loading areas. There is no loading space requirement for single-family attached dwellings.

e. **Section 27-6400. Open Space Set-Asides**

Development subject to the standards in this Section shall provide the minimum amounts of open space set-asides identified in Table 27-6403: Required Open Space Set-Asides, of the Zoning Ordinance, based on the use classification.

The DET is in conformance with the applicable standards in Section 27-6400 of the Zoning Ordinance. Residential uses in a Residential Base Zone have a 20 percent open space set-aside requirement. The applicant provided an open space set-aside plan showing 49.7 percent of the site as open space being provided in natural

features to be conveyed to M-NCPPC as parkland, SWM areas, passive recreation areas, and required landscaped areas.

Section 27-6404(a)(1) of the Zoning Ordinance states that no less than 15 percent of the total required minimum open space set-aside area within a residential development for this zone shall consist of active recreational areas. Per Section 27-6404(a), active recreational areas include land dedicated for parks in accordance with Subtitle 24: Subdivision Regulations. The applicant is dedicating parkland that exceeds the open space set aside requirements, and in accordance with Subtitle 24: Subdivision Regulations.

f. **Section 27-6500. Landscaping**

The DET is in conformance with the applicable standards in the Landscape Manual, including Section 4.1, Residential Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; Section 4.8, Building Frontage Landscape Requirements; and Section 4.9, Sustainable Landscaping Requirements. Alternative compliance is requested for Section 4.6, Buffering Development from Streets; and Section 4.10, Street Trees (For Private Streets). The required schedules demonstrating conformance are provided on the plans.

g. **Section 27-6600. Fences and Walls**

The DET is in conformance with the applicable standards in Section 27-6600 of the Zoning Ordinance, including fence and wall heights, locations, and appearance. Along the eastern property line, a 6-foot-high screen fence is included, which is in compliance with the maximum 6-foot-high standard, per Section 27-6603. Along McKendree Road, a 4-foot-high crossbuck fence is included as a perimeter fence, per Section 27-6605, which is located along the street ROW and behind the public utility easement (PUE).

h. **Section 27-6700. Exterior Lighting**

The DET, which includes a photometric plan, is in conformance with the applicable standards in Section 27-6700 of the Zoning Ordinance, including maximum illumination measured in foot-candles at ground level at the lot lines, and the use of full cut-off LED light fixtures.

i. **Section 27-6800. Environmental Protection and Noise Controls**

The Planning Board finds the application in conformance with the environmental regulations of Sections 27-6802, 27-6803, 27-6805,

27-6808, and 27-6809, within Section 27-6800, Environmental Protection and Noise Control, of the Zoning Ordinance. US 301 (Robert Crain Highway) generates noise that impacts the site. Noise mitigation strategies have been incorporated into the DET and the application is in compliance with Section 27-6810 of the Zoning Ordinance. Noise mitigation is further detailed in Finding B.

Based on the level of design information currently available and the limits of disturbance shown on the TCP2, the REF on the subject property have been preserved and/or restored, to the fullest extent possible. Additional PMA impacts, compared to the approved PPS, are included with this application, detailed in the Environmental Planning Section referral and summarized in Finding III.A(1)(3).

j. **Section 27-6900. Multifamily, Townhouse, and Three-Family Form and Design Standards**

The DET is in conformance with the applicable standards in Section 27-6900 of the Zoning Ordinance, including building orientation and configuration, building façade materials, and articulation, as shown on the architectural elevations, with the exception of one of the townhouse façades shown on the architectural plans. A condition is included herein to ensure all façades are in conformance. Further conditions are included requiring the identification of highly visible units and a tracking chart to ensure 60 percent of the full-front façades are constructed of brick, stone, or stucco, in accordance with this requirement.

k. **Section 27-61200. Neighborhood Compatibility Standards**

Per Section 27-61202(b) of the Zoning Ordinance, the subject application is exempt from the neighborhood compatibility standards because it abuts vacant land in a residential zone that consists of preserved open space that prevents any residential use of said vacant lots.

However, the applicant provided justification and explanation of how the proposal addresses the neighborhood compatibility standards. The Planning Board has reviewed this analysis and the proposal, and found conformance with the requirements of Section 27-61200 of the Zoning Ordinance.

l. **Section 27-61500. Signage**

The residential gateway sign meets the requirements in Section 27-61506(b) of the Zoning Ordinance. The entrance sign is 11.67 square feet, which complies with the maximum area of 12 square feet.

m. **Section 27-61600. Green Building Standards**

The DET proposal is in compliance based on the required total four points and a provided 4.25 points. The following features are provided:

Home Energy Rating System index greater than 40 less than or equal to 60 (0.75); low flow toilet (0.5); low flow showers (0.5); low flow faucets (0.5); the use of environmental site design, including but not limited to grass buffers and swales, bioretention (rain garden or porous landscape detention, sand filters, and permeable pavement systems), to meet SWM requirements of the County Code (1.00); and appropriate stormwater infiltration systems that accommodate a minimum of 25 percent of the runoff (1.00) – total is 4.25 points out of the four points required.

Based on the analysis herein, the approved development represents a reasonable alternative for satisfying the applicable standards of Subtitle 27, including those in Parts 4 and 6 of the Zoning Ordinance, without requiring unreasonable costs and without detracting substantially from the utility of the approved development for its intended use.

B. Preliminary Plan of Subdivision PPS-2022-025: The DET is subject to the conditions of approval of PPS-2022-025 and Certificate of Adequacy ADQ-2022-071. If the application is revised, as conditioned herein, the development will comply with all the relevant conditions of approval. PPS-2022-025 was approved with 23 conditions. The conditions relevant to the review of this DET are listed below in bold text. The Planning Board's analysis of the project's conformance to the conditions follows each one in plain text:

2. **Development of this site shall be in conformance with Stormwater Management Concept Plan 47842-2022-01, once approved, and any subsequent revisions.**

An approved SWM Concept Plan 47842-2022-01 and letter was submitted with this DET application, which conforms to the approved SWM concept plan.

3. **Prior to approval, the final plat of subdivision shall include:**

a. **The granting of a public utility easement along McKendree Road.**

- b. The granting of continuous public utility easements along at least one side of all private streets.**
- c. Dedication of public right of way for McKendree Road, in accordance with the approved preliminary plan of subdivision.**

The DET shows the required PUEs and dedication of public ROW in accordance with the approved PPS, except along Private Road A. The applicant has indicated that at the time of final plat, they will submit a request for a variation from Section 24-4205 of the Subdivision Regulations, for the non-standard PUEs. If the variation is not approved, a DET amendment and revised final plat will be required showing a 10-foot-wide PUE along at least one side of all private ROW.

- 4. At the time of final plat, in accordance with Section 24-4601(b)(4)(A)(i) of the Prince George's County Subdivision Regulations, approximately 4.62 +/- acres of parkland, as shown on the preliminary plan of subdivision (Parcel A), 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:**

Condition 4 and its eight sub conditions of the PPS approval require conveyance of approximately 4.62 acres of land, shown on the approved PPS as Parcel A, to be conveyed to M-NCPPC. The site plan and landscape plan depict Parcel A consisting of 4.62 acres, in conformance with this condition and the approved PPS, with a callout stating that this parcel is to be conveyed to M-NCPPC.

- 5. The applicant and the applicant's heirs, successors, and /or assignees shall construct the master-planned Timothy Branch Trail. The master-planned trail shall be designed in accordance with the standards outlined in the Parks and Recreation Facilities Design Guidelines. The timing of construction of the master-planned trail shall be determined with the approval of the detailed site plan (DET). A public use easement or covenant shall be provided over the trail, with the width of the easement determined at the time of DET.**

A 12-foot-wide public use easement is shown on the DET, centered along the 10-foot-wide master-planned trail. The applicant requests to provide the trail, prior to issuance of the 79th residential building permit. However, the Planning Board disagrees with this proposal and conditioned that the construction timing of the master-planned trail be set, prior to issuance of the 53rd residential building permit. The public use easement and maintenance agreement should be submitted with the recreational facilities agreement (RFA) for review and approval, prior to approval of the final plat.

- 9. In conformance with the recommendations of 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 bicycle and pedestrian facilities, and shall show these facilities on the detailed site plan prior to acceptance:

- a. The master-planned Timothy Branch trail along the property's McKendree Road frontage, and along the eastern edge of the property.**
- b. Five-foot-wide sidewalks along both sides of Private Street A, on its western and northern segments; along the west side of Private Street A, on its eastern segment; and on Parcels F, H, and J, in order to provide pedestrian access to the fronts of the private lots.**
- c. Americans with Disabilities Act accessible curb ramps and marked crosswalks along the access points on McKendree Road and throughout the entire site.**
- d. Shared lane markings (sharrows) along the frontage of McKendree Road, unless modified by the operating agency with written correspondence.**

This condition shall not be construed to remove the applicant's right to request waivers or departures at the time of detailed site plan, in conformance with Section 27-3614 of the Prince George's County Zoning Ordinance which, if approved, may modify the above requirements.

Condition 9 requires and outlines certain bicycle and pedestrian facilities to be provided for the development. These items are depicted on the site plan and landscape plan. However, instead of sharrows, the applicant has provided dedicated 5-foot-wide bike lanes. The Planning Board finds bicycle lanes to be an adequate alternative to sharrows along McKendree Road, for the purposes of this condition.

- 20. Prior to acceptance of the detailed site plan, the plan shall show the recommended noise wall needed to mitigate noise to below 55 dBA/Leq during the hours of 10:00 p.m. to 7:00 a.m. on Lots 24–29, and an associated detail.**

The noise wall and its detail are shown on the DET, in conformance with the revised noise study dated December 3, 2024, required per Condition 23 below.

- 23. Prior to acceptance of the detailed site plan (DET), the applicant shall provide a revised noise study which shows the final locations of the dwelling units and noise barriers, and which shows the location of the mitigated**

55 dBA/Leq noise contour, modeled using both the dwellings and noise barriers. The DET shall reflect the location of the mitigated 55 dBA/Leq noise contour as it is shown in the noise study.

The applicant provided the revised noise study dated December 3, 2024, in conformance with Condition 23. This study provides the location of required mitigation barriers with represented values to demonstrate conformance. However, it does not provide a supporting 55 dBA/Leq noise contour, nor does the DET reflect the noise contour. A revised noise study reflecting this contour should be provided prior to certification of the DET, and the DET must be revised to reflect the contour in conformance with the noise study.

- C. **Certificate of Adequacy ADQ-2022-071:** The property is the subject of Certificate of Adequacy ADQ-2022-071, which was approved by the Planning Director on December 19, 2023. This ADQ is valid for 12 years from the date of approval of the associated PPS-2022-025, subject to the additional expiration provisions of Section 24-4503(c). ADQ-2022-071 was approved with two conditions, one of which is relevant to the review of this DET and is listed below in bold text. The Planning Board's analysis of the project's conformance to the condition follows in plain text:

1. **Total development within the Preliminary Plan of Subdivision shall be limited to uses that generate no more than 55 AM peak-hour trips and 63 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of adequacy of transportation facilities and a new Preliminary Plan of Subdivision.**

This DET submission includes trip generation information which demonstrates conformance to the approved trip cap. The subject application includes 79 townhouses, which results in 55 AM peak-hour trips and 63 PM peak-hour trips. The Planning Board finds that the subject DET is within the trip cap established with ADQ-2022-071.

- D. **2018 Prince George's County Landscape Manual:**

The application is subject to the requirements of Section 4.1, Residential Requirements; Section 4.2, Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets, of the Landscape Manual. The submitted landscape plans show conformance to these requirements, except some schedules that require minor revisions and those sections for which alternative compliance is requested, as discussed below. Regarding Schedule 4.10, a condition is included herein requiring the applicant to revise it to only count the trees applicable to the requirement.

In addition, Alternative Compliance ACL-2024-003 is requested from Section 4.6, Buffering Development from Streets, and Section 4.10, Street Trees (for Private Streets), of the 2018 *Prince George's County Landscape Manual* (Landscape Manual).

Section 4.6 – Buffering Development from Streets

REQUIRED: Section 4.6(c)(1)(A)(iii) Buffering Residential Development from Streets, Major Collector or Arterial Road

| | Lot 1 |
|---|--------------------------|
| Linear feet of property line adjacent to the street | 19 feet – McKendree Road |
| Minimum width of buffer | 50 feet |
| Shade Trees (6 per 100 linear feet) * | 1 |
| Evergreen Trees (16 per 100 linear feet) * | 3 |
| Shrubs (30 per 100 linear feet) * | 6 |

PROVIDED: Section 4.6(c)(1)(A)(iii) Buffering Residential Development from Streets, Major Collector or Arterial Road

| | Lot 1 |
|---|--------------------------|
| Linear feet of property line adjacent to the street | 19 feet – McKendree Road |
| Minimum width of buffer | 33 feet |
| Shade Trees (6 per 100 linear feet) | 1 |
| Evergreen Trees (16 per 100 linear feet) | 2 |
| Shrubs (30 per 100 linear feet) | 20 |

Justification of Recommendation

The applicant requests alternative compliance from the requirements of Section 4.6, Buffering Developments from Streets, which requires a minimum buffer width of 50 feet when the rear yards of single-family attached or detached dwellings are oriented toward a street classified as major collector, such as McKendree Road. The approved rear yard of Lot 1 encroaches into the buffer, reducing the provided width to 33 feet. The applicant has provided planting units in this location beyond the requirement, to ensure there is an attractive view of the development from the street, and the rear yard is buffered. In addition, the applicant has included a 4-foot-high crossbuck fence (vinyl post and rail with stone columns) along McKendree Road, which does not reduce the required buffer, but still contributes to an attractive view of the property from McKendree Road.

Since the buffer width is only impacted for a single lot, and the provided plant units exceed the requirement, in addition to the provision of a decorative fence, the Alternative Compliance Committee finds the applicant's proposal equally as effective as normal compliance with Section 4.6, Requirements for Buffering Residential Development from Streets.

Section 4.10, Street Trees Along Private Streets

REQUIRED: Section 4.10(c) Street Trees Along Private Streets, along Private Road A

| | |
|---|------------|
| Linear feet of Frontage | 1,667 feet |
| Number of Street Trees (1 per 40 linear feet) | 42 |

PROVIDED: Section 4.10(c) Street Trees Along Private Streets, along Private Road A

| | |
|--|----|
| Number of Street Trees | 13 |
| Number of shade, ornamental, and evergreen trees located outside of, but proximate to, the private rights-of-way | 50 |

Justification of Recommendation

The applicant also requests alternative compliance from Section 4.10(c), Street Trees Along Private Streets, which requires one street tree per 40 linear feet of frontage. Per Section 4.10(c)(10), street trees shall be located a minimum of 20 feet from the point of curvature of an intersection of two streets. In addition, Section 4.10(c)(11) requires that street trees be located a minimum of 10 feet from the point of curvature of residential driveway entrances. Finally, Section 4.10(c)(7) requires a minimum of 144 cubic feet of soil per isolated tree and 120 cubic feet per tree within a continuous open landscaping strip. The driveways for single-family attached homes, the narrow space between driveways, on-street parking, and easement constraints limit the number of street tree locations.

The applicant has provided the maximum amount of street trees, given the space limitations of the approved development, with on- and off-street parking. As an alternative, the applicant has included additional plantings as close to the private streets as possible, but outside of public utility easements, which meets the purposes and objectives of Section 4.10, by enhancing the private streets both visually and environmentally. The greater variety of these trees will enhance the streetscape to include shade trees, ornamental trees, and evergreens proximate to the private ROW.

Given the additional plantings close to the private street, the Planning Director finds the applicant's proposal, as conditioned below, equally effective as normal compliance with Section 4.10.

- E. The Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This project is subject to the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the application is for a new DET, and subject to the Environmental Technical Manual. TCP2-043-2024 was submitted with this application. Based on the TCP2, the gross tract area is 12.86 acres with 4.54 acres of 100-year floodplain and has a net tract area of 8.32 acres. The site

contains 2.30 acres of woodland in the net tract and 3.37 acres of wooded floodplain. The project includes the removal of 2.11 acres of woodland, for a woodland conservation requirement of 3.30 acres. According to the TCP2 worksheet, the requirement is approved to be met with 0.19 acre of woodland preservation on-site, 0.70 acre of afforestation/reforestation on-site, and 2.41 acres of off-site woodland conservation credits. The draft TCP2 is in general conformance with TCP1-019-2023. A variance was approved for the removal of two specimen trees with the Planning Board's approval of PPS-2022-25. No further specimen trees are to be removed with this application. The TCP2 requires minor revisions to be found in conformance with the WCO, which are included in the recommended condition contained herein.

Technical revisions to the TCP2 are required and included in the conditions of this resolution.

- F. The Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned RSF-A are required to provide a minimum of 20 percent of the net tract area covered by tree canopy. The subject site is 8.32 net acres and the required TCC is 1.66 acres. The site plan includes sufficient TCC between on-site woodland conservation and landscape trees, to meet the minimum requirement.
- G. Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference, and major findings are summarized, as follows:
1. **Community Planning**—In a memorandum dated December 9, 2024 (Calomese to Myerholtz), it was indicated that master plan conformance is not required for this application.
 2. **Subdivision**—In a memorandum dated December 17, 2024 (Bartlett to Myerholtz), a review of conditions attached to prior approvals noted that this DET application is in conformance with the approved PPS. Technical corrections were recommended, which have been included as conditions herein.
 3. **Transportation Planning**—In a memorandum dated December 17, 2023 (Daniels to Myerholtz), a review of conditions attached to prior approvals and of the applicable Part 27-6 development standards are incorporated into the findings above. The application is acceptable and meets the findings for pedestrian and bicycle transportation purposes.
 4. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated December 16, 2024 (Thompson to Myerholtz), it was noted that the timing of construction of the master-planned trail should be set, prior to issuance of the 53rd residential building permit, and detailed within the public

RFA. The public use easement and maintenance agreement shall be submitted with the RFA for review and approval, prior to approval of the final plat.

5. **Environmental Planning**—In a memorandum dated December 16, 2023 (Meoli to Myerholtz), a discussion of relevant previous conditions of approval has been incorporated into the findings and demonstrate conformance with applicable sections of the Zoning Ordinance and WCO.
6. **Prince George's County Health Department**—In a memorandum dated December 12, 2024 (Adepoju to Myerholtz), it was noted that there is a sufficient number of market/grocery stores within a half mile radius. During the demolition and construction phases, noise and dust should not be allowed to adversely impact activities on the adjacent properties.
7. **Prince George's County Fire/EMS Department**—In a memorandum dated October 29, 2024 (Reilly to Myerholtz), it was noted that fire department connections should be revised to avoid conflict with vehicles. Where 22-foot roads are provided, and no additional pavement is provided, there can be no on-street parking. Conditions are included herein to provide fire lane markings and signage.
8. **Historic Preservation**—In a memorandum dated December 4, 2024 (Stabler to Myerholtz), it was indicated that the subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources.
9. **Permit Review**—In a memorandum dated December 8, 2024 (Meneely to Myerholtz), the Permit Review Section had no comments.
10. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated December 5, 2024 (Deguzman to Myerholtz), it was noted that items pertaining to roadway improvements and water and sewer infrastructure will be evaluated during permitting. No objection to the application was indicated.
11. **Maryland State Highway Administration (SHA)**—SHA did not offer comments on this DET.
12. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comments on this DET
13. **Prince George's County Department of Public Works and Transportation (DPW&T)**—In a memorandum dated December 2, 2024 (Quaiyum to Myerholtz), it was indicated that the applicant should construct a Rapid Rectangular Flashing Beacon for a pedestrian crosswalk at the west property entrance, along McKendree Road, facilitating safe pedestrian access to and from the Dobson Ridge Subdivision. This application is not subject to a finding of

bicycle and pedestrian adequacy, which may require on- or off-site transportation improvements. However, transportation improvements required by DPIE may be addressed at the time of permitting.

14. **Prince George's County Soils Conservation District (PGSCD)**—PGSCD did not offer comments on this DET.

H. Community Feedback: At the time of the writing of this resolution, the Prince George's County Planning Department had not received any written correspondence from the community regarding the subject application.

I. Planning Board: The Planning Board held a public hearing on this application on January 16, 2025. At the hearing, and in rendering its decision, the Board considered all written and oral testimony, along with all exhibits submitted according to the Planning Board's procedures.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-043-2024 and APPROVED Alternative Compliance ACL-2024 003, and further APPROVED Detailed Site Plan DET-2022-020 for the above-described land, subject to the following conditions:

1. Prior to certification of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall include:
 - a. A minimum of three dog waste stations, to be located at amenity sites within the development and along the Timothy Branch trail.
 - b. A chart identifying the locations of highly visible lots, subject to approval by the Urban Design Section, as designee of the Prince George's County Planning Board.
 - c. A table to identify and track residential units where the full front façades will be constructed of brick or similar material, and those units that are highly visible and require a greater percentage of their façade area to be clad with brick or similar material.
 - d. A revised architectural plan set that shows all approved façades conform to Section 27-6900(e)(3) of the Prince George's County Zoning Ordinance.
 - e. A revised Type 2 tree conservation plan, adding the following note to the plan under the specimen tree table:

“NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on January 4, 2024, with PPS-2022-025, for the removal of two specimen trees (Section 25-122(b)(1)(G)), ST-21, a 34-inch Red maple, and ST-25, a 40-inch Red maple.”

- f. A revised noise study in conformance with Condition 23 of Preliminary Plan of Subdivision PPS-2022-025, which shows the location of the mitigated 55 dBA/Leq noise contour, modeled using both the dwellings and noise barriers. Show and label this contour on the site plan.
 - g. An updated Open Space Set-Aside diagram that shows the approved parkland dedication as conforming to the active recreation requirement, per Section 27-6404(a)(1) of the Prince George's County Zoning Ordinance.
 - h. Fire lane markings and signage; the locations and details of which shall be pursuant to the specifications of the Prince George's County Fire Department.
 - i. Continue the sidewalk along the property frontage up to the western edge of the property line, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement, the Department of Public Works and Transportation, or the Maryland State Highway Administration in accordance with a specified code requirement, policy requirement, or guideline.
 - j. A revised recreational facilities schedule to show that construction of the master-planned trail shall be completed prior to issuance of the 53rd residential building permit, which may be modified by the Director of the Prince George's County Department of Parks and Recreation or their designee.
2. Prior to certification of the detailed site plan, the landscape plans shall be revised, as follows:
- a. Correct the Section 4.10 schedule to only count trees located within the right-of-way.
 - b. Provide a dimension for the linear feet of frontage on Private Road A on the landscape plans.
3. Prior to certification of the Type 2 tree conservation plan (TCP2) for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submission to the Office of Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan as follows:
- “Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber _____ Folio _____. Revisions to this TCP2 may require a revision to the recorded easement.”
4. At the time of final plat, the applicant shall submit a request for a variation from Section 24-4205 of the Prince George's County Subdivision Regulations. If the variation is not approved, a detailed site plan amendment and revised final plat will be required showing a 10-foot-wide public utility easement along at least one side of all private rights-of-way.


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

* * * * *

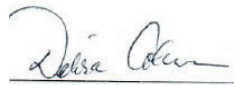
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Geraldo, and Shapiro voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, January 16, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of February 2025.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:DM:tr


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel
Dated 1/28/25