

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 July 1, 2021, regarding Detailed Site Plan DSP-20007 for Dobson Ridge, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) is for approval to construct 196 single-family attached (townhouse) dwelling units, and approval of a variance to Section 27-433(d)(2) of the Prince George's County Zoning Ordinance, to adjust the required width of end units in building groups of more than six units from 24 to 20 feet within the Dobson Ridge development.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-T	R-T
Use	Vacant	Single-family attached dwellings
Total Gross Acreage	80.94	80.94
Floodplain	47.49	47.49
Total Net Acreage	--	33.45
Right-of-way Dedication	--	0.12
Lots	0	196
Parcels	1	14
Dwelling Units	1	196

Parking Information

Parking Required	
2.04 spaces/unit @ 196 units	400
Parking Provided	478
196 units @ 1 garage and 1 driveway space per unit	392
On-Street Spaces	82
Handicapped Accessible Parking Spaces	4

Architectural Models

Model Name	Base Finished Square Footage	Total Finished Square Footage	1-Car Garage
The Delmar	1,500	1,500	Yes
The Lafayette	1,969	1,969	Yes

3. **Location:** The property is located on the south side of McKendree Road, approximately 413 feet west of its intersection with US 301 (Robert Crain Highway), in Planning Area 85A and Council District 9.
4. **Surrounding Uses:** The site is bounded to the east by single-family detached dwellings and accessory structures in the Commercial Miscellaneous (C-M) Zone and to the west by vacant property in the Residential Agricultural (R-A) Zone, with single family homes in the Residential Estate Zone beyond. McKendree Road abuts the site to the north, with single-family dwellings in the Townhouse (R-T) and Rural Residential Zones, and existing commercial development in the C-M Zone beyond. The property's southern boundary is the border between Prince George's County and Charles County, and includes Mattawoman Creek.
5. **Previous Approvals:** The property subject to this DSP application is known as Parcel 1A, described by deed recorded in the Prince George's County Land Records in Liber 43553 at folio 192, in March 2020. The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA) changed the zoning on the subject property from R-A to the current zoning of R-T. The Prince George's County Planning Board approved Preliminary Plan of Subdivision (PPS) 4-20002 and Type 1 Tree Conservation Plan TCP1-013-2020 for Dobson Ridge on January 7, 2021 (PGCPB Resolution No. 2021-04), including 196 lots and 16 parcels.

The site also has a Stormwater Management (SWM) Concept Approval, No. 8768-2020-00, which is valid through April 31, 2023.

6. **Design Features:** The subject site is approximately 80.94 acres and is located in the southern portion of Prince George's County, abutting Mattawoman Creek and Charles County to the south. The subject DSP proposes to construct 196 single-family attached (townhouse) dwelling units and requests a variance to reduce the width of end units in building groups of more than six units from 24 to 20 feet.

More than half of the acreage, in the south and west is in floodplain and will remain undeveloped. The front-loaded townhouses will be served by a series of primary and secondary roadways and a sidewalk network that form a modified loop organized around a series of open spaces and trails. The development includes 392 parking spaces in the one-car garages and driveways of the units, in combination with 86 on-street parking spaces, which is adequate to serve the community.

The proposed recreational facilities will include a central amphitheater, pergola, multi-age playground, passive green space, and sitting areas for the residents of Dobson Ridge. The details of the playground and recreational facilities are included with this DSP, and the Planning Board finds them acceptable.

Architecture

Two, front-loaded one-car garage townhouse models are proposed for the 196 units, the Delmar, and the Lafayette. Each unit proposed has multiple front elevation options and a variety of exterior finishes and roof designs, including shutters, balanced fenestration, enhanced window and door trim, columns, dormers, and cross gables. The buildings have been designed to incorporate a variety of materials including brick, stone, and siding, creating a clean and contemporary design, which will complement the surrounding uses.

The base size of these units is 20 feet wide, with the Lafayette models measuring 36 feet deep, and the Delmar measuring 45 feet in depth. The height of the three-story Lafayette model is approximately 35 feet, while the height of the two-story Delmar is approximately 24 feet. The base finished area of these units ranges from 1,500 to 1,969 square feet.

All units propose architectural shingles on the roof and offer a variety of window treatments and architectural finishes including a mix of high-quality building materials on the façades such as vinyl, brick, stone, and masonry. Options are available for, dormers, bay windows, sunrooms, and decks. However, it is noted that decks are only offered as an option on the Lafayette model. It is required that an optional patio be offered on the Delmar model, which is two-story, for the enjoyment of residents, as conditioned herein.

Highly visible side elevations are shown on the building elevations submitted and identified on the DSP. However, the Planning Board requires additional lots be designated as highly visible due to their proximity to the proposed recreational facilities. The highly visible units should include a minimum of three standard features, in addition to a full first floor finished in brick, stone, or masonry. The plan should be revised to label the additional specified lots as highly visible. It is also required that no two units located next to or across the street from each other have identical front elevations. Conditions have been included in this approval, in accordance with these issues.

Recreational Facilities

PPS 4-20002 determined that the dedication of 47+/- acres to the Maryland-National Capital Park and Planning Commission (M-NCPPC) was adequate to serve the recreational needs of the future residents of the 196 townhomes, in accordance with Section 24-134 of the Prince George's County Subdivision Regulations and the standards in the Prince George's County *Parks and Recreation Facilities Guidelines*.

In addition to the 49.48 acres of park dedication and master planned trail construction, the DSP proposes a variety of public spaces to serve the residents. These amenities include outdoor spaces such as an amphitheater, pergola, large multi-age playground, a passive green space, and sitting areas.

Lighting and Signage

The applicant has provided a photometric plan and demonstrates that there is adequate lighting for pedestrians and vehicles on the site within the private rights-of-way, with minimum spillover at property lines. Details of the proposed lighting have been provided and are sufficient.

Two freestanding gateway signs, with accompanying feature walls are proposed, on either side of the entrance to the subdivision. The signs are proposed approximately five feet above grade and are mounted to six-foot-tall angular brick walls. The subdivision's name is proposed in block letters which sit on a steel beam that is mounted to the red-brick landscape wall, and cantilevers in front of a nine-foot-tall, decorative, grey masonry landscape wall, which provides a backdrop for the signs. Varied height landscape walls are proposed in the median of the road to emphasize the entrance.

It is unclear if the signs are illuminated, and the Planning Board requires this information be shown, as conditioned herein. In addition, it is also recommended that if the sign is illuminated, the lighting not cast glare onto the roadway or residential lots.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the R-T Zone and the site plan design guidelines of the Zoning Ordinance, as follows:

- a. The application is subject to the requirements of Section 27-441(b) of the Zoning Ordinance, which governs uses in residential zones. Townhomes are permitted in the R-T Zones, pursuant to Footnote 125, which states in part:

“Permitted use notwithstanding Section 27-223(i); however, if the R-T zoned property is combined with R-55 and I-3 zoned lots...”

Section 27-223(i) of the Zoning Ordinance includes limitations on property rezoned to the R-T Zone through a sectional map amendment such as this one.

However, the footnote permits townhouse notwithstanding this section, so therefore, they are permitted. The property is not combined with other zoned lots, so the rest of the footnote does not apply.

- b. Regulations in Section 27-442 of the Zoning Ordinance, concerning density, building height, allowable number of units, net lot area, lot coverage and green area, lot width, frontage, yards, site access, and other requirements of the R-T Zone are reflected on the site plan.
- c. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, as cross-referenced in Section 27-283 of the

Zoning Ordinance. For example, the subject development provides amenities that are functional and constructed of durable, low-maintenance materials; vehicular and pedestrian access is provided to the site from the public right-of-way; and the architecture proposed for the single-family attached dwellings employ a variety of architectural features and designs, such as window and door treatments, projections, colors, and materials.

- d. The subject project also conforms to the design requirements for streets in (e), access to individual lots in (f), minimum area of development in (h), common areas in (i), and front elevation plan in (j) of Section 27-433, R-T Zone. The following analysis is relative to the requirements for dwellings in (d) and the site plan in (k):

(d) Dwellings.

- (1) All dwellings shall be located on record lots shown on a record plat.**

All dwelling units are located on lots approved with PPS 4-20002 and will be recorded on a future plat.

- (2) There shall be not more than six (6) nor less than three (3) dwelling units (four (4) dwelling units for one-family attached metropolitan dwellings) in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that more than six (6) dwelling units (but not more than eight (8) dwelling units) or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.**

Six of the 34 building groups, or approximately 18 percent, contain more than six dwelling units. In this case, a variance is being requested from the requirement that end units on such building groups be 24 feet wide and this is discussed further in this approval.

- (3) The minimum width of dwellings in any continuous, attached group shall be at least twenty (20) feet for townhouses, and twenty-two (22) feet for one-family attached metropolitan dwellings. Attached groups containing units all the same width and design should be avoided, and within each attached group attention should be given to the use of wider end units.**

The minimum width of all dwelling units is 20 feet.

- (4) **The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty (1,250) square feet for townhouses, and two thousand two hundred (2,200) square feet for one-family attached metropolitan dwellings.**

The subject DSP proposes townhouses, and the minimum gross living space proposed is 1,500 square feet.

- (5) **Side and rear walls shall be articulated with windows, recesses, chimneys, or other architectural treatments. All endwalls shall have a minimum of two (2) architectural features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from public spaces, streets, or because of topography or road curvature) shall have additional endwall treatments consisting of architectural features in a balanced composition, or natural features which shall include brick, stone, or stucco.**

All endwalls have a minimum of three features, and the proposed elevations show highly visible endwalls will have a minimum of three features and the first floor fully finished with masonry. In addition, as conditioned herein, this should be noted on the plan to govern any future architectural models.

- (6) **Above-grade foundation walls shall either be clad with finish materials compatible with the primary facade design or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco. Exposed foundation walls of unclad or unfinished concrete are prohibited.**

A condition has been included in this approval to include a note on the DSP, prior to certification, requiring the specified treatment of above-grade foundation walls.

- (7) **A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one "front."**

A condition has been included in this approval to include a note on the DSP, prior to certification, requiring the specified treatment of front elevations.

- (8) **One-family attached metropolitan dwellings shall be designed with a single architecturally integrated “Front Wall.” A minimum of one hundred percent (100%) of the “Front Wall”, excluding garage door areas, windows, or doorways shall be constructed of high-quality materials such as brick or stone and contain other distinctive architectural features.**

One-family attached metropolitan dwellings are not proposed.
Therefore, this is not applicable.

(k) **Site plan.**

- (1) **A Detailed Site Plan shall be approved for all attached dwellings, in accordance with Part 3, Division 9, of this Subtitle.**

This DSP was filed in fulfillment of this condition.

- (2) **In addition to the requirements of Part 3, Division 9, the Detailed Site Plan shall include:**

(A) **An identification of two (2) or more dwelling units (at different locations within the proposed development) which have the potential to be made accessible through barrier-free design construction (in accordance with Section 4-180 of Subtitle 4 of this Code), given such site characteristics and design criteria as proposed grading, topography, elevation, walkways, and parking locations; and**

(B) **The type and location of required streetlights.**

This DSP shows the type and location of streetlights for adequate illumination. However, the plan does not identify two or more dwelling units that could potentially be made accessible. Therefore, a condition is included herein, requiring this to be added.

- (3) **In addition to the site design guidelines of Section 27-283, the Planning Board shall also consider the orientation and identification of dwelling units with respect to topography and other site characteristics, so that a variety of potential housing opportunities is provided throughout the proposed development for barrier-free design construction.**

Multiple lots throughout the site are relatively flat with driveway slopes less than five percent, and no stairs are needed to reach the front doors of these slab on-grade units. In addition, it is noted that the Delmar model

proposes only two-stories and provides a variety of housing options for the development and potential for barrier-free design.

- e. **Variance:** The applicant requests a variance to the requirements of Section 27-433(d)(2) to adjust the end width in building groups with more than six units from 24 feet to 20 feet. Pursuant to Section 27-230(a) of the Zoning Ordinance, a variance may only be granted when the Planning Board finds that:

- (1) **A specific parcel of land has exceptional, narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations, or conditions;**

The applicant states the property is oddly shaped and is significantly impacted by environmental conditions specifically on the western and southern portions of the property, which include streams and wetlands that limit the developable area of the site. Specifically, that of the total property area (80.94 acres), approximately 48.38 acres are encumbered by regulated environmental features, leaving only 32.56 acres of developable area. The Planning Board finds these areas should be protected and that the site has exceptional shape and environmental conditions that limit development of the property and meet this criterion.

- (2) **The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and**

The applicant indicates that the DSP proposes a mix of townhouse styles, as required by the R-T Zone, however the strict application of Section 27-433(d)(2) will result in practical difficulties. This requirement would only effect 6 of the 34 sticks, as they include more than 6 units, or 12 dwelling units. To maintain consistency in the development through the construction process, the applicant is requesting that all end units be reduced to 20 feet.

Through the proposed two- and three-story units, in addition to the variation in facades, a mix of styles is proposed with this DSP. In conclusion, the applicant notes that by, granting of the variance to allow twelve end units to be 20-foot-wide, it will have little to no impact on the visual appearance of the community and will still create a variety of product to serve the potential buyers. The Planning Board finds that the application meets this criterion.

- (3) **The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.**

The master plan recommends “Residential Medium” development on the property and the sectional map amendment rezoned the property from the R-A to the R-T Zone for development with single-family detached or townhouse units.

The request to reduce the size of end units does not impair the intent, purpose, or integrity of the master plan, which envisions townhouses on this property. Furthermore, it is noted that the purposes of the R-T Zone support the “maximum possible amount of freedom” in design and layout of townhouses. This reduced end unit width would allow for freedom in the design of the townhouses while also preserving important natural features on the property. The Planning Board finds that this criterion is met.

The Planning Board finds that the applicant has provided justification, incorporated herein by reference, to meet the criteria for approval of a variance. Therefore, the Planning Board APPROVES of the variance to Section 27-433(d)(2), to allow 20-foot-wide end units on townhouses groups with more than six units.

8. **Preliminary Plan of Subdivision 4-20002:** The Planning Board approved PPS 4-20002 for Dobson Ridge on January 7, 2021 (PGCPB Resolution No. 2021-04), for 196 lots and 14 parcels to support development of 196 townhouse units. The conditions that are relevant to the review of this DSP warrant the following discussion:

2. **At the time of final plat, in accordance with Section 24-134(a)(4) of the Prince George's County Subdivision Regulations, approximately 47 +/- acres of parkland as shown on the preliminary plan of subdivision (Parcels M, N, and P) 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:**

- c. **The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.**

The submitted DSP shows that Parcel P, consisting of 49.48 acres of open space, will be dedicated to M-NCPPC.

- d. **The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Prince George's County Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.**

The DSP shows one location where the limit of disturbance crosses over onto Parcel P. This disturbance is necessary to provide a sewer connection to an existing Washington Suburban Sanitary Commission (WSSC) sewer line, and to provide a section of the master planned Mattawoman Creek Trail, which extends

to the western property line. The applicant stated in their point-by-point response letter dated May 21, 2021 that the Prince George's County Department of Parks and Recreation (DPR) concurred with the proposed trail alignment at a meeting held between M-NCPPC staff and the applicant on May 17, 2021.

- f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.**

The DSP and SWM concept plan do not show stormdrain outfalls onto Parcel P.

- g. In general, no stormwater management facilities, tree conservation, or utility easements shall be located on land owned by, or to be conveyed to, M-NCPPC. However, DPR recognizes that there may be need for conservation, or utility easements in the dedicated M-NCPPC parkland. Prior to the granting of any easements, the applicant must obtain written consent from DPR. DPR shall review and approve the location and/or design of any needed easements. Should the easement requests be approved by DPR, a performance bond, maintenance and easement agreements may be required prior to the issuance of any grading permits.**

The submitted plans show woodland conservation on Parcel P. The plans also show several utility easements on Parcel P, most of which are existing. There is one proposed new utility easement which extends onto Parcel P from the developed part of the property; this utility easement is needed to connect a proposed sewer line to an existing line within an existing WSSC easement. The applicant will need to obtain written consent from DPR for the woodland conservation easement and the new utility easement prior to approval of a final plat.

- 3. The applicant and the applicant's heirs, successors, and/or assignees shall construct the Timothy Branch and Mattawoman Creek Master Planned Trails on The Maryland-National Capital Park and Planning Commission's property or an alternative on-site location as determined at the time of detailed site plan (DSP), subject to the following:**
 - a. The Master Planned Trails Material and width shall be determined at the time of DSP.**
 - b. The Master Planned Trails shall be designed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.**

c. The timing of construction of the trails shall be determined with the approval of the DSP.

The DSP proposes 10-foot-wide natural surface master planned trails, which are proposed to be overlaid with a public use easement in areas where it is located within the homeowners association (HOA) parcels. The width of this easement is not labeled on the DSP and should be shown for consistency.

In correspondence between the applicant and M-NCPPC staff (Howe to Bishop, May 21, 2021), the applicant indicates that “staff requests a natural surface trail with minimal impacts.” The Planning Board requires that these trails limit their impact on the area and consider natural surface as an option to limit the impact. However, DPR recommends that the trail be hard surface (asphalt) for maintenance and patrolling by Park Police. This includes the section along “Street A” which should be 10 foot-wide. Environmental constraints exist on this property and the applicant is permitted to mitigate these environmental impacts for the trail development where necessary to reduce these impacts. The current plans indicate that most of the proposed trail alignment is outside of the primary management area (PMA), thus, the trail should be hard surface where possible. A detailed trail construction plan shall be submitted to DPR for approval, prior to any construction. The exact widths and any natural surface areas may be adjusted with that approval. In addition, it is noted that the plans indicate several locations of a six-foot-wide connector trail, to be located on HOA property which should be an asphalt surface as well. Conditions related to the master planned trails and their timing and construction have been included herein.

5. Prior to approval of the first building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following adequate pedestrian and bikeway facilities, as designated below (detailed in the applicant's BPIS Exhibit), in accordance with Section 24-124.01 of the Prince George's County Subdivision Regulations ("Required Off-Site Facilities"), have (a) full financial assurances, (b) been permitted for construction through the applicable operating agency's access permit process, and (c) an agreed-upon timetable for construction and completion with the appropriate agency:

- a. McKendree Road and Lavender Dream Lane: crosswalk across north leg of McKendree Road, crosswalk across Lavender Dream Lane, one new ramp along McKendree Drive, two pedestrian-crossing signs along McKendree Road at the edges of the crosswalk.**

- b. **McKendree Road and Desert Peace Court: crosswalk across south leg of McKendree Road, crosswalk across Desert Peace Court, one new ramp along McKendree Road, two pedestrian-crossing signs along McKendree Road at the edges of the crosswalk.**
 - c. **McKendree Road and English Point Lane: crosswalk across English Point Lane, crosswalk across McKendree Road, Americans with Disabilities Act ramps on both sides of McKendree Road, and two pedestrian-crossing signs along McKendree Road at the edges of the crosswalk.**
 - d. **McKendree Road and Dawn Chorus Lane: crosswalk across Dawn Chorus Lane.**
6. **Prior to the acceptance of a detailed site plan, an exhibit shall be provided that illustrates the location, limits, specifications, and details of the off-site pedestrian and bicyclist adequacy facilities approved with this Preliminary Plan of Subdivision 4-20002, consistent with Section 24-124.01(t) of the Prince George's County Subdivision Regulations.**

The applicant provided an exhibit with the DSP submission showing the proposed off-site pedestrian and bicyclist adequacy facilities. The exhibit shows a series of crosswalks along McKendree Road, which are consistent with the conditions set forth in PPS 4-20002. These facilities will be reviewed prior to the approval of the first building permit.

7. **In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**
- a. **Prior to the approval of the first building permit for the subject property, the applicant, and the applicant's heirs, successors, and/or assignees shall provide \$420 to the Prince George's County Department of Permitting, Inspections, and Enforcement for the placement of one R4-11 bikeway signage assembly along the subject site frontage of McKendree Road.**
 - b. **A shared lane marking (sharrow) along the subject site frontage of McKendree Road, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement, with written correspondence.**

The DSP shows a bike lane along the subject site frontage of McKendree Road instead of a sharrow. The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) identifies McKendree Road as a shared roadway, where sharrows will generally be provided. A bicycle lane provides a designated space for people to bicycle and thus meets

and exceeds the requirements of the recommended shared-lane (sharrow) bicycle facility. The Planning Board supports a bicycle lane in lieu of shared-lane markings and requires that the signage exhibit be replaced with the appropriate R3-17/Bike Lane and R3-17b/Bike Lane Ends signage. In addition, the Planning Board also requires that the width of the bicycle lane be labeled on the plans, as condition herein.

- 8. Prior to approval of the detailed site plan, the applicant shall update plans and provide an exhibit displaying the location, limits, specifications, and details displaying:**
 - a. The Timothy Branch Trail to be located outside the primary management area, to the extent practical.**
 - b. The Mattawoman Creek Trail to be located outside the primary management area, to the extent practical.**
 - c. A minimum of two Inverted-U bicycle racks, or racks that provide two points of contact for supporting and securing a parked bicycle.**
 - d. Minimum five-foot-wide sidewalks along the subject site frontage of McKendree Road and along both sides of all internal roads, excluding alleys.**

The Timothy Branch Trail and Mattawoman Creek Trail are shown on the applicant's submission. The Planning Board supports the proposed location of the trails and finds them to be reflective of previous conditions of approval. In addition, it is noted that four inverted-U style bicycle racks are shown, and a detail of the rack style is included in the landscape plan. The Planning Board supports the style and location of the bicycle racks.

- 9. Prior to approval of a final plat:**
 - a. The final plat shall include the grant of 10-foot-wide public utility easements along the public and private rights-of-way.**

The DSP shows all the required public utility easements in general conformance with the PPS.
 - c. The final plat shall include the dedication of 18 feet of right-of-way for the portion of MC-502 along the property's northeastern boundary.**

The DSP shows the required right-of-way dedication area.
- 18. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (8768-2020-0) and any subsequent revisions.**

A copy of approved SWM Concept Plan 8768-2020-0 was submitted with the DSP application. There have been updates to the site plan since approval of the SWM Concept Plan, most prominently the addition of the master planned trails. The addition of these trails should not significantly affect the stormwater facilities, or their treatment of the stormwater runoff generated by the site.

9. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has previously approved tree conservation plans. A Type 2 Tree Conservation Plan, TCP2-013-2021, was submitted with the DSP application.

Based on the TCP2 submitted with this application, the site's gross tract area is 80.94 acres, with 47.49 acres of 100-year floodplain and has a net tract area of 33.45 acres. The site contains 3.28 acres of woodland on the net tract and 28.08 acres of wooded floodplain. Because this site contains very little existing net tract woodland, the 15 percent afforestation threshold becomes part of the planting requirement for the site's overall required woodland conservation.

The Woodland Conservation Worksheet proposes the removal of zero acres in the net tract area, and 0.02 acre within the floodplain for a woodland conservation requirement of 5.04 acres. According to the TCP2 worksheet, the requirement is proposed to be met with 3.28 acres of woodland preservation on-site and 1.76 acres of afforestation/reforestation on-site. No on-site specimen trees will be removed as part of this application.

Currently, the TCP2 shows infrastructure such as master planned road layout, water and sewer lines, stormwater structures, reforestation areas, specimen trees, the location of two master plan trails, 196 single-family attached dwellings, and proposed clearing for one sanitary sewer connection. A minor technical revision is required to the TCP2, which has been included in this approval.

10. 2010 Prince George's County Landscape Manual: This development will be subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees along Private Streets, of the Landscape Manual. The required plantings and schedules are provided in conformance with the Landscape Manual and are acceptable, except for Section 4.10.

The applicant has requested Alternative Compliance, AC-21009, from the requirements of Section 4.10(c)(1) Street Trees Along Private Streets throughout the site, as follows:

Section 4.10, Street Trees Along Private Streets

REQUIRED: Section 4.10(c)(1), Street Trees Along Private Streets, along Private Streets A-E

Length of Landscape Strip	3,535 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	101 (Total)

PROVIDED: Section 4.10(c)(1), Street Trees Along Private Streets, along Private Streets A-E

Length of Landscape Strip	3,535 linear feet
Width of Landscape Strip	N/A
Shade Trees (1 per 35 linear feet)	156 (Total)

Justification

The applicant is requesting alternative compliance from Section 4.10(c)(1), Street Trees Along Private Streets, which requires a five-foot-wide landscape strip between the street curb or edge of paving and the sidewalk.

The applicant is proposing front-loaded garage townhouses with associated driveways connecting directly to private roadways, which necessitates the sidewalk to be located directly adjacent to the curb, rather than behind a landscape strip. As a result, the landscape strip typically provided for street trees is nonexistent, resulting in the plantings to be located on each individual lot that has sufficient room for tree growth, to meet the requirements of Section 4.10(c)(1).

Section 4.10 of the Landscape Manual also requires one shade tree to be planted for every 35 linear feet of private street. Private Streets A–E have a total of 3,535 linear feet in length. Using this ratio, the applicant would be required to plant 101 street trees. The applicant is proposing to plant 156 shade trees rather than the required 101 shade trees. Of the applicant's proposed 156 shade trees, 19 of the shade trees would fall within a landscape strip located between the curb and the sidewalk around the main entrance to the subdivision, that would be in conformance with Section 4.10. The remaining 137 shade trees would be located directly behind the sidewalks.

The Alternative Compliance Committee finds the applicant's proposal equally effective as normal compliance with Section 4.10, Street Trees Along Private Streets, as the proposed solution provides sufficient space for shade trees while allowing front-loaded townhouses with driveways connecting directly to private streets. In addition, the applicant will plant 55 additional street trees, which is 54 percent more than the normal requirements of the Landscape Manual.

The Planning Board APPROVES Alternative Compliance AC-21009, from the requirements of Section 4.10, Street Trees Along Private Streets, of the 2010 *Prince George's County Landscape Manual*, specifically along Private Streets A, B, C, D, and E, to allow the planting strip for street trees to be located behind the sidewalks, as proposed on the site plan.

11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit for more than 5,000 square feet of disturbance. The requirement for the R-T Zone is 15 percent, which is 12.14 acres or 528,818 square feet for this property. A TCC schedule has been provided, however, it calculates the required amount of TCC incorrectly and should be revised. A condition has been included herein, to revise the Tree Canopy Cover Schedule on the plans, in accordance with the 15 percent requirement. Due to the large amount of tree preservation on-site within the floodplain and proposed plantings, the requirement will be met.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Historic Preservation**—The Planning Boards adopts a memorandum dated May 3, 2021 (Stabler and Smith to Bishop), incorporated herein by reference, which notes that a Phase I archeological survey was conducted on the subject property in May 2020. Three archeological sites were delineated: sites 18PR1178, 18PR1179 and 18PR1180. The artifacts did not provide significant data on historic or prehistoric lifeways in southern Prince George's County, and no further work is required.
 - b. **Community Planning**—The Planning Boards adopts a memorandum dated January 4, 2021 (Calomese to Bishop), incorporated herein by reference, which notes 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 Boards adopts a memorandum dated May 7, 2021 (Burton to Bishop), incorporated herein by reference, which provides an analysis of this application for conformance with the prior approvals, which have been incorporated into the Findings above, and provided the following summarized comments on this application, as follows:

The property is in an area where the development policies are governed by the Subregion 5 Master Plan and SMA and the MPOT. The subject property currently fronts on McKendree Road, which is recommended in both master plans to be upgraded to a major collector (MC-502). While MC-502 is proposed with a variable width right-of-way, the northeastern section of the property will need an additional 18 feet of dedication. This additional right-of-way is accurately reflected on the plan.

In addition, it was noted that this application proposes 196 dwelling units, which is the same number that was the subject of the PPS approval. Therefore, the trips generated from this DSP, will not exceed the trip totals from the approved PPS.

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP and no transportation related conditions of approval are required for the subject application.

- d. **Pedestrian and Bicycle Facilities**—The Planning Boards adopts a memorandum dated June 4, 2021 (Ryan to Bishop), incorporated herein by reference, which provides an evaluation of this DSP for conformance with applicable conditions attached to prior approvals that has been included in the findings above.

The Planning Board concludes that the pedestrian and bicycle transportation site access and circulation of this plan is acceptable, consistent with the site design guidelines pursuant to Sections 27-283 and 27-274, the relevant design guidelines for transportation, the conditions of approval for the subject PPS, and concludes that the submitted DSP is acceptable from the standpoint of bicycle and pedestrian transportation, subject to conditions, which have been included herein.

- e. **Subdivision Review**—The Planning Boards adopts a memorandum dated June 3, 2021 (Diaz-Campbell to Bishop), incorporated herein by reference, which provides an analysis of this application for conformance with the governing PPS 4-20002, as incorporated above. The Planning Board finds that the DSP is in substantial conformance with the approved PPS and approves this DSP, with four subdivision related conditions, which have been included in this approval.
- f. **Environmental Planning**—The Planning Boards adopts a memorandum dated June 3, 2021 (Schneider to Bishop), incorporated herein by reference, which provides a response to previous conditions of approval and the applicable WCO requirements that have been included in the findings of this approval. Additional comments are summarized, as follows:

Natural Resources Inventory/Existing Conditions

A Natural Resource Inventory, NRI-028-2020, was approved on June 23, 2020 and provided with this application. The site contains 100-year floodplain, wetlands, streams, and their associated buffers which comprise the PMA. There are 41 specimen trees scattered throughout the woodland areas of the property. The TCP2 and the DSP show all the required information correctly, in conformance with the NRI.

Preservation of Regulated Environmental Features/Primary Management Area (PMA)

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to the infrastructure required for the reasonable use, orderly and

efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities.

Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary if the site has been designed to place the outfall at a point of least impact. The type of impacts that should be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

With the PPS, one PMA impact was approved (Impact A). The PMA impact approved with the PPS totals 0.02 acre for construction of a sanitary sewer connection. This approved impact area will disturb a portion of a 75-foot stream buffer and a 100-year floodplain.

As part of the DSP review process, a more defined look at the proposed on-site master planned trail and the westward crossing of the Timothy Branch stream was required. Both the proposed on-site master planned trails (Mattawoman and Timothy Branch) have stayed outside of the PMA as much as possible with no impacts or woodland clearing. The master plan is showing a trail crossing of the Timothy Branch to continue the master plan trail network to the west parallel to Mattawoman Creek. The applicant was requested to propose a location with the least amount of PMA impact by crossing at the narrowest width of the floodplain and stream. The applicant proposed the trail crossing to collocate where the approved sanitary sewer connection PMA impact is located and continue the trail in a westerly direction. The M-NCPPC staff (DPR, Transportation Section, and the Environmental Planning Section) have conceptually concurred with this westerly trail location. A statement of justification (SOJ) was received on May 25, 2021 for the proposed trail impact to the PMA.

The SOJ includes the previously approved impact of 0.02 acre for the installation of one sanitary sewer pipe connection and the addition of 0.27 acre for two sections of master planned trail impacts. This sewer connection will service the entire 196 single-family attached development. The proposed subdivision has two proposed master planned trails sections located onsite that follow along Timothy Branch and Mattawoman Creek that will serve County residents.

Analysis of Impacts

Based on the revised SOJ, the applicant is requesting a total of three impacts as described below:

Impact A—PMA impacts totaling 0.02 acre were requested for construction for a sanitary sewer connection with the prior PPS 4-20002. This impact area will disturb a portion of a 75-foot stream buffer and a 100-year floodplain. This impact has not changed since PPS 4-20002.

Impact B—PMA impacts totaling 0.05 acre are requested for construction of a master planned trail section behind the proposed townhouses located in Block B, specifically Lots 36 through 40. The adjacent Mattawoman Creek PMA limits are expanded due to steep slopes, beyond the stream buffer. Minimizing these impacts to the PMA and woodlands for this trail section have been the main environmental concern of the trail design throughout this development proposal. The most suitable location for the master planned trail is in a very narrow opening between the PMA and the proposed townhouse lots. This impact is for the grading and construction of the master planned trail and will disturb only the expanded steep slopes of the PMA.

Impact C—This impact of 0.22 acre is for the proposed master trail continuation from the previously approved PMA “Impact A” westward across Timothy Branch stream, providing a connection to the property to the west. The proposed trail alignment will impact 30 linear feet of the Timothy Branch, 0.21 acre of stream buffer, and 0.22 acre of 100-year floodplain area. This trail impact area has not been engineered at this time and the type of trail system such as raised boardwalk, hard surface, gravel, or wood chips has not been decided. The impact area will disturb stream, 75-foot stream buffer, and 100-year floodplain.

The proposed subdivision has two master planned trail systems located on-site. There needs to be a crossing of Timothy Branch to make the Mattawoman and Timothy Branch master planned trail viable. This stream impact location was chosen to create the least amount of PMA impacts due to the trail crossing at the narrowest floodplain and stream width. The proposed trail PMA impacts are approved .

Stormwater Management

A SWM concept plan and approval letter were submitted with the subject application (No. 8768-2020). Proposed SWM features include two submerged gravel wetlands, one grass swale, and five micro-bioretenention facilities. The concept approval expires July 31, 2023. The concept letter indicates the approval of the payment of a SWM fee-in-lieu in the amount of \$52,480.00.

- g. **Permit Review**—The Planning Boards adopts a memorandum dated April 28, 2021 (Chaney to Bishop), incorporated herein by reference, which provides permit related comments that have been addressed by revisions to the DSP or are included as conditions in this approval, as appropriate.
- h. **Maryland State Highway Administration (SHA)**—At the time this approval was written, SHA had not provided comments on the subject application.

- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time this approval was written, DPIE had not provided comments on the subject application.
 - j. **Prince George's County Health Department**—At the time this approval was written, the Health Department had not provided comments on the subject application, but a standard condition related to the construction, dust control and noise has been included.
 - k. **The Prince George's County Department of Parks and Recreation (DPR)**—The Planning Boards adopts a memorandum dated June 8, 2020 (Sun to Bishop), incorporated herein by reference, in which DPR indicates that they have reviewed and evaluated this DSP for conformance with the requirements and conditions of prior approvals as they pertain to public parks and recreational facilities. DPR recommends approval of this DSP with conditions that have been incorporated in this approval, as appropriate.
 - l. **Prince George's County Police Department**—At the time this approval was written, the Police Department had not provided comments on the subject application.
 - m. **Washington Suburban Sanitary Commission (WSSC)**—At the time this approval was written, WSSC had not provided comments on the subject application.
 - n. **Prince George's County Fire/EMS Department**—The Planning Boards adopts an email dated May 13, 2021 (Reilley to Bishop), incorporated herein by reference, in which the Fire Department noted that they had no comments at this time.
13. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if approved with the proposed conditions below, represents 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.
14. Section 27-285(b)(4) provides the following required finding for approval of a DSP:

The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

Based on the level of design information available at the present time, the limits of disturbance shown on the impact exhibit, and the conditions included herein, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible. Impact A for the sewer connection remains unchanged as approved under PPS 4-20002. New impact areas B and C are proposed for the master planned trail adjacent to Mattawoman Creek and the master planned trail crossing at Timothy Branch stream, respectively.

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 TCP2-013-2021 and APPROVED Alternative Compliance AC-21009, and further APPROVED Detailed Site Plan DSP-20007 for the above described land, subject to the following conditions:

1. Prior to certification of this detailed site plan, the following revisions shall be made, or information shall be provided:
 - a. Revise General Note 2 to state that the property is recorded in Liber 43553 folio 192.
 - b. Revise General Note 7 to state that the property's total acreage is 80.92 acres. Update other acreage values on the plan as needed, to ensure they correctly add up to the total value.
 - c. Revise the Type 2 tree conservation plan as follows:
 - (1) Move the proposed master planned trail section on Sheet 5 of 10 north so as not to impact woodlands. The proposed trail limits of disturbance shall be moved to where the woodlands are less than 50 feet wide.
 - (2) Add the liber and folio of the recorded woodland and wildlife habitat conservation easement to the standard Type 2 tree conservation plan 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.”
 - (3) Have the property owner sign the Owner's Awareness Certificate.
 - (4) Add a revision note and have the revised plan signed and dated by the qualified professional preparing the plan.
 - d. Add the site plan notes, and revise the architecture as appropriate, as follows:
 - “During the construction phase, the applicant shall adhere to all applicable Prince George's County or State of Maryland regulations and laws regarding particulate matter pollution, and noise.”
 - “No two units located next to, or across the street from each other may have identical front elevations.”

- “Every highly visible side elevation shall display full brick, stone, stucco, or other masonry treatment on the first floor combined with at least three windows, doors, or other substantial architectural features.”
 - “A minimum of three dwelling units in any horizontal, continuous, attached group shall have a roof feature containing either a cross gable or dormer window(s).”
 - “All garage doors shall have a carriage-style appearance.”
 - “Above-grade foundation walls shall either be clad with finish materials compatible with the primary facade design or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco.”
 - “A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco.”
- e. Provide an optional deck or patio on all townhouse models.
- f. Provide a 10-foot-wide connection to the Mattawoman Creek Trail from the sidewalk adjacent to Lot 7, Block B in the southeast portion of the subject site.
- g. Provide a 10-foot-wide connection to the Mattawoman Creek Trail from the sidewalk along Street A between Lots 9 and 10, Block C.
- h. Provide a 10-foot-wide connection to the Mattawoman Creek Trail from the sidewalk adjacent to Lot 1, Block C in the southwest portion of the subject site.
- i. Provide a 10-foot-wide shared-use path along the west side of Street A between the intersection of the Timothy Branch Trail connection and McKendree Road.
- j. Provide a 10-foot-wide shared-use path along the south side of McKendree Road between Street A and the western boundary of the subject site, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement, with written correspondence.
- k. Replace the W11-1 and W16-1/ Share the Road and Bicycle signage exhibit with the R3-17/Bike Lane and R3-17b/Bike Lane Ends signage.
- l. Label the width of the bicycle lane along McKendree Road.
- m. Revise the master planned trails to be hard surface (asphalt) and 10-foot in width, unless modified by the Prince George’s County Department of Parks and Recreation, with written correspondence.

- n. Label the width of the proposed public use easement for the master planned trails.
 - o. Remove the development standards chart for fences, decks, and sheds as these will be governed by the Prince George's County Zoning Ordinance.
 - p. Revise the Tree Canopy Coverage schedule to show the 15 percent requirement for this property in the Townhouse Zone.
 - q. Provide a chart that indicates a minimum of 800 square feet has been allocated for the front, side, and/or rear yard, or if decks are shown a minimum of 500 square feet, on each lot.
 - r. Indicate if the gateway sign is illuminated and provide the applicable details.
 - s. Provide a brick tracking chart to ensure a minimum of 60 percent of all townhouse units have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco.
 - t. Identify two or more dwelling units (at different locations) which have the potential to be made accessible through barrier-free design construction (in accordance with Section 4-180 of Subtitle 4 of the County Code).
 - u. Designate the following additional lots as highly visible:
 - Block A, Lots: 6 and 7
 - Block B, Lots: 1, 6, 7, 11, 12,
 - Block C, Lots: 1, 9, 10, 27, 28, and 35
 - Block D, Lots: 7, 8, 27, 46, 51, and 52
2. At the time of submission of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:
- (a) Submit a detailed Trail Construction Plan to the Prince George's County Department of Parks and Recreation for review and approval.
 - (b) Submit a Public-Use Easement for the Master-Planned Trails to the Maryland-National Capital Park and Planning Commission, Development Review Division,(M-NCPPC) for their review and approval. Upon approval, the Public-Use Easement shall be recorded among the land records of Prince George's County, Maryland, with the recording reference noted on the final plat prior to plat recordation.

3. The public Recreational Facilities Agreements for the construction of the master planned trails shall include the following timing:
 - a. Construct the trails on site by the 126th building permit, with the exception of the trail adjacent to Lots 7-11, Block B, which will be constructed in phase with the dwelling units.
 - b. Construct the western connection of the Mattawoman Creek Trail across Timothy Branch prior to the 186th building permit.
4. At a minimum of three weeks prior to the start on any trail construction or prior to the 26th building permit (whichever occurs first), the applicant shall submit to the Prince George's County Department of Parks and Recreation a performance bond, letter of credit, or other suitable financial guarantee, to ensure the construction of the master-planned trails.

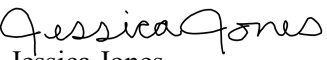
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 1, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day July 2021.

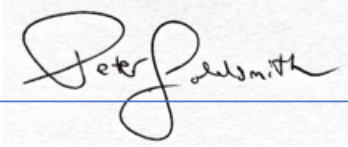
Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:nz

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APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, appearing to read "Peter Faulstich", is written over a horizontal blue line. The signature is contained within a light gray rectangular box.

M-NCPPC Legal Department
Date: July 12, 2021