

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on May 14, 2020, regarding Detailed Site Plan DSP-19066 for Fallen Oak Townhomes, the Planning Board finds:

1. **Request:** This approval of a detailed site plan (DSP) is for 44 single-family attached dwelling units (townhouses) in the Mixed Use-Transportation Oriented (M-X-T) Zone.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use	Vacant	Single-Family Attached Residential
Total Acreage	8.84	8.84
Gross Floor Area (GFA) (sq. ft.)	0	111,170*

Note: *The gross floor area (GFA) was not included on the DSP or in the statement of justification. A condition to include the total GFA on the DSP has been included in this resolution.

Floor Area Ratio (FAR) in the M-X-T Zone

Base FAR Permitted	0.40
Total FAR Permitted*	1.40
Total FAR Proposed**	0.10

Notes: *With optional method of development, allowed per Section 27-548 of the Zoning Ordinance.

**Pursuant to Section 27-548(e) of the Zoning Ordinance, the proposed FAR shall be calculated based on the entire property, as approved with the CSP. The total FAR proposed was not provided on the DSP or in the statement of justification. A condition to include the total FAR on the DSP has been included in this resolution.

OTHER DEVELOPMENT DATA

Parking Requirements*	Spaces
Two-car garage units: 15	30
One-car garage units, with one-car driveway space: 29	58
On-street spaces (including one handicapped space)	12
Total Spaces Provided	100

Note: *The number of parking spaces for developments in the M-X-T Zone are to be calculated by the applicant and submitted for Planning Board approval at the time of DSP, as stated in Section 27-574 of the Zoning Ordinance. See Finding 7e for discussion of the parking requirement.

3. **Location:** The subject property is located on the north side of Dyson Road, approximately 1,200 feet northeast of its intersection with MD 381 (Brandywine Road), in Brandywine. The site is within the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan) and located in Planning Area 85A, Council District 9.
4. **Surrounding Uses:** The site is bounded to the north and east by the remainder of the applicable conceptual site plan (CSP), an undeveloped parcel in the M-X-T Zone; to the west by an undeveloped Maryland State Highway Administration (SHA) right-of-way, with residential uses in the Rural Residential (R-R) Zone beyond; and to the south, by Dyson Road, with Gwynn Park High School in the R-R Zone beyond.
5. **Previous Approvals:** Conceptual Site Plan CSP-16005 (PGCPB Resolution No. 17-146) was approved by the Prince George's County Planning Board for a total tract of 24.89 acres on November 9, 2017. The CSP consisted of 44 townhouses and 9,300 square feet of commercial space.

On September 13, 2018, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-16026 (PGCPB Resolution No. 18-90), consisting of 42 lots for townhouses and 6 parcels, with 1 outparcel.

On October 23, 2018, Prince George's County Council Bill CB-087-2018 was adopted, which modified the development regulations for townhouses in the M-X-T Zone. Specifically, this legislation amended the minimum lot size requirements in Section 27-548 of the Prince George's County Zoning Ordinance, from 1,800 square feet to 1,200 square feet. This adopted legislation also amended the maximum number of townhouse dwelling units per building group, from six to eight.

As a result of the amended regulations, PPS 4-18033 was approved by the Planning Board on September 19, 2019 (PGCPB Resolution No. 19-100) for 44 lots and 8 parcels for townhouses on the 8.84-acre parcel, thus superseding PPS 4-16026.

The site also has an approved Stormwater Management Concept Plan, 38664-2016-03, which is valid through April 23, 2022.

6. **Design Features:** The applicant is proposing to develop this 8.84-acre property with 44 townhouses, including a 1,633-square-foot playground area. The townhouses will have access from private roads within the community, served by a single entrance on Dyson Road. The 15 townhouses fronting on Dyson Road will have two-car, rear-load garages, with the remaining 29 townhouse units with one-car, front-load garages. The development will provide a network of sidewalks throughout the community, with connections to a proposed sidewalk along Dyson Road. Acorn-style streetlights will be provided throughout the community to foster a safe environment for the residents.

The development of the townhouses and associated infrastructure will occupy approximately 3.46 acres, with much of the remaining area to be placed in preservation. A 0.79-acre outparcel (Outparcel I), located in the northeast corner of the site, will be combined with the adjacent parcel to the east for commercial development in a subsequent DSP.

Architecture

The applicant has submitted architecture with this DSP for 20-foot-wide townhouse units, including two “Strauss” models, two “Mozart” models, and one “Beethoven” model, all from NVR, Inc. The townhouses fronting on Dyson Road will be two-car, rear-load garage units, with a base finished square footage of 2,035 square feet for the Strauss E model, and 1,757 square feet for the Mozart E model. The Mozart E model will offer a 2,035 finished square foot option with an attic and rooftop terrace, which will alternate with non-attic models for varied rooflines. The 29, one-car, front-load units will vary in finished square footage from 1,707 square feet (Beethoven D model) to 2,285 square feet (Strauss D model). The elevations for all units throughout the community will feature varied rooflines and an assortment of façade options, including full or partial brick and siding front façades, and partial stone and traditional lap siding side and rear façades. Other features include cross gables, dormers, specialty windows, enhanced trim and shutters, varied porticos, and rear decks. All side elevations show a minimum of two standard architectural features; however, this requirement is included as a condition in this resolution, to be noted on the plan to ensure that all models have the minimum number of endwall features in a balanced composition. A separate condition requires a note regarding a minimum of three standard endwall features, combined with a minimum of the first floor finished in brick on highly visible lots. In addition, a condition is included herein requiring all units to have either a rooftop deck or a rear deck due to the small size of the lots and limited on-site open space.

Recreational Facilities

The recreation area located on Parcel F, toward the east side of the site, will be safely accessible by the network of sidewalks throughout the community and will include a tot lot play structure, with three benches. The recreation area is located adjacent to woodland preservation and will include a black, vinyl-coated, chain-link fence and landscape edging. A requirement for the completion of these facilities is included in this resolution to ensure the timely provision of these amenities for future residents.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** This DSP has been reviewed for compliance with the requirements of the M-X-T Zone and the site design guidelines of the Zoning Ordinance.

a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in all mixed-use zones.

(1) The proposed townhouse use is permitted in the M-X-T Zone. Per Footnote 7 of the Table of Uses, the maximum number and type of dwelling units should be determined at the time of CSP approval. Therefore, this property is limited to 44 townhouse units, as approved with the CSP.

(2) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:

(d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**

- (1) **Retail businesses;**
- (2) **Office, research, or industrial uses;**
- (3) **Dwellings, hotel, or motel.**

The CSP approved two types of uses, as required, including a residential component consisting of 44 townhouse units and a commercial/retail component with a maximum of 9,300 square feet of gross floor area. These proposed uses satisfy the mixed-use requirement of Section 27-547(d).

b. Section 27-548 of the Zoning Ordinance, M-X-T Zone regulations, establishes additional standards for development in this zone. The DSP's conformance with the applicable provisions is discussed, as follows:

(a) **Maximum floor area ratio (FAR):**

(1) **Without the use of the optional method of development—0.40 FAR**

(2) With the use of the optional method of development—8.0 FAR

Since the development proposes more than 20 residential dwelling units, the site qualifies for the optional method of development bonus incentives in Section 27-545(b) of the Zoning Ordinance, which permits the applicant to increase the proposed FAR to a maximum of 1.40. The proposed FAR with this DSP is 0.10.

- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

The applicant proposes to include the uses on the M-X-T-zoned property in multiple buildings on more than one lot, as permitted by the regulations.

- (c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

This DSP provides these requirements.

- (d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.**

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The schedules provided on the landscape plan shows all landscaping, screening, and bufferyards, in conformance with the Landscape Manual.

- (e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

The proposed 44 townhouses will have an approximate gross floor area of 111,170 square feet which, when applied to the CSP net acreage of 24.69, is a FAR of 0.10. Future DSPs for the commercial development that was part of the CSP will need to reflect the total FAR, including this DSP, and demonstrate conformance.

- (f) Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

There are no private structures within the air space above, or in the ground below, public rights-of-way as part of this project. Therefore, this requirement is not applicable to the subject case.

- (g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

All residential lots will have access from two private road parcels, as approved by PPS 4-18033.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the**

angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

The proposed townhouses meet these requirements with 20-foot-wide units, on 1,350-square-foot lots, and no more than 8 units in a stick. A condition is included herein requiring a tracking chart to ensure that 60 percent of the full-front façades are constructed of brick, stone, or stucco, in accordance with this requirement.

- (i) **The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

The subject project does not involve the development of multifamily buildings. Therefore, this requirement is not applicable to this DSP.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance). Notwithstanding any other provision of this Code, this regulation shall not apply to property subject to the provisions of Section 27-544(f)(2)(I), above.**

This property was placed in the M-X-T Zone after October 1, 2006; however, the site was not included in a comprehensive land use planning study. This DSP has been reviewed for conformance with the applicable regulations of the M-X-T Zone.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:

- (1) **The proposed development is in conformance with the purposes and other provisions of this division;**

This site is in the vicinity of the major interchange of MD 381 and MD 5, and promotes the orderly redevelopment of a vacant parcel. This project will enhance the economic status of the County by provision of desirable living opportunities for its citizens. The project implements the Subregion 5 Master Plan and SMA vision, as close attention is being paid to pedestrian and bicycle facilities, and the project is proximate to a proposed transit station in the core of the Brandywine community. The development will be outwardly oriented toward Dyson Road, with units fronting on the road. A sidewalk is proposed along the frontage of Dyson Road, and a network of sidewalks is proposed within the community.

- (2) **For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement**

the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

This DSP has been reviewed for conformance with the applicable regulations of the M-X-T Zone.

- (3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The proposed development displays an outward orientation, with the front façades of the townhouses oriented toward Dyson Road. The development is integrated with the existing adjacent development through the proposed and existing sidewalk network. Land immediately adjacent to this property is undeveloped, so this site seeks to catalyze adjacent improvement.

- (4) The proposed development is compatible with existing and proposed development in the vicinity;**

The subject project is compatible with existing development, which is primarily residential in nature (large-lot, single-family detached, and townhouse).

- (5) The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

The architecture, landscape, and signage for this residential townhouse community reflects a cohesive development of continued quality and stability. The applicable CSP includes a commercial use on the adjacent parcel, which will be easily accessible by the residents of the proposed development, helping to create a cohesive development capable of sustaining an independent environment, in accordance with this required finding.

- (6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

The development in this DSP will not be staged. When the applicant moves forward with the commercial section of the development, the Planning Board will look for and encourage compatibility between the two sections, in terms of architecture, hardscape, landscape, and signage, as appropriate.

- (7) The pedestrian system is convenient and comprehensively designed to encourage pedestrian activity within the development;**

This development encourages pedestrians to utilize the system of sidewalks within the community, as well as the installation of a sidewalk along the entire frontage on Dyson Road, which will connect this sidewalk with adjacent communities and schools.

- (8) **On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

This proposal incorporates sidewalks, crosswalks, and acorn-style streetlights into the development to support pedestrian activity. A play area is proposed in a central location, with play equipment, benches, and landscaping to promote gathering and leisure.

- (9) **On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending its finding during its review of subdivision plats.**

The subject application is a DSP; therefore, this requirement is not applicable.

- (10) **On a Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).**

PPS 4-18033 was approved by the Planning Board on September 19, 2019, at which time a finding of adequacy was made for the proposed development.

- (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

This site contains approximately 8.84 gross acres and is, therefore, not subject to this requirement.

- d. Section 27-274(a)(6) of the Zoning Ordinance establishes the required design guidelines for site and streetscape amenities for CSPs and DSPs. The proposed plan generally meets all of the site design guidelines by providing safe, efficient, and convenient vehicular and pedestrian circulation, adequate lighting, and landscaping to enhance the enjoyment of the site.
- e. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b).

Since this DSP only includes the residential use, there will not be any sharing of parking spaces, until such time as the commercial component moves forward with a DSP. The number of parking spaces required was calculated in accordance with Section 27-574(b). The first step in determining the number of required parking spaces is to calculate the peak parking demand. Section 27-574(b)(1) provides the following:

- (1) Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one hour and are known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).**

Section 27-568 provides a parking requirement of 2.04 parking spaces per townhouse dwelling unit, which will result in a total parking requirement of 90 parking spaces, with no reduction for shared parking.

Since there are no mix of uses until the commercial phase moves forward, the base parking requirement for the initial residential DSP will be 90 parking spaces. The applicant is providing 100 parking spaces. Therefore, the parking provided with this DSP

exceeds the parking requirements, and the community will be adequately parked, as proposed.

8. **Conceptual Site Plan CSP-16005:** Conceptual Site Plan CSP-16005, for 44 townhouses and 9,300 square feet of commercial space, was approved by the Planning Board for the total gross tract of 24.89 acres on November 9, 2017 (PGCPB Resolution No. 17-146), subject to four conditions. Of these conditions, the following are applicable to the review of this DSP:

2. **At the time of detailed site plan (DSP):**

- a. **The applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

- (1) **An eight-foot-wide sidepath (or wide sidewalk) along the subject site's entire frontage of Dyson Road, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement.**

This DSP includes a five-foot-wide sidewalk along the frontage of Dyson Road, per direction of the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). Per DPIE, the applicant is to provide a street section along Dyson Road that is consistent with Standard 100.06 (Urban Primary Residential Road), from the Prince George's County Department of Public Works and Transportation (DPW&T), Specifications and Standards for Roadways and Bridges, which requires an 18-foot wide travel lane from the centerline to curb face. The applicant has provided an additional 5 feet over the minimum 13-foot-wide travel lane to meet the 18-foot width required by DPIE, which will also allow for an on-road bicycle facility to be striped as a future roadway improvement by DPW&T.

- (2) **Sidewalk access to all residential units.**

Sidewalk access is shown to all residential units.

- (3) **Note 4 of the General Notes needs to be amended to read that the development also includes 9,300 square feet of commercial space and mention of industrial land use needs to be stricken in Note 7.**

Note 4 of the General Notes on the DSP references the commercial space.

- b. If private on-site recreational facilities are required at the time of preliminary plan of subdivision, details of the same shall be reviewed by the Urban Design staff and shall be approved with the DSP for this project.**

Private on-site recreational facilities were required with the PPS, and details are provided with this DSP. The applicant has proffered recreational facilities equal in value to a fee-in-lieu calculation.

- c. Provide notes on the plans in accordance with the Prince George's County Health Department's recommendations, as follows:**

"During the demolition and construction phases, this project will conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control."

"During the demolition and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR)."

Prince George's County Health Department notes were not provided on the DSP. A condition requiring the notes to be added has been included in this resolution.

- 9. Preliminary Plan of Subdivision 4-18033:** The site is subject to PPS 4-18033 (PGCPB Resolution No. 19-100), approved by the Planning Board on September 19, 2019 for development of 44 lots and 8 parcels for townhouses, subject to 15 conditions. Of these conditions, the following are applicable to the review of this DSP:

- 3. Development of the site, not including Outparcel I, shall be limited to uses that would generate no more than 31 AM and 35 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The 44 townhouses proposed for this site are within the established trip cap of 31 AM and 35 PM peak-hour vehicle trips.

- 8. Prior to acceptance of a detailed site plan, an exhibit shall be provided that illustrates the location, limits, and details of the off-site sidewalk construction and any necessary with Americans with Disabilities Act (ADA) ramps, consistent with Section 24-124.01(t) of the Subdivision Regulations.**

The details of the off-site sidewalk construction and the associated crosswalk and signage are included on the submitted plans.

9. **The applicant and the applicant's heirs, successors and/or assignees shall provide private on-site recreation facilities for the fulfillment of 24-134 of the Subdivision Regulations in accordance with the standards outlines in the Park and Recreational Facilities Guidelines. Prior to the approval of the detailed site plan, appropriate and developable areas for the private on-site recreational facilities within the common open space land shall be provided. The recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Maryland-National Capital Park and Planning Commission Planning Department for adequacy and proper siting with the submittal of the detailed site plan and determine an appropriate trigger for construction to be reflected in the recreational facilities agreements.**

Recreational facilities and associated details were provided with this DSP. A condition has been included in this resolution requiring the applicant to demonstrate that all on-site recreational facilities have been fully constructed and are operational, prior to issuance of the 30th building permit. In addition, a condition is included herein requiring the plan be revised to show a fall zone for the playground equipment that is free and clear of any structures or plants.

10. **2010 Prince George's County Landscape Manual:** This site is subject to Section 4.1, Residential Requirements; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets, of the Landscape Manual. The correct schedules are provided on the landscape and lighting plan, demonstrating conformance to these sections with sufficient widths and plantings. The schedule for Sections 4.2 and 4.3 should be removed, as conditioned herein, as those sections are not applicable.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. Because part of the site was subject to existing Type 1 and Type 2 tree conservation plans, TCP1-029-94-02 and TCP2-034-96, respectively, the TCP2 shows the addition of Parcel 133 (Fallen Oaks). The overall TCP2 clarifies the limits of this DSP application.

Although the subject area of this DSP is currently zoned M-X-T, which has a 15 percent woodland conservation threshold, the TCP1 associated with CSP-16005 established a 20 percent threshold for the site, as approved. The clearing shown on the TCP2 with the current application is consistent with the recently approved TCP1, but an additional 0.33 acre of off-site clearing is required for a sewer line extension.

No development is proposed on Parcel A at this time. The woodland conservation worksheets for the overall development and the development associated with this DSP must be provided on the TCP2. Currently, only the overall development worksheet is shown on the TCP2. A condition requiring both woodland conservation worksheets is included herein.

The overall site of the TCP2 is 198.16 acres. The TCP2 worksheet correctly calculates the woodland conservation threshold of 37.66 acres and an overall requirement of 54.57 acres. The requirement is proposed to be met with 57.78 acres of on-site woodland preservation, exceeding the 54.57-acre requirement.

The woodland conservation worksheet for this DSP shows the phase as 8.84 acres, with 8.42 acres of woodlands and a woodland conservation threshold of 1.75 acres. This project proposes to clear 3.46 acres on-site and 0.33 acres off-site, for an overall requirement of 2.94 acres. The requirement is proposed to be met with 4.17 acres of on-site woodland preservation.

Corrections and technical revisions are required to the TCP2 prior to approval, which are provided in this resolution.

12. **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 propose more than 5,000 square feet of disturbance. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The subject site is 8.84 acres in size and requires 0.89 acre of TCC. The schedule provided on the landscape plan shows that the coverage provided (12.92 acres) is greater than the property acreage. A condition to provide the correct area of coverage on the tree canopy coverage schedule is included herein.
13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the following agencies and divisions. The referral comments are summarized, as follows:
 - a. **Archeological Review**—The Planning Board adopted, herein by reference, a memorandum dated March 6, 2020 (Stabler to Burke), which indicated that there are no historic sites or resources on, or adjacent to, the subject property. This proposal will not impact any historic sites, resources, or known archeological sites, and a Phase I archeology survey is not required.
 - b. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated March 26, 2020 (Greene to Burke), which indicated that, pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation Planning**—The Planning Board adopted, herein by reference, a memorandum dated April 15, 2020 (Masog to Burke), which provided findings regarding development in the M-X-T Zone, and found access and circulation acceptable.

The Planning Board finds that the proposed DSP is acceptable, from the standpoint of transportation.

- d. **Trails**—The Planning Board adopted, herein by reference, a memorandum dated April 13, 2020 (Smith to Burke), which provided findings of conformance with previous conditions of approval, as well as the following summarized findings:

The area master plan recommends promoting pedestrian and bicycle opportunities as part of a multi-modal transportation network, and to promote and encourage cycling and walking for commuting purposes as an alternative to driving a car. The 2009 *Approved Countywide Master Plan of Transportation* recommends a standard-width sidewalk on both sides of all new road construction and bicycle-friendly roadways, with on-road bicycle facilities, to the extent feasible and practical.

The Planning Board finds that the sidewalk along the frontage on Dyson Road, the internal sidewalks, and the 18 feet of travel lane from centerline to face of curb are acceptable, with a condition herein requiring specific crosswalk details be provided on the DSP.

- e. **Environmental Planning**—The Planning Board adopted, herein by reference, a memorandum dated April 15, 2020 (Schneider to Burke), which provided the following summarized comments:

Specimen Trees

A variance from Section 25-122(b)(1)(G) was granted with CSP-16005 for the removal of eight existing specimen trees, and another variance from Section 25-122(b)(1)(G) was granted with PPS 4-18033 for removal of one existing specimen tree. The required findings of Section 25-119(d) were adequately addressed for removal of specimen trees with these previous approvals.

This DSP proposes to remove three off-site Specimen Trees (47, 57, and 58). These three trees are located on SHA property. The applicant has permission to install the sewer line within the SHA property limits. The submitted TCP2 shows the removal of 11 specimen trees, and the limits of disturbance on the plan also show that these trees are to be removed. The Planning Board agrees that the removal of these three off-site specimen trees is warranted to perform the sewer line installation work. No variance is required for the removal of off-site trees, and the applicant subsequently withdrew the variance request.

Preservation of Regulated Environmental Features/Primary Management Area

This site includes regulated environmental features, inclusive of the primary management area (PMA) which must be preserved and/or restored to the fullest extent possible. PMA impacts were approved with CSP-16005 (0.48 acre) and PPS 4-18033 (0.09 acre) for the subject development. This DSP is requesting 0.31 acre of off-site PMA impact to connect to an off-site sanitary sewer system. A statement of justification (SOJ) was received on April 9, 2020 for the proposed impacts to 0.31 acre of off-site PMA. The SOJ was reviewed for the proposed sewer connection alignment; however, impacts to regulated environmental features can only be approved within the boundary of the subject

application. The sewer connection is needed to serve the site and has been placed in a location that minimizes impacts, to the extent practicable.

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey, are the Beltsville-silt loam, Beltsville-Urban land complex, Sassafras sandy loam, and Udorthents soils. Marlboro and Christiana clays are not found to occur on, or in the vicinity of this property.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board adopted, herein by reference, a memorandum dated March 23, 2020 (Asan to Burke), which referred to the PPS condition regarding on-site recreational facilities and a trigger for construction.
- g. **Prince George's County Fire/EMS Department**—The Planning Board adopted, herein by reference, an email dated March 18, 2020, in which the Fire/EMS Department indicated that there were no comments on the subject application.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**— DPIE did not provide any comments on the subject application.
- i. **Prince George's County Police Department**—The Planning Board adopted, herein by reference, a memorandum dated March 18, 2020 (Contic to Burke), in which the Police Department commented that insufficient overflow/visitor parking may lead to illegal parking in the community, which may inhibit emergency vehicle access, and that the dead-end streets should provide signage prohibiting parking and loitering.
- j. **Prince George's County Health Department**—The Planning Board adopted, herein by reference, a memorandum dated March 11, 2020 (Adepoju to Burke), in which the Health Department provided findings, summarized as follows:
 - (1) Conversion of large areas of open space into impervious surface is proposed. Demonstrate that the site complies with the County's Watershed Implementation Plan (WIP).
 - (2) Increased traffic volumes in the area can be expected as a result of this project. Published scientific reports have found that road traffic, considered a chronic environmental stressor, could impair cognitive development in children, such as reading comprehension, speech intelligibility, memory, motivation, attention, problem-solving, and performance on standardized tests.

In addition, the Health Department provided guidance with regard to controlling noise and dust during the construction phases of the development.

- k. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board adopted, herein by reference, a memorandum dated October 25, 2019 (Yilma to Byrne(applicant)), in which WSSC provided water, sewer, and associated easement conditions to be addressed with WSSC prior to development of the site.
14. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
15. As required by Section 27-285(b)(2), this DSP is also in general conformance with the approved CSP.
16. As required by Section 27-285(b)(4), which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The regulated environmental features on the subject property have been preserved and/or restored in a natural state, to the fullest extent possible, based on the limits of disturbance shown on the TCP2 and the evaluation provided with CSP-16005 and PPS 4-18033.

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 TCP2-034-96-08, and further APPROVED Detailed Site Plan DSP-19066 for the above described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall:
- a. Provide the gross floor area and proposed floor area ratio on the DSP.
 - b. Provide a note requiring a minimum of two standard endwall features, in a balanced composition, on all house models.
 - c. Provide a note requiring a minimum of three standard endwall features, combined with a minimum of the first floor finished in brick, in a balanced composition, on all corner and highly visible lots, including Lots 1, 7, 8, 15, 16, 22, 23, 29, 30, and 44.
 - d. Provide a note that all units shall have either a rooftop deck or a minimum four-foot-deep cantilevered rear deck.

- e. Provide notes in accordance with Condition 2.c. of Conceptual Site Plan CSP-16005 (PGCPB Resolution No. 17-146).
- f. Show the correct area of the tree canopy coverage provided with this DSP on the Tree Canopy Coverage Schedule.
- g. Remove the Section 4.2 and 4.3 landscape schedules.
- h. Show the fall zone for the playground equipment, free and clear of all structures or plantings.
- i. Include a tracking chart on the cover sheet for the 60 percent full-front façades of brick, stone, or stucco.
- j. Provide the following crosswalk details:
 - (1) Continental-style crosswalk crossing Draper Drive, at the intersection of Draper Drive and Dyson Road.
 - (2) Standard crosswalks crossing both legs of Mondavi Drive, at its intersection with Draper Drive.
 - (3) Standard crosswalks crossing Corinthian Lane, at both of its intersections with Mondavi Drive.
- k. The Type 2 tree conservation plan (TCP2) shall be revised as follows:
 - (1) Add TCP2-034-96-08 to the approval block, worksheet, and all appropriate areas where the TCP2 is listed.
 - (2) Remove the “woodland cleared” symbol from the plan view and the legend.
 - (3) Remove the Tree Canopy Table from this TCP2 and add it to the landscape plan.
 - (4) Show both the overall phased woodland conservation worksheet and the individual worksheet for the current phase on Sheet 5 of the plan set. Revise the overall worksheet to account for the off-site clearing associated with the current phase.
 - (5) Add the following note under the TCP2 certification block:

“Woodlands preserved, planted, or regenerated in fulfillment of on-site woodland conservation requirements 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."

- (6) Add the following note under the woodland conservation worksheet:

"NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 (Section 25-122(b)(1)(G), approved by the Planning Board on November 9, 2017 with CSP-16005 the removal of 8 specimen trees (ST2, a 32-inch Yellow Poplar, ST3, a 30-inch Green Ash, ST4, a 35 inch Green Ash, ST5, a 35-inch Yellow Poplar, ST6, a 54-inch Yellow Poplar, ST7, a 31-inch Yellow Poplar, and ST9, a 38-inch Sweet Gum). The Planning Board on September 19, 2019 approved with 4-18033, the removal of one specimen tree (ST8, A 41-inch Yellow Poplar)."

- (7) Have the revised plan signed and dated by the qualified professional preparing the plan.

2. Prior to approval of the 30th building permit, the applicant shall demonstrate that all on-site recreational facilities have been fully constructed, are operational, and have them inspected by the Maryland-National Capital Park and Planning Commission.

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, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, May 14, 2020, in Upper Marlboro, Maryland.

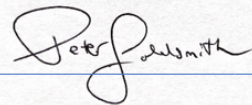
Adopted by the Prince George's County Planning Board this 4th day of June 2020.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:TB:nz

APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, appearing to read "Peter J. Smith", is written over a horizontal blue line.

M-NCPPC Legal Department
Date: May 18, 2020