

## 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 March 31, 2022, regarding Detailed Site Plan DSP-20050 for Stephen’s Crossing at Brandywine, the Planning Board finds:

1.     **Request:** This approval of a detailed site plan (DSP) is for residential development consisting of 431 single-family attached (townhouse) and 116 two-family attached (two-over-two) dwelling units in the Mixed Use-Transportation Oriented (M-X-T) Zone.
  
2.     **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
<b>Zone</b>	M-X-T/M-I-O	M-X-T/M-I-O
<b>Use</b>	Undeveloped	Residential
<b>Total Gross Acreage</b>	89.53	89.53
<b>Residential Floor Area (sq. ft.)</b>	0	1,319,486 sq. ft.
<b>Total Residential Units</b>	0	547

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

Base FAR Permitted	0.40
Total FAR Permitted*	1.40 FAR*
Total FAR Proposed**	0.23

**Notes:** \*With optional method of development, allowed per Section 27-548 of the Prince George’s County Zoning Ordinance.

\*\*Pursuant to Section 27-548(e) of the Zoning Ordinance, the proposed FAR shall be calculated based on the entire property (128.84 net acres), as approved with the conceptual site plan (CSP).

## PARKING AND LOADING TABULATION

Use*	Approved Parking Spaces
<b>Residential Unit Spaces</b>	<b>1,245</b>
199 Two-Car Garages	398
348 One-Car Garages	348
Driveways (9.5 feet wide by 19 feet long)	499
<b>Clubhouse Parking Lot</b>	<b>17</b>
<b>Visitor/On-Street Parking</b>	<b>158</b>
<b>Total Parking Spaces</b>	<b>1,420 (including 8 handicapped accessible)</b>

**Note:** \*Per Sections 27-574 and 27-583 of the Zoning Ordinance, there is no specific required number of parking or loading spaces in the M-X-T Zone. The applicant has included an analysis to be approved by the Prince George's County Planning Board. See Finding 7e for a discussion of the parking analysis.

3. **Location:** The subject site is located east of US 301 (Robert Crain Highway) at its intersection with Mattawoman Drive, in Planning Area 85A and Council District 9. The site is partially located within the Military Installation Overlay (M-I-O) Zone for noise.
4. **Surrounding Uses:** The subject site is bounded to the east by Maryland-National Capital Park and Planning Commission (M-NCPPC) owned property containing the Southern Area Aquatics and Recreation Complex (SAARC) in the Reserved Open Space Zone. The properties to the south, across MD 381 (Brandywine Road), are zoned Local Activity Center and are proposed to be developed with residential uses through Comprehensive Design Plans CDP-0901, CDP-0902, and Specific Design Plan SDP-1701, Villages at Timothy Branch, as amended. To the west is the proposed right-of-way of Mattawoman Drive, which will be partially constructed as part of this DSP, and beyond is a medical building approved under DSP-09011 and vacant land that will be developed as part of the Stephen's Crossing mixed-use development in the M-X-T Zone. North of US 301 are residential developments in the Residential Suburban Development and Rural Residential Zones.
5. **Previous Approvals:** The subject property is a combination of multiple parcels, lots, and outparcels, all of which were originally part of Preliminary Plan of Subdivision (PPS) 4-90045 (PGCPB Resolution No. 90-230), Brandywine Business Park, which was approved by the Planning Board on May 31, 1990. Subsequently, final plats were recorded pursuant to that approval for the entire business park area, but nothing was ever developed on-site. The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA) rezoned the subject property from the Light Industrial Zone to the M-X-T Zone.

On September 6, 2012, the Planning Board approved CSP-09003-01 (PGCPB Resolution No. 12-76) and DSP-10038 (PGCPB Resolution No. 12-77), for grading and infrastructure, specifically grading for Mattawoman Drive right-of-way improvements, a stormdrain outfall pipe, and an underground sewer pipe.

On March 6, 2014, the Planning Board approved CSP-09003 (PGCPB Resolution No. 14-09) for a mixed-use development including 425-440 townhouses; 120-150 two-family attached units; 700-800 multifamily dwelling units; 100,000 square feet of commercial office space; and 100,000-200,000 square feet of commercial retail space.

On October 23, 2014, the Planning Board approved PPS 4-11004 and Type 1 Tree Conservation Plan TCP1-007-12-01, for 379 lots and 73 parcels to support the development of 800 multifamily units, 377 townhouses, 116 two-over-two units, 2 single-family attached units, 100,000 square feet of office space, and 200,000 square feet of commercial development. Variances from Section 25-122(b)(1)(G) of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), for removal of specimen trees, Section 24-128(b)(12) of the Prince George's County Subdivision Regulations, for public utility easements (PUEs) along private streets, Section 24-128(b)(7)(A) of the Subdivision Regulations relating to the use of alleys, and Section 24-121(a)(3) of the Subdivision Regulations for direct access to an arterial right-of-way were granted as part of that approval. PPS 4-11004 was reconsidered by the Planning Board on February 17, 2022, for Conditions 10, 11, 15, 16, and 33, and associated findings for the phasing of improvements which are required to meet the mandatory parkland dedication and an amended resolution issued (PGCPB Resolution No. 14-110(C)(A)).

On December 3, 2015, the Planning Board approved PPS 4-15011 for 56 lots and 9 parcels, to support the development of 56 single-family attached units. Variances from Section 25-122(b)(1)(G) for removal of specimen trees, Section 24-128(b)(12) for PUEs along private streets, and Section 24-128(b)(7)(A) relating to the use of alleys were granted as part of that approval. PPS 4-15011 was reconsidered by the Planning Board on February 17, 2022, for Conditions 3, 4, 8, and 9, and associated findings for the phasing of improvements which are required to meet mandatory parkland dedication requirements and an amended resolution issued (PGCPB Resolution No. 15-129(A)).

On March 7, 2017, the Planning Director approved Type 2 Tree Conservation Plan TCP2-008-2017 for stormwater management (SWM) infrastructure. A variance from Section 25-122(b)(1)(G) for removal of specimen trees was granted as part of that approval.

The site is subject to two SWM concept plans approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE): SWM Concept Plan 37306-2005-02 (approved December 3, 2020 and valid through December 3, 2023) and SWM Concept Plan 15784-2017-01 (approved December 8, 2021 and valid through December 8, 2024).

6. **Design Features:** The existing 89.53-acre irregularly shaped property is located on the north side of Brandywine Road and covers the middle and eastern ends of the larger Stephen's Crossing development. SWM ponds are currently existing at two locations, on the western and southern

border of the site. The remainder of the site is predominantly forested with wetlands along the eastern side.

This DSP proposes the development of a new single-family attached residential community in two pods, with a central pod closest to Mattawoman Drive and a smaller pod on the eastern side of the site. The pods are connected by a proposed 80-foot public right-of-way, Cattail Way, which extends from Mattawoman Drive to Missouri Avenue. The northern side of Cattail Way features an eight-foot-wide shared-use path that connects the entire site to the adjacent M-NCPPC SAARC facility.

Access to the development is provided through Cattail Way and Mattawoman Drive, a master-planned arterial road, which will be partially constructed from Brandywine Road as part of the subject DSP. The development includes an internal system of private roads and alleys, sidewalks, and recreational facilities. A total of 547 dwelling units are proposed, with 431 single-family attached and 116 two-over-two dwelling units.

### **Architecture**

Eight townhouse models are proposed with this DSP, ranging in base finished square footage from 1,741 square feet to 2,339 square feet. The three-story, 20- and 22-foot-wide units will come in multiple façade variations and incorporate a variety of materials, including brick veneer. Gabled roofs, bay windows, dormers, awnings, and other architectural details are included in the façade designs and add visual interest to the building designs. All models are proposed with various options, including decks and loft spaces.

One 24-foot-wide two-over-two model is proposed with this DSP, the Matisse and Picasso, with base finished square footages of 1,606 and 2,481 square feet, respectively. There are various elevations and options, including decks and specialty windows.

All street frontages will have at least 60 percent brick façades, and a brick façade tracking chart has been included in the drawings.

### **Townhouse Units**

<b>Model</b>	<b>Width (feet)</b>	<b>Garage</b>	<b>Base Finished Area (sq. ft.)</b>
Strauss E	20	2-car, rear-loaded	2,034
Strauss D	22	1-car, front-loaded	2,285
Schubert E	22	2-car, rear-loaded	2,237
Schubert D	22	2-car, front-loaded	2,339
Mendelssohn E	22	2-car, rear-loaded	1,917
Mendelssohn D	22	1-car, front-loaded	1,978
Mozart E	20	2-car, rear-loaded	1,741
Mozart D	20	1-car, front-loaded	1,916

### **Two-over-two Units**

<b>Model</b>	<b>Width (feet)</b>	<b>Garage</b>	<b>Base Finished Area (sq. ft.)</b>
Matisse (lower unit)	24	1-car, rear-loaded	1,606
Picasso (upper unit)	24	1-car, rear-loaded	2,481

### **Lighting**

The DSP provides private street and alley lighting throughout the development. The submitted photometric plan generally shows that there is adequate lighting for pedestrians and vehicles with minimum spillover at property lines. However, the Planning Board identified several on-street parking areas where inadequate illumination is shown. A condition is included herein to require revised photometric plans with adequate lighting at all on-street parking areas, prior to certification of the DSP.

### **Recreational Facilities**

PPS 4-11004 and PPS 4-15011 determined that mandatory dedication of parkland is being fulfilled by providing Cattail Way frontage improvements and pedestrian access to the abutting M-NCPPC property, in accordance with Section 24-134 of the Subdivision Regulations. The development will also include the following private recreational facilities spread throughout the community:

- Recreation Facility 1: Pre-teen lot with multiple play features, benches, and bicycle racks.
- Recreation Facility 2: Tot lot with multiple play features, benches, and bicycle racks.
- Recreation Facility 3: Tot lot with multiple play features, benches, and bicycle racks.
- Recreation Facility 4: Tot lot with multiple play features, benches, and bicycle racks.
- Recreation Facility 5: Pre-teen lot with multiple play features, benches, and bicycle racks.
- Recreation Facilities 6 and 7: Tot lot and pre-teen lot with multiple play features, benches, and bicycle racks.
- Recreation Facility 8: Eight-foot asphalt trail along Cattail Way.
- Recreation Facility 9: Six-foot asphalt trail along the west side of the eastern housing pod, and connection to Missouri Avenue.
- Recreation Facility 10: 2,775-square-foot clubhouse with gathering areas, kitchen facilities, computer space, and a fitness center.

The applicant indicated that Facilities 1, 2, and 10 would be completed prior to the approval of the 221st building permit, Facilities 3 and 5 prior to the 412th building permit, Facility 4 prior to the 497th building permit, and Facilities 6 and 7 in phase with the surrounding townhouses. The trails will also be completed in phase with the townhouse and roadway construction. These triggers should be reflected on the DSP, as conditioned herein. At the Planning Board hearing, the applicant proffered to provide dog waste stations at intervals throughout the community and provide ADA-accessible swings at the playgrounds, as conditioned herein.

### **Signage**

The DSP proposes two monument signs, one at the Mattawoman Drive entrance and one at the Missouri Avenue entrance. The monument signs include the name of the development and are set within brick and stone veneer walls. The Planning Board finds the signage provided to be appropriate in size, type, and design given the large-scale residential nature of this community.

## 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 and M-I-O Zones and the site design guidelines:
  - 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 single-family and two-family attached dwellings, as shown on the CSP, are permitted in the M-X-T Zone.
    - (2) Section 27-547(d) of the Zoning Ordinance 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.**

CSP-09003 (PGCPB Resolution No. 14-09) included residential, commercial, and office uses. This DSP is consistent with the residential portion of the overall mixed-use development, which included 120–150 two-family attached units and 425–440 townhouses.

- b. Section 27-548, 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;  
and**
- (2) With the use of the optional method of development—8.0 FAR**

Since the overall development proposed 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 0.23.

**(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 shows the dimensions for the location, coverage, and height of proposed improvements.

**(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.**

Landscaping, screening, and buffering are provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), as discussed in Finding 11 below.

- (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 547 dwelling units will have an approximate gross floor area of 1,319,486 square feet, yielding a FAR of 0.23 on the net tract area of the CSP. Future DSPs for the commercial and additional residential 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.**

This requirement is not applicable to the subject case, as there are no private structures proposed above or below public rights-of-way.

- (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.**

The 547 dwelling units will have frontage on and direct vehicular access to private or public streets and alleys, as approved by PPS 4-11004 and PPS 4-15011.

- (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 townhouse development will have no group of buildings greater than eight, and the minimum lot size is 1,200 square feet. The smallest unit type will be a minimum of 20 feet wide and 1,741 square feet. Sidewalks will be located on both sides of all streets. A brick façade tracking table is included in the drawings.

- (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.**

No multifamily buildings are proposed with 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 requirement does not apply to this DSP. Even though the property was placed in the M-X-T Zone through the Subregion 5 Master Plan and SMA, there are no specific design guidelines or standards for this property.

- 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;**

Conformance with the purposes of the M-X-T Zone was found with CSP-09003 approval and is adopted herein by reference (PGCPB Resolution No. 14-09). The proposed DSP is consistent with that approval and supports that finding because

it promotes the orderly development of land with the residential component of a mixed-use development in close proximity to the major intersection of US 301 and MD 381. It is also noted that the development of the site with residential uses will allow for increased hours of activity in the area.

- (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;**

The subject property was rezoned to the M-X-T Zone by the Subregion 5 Master Plan and SMA, and the master plan did not provide any specific design guidelines or standards for the property. As such, the development proposed in this DSP is subject to the requirements of the M-X-T Zone, the conditions of prior approvals, and the required findings for approval of a DSP of the Zoning Ordinance, as discussed in this finding.

- (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 is largely screened from adjacent developments by woodlands and environmental features to be retained around its periphery in this phase. This new residential neighborhood will be physically integrated into the larger Stephen's Crossing development, which will be outwardly oriented with the future commercial development.

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

The development is compatible with existing and proposed development in the vicinity, including existing residential development to the north, existing commercial development to the west, and proposed residential development to the south. Appropriate buffering through retained woodlands and landscaping is provided on all sides of the site. The historic village of Brandywine to the southeast will be screened by existing vegetation and will not be visible from this development.

- (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, landscaping, recreational amenities, preserved natural areas, and signage for this residential community reflect a cohesive development of continued quality and stability.

- (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 applicant has provided two phasing exhibits: the residential units will be developed over five phases and roads will be constructed in three phases. The DSP anticipates development to begin with the western-most pod first, dependent upon the construction completion of a portion of Mattawoman Drive. Each stage of development will function as a self-sufficient entity and allow for integration of subsequent phases.

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

Five-foot-wide sidewalks are shown along all streets and wider recreational paths are provided throughout the neighborhood to encourage pedestrian activity to the internal and adjacent recreational facilities and future commercial development.

- (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**

High-quality urban design and amenities are provided at an appropriate human scale. Recreation spaces, such as the proposed playgrounds and clubhouse, incorporate quality landscaping materials and furnishings.

- (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).**

The Planning Board approved PPS 4-11004 on October 22, 2014 and PPS 4-15011 on December 3, 2015, which included these findings of adequacy, and the approval is now slightly beyond the six years deadline. The applicant will contribute to the Brandywine Road Club in order to provide adequate facilities to serve the development. The applicant submitted a transportation analysis dated June 24, 2021, to support the finding of adequacy, which the Planning Board finds acceptable.

- d. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, and as cross-referenced in Section 27-283 of the Zoning Ordinance. Provided minor revisions are made to the DSP as conditioned herein, 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.
- e. In accordance with Section 27-574, 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) of the Zoning Ordinance.

This DSP includes parking for individual townhouse units, on-street parking for visitors, and at recreation facilities. 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) of the Zoning Ordinance 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 of the Zoning Ordinance provides a parking requirement of 2.04 parking spaces per one-family attached dwelling unit, which would result in a standard minimum parking requirement of 1,116 parking spaces for the 547 units proposed. The DSP provides 1,420 total parking spaces, including 158 on-street visitor parking spaces, 746 garage spaces, 499 driveway spaces, and 17 parking spaces at the clubhouse. The Planning Board finds the quantity of parking provided acceptable for this residential portion of the mixed-use development.

- f. A portion of the residential development is located within the Noise Intensity Contours (60–74 dBA noise contour) of the M-I-O Zone. Per a condition of PPS 4-11004, at the time of building permit, an acoustical certification is required to be submitted indicating the interior noise levels have been mitigated to achieve 45 dBA Ldn or lower.
8. **Conceptual Site Plan CSP-09003:** The Planning Board approved CSP-09003 on March 6, 2014 (PGCPB Resolution No. 14-09), for a mixed-use development including 425–440 townhouses, 120–150 two-family attached units, 700–800 multifamily dwelling units, 100,000 square feet of commercial office space, and 100,000–200,000 square feet of commercial retail space. The following conditions of that approval are relevant to this DSP:
- 4. **At the time of Detailed Site Plan (DSP), the following design issues shall be addressed:**
    - a. **The applicant shall use full cut-off light fixtures to prevent light trespass and direct the pattern of light pooling on-site.**

The photometric plan and lighting details show conformance with this condition.
    - b. **The applicant shall consider setting aside space for a community garden.**

The plans demonstrate that there are many locations that could feature community gardens, and the applicant has indicated they will coordinate with the homeowners association (HOA) to determine where any community gardens are appropriate.
    - f. **Provide bicycle parking at major transit locations and adjacent to all new commercial development and recreational uses on-site. Provide bicycle parking details for all bicycle parking.**

Bicycle racks are provided at the clubhouse and all tot and pre-teen lots, and details of the bicycle parking are provided on the DSP.
    - g. **Streetscape details, crosswalks, lane control markings, light curb ramps, splitter island locations, driveway crossings, pedestrian safety symbols and pedestrian safety signage shall be delineated on the DSP, as applicable.**

The DSP proposes streetscape details, safety markings, and signage throughout the site, which will be constructed per DPIE standards. The Planning Board finds the design and locations appropriate.
    - h. **Well-articulated architectural facades, including appropriate massing, quality building materials, and pedestrian-scaled detailing, shall be included for all residential and commercial buildings in this DSP.**

The proposed townhomes and two-over-two units feature high-quality architectural design, display attention to pedestrian-scaled detailing, and will incorporate high quality building materials, such as brick.

- j. No rear elevations of residential buildings shall be oriented towards Mattawoman Drive or Cattail Way. Any side elevations of residential buildings highly visible from Mattawoman Drive or Cattail Way shall be designed with the same attention to detail as the front elevation.**

Several townhouses south of Cattail Way have rear elevations that face Mattawoman Drive, but they are approximately 360 feet away and will be screened by trees and shrubs. The lots between the townhouses and Mattawoman Drive will eventually be built out as commercial buildings. There are no other residential building rear elevations that will be highly visible from Mattawoman Drive or Cattail Way.

- l. The design of the landscape bufferyard treatment proposed adjacent to Brandywine Road (MD 381) shall complement the landscape and buffer treatments approved with Detailed Site Plan DSP-09011, or any subsequent revisions, for Lot 22, Stephen's Crossing.**

The landscape bufferyard adjacent to Brandywine Road utilizes a similar planting palette and layout as the landscape buffer treatment approved with DSP-09011, in conformance with this condition.

- o. Bus transit stop locations shall be provided on the DSP and indicated as "Conceptual Bus" or "Conceptual Transit Stop Location," as indicated on area and functional master plans, or on capital improvement project maps.**

A bus stop has been located at the intersection of Brandywine Road and Mattawoman Drive near the site of DSP-09011. Future bus transit stops will likely be located along Mattawoman Drive as it continues to its full build-out and should be evaluated in future DSPs.

- q. Front-loaded garages that are incorporated into any townhouse or two-family attached dwelling shall be designed in accordance with Section 27-548(h) of the Zoning Ordinance; unless a variance is granted from that provision.**

All residential buildings proposed as part of this DSP have been designed in conformance with the applicable portions of Section 27-548(h) of the Zoning Ordinance, as discussed in Finding 7.

- s. **All single-family attached or two-family attached dwelling units shall be set back a minimum of 30 feet from the right-of-way of Cattail Way (C-620). This setback shall include a 20-foot-wide landscaped area with enhanced landscaping treatments.**

All residential buildings are set back at least 30 feet from Cattail Way. The 20-foot-wide landscaped buffer should be noted on the plans, as conditioned herein.

- u. **Noise attenuation is required for dwellings within the Joint Base Andrews Air Facility Washington (JBA).**

A noise study was provided which confirmed that the portion of the site within the M-I-O Noise Intensity Contour will reach 65 dBA. Per a condition of PPS 4-11004, at the time of building permit, an acoustical certification is required to be submitted indicating the interior noise levels have been mitigated to achieve 45 dBA Ldn or lower.

- v. **Provision of sufficient visitor parking spaces evenly distributed among the townhouse development areas.**

The DSP includes an exhibit for visitor parking that demonstrates sufficient spaces are evenly distributed throughout the townhouse areas.

- 5. **At the time of detailed site plan (DSP), the private on-site recreational facilities shall be reviewed. The following issues shall be addressed:**

- a. **The applicant shall provide a final list of proposed private recreational facilities and their cost estimates. The list of facilities provided on the conceptual site plan shall be viewed as the minimum number and size of facilities required. This list shall be expanded as deemed necessary to ensure that the overall development, and each phase, is capable of sustaining an independent high-quality environment.**
- b. **The minimum size of the proposed private recreational facilities and the timing of their construction shall be determined.**
- c. **The developer and the developer's heirs, successors, and/or assignees shall satisfy the Prince George's County Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.**

The DSP proposes the following on-site recreational facilities:



<b>Recreational Facility</b>	<b>Cost Estimate</b>	<b>Minimum Size (square feet)</b>	<b>Features</b>
Clubhouse	\$575,000	2,775	Gathering areas, kitchen facilities, computer space, fitness center
Tot lots (4)	\$118,627	2,012	Play features, benches, and bicycle racks
Pre-teen lots (3)	\$101,692	2,300	Play features, benches, and bicycle racks

Tot lots and pre-teen lots shall be constructed in sequence with construction of the units where the facilities are located. The clubhouse shall be constructed and available for use prior to issuance of the 221st building permit. A condition has been included herein to require that a table or general note be added to the DSP, noting the triggers for recreational facility completion. The applicant is required to establish an HOA and convey all open space parcels to it to ensure retention and maintenance of the proposed facilities.

- 11. The applicant shall provide an eight-foot-wide concrete sidepath in the right-of-way along the subject site's entire frontage of Brandywine Road (MD 381), subject to Maryland State Highway Administration (SHA) approval and in accordance with SHA standards, and subject to American Association of State Highway and Transportation Officials (AASHTO) guidance.**

In the subject DSP, the portion of the site's frontage along Brandywine Road will include an eight-foot-wide concrete sidepath, in accordance with Maryland State Highway Administration (SHA) standards and AASHTO guidance.

- 12. Provide a minimum eight-foot-wide sidepath on the east side of Mattawoman Drive (A-63) between Brandywine Road (MD 381) and Robert Crain Highway (US 301), unless modified by the Department of Public Works and Transportation (DPW&T).**

The eight-foot-wide sidepath is shown along the portion of Mattawoman Drive abutting the subject DSP.

- 14. Provide a minimum eight-foot-wide continuous sidepath on one side of Cattail Way between Mattawoman Drive and Missouri Avenue, unless modified by the Department of Public Works and Transportation (DPW&T).**

The eight-foot-wide sidepath is shown along the north side of Cattail Way, between Mattawoman Drive and Missouri Avenue.

- 15. At the time of detailed site plan (DSP) review, provide pedestrian refuge islands, crosswalks, curb extensions, and other traffic calming and safety devices on all roads per the Department of Public Works and Transportation (DPW&T) standards and with American Association of State Highway and Transportation**

**Officials (AASHTO) guidance. Details of the pedestrian refuge islands, crosswalks, curb extensions, and other traffic calming devices shall be shown on the DSP and are subject to modification by DPW&T.**

The DSP includes details of the pedestrian refuge islands, crosswalks, curb extensions, and other traffic calming devices per the Prince George's County Department of Public Works and Transportation (DPW&T) standards.

- 16. All trail connectors to the proposed park to the east shall be provided on the detailed site plan and shall be constructed to meet Parks and Recreation Facilities Guidelines, unless modified by the Prince George's County Department of Parks and Recreation.**

A 30-foot-wide access road and an 8-foot-wide asphalt trail along Cattail Way connect the proposed development to the park to the east. The Prince George's County Department of Parks and Recreation (DPR) found the connectors to be appropriate.

9. **Preliminary Plan of Subdivision 4-11004:** The Planning Board approved PPS 4-11004 on October 23, 2014, for 379 lots, 84 parcels, and 1 outlot (Outlot W), and the development of 100,000 square feet of office, 200,000 square feet of retail, 116 attached two-over-two residential dwelling units, 377 townhouse units, 2 single-family attached dwelling units, and 800 multifamily dwelling units, for a total of 1,295 dwelling units on 169.34 acres. PPS 4-11004 was reconsidered by the Planning Board on February 17, 2022 (PGCPB Resolution No. 14-110(C)(A)), subject to 52 conditions, of which the following are applicable to the review of this DSP:

2. **Development of this site shall be in conformance with Stormwater Management Concept Plan 15615-2014, approved August 15, 2014, and any subsequent revisions consistent with the approved preliminary plan of subdivision.**

The applicant submitted two SWM concept plans approved by DPIE with the subject application. SWM Concept Plan 37306-2005-02 (approved December 3, 2020 and valid through December 3, 2023) covers the portion of the townhouse and two-over-two-unit development subject to PPS 4-11004. SWM Concept Plan 15784-2017-01 (approved December 8, 2021 and valid through December 8, 2024) covers the portion of the development subject to PPS 4-15011. The Planning Board finds that the DSP is in conformance with the SWM concept plans.

5. **At the time of final plat, the applicant shall grant a ten-foot-wide public utility easement (PUE) along both sides of the public rights-of-way. The PUEs along all private rights-of-way shall be ten feet wide along at least one side of the rights-of-way, or the applicant shall obtain the consent of all the affected utility companies prior to detailed site plan approval. The PUE locations shall be in accordance with the approved detailed site plan and preliminary plan of subdivision.**

The DSP includes the required PUEs along both sides of every public right-of-way and along at least one side of every private right-of-way. With both PPS 4-11004 and PPS 4-15011, a variation was approved from Section 24-128(b)(12) to allow some of the PUEs along private streets to be less than 10 feet wide, subject to the consent of the affected utility companies. Despite this approved variation, all the PUEs shown on the DSP are 10 feet wide.

- 9. A substantial revision to the mix of uses on the subject property that substantially affects the Subtitle 24 adequacy findings, as set forth in a resolution of approval, may require the approval of a new preliminary plan of subdivision prior to approval of building permits.**

The proposed uses have not been revised in such a way that will substantially affect Subtitle 24 adequacy findings, except for the addition of one townhouse lot to the portion of the development subject to PPS 4-11004. As conditioned herein, this additional lot should be removed.

- †10. Prior to ~~†[the 100th residential building permit or prior to April 1, 2017, whichever comes first]~~ approval of a building permit for the 455th residential dwelling unit within Preliminary Plan 4-15011 and Preliminary Plan 4-11004 (cumulatively), the applicant and the applicant's heirs, successors, and/or assignees shall ~~†[design and]~~ construct a half-section of Cattail Way and an eight-foot-wide trail/sidewalk within the public right-of-way along the entire frontage of Brandywine Area Community Park. This work, as well as all other improvements associated with Cattail Way construction, must meet the requirements of the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). In addition, the applicant shall construct a 30-foot-wide asphalt driveway and an eight-foot-wide concrete trail connector from Cattail Way to the Southern Area Aquatic and Recreational Complex (SAARC) parking lot within Brandywine Area Community Park. Construction of these improvements shall be deemed complete upon the opening of at least one lane of the road in each direction to traffic and provision of access to the SAARC from Cattail Way. In the event that the Prince George's County Department of Parks and Recreation (DPR) determines that the timing of the completion of these improvements can be delayed based upon ~~†[the construction schedule associated with the SAARC project,]~~ coordination with DPIE, DPR may, at its sole discretion, delay the completion date. Any such revision to the completion date shall be communicated in writing to the applicant.**

The Stephen's Crossing Road Phasing Memo shows the full section of Cattail Way along the frontage of the Brandywine Area Community Park, as well as the 30-foot-wide driveway and 8-foot-wide trail connector from Cattail Way to the SAARC. As approved in the reconsideration of PPS 4-11004 on February 17, 2022, these improvements will be completed prior to the 455th residential building permit.

- †11. **Prior to ~~†[issuance of 50th residential building permit]~~ approval of a building permit for the 300th residential dwelling unit within Preliminary Plan 4-15011 and Preliminary Plan 4-11004 (cumulatively), the applicant and the applicant's heirs, successors, and/or assignees shall develop †100 percent design construction drawings and specifications for the construction of a half-section of Cattail Way, an eight-foot-wide trail/sidewalk, and any required improvements within the public right-of-way (along the Brandywine Area Community Park's road frontage) and submit them to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). †Prior to approval of a building permit for the 370th cumulative residential dwelling unit, the applicant shall obtain permits for construction of these improvements from DPIE.**

As approved in the reconsideration of PPS 4-11004 on February 17, 2022, the applicant is required to obtain the permits for construction of these improvements from DPIE prior to approval of the 370th residential building.

14. **The applicant and the applicant's heirs, successors, and/or assignees shall design and construct any required stormwater management facilities needed for the construction of the half-section of Cattail Way.**

The approved SWM concept plans show SWM facilities located on both sides of Cattail Way within the vicinity of Brandywine Area Community Park. Specifically, bio-trenches and a dry pond are proposed to treat and attenuate stormwater from the public roadway.

17. **At the time of detailed site plan and final plat, the applicant shall utilize the list of 23 street names as reflected in the Property Address memorandum dated July 25, 2014 (Grigsby to Nguyen).**

All the proposed street names shown on the DSP utilize names from the referenced memorandum.

18. **Prior to approval of the first detailed site plan (DSP) which includes lots, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the Phase I and Phase II archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the Historic Preservation Section. The DSP shall include the timing for installation of the signage and the implementation of public outreach measures.**

The locations of the two interpretive signs are shown on Sheet 9 of the DSP and details are shown on Sheet 28. A condition has been included herein, for the applicant to continue to coordinate with the Historic Preservation Section to finalize the signage text prior to issuance of grading permits.

- 19. Prior to the recommendation of approval by The Maryland-National Capital Park and Planning Commission (M-NCPPC) for any ground disturbance or grading permits, the applicant shall deliver all artifacts and appropriate associated documentation to the Maryland State Archeological Conservation Laboratory for curation and shall provide documentation of the state's acceptance of the materials to the M-NCPPC Planning Department's archeologist.**

All artifacts and associated documentation were submitted by the applicant to the Maryland State Archeological Conservation Lab on August 13, 2021. The Planning Board finds that this condition has been satisfied.

- 20. Prior to approval of the detailed site plan for the multifamily buildings located on the north side of Mattawoman Drive and Cattail Way (Parcel T-1), the applicant shall submit a viewshed analysis from the Gwynn Park Historic Site (85A-013) to identify any buildings that would be visible from the historic site. The architecture of those buildings visible shall be reviewed by the Historic Preservation Section and the Historic Preservation Commission, if determined appropriate at that time.**

The Planning Board noted that the Gwynn Park Historic Site (85A-013) will not be visible from the area included in the subject application. The Planning Board finds that this condition has been satisfied with this DSP, but will need to be revisited with future DSPs for any multifamily buildings.

- 21. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*, and Conceptual Site Plan CSP-09003, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

**a. Provide an eight-foot-wide sidepath on the eastern side of Mattawoman Drive, unless modified by the Prince George's County Department of Public Works and Transportation (DPW&T).**

**b. The following improvements and right-of-way dedication shall be provided along Brandywine Road (MD 381), unless modified by the Maryland State Highway Administration (SHA):**

**(1) Provide sufficient dedication on the preliminary plan of subdivision along MD 381 for on-road bike lanes in accordance with SHA standards and the American Association of State Highway and Transportation Officials (AASHTO) guidance, subject to approval by SHA.**

**(2) The applicant shall provide an eight-foot-wide concrete sidepath in the right of way along the subject site's entire frontage of MD 381, subject to SHA approval and in accordance with SHA standards,**

**and subject to American Association of State Highway and Transportation Officials (AASHTO) guidance.**

- c. Provide a minimum eight-foot-wide continuous sidepath that connects the commercial/retail area to the sidepath on Mattawoman Drive (A-63).**
- d. Provide a minimum eight-foot-wide continuous sidepath on the north side of Cattail Way between Mattawoman Drive and Missouri Avenue, to ensure access to the public park from the development.**
- e. Provide standard sidewalks along both sides of all internal roads (public and private, excluding alleys), unless modified by the Prince George's County Department of Public Works and Transportation (DPW&T) for public roads and detailed site plan for private roads.**
- f. Mark and label the limits and alignment of the "Proposed 6' wide private path" indicated on Sheet 11.**

**Prior to signature approval, these improvements shall be reflected on the preliminary plan of subdivision and the Type 1 tree conservation plan.**

The Planning Board finds that the eight-foot-wide sidepaths along Brandywine Road, Mattawoman Drive, and Cattail Way, and standard sidewalks along all internal roads, are accurately displayed on the DSP in accordance with the above conditions.

- 22. Prior to approval and at the time of detailed site plan (DSP), the following design issues shall be addressed:**
- a. Provide bicycle parking at major transit locations and adjacent to all new commercial development and recreational uses on-site. Provide bicycle parking details for all bicycle parking.**
  - b. Streetscape details, crosswalks, lane control markings, lighting, curb ramps, splitter island locations, driveway crossings, pedestrian safety symbols, and pedestrian safety signage shall be delineated on the DSP, as applicable.**
  - c. Provide continuous sidewalks adjacent to all of the commercial buildings and along both sides of all roads, unless a sidepath is provided.**
  - d. Trails shall be shown no less than 20 feet from all private residential lot lines and/or 25 feet from all residential buildings, excluding where trails connect with the internal road or sidewalk network, unless environmental constraints/impacts exist that make this impractical.**

- e. **Provide a hard surface trail connection from the proposed multifamily dwelling units located at the end of Daffodil Court directly to Mattawoman Drive to the west, provided that the necessary approvals and permits for disturbance of environmental features are approved by all applicable authorities including, but not limited to, the Maryland Department of the Environment and/or the U.S. Army Corps of Engineers.**
- f. **Sidewalks and/or striped designated pedestrian walkways shall be considered through large areas of surface parking at the time of DSP.**
- g. **Provide pedestrian refuge islands, crosswalks, curb extensions, and other traffic calming and safety devices on all roads per the Prince George's County Department of Public Works and Transportation (DPW&T) standards and with American Association of State Highway and Transportation Officials (AASHTO) guidance. Details of the pedestrian refuge islands, crosswalks, curb extensions, and other traffic calming devices shall be shown on the DSP and are subject to modification by DPW&T.**

The Planning Board finds that the DSP displays the streetscape amenities in accordance with the above conditions. These features, and other traffic calming and safety devices, will be further evaluated for conformance to DPW&T standards at the time of permitting.

- h. **All trail connectors to the proposed park to the east shall be provided on the DSP and shall be constructed to meet *Parks and Recreation Facilities Guidelines*, unless modified by the Prince George's County Department of Parks and Recreation.**

The Planning Board finds all trail connectors to the proposed park to the east acceptable.

23. **Prior to approval of the detailed site plan, the applicant shall obtain consents and/or make appropriate adjustments for the co-location of any proposed and existing utility easements and stormdrain outfalls, to including Washington Gas, public utilities, and the Washington Suburban Sanitary Commission (WSSC).**

The DSP does not include co-location of any proposed and existing utility easements with stormdrain outfalls, therefore consent from the utility companies for such co-location is not needed.

26. **The detailed site plan shall delineate the extent of:**

- a. **The vehicular access easements authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations in accordance with the approved preliminary plan of subdivision and the variation approved from Section 24-124(a)(3) of**

**the Subdivision Regulations for Parcels A-1, A-2, B-2, B-3, and B-4 onto Mattawoman Drive (A-63). The remaining frontage of these parcels shall be denied direct access to Mattawoman Drive, Brandywine Road (MD 381), and Robert S. Crain Highway (US 301).**

Although the variation approved from Section 24-124(a)(3) of the Subdivision Regulations with PPS 4-11004 only affects the commercial parcels of the project (not proposed to be developed under this DSP), the subject DSP shows the approved access points along Mattawoman Drive as well as areas where vehicular access is denied, in accordance with the PPS. The vehicular access easements on the commercial parcels are not shown on the subject DSP and should be shown on a future DSP for the commercial parcels to be further evaluated at that time.

- b. A cross vehicular access easement between the homeowners association and the owner of Parcel B-4, for access from Private Road B to Cattail Way, across Parcel B-4.**

This cross vehicular access easement is shown on the DSP and the Planning Board finds its alignment acceptable. The alignment shall be further evaluated at the time of the future DSP, which includes commercial Parcel B-4.

- 28. At the time of final plat approval, the applicant shall dedicate to public use 40 feet from the centerline along the property's frontage of Brandywine Road (MD 381).**

This right-of-way dedication is shown on Sheet 10 of the DSP and the Planning Board finds it acceptable. Future DSPs with frontage on MD 381 will also have to show the correct right-of-way dedication.

- 30. The applicant shall develop and submit a phasing plan for the following improvements at the time of the initial detailed site plan for property involving development on Mattawoman Drive, and also shall submit any needed warrant studies related to the installation of signalization at this time. The installation of signalization would be implemented when deemed warranted and required by SHA. A status report for these improvements shall be submitted with each detailed site plan following the approval of the phasing plan, with the transportation staff recommendation to be based upon a comparison of the status with the phasing plan:**

- a. Provision of signalization and dual southbound left-turn lanes along US 301 at Mattawoman Drive, provision of a northbound right-turn lane along US 301 at Mattawoman Drive, and provision of the east leg of the intersection (the Mattawoman Drive approach from the south/east) as five lanes, configured with two left-turn lanes, two through lanes, and one right-turn lane.**



The DSP included a road phasing plan, which displays the construction of Mattawoman Drive, as required by the condition above. The subject DSP proposes to construct a half section of Mattawoman Drive from its intersection with Cattail Way to its terminus at US 301. Mattawoman Drive and US 301 will function as a right-in and right-out intersection until the full section of Mattawoman Drive is completed. The applicant indicated that the full section of Mattawoman Drive, specifically a southbound double left turn lane from US 301, and a five-lane section along westbound Mattawoman Drive (two left lanes, two through lanes, and one right lane), will be warranted and will be constructed prior to the issuance of any building permits for the multifamily development, which will be located at the northern end of Daffodil Court. The Planning Board concurs with the timing proposed for the construction of the full section of Mattawoman Drive to be completed prior to issuance of any building permits for the future multifamily dwelling complex.

In addition, the applicant's road phasing plans state, "prior to the initial connection of Mattawoman Drive to US 301 (250th building permit), the applicant shall provide a traffic signal warrant analysis for the intersection of US 301 and Mattawoman Drive to determine when signalization will be warranted." The Planning Board concurs with the proposed phasing of the traffic signal at the intersection of Mattawoman Drive and US 301, and a condition is included herein that the applicant will provide a traffic signal warrant analysis for the intersection of US 301 and Mattawoman Drive prior to the 250th building permit unless otherwise directed by SHA.

**b. Provision of signalization at the MD 381/Mattawoman Drive intersection, and provision of an eastbound left-turn lane and westbound right-turn lane along MD 381 at Mattawoman Drive is proposed.**

The road phasing plan states, "a traffic signal warrant analysis has been conducted by the Villages of Timothy Branch and SHA has acknowledged that signalization is warranted. These plans are being prepared at this time and we anticipate approved plans, including a bond and access permit through SHA, by the Spring or Summer of 2022. The improvements at this location include left turn lanes in both directions along Brandywine Road. However, it should be noted that an eastbound left turn lane already exists." The approved signal warrant analysis and the progress plans for the traffic signal for the MD 381/Mattawoman Drive intersection were submitted and the Planning Board concludes that the application meets the specified condition of approval.

**32. Total development of the site shall be limited to uses that would generate no more than 1,079 AM and 1,479 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 approved trip cap considers the development of 1,295 total dwelling units. However, only 434 townhouses and 116 two-over-two dwelling units are included in this application. The subject DSP is consistent with the land use and development program for the townhouses and two-over two dwelling units (431 townhouses and 116 two-over-two units) approved in the PPS and therefore is within the peak-hour trip cap approved in PPS 4-11004.

- †33. **Prior to the recommendation of approval by The Maryland-National Capital Park and Planning Commission (M-NCPPC) †~~[for the 200th building permit,] of a building permit for the 370th residential dwelling unit within Preliminary Plan 4-15011 and Preliminary Plan 4-11004 (cumulatively), the applicant shall †obtain permits from the Prince George's County Department of Permitting, Inspections and Enforcement to construct Cattail Way over Timothy Branch. This roadway connection shall include construction within the public right-of-way of an eight-foot-wide trail/sidewalk which shall connect Daffodil Court to the Southern Area Aquatic and Recreational Complex (SAARC). The status of the construction of Cattail Way shall be provided with each detailed site plan proposing residential development which fronts on or accesses Cattail Way. †Prior to the recommendation of approval by M-NCPPC of a building permit for the 455th residential dwelling unit, the applicant shall construct these improvements.~~**

As approved in the reconsideration of PPS 4-11004 on February 17, 2022, these improvements will be completed prior to approval of the building permit for the 455th dwelling unit, as reflected in the Road Phasing Information table on Sheet 3 of the DSP.

34. **All Type 2 Tree Conservation Plans prepared for the subject property shall include an invasive species management plan which addresses best management practices and appropriate methods of control for invasive species found on-site.**

TCP2-008-2017-01, and an invasive species management plan dated February 3, 2022, were submitted with the application. The Planning Board finds the plan in conformance with this condition.

41. **Prior to signature approval of the Type 2 tree conservation plan (TCP2) for this site, the liber and folio of the recorded woodland and wildlife habitat conservation easement shall be added to the standard TCP2 notes on the plan as follows:**

**“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded among the Prince George's County Land Records at Liber \_\_\_\_ Folio \_\_\_\_\_. Revisions to this TCP2 may require a revision to the recorded easement.”**

The submitted TCP2 does not yet include the recording reference of the woodland and wildlife conservation easement. A condition has been included herein, requiring the above note on the TCP2 prior to its signature approval.

- 47. The design and implementation of any road improvements to Brandywine Road (MD 381), a designated historic road, required by this project shall be coordinated by the Maryland State Highway Administration (SHA) and include all interested stakeholders, including the Environmental Planning Section, M-NCPPC. The road improvements shall seek to implement context-sensitive solutions as required by SHA policy. This coordination shall occur during the review of the first detailed site plan which includes property abutting Brandywine Road (MD 381).**

In the applicant's response letter dated February 4, 2022, the applicant stated that they held a meeting with SHA on January 31, 2022 to discuss the proposed right-of-way dedication and improvements within the right-of-way. In an email dated February 8, 2022, SHA indicated they had no comments on the subject DSP regarding the road improvements to MD 381. The Planning Board finds the improvements along the historic road acceptable.

- 49. At the time of detailed site plan review for development with frontage on Brandywine Road (MD 381), the treatment for the frontage of Brandywine Road (historic road) shall include the following:**

- a. Eastern red cedar in the planting palette to match the existing vegetation on the south side of the roadway; and**
- b. Consistency with the special roadway treatment proposed for Stephen's Crossing, Lot 22, and the Villages of Timothy Branch.**

The DSP reflects the use of eastern red cedar trees along the Brandywine Road frontage. The Planning Board finds the historic roadway treatment consistent with that on the former Stephen's Crossing Lot 22 (now Lot 28 per Plat Book SJH 248, page 83) and the adjacent Villages of Timothy Branch development.

- 50. At the time of detailed site plan review, details of all lighting fixtures shall be submitted along with certification that the proposed fixtures are full cut-off optics, and a photometric plan showing the proposed light levels shall be submitted.**

A photometric plan and lighting details were submitted as part of the DSP in conformance with this condition.

- 52. At the time of detailed site plan, the applicant shall:**

- a. Show conformance with the requirements of Section 4.6 of the 2010 *Prince George's County Landscape Manual* for Lots 1 and 4 in Blocks D and F to**

**provide the bufferyard outside of the lots, or obtain approval of an Alternative Compliance application, or remove one lot from each townhouse building stick.**

Lots 1 and 4 in Blocks D and F have rear elevations facing private streets, which are not required to conform to the requirements of Section 4.6 of the Landscape Manual. In addition, the layout of Blocks D and F have been revised in the subject DSP, so the rear elevations are facing the side elevations of other townhouses.

**b. Explore and provide additional information on sustainability at both the site and building levels, to the extent practical.**

The buildings will utilize Energy Star appliances, light emitting diode (LED) lighting, as well as water-conserving low-flow plumbing fixtures, high efficiency water heaters and heating, ventilation, and air conditioning systems, low- or no-volatile organic compounds paint, and an enhanced thermal insulation package.

The site design clusters the buildings around a compact street network to minimize erosion and land disturbance. Micro-bioretenment facilities are located throughout the development to capture and filter stormwater on-site, particularly along Cattail Way near the existing wetlands to prevent unfiltered roadway drainage from entering the wetlands. Walking paths and bike racks encourage alternate modes of transportation. The Planning Board finds the sustainability measures proposed are appropriate for the development.

10. **Preliminary Plan of Subdivision 4-15011:** The Planning Board approved PPS 4-15011 on December 3, 2015, for 56 lots and 9 parcels for 56 single-family attached units. Within the area of PPS 4-15011, the current DSP proposes 51 lots and 9 parcels. PPS 4-15011 was reconsidered on February 17, 2022 (PGCPB Resolution No. 15-129(A)), subject to 39 conditions, many of which are similar to the conditions of PPS 4-11004. The following conditions are applicable to the review of this DSP and warrant additional discussion:

**14. At time of detailed site plan, the DSP and TCP2 shall be evaluated by EPS in coordination with DPIE for the maintenance of adequate hydrology in the wetland system on the west side of Missouri Avenue, including but not limited to the following:**

- a. Maintenance of connectivity of the wetland system during the construction of Cattail Way by use of culverts under the right of way or other similar techniques; and**
- b. Opportunities to divert run-off into the wetland system in order to maintain an adequate hydrologic regime.**

Cattail Way is a master planned right-of-way designated as a collector (C-610) with an 80-foot-wide right-of-way. As a condition of PPS 4-11004, the applicant is required to construct this right-of-way and provide a secondary entrance to the M-NCPPC-owned SAARC. Since the approval of PPS 4-15011, the applicant has discussed alternatives with DPIE in an effort to reduce the wetland impacts. The alternatives included the construction of a narrower right-of-way for the collector road, and the realignment of the road increasing the tie back slopes to 2:1. Because Cattail Way is a master planned right-of-way, DPIE did not agree with the reduction of the right-of-way width or any realignment of the roadway, but did agree to reducing the tie out slopes to 2:1. The previously planned 70-foot-wide right-of-way width and alignment were recorded with record Plat Book REP 209 page 16 (2005) and Plat Book PM 228 page 79 (2008), as a 70-foot right-of-way aligning with Mangrove Drive at its intersection with Missouri Avenue.

The relocation of Cattail Way is not a feasible option. DPIE provided the applicant with a roadway bio-trench design to provide an environmental site design (ESD) treatment facility to provide opportunities to divert stormwater into the wetland system within the public right-of-way, thus reducing further impacts to the existing wetlands. Curb cuts will direct stormwater into the bio-trenches to be treated for both quality and quantity control. The treated stormwater is then discharged into the wetlands. Plantings will be installed in each bio-trench area. Within the private roads of the townhouse development south of Cattail Way, curb openings have been designed to divert the stormwater into the wetlands in an effort to maintain their hydrology. The Planning Board finds this condition satisfied with these design techniques.

- 24. Prior to the approval of the first detailed site plan, the applicant shall submit a viewshed analysis from the historic village of Brandywine and the Early Family National Register Historic District (85A-085). If the analysis identifies any views which would adversely impact the character of the historic village, landscape screening on the perimeter of the subject property shall be provided as mitigation.**

The applicant submitted a viewshed study for the portion of the development closest to the Early Family National Register Historic District (85A-085), which demonstrates that existing vegetation will screen the new development from being visible from the National Register Historic District. Additional vegetation will be planted along Missouri Avenue to enhance the visual buffer. The Planning Board finds that this condition has been satisfied.

- 27. At the time of DSP, the applicant shall:**

- c. Provide adequate spacing between the proposed stormwater management pond and townhouse lots to allow for a path and seating for future residents as part of the open space component for the development.**

The plan shows adequate spacing between the SWM pond on Parcel A-6 and the nearest townhouse lots to allow for both a path and a seating area in conformance with this condition.

**30. Provide pedestrian streetscape and safety improvements, subject to the review and approval of Department of Public Works and Transportation (DPW&T), along Cattail Avenue, including:**

- a. A standard crosswalk crossing Road M Private at the intersection of Road M Private and Cattail Way;**
- b. Curb ramps that meet ADA guidelines on the southwest and southeast corners of the intersection of Cattail Way and Road 'M' Private.**

The Planning Board finds that the bicycle and pedestrian improvements required in the conditions above are correctly shown on the DSP.

**36. Total development shall be limited to uses that would generate no more than 39 AM and 45 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The Planning Board finds that the proposed number of dwelling units is within the total approved under PPS 4-15011 and the peak-hour vehicle trips will not be exceeded.

- 11. 2010 Prince George's County Landscape Manual:** This 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 landscape plans included with the DSP provide schedules and notes demonstrating conformance with the applicable requirements.
- 12. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet in area and contains more than 10,000 square feet of existing woodland. TCP2-008-2017-01 was submitted with the current application.

The woodland conservation threshold for this 169.34-acre property is 15 percent of the net tract area, or 19.33 acres. The total woodland conservation requirement based on the amount of clearing proposed is 30.72 acres. This requirement is proposed to be satisfied with 3.14 acres of on-site preservation, and 8.43 acres of on-site afforestation. The remainder of the requirement (19.15 acres) is proposed to be met with off-site woodland conservation credits. This is in conformance with prior tree conservation plan approvals.

### **Specimen Trees**

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual (ETM).”

As part of the PPS 4-11004 approval, 18 specimen trees were approved for removal (ST-3, ST-7, ST-8, ST-9, ST-10, ST-11, ST-17, ST-18, ST-27, ST-28, ST-34, ST-37, ST-38, ST-39, ST-40, ST-41, ST-42, and ST-45). With the approval of PPS 4-15011, specimen tree 46 was approved for removal. A stand-alone TCP2-008-2017 was approved for developing SWM infrastructure without an accompanying site plan. Since the infrastructure plan was not moving forward in conformance with the TCP1, a determination was made to review a variance request for the removal of five specimen trees (ST-7, ST-8, ST-38, ST-39, and ST-40) within the stormwater infrastructure area. The Planning Director approved the variance for the removal of five specimen trees (ST-7, ST-8, ST-38, ST-39, and ST-40).

The proposed application, DSP-20050, requests the removal of ST-35 and ST-36. The two specimen trees are located within proposed Parcel Q, located in the southeastern quadrant of the intersection of Cattail Way and Daffodil Court, within the planned development areas of the project. This proposed parcel is to be used for both passive and active recreation, and is surrounded by private residential streets and proposed townhomes. The regulated areas are primary management areas (PMAs) and nontidal wetlands associated with the Timothy Branch stream valley.

The site contains 56 specimen trees on-site with the ratings of very good (one specimen tree), good (47 specimen trees), fair (two specimen trees), poor (four specimen trees), and dead (two specimen trees). The current design proposes to remove 19 specimen trees with good (15 trees) and fair (one tree) condition ratings.

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

A Subtitle 25 variance application, a statement of justification (SOJ) in support of a variance from Section 25-122(b)(1)(G), was received for review with this application, and was dated January 7, 2022, and revised submissions were dated February 7, and February 11, 2022.

Section 25-119(d)(1) of the WCO contains six required findings be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for the two specimen trees, and details specific to individual trees have been provided in the following chart:

ST Number	LATIN NAME	COMMON NAME	Diameter (inches)	CONDITION	RETAIN/ REMOVE
35	Quercus rubra	Red Oak	30	Good	Remove
36	Quercus phellos	Willow Oak	35	Good	Remove

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

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

In relation to other properties in the area, special conditions peculiar to the property would cause an unwarranted hardship if the applicant were required to retain these two specimen trees: ST-35 and ST-36. The project proposes to develop the final link of a section of Mattawoman Drive, a master planned arterial right-of-way that serves as a spine road connection running parallel to US 301 that will benefit the citizens of Prince George's County by relieving the traffic on US 301. The proposed construction of Cattail Way, a master planned collector roadway, provides the east-west connection for the overall Stephen's Crossing development. The opportunity for this project to develop two master planned rights-of way provides a benefit to the residents of Stephen's Crossing, as well as to the residents of Prince George's County.

In addition to the construction of the two roadways, improvements are planned for US 301. The proposed application has concentrated the development area within the most developable part of the property in conformance with the approvals of PPS 4-11004 and PPS 4-15011, while preserving the fingers of woodland within the regulated environmental features and PMA surrounding and bisecting the property. The wooded areas within the PMA are the highest priority for woodland preservation on the site, which the applicant is preserving to the fullest extent practicable. The regulated areas are PMA and nontidal wetlands associated with the Timothy Branch stream valley. The protection of the sensitive regulated environmental features is a substantial undertaking when crossings are planned for master planned roadways. The area of proposed Parcel Q, where ST-35 and ST-36 are located, is planned to be surrounded by private roadways, with townhouses located on the perimeter of the roads. The grades of Parcel Q are to be raised to provide positive drainage, and to avoid ponding water, resulting in the entirety of the two specimen trees critical root zones to be impacted. The layout proposed with DSP-20050 is in conformance with the approved PPS. Six specimen trees previously approved for removal are located in the vicinity of the two specimen trees requested for removal in this variance.

The proposed use, for a residential development proposing the construction of two master planned rights-of-way, is a significant and reasonable use for the subject site, and it cannot be accomplished elsewhere on the site without the requested variance. Development cannot occur on the portions of the site containing regulated features and PMA, which limits the site area available for development. Requiring the applicant to retain the two specimen trees, after the previously approved PPSs approved the removal of a combined 19 specimen trees, would further limit the area of the site available for development to the extent that it would cause the applicant an unwarranted hardship.



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

Enforcement of the requirement that all specimen trees be preserved along with an appropriate percentage of their critical root zone would deprive the applicant of rights commonly enjoyed by others in similar areas. The site contains 56 on-site specimen trees, over the 169.34 acres, and the applicant was previously granted approval to remove 19 trees.

This request for the approval to remove two additional trees is due to the planned implementation of the two master planned rights-of-way, maintaining the regulated environmental features to the extent practicable, and grading required for a developable area for the construction of residential townhomes in conformance with the PPS. With the previously approved two PPS, the Planning Board granted the removal of 19 specimen trees. The additional two trees requested for removal with this DSP are due to their location within the proposed development area. The applicant is preserving the on-site woodlands within the PMA, reforesting on-site, and retaining 35 specimen trees.

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

Not granting the variance would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. The property has two previously approved PPS, which granted the removal of 19 specimen trees. Other similar residential developments, with regulated environmental features and specimen trees in similar conditions and locations, would be given the same considerations during the review of the required variance application.

**(D) The request is not based on conditions or circumstances which are the result of actions by the applicant.**

The applicant has taken no actions leading to the conditions or circumstances that are the subject of the variance request. The removal of the two specimen trees would be the result of the location of the trees and grading to achieve the optimal developable site for the proposed facilities with associated infrastructure in conformance with the two approved PPS.

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

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

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

The granting of this variance will not adversely affect water quality standards, nor cause measurable degradation in water quality. The proposed Stephen's Crossing development is subject to the requirements of the Prince George's County Soil Conservation District (PGSCD), and the approval of a SWM concept plan by DPIE. The project is subject to ESD to the maximum extent practicable. The plan proposes to use SWM ponds, bio-trenches along roadways, bio-retention facilities, and drywells.

Erosion and sediment control requirements are reviewed and approved by PGSCD. Both SWM and sediment and erosion control requirements are to be met in conformance with state and local laws to ensure that the quality of water leaving the site meets the states standards. State standards are set to ensure that no degradation occurs.

The Planning Board approves the requested variance for the removal of two specimen trees, specifically ST-35 and ST-36, for the development of DSP-20050.

13. **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 89.53 acres in size and 8.95 acres of tree canopy must be provided. The site plan proposes approximately 37 acres of TCC on the site, exceeding the requirement. The TCC worksheet incorrectly shows that 15 percent of the gross tract area is required for TCC, and a condition to correct the calculation is included herein.
14. **Referral Comments:** The subject application was referred to the following agencies and divisions. The referral comments are summarized, as follows:
  - a. **Historic**—The Planning Board has reviewed and adopts a memorandum dated February 14, 2022 (Stabler and Smith to Guinn), incorporated herein by reference, which provided an overview of previously completed archeological investigations and concluded no additional investigations are needed on the site. The applicant should continue to coordinate with Historic Preservation staff to finalize the text of the interpretive signage prior to issuance of any grading permit for the property, as conditioned herein.
  - b. **Community Planning**—The Planning Board has reviewed and adopts a memorandum dated February 9, 2022 (Calomese to Guinn), incorporated herein by reference, which indicated that the proposed project has no master plan conformance issues, nor conformance issues with the applicable requirements of the M-I-O Zone for noise.
  - c. **Transportation Planning**—The Planning Board has reviewed and adopts a memorandum dated February 24, 2022 (Ryan to Guinn), incorporated herein by reference, which provided an analysis of the previous conditions of approval. In general,

the DSP is acceptable from the standpoint of transportation subject to the conditions included herein.

- d. **Permits**—The Planning Board has reviewed and adopts a memorandum dated February 15, 2022 (Glascoe to Guinn), incorporated herein by reference, which requested the development standards be added to the plans, as conditioned herein.
- e. **Environmental Planning**—The Planning Board has reviewed and adopts a memorandum dated February 28, 2022 (Nickle to Guinn), incorporated herein by reference, which provided responses to relevant previous conditions of approval and the following summarized comments:

Natural Resources Inventory NRI-047-08-07 was provided with this application. The TCP2 and the DSP show all the required information correctly. The NRI was updated several times to accommodate the delineation of the non-tidal wetlands. The current version of the plan is NRI-047-08-07. During the review of the subject DSP-20050, the applicant discovered that in one area, the PMA on the NRI was not updated to reflect the most recent wetland delineation. Prior to certification of DSP-20050, the NRI revision shall be approved to correctly reflect the current wetland delineation and PMA.

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

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible, under Section 24-130(b)(5) of the Subdivision Regulations. The on-site regulated environmental features include streams, stream buffers, wetlands, wetland buffers, and 100-year floodplain.

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

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

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

Thirteen PMA impacts totaling 4.28 acres were previously approved under PPS 4-11004 and PPS 4-15011. A revised letter of justification and associated exhibits were submitted on February 7, and February 23, 2022, to request six on-site impacts totaling 6.44 acres. Eight of the Impacts (2, 3, 4, 5, 6, 7, 11B, and 12) remain unchanged, as approved under PPS 4-11004. Impact 9 was eliminated during the review of PPS 4-11004. Impacts 1, 8, 10, and 11 from PPS 4-11004 and the PMA Impact 13 from PPS 4-15011 have been adjusted from what was previously approved and have been submitted for reapproval. A new impact (DSP PMA Impact 4) has been added for approval.

Based on the letter of justification, the applicant is requesting a total of six impacts listed, then described below:

**Impact 1 – Road Construction, Stormwater facility, Water and Sewer Lines**

Impact 1 is associated with the road crossing for Mattawoman Drive, a master planned right-of-way designated as an arterial right-of-way (A-63). A permanent impact of 76,779 square feet (1.76 acres) of wetland, wetland buffers, stream and stream buffers, and floodplain is proposed for the road construction (61,959 square feet or 1.42 acres), installation of a water line outside of the road right-of-way, and a sewer line connection (9,833 square feet or 0.23 acre), and the non-vegetative buffer for a SWM pond (4,987 square feet or 0.11 acre), as required by DPIE. This impact was previously approved under PPS 4-11004 as Impact 1. The Planning Board finds that the impacts have been minimized to the extent possible and supports the revision to this impact as necessary for the implementation of a master planned right-of-way and for the development of the site.

**Impact 2**

Impact 2 is for a crossing to construct Daffodil Court. A permanent impact of 24,370 square feet (0.56 acre) of stream and stream buffer is proposed for the road construction (21,711 square feet or 0.50 acre) and installation of a water line (2,659 square feet or 0.06 acre). The full impact for the construction of Daffodil Court was previously approved with PPS 4-11004 as Impact 8. The DSP requests a revision to this previously approved impact for the water line and associated easement to be located outside of the road right-of-way, due to DPIE requirements. With DSP-20050, the applicant is proposing to complete only a portion of this road; the ultimate extension of Daffodil Court will be included with future development review applications. The Planning Board finds that the impacts have been minimized to the extent possible, and supports the revision to this impact as necessary for the development of the site.

### **Impact 3**

Impact 3 is associated with the road crossing for Cattail Way, a master planned right-of-way designated as a collector (C-610). A permanent impact of 54,889 square feet (1.26 acres) of wetland, wetland buffers, stream and stream buffers, and floodplain is proposed for the road construction (52,542 square feet or 1.21 acres), installation of a water line outside of the road right-of-way (2,347 square feet or 0.05 acre). This impact was previously approved under PPS 4-11004 as Impact 10. The Planning Board finds that the impacts have been minimized to the extent possible, and supports the revision to this impact as necessary for the implementation of a master planned right-of-way, and for the development of the site.

### **Impact 4**

Impact 4 is a new PMA impact request for an outfall from a SWM pond for the eastern development area approved with PPS 4-15011. A permanent impact of 4,097 square feet (0.09 acre) of wetland, wetland buffers, and floodplain is proposed for a SWM pond outfall. At the time of PPS 4-15011 review, the stormwater plans were not fully engineered. The outfall is necessary as a discharge point from the SWM pond. The Planning Board finds that the impacts have been minimized to the extent possible and supports this impact as necessary for the development of the site.

### **Impact 5**

Impact 5 is associated with the road crossing for Cattail Way where it intersects with Missouri Avenue and connects with Mangrove Drive, a master planned right-of-way designated as a collector (C-610). A permanent impact of 111,639 square feet (2.57 acres) of wetland and wetland buffers is proposed for the road construction and the development of the residential pod south of Cattail Way. This impact was previously approved under PPS 4-15011 as Impact 13. The applicant was conditioned to construct this right-of-way and provide a secondary entrance to the M-NCPPC-owned SAARC.

Since the approval of PPS 4-15011, the applicant has discussed alternatives with DPIE in an effort of reducing the wetland impacts. The alternatives included the construction of a narrower right-of-way for the collector road, and the realignment of the road increasing the tie back slopes to 2:1. Because Cattail Way is a master planned right-of-way, DPIE did not agree with the reduction of the right-of-way width or any realignment of the roadway, but did agree to reducing the tie out slopes to 2:1. DPIE provided the applicant with a roadway bio-trench design to provide an ESD treatment facility designed to provide opportunities to divert stormwater into the wetland system within the public right-of-way, thus reducing further impacts to the existing wetlands. Curb cuts will direct stormwater into the bio-trenches to be treated for both quality and quantity control. The treated stormwater is then discharged into the wetlands. Plantings will be installed in each bio-trench area. Within the private roads of the townhouse development south of Cattail Way, curb openings have been designed to divert the stormwater into the wetlands in the effort to maintain the hydrology for the wetlands. The Planning Board finds that the impacts have been minimized to the extent possible, and supports the revision to this

impact as necessary for the implementation of a master planned right-of-way, and for the development of the site.

### **Impact 6**

Impact 6 is associated with the road improvements for Missouri Avenue, a master planned right-of-way designated as a primary residential road (P-505). A permanent impact of 8,737 square feet (0.20 acre) of wetland, wetland buffers, stream and stream buffers, and floodplain is proposed for the right-of-way improvements. This impact was previously approved under PPS 4-11004 as Impact 11. The Planning Board finds that the impacts have been minimized to the extent possible and supports the revision to this impact as necessary for the implementation of a master planned right-of-way, and for the development of the site.

### **Summary**

After evaluating the applicant's SOJ for proposed impacts to regulated environmental features, the Planning Board supports proposed DSP Impacts 1 through 6. Eight of the impacts (2, 3, 4, 5, 6, 7, 11B, and 12) remain unchanged, as approved under PPS 4-11004. Impact 9 was eliminated during the review of PPS 4-11004. Impacts 1, 8, 10, and 11 from PPS 4-11004, and the PMA impact from PPS 4-15011 have been adjusted from what was previously approved under the PPS, and have been submitted for reapproval. A new impact (DSP PMA Impact 4) has been added for approval.

The TCP2 requires technical revisions prior to certification, as conditioned herein.

- f. **Subdivision**—The Planning Board has reviewed and adopts a memorandum dated February 8, 2022 (Diaz-Campbell to Guinn), incorporated herein by reference, which noted that the development proposed by this DSP is within the limitations established with PPS 4-11004 and PPS 4-15011 and provided responses to the relevant previous conditions of approval and the following summarized comments:

The DSP proposes 380 lots in the area subject to PPS 4-11004, however, only 379 lots were approved under this PPS. Prior to the approval of PPS 4-11004, 436 lots were proposed; however, the discovery of additional wetlands on the east side of the overall property led to the removal of 57 lots from the plan and their replacement with Outlot W (see PGCPB No. 14-110(C), page 15), leading to the 379 lots now available. The 379 lots approved under PPS 4-11004 are a strict limitation on the amount of subdivision of land permitted. Though Outlot W was further subdivided under PPS 4-15011, and though not all the lots approved under that PPS are now proposed with this DSP, the applicant cannot transfer unused lot capacity from PPS 4-15011 to PPS 4-11004, as they are separate PPS. The applicant also cannot gain an additional lot by forfeiting a dwelling unit from the approved number of multifamily or two-over-two dwelling units, as the number of lots and number of dwelling units are counted and approved separately under a PPS. Despite the additional lot proposed being a minor change to the overall lotting pattern approved with PPS 4-11004, the DSP cannot be found in conformance with this PPS until the additional lot is removed. Once one lot is removed, the DSP will be in

conformance with the 379 lots approved under PPS 4-11004. It will also be in conformance with the 1,295 dwelling units approved under PPS 4-11004 without the need to subtract a dwelling unit from the two-over-two or multifamily components of the development.

With regard to subdivision layout, in the area west of the Villages of Timothy Branch, the DSP conforms to the general street, alley, lot, and parcel layout approved with PPS 4-11004; the additional lot discussed above notwithstanding. East of the Villages of Timothy Branch, the DSP shows a different street, alley, and lot layout than the one approved with PPS 4-15011. However, the Phase E development area's access point onto Cattail Way remains in the same location. Following approval of PPS 4-15011, more areas of wetlands were discovered within the boundaries of the PPS, leading to a further reduction in the number of lots from 56 approved with the PPS to the 51 now proposed with the DSP. This discovery of additional wetlands also led to the change in subdivision layout.

The Planning Board finds the revised layout acceptable, and that the overall DSP layout remains in conformance with both PPS 4-15011 and PPS 4-11004, subject to the conditions included herein.

- g. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts a memorandum dated February 28, 2022 (Sun to Guinn), incorporated herein by reference, in which DPR noted that the subject site is adjacent to the M-NCPPC's Brandywine Area Park, which contains the SAARC. This DSP is subject to the conditions of approval from the reconsiderations of PPS 4-11004 and PPS 4-15011 to ensure that the improvements to the adjacent M-NCPPC's SAARC facility will be implemented.
- h. **Prince George's County Fire/EMS Department**—The Planning Board has reviewed and adopts an email dated January 20, 2022 (Reilly to Guinn), incorporated herein by reference, in which the Fire Department provided comments regarding roadway width and hydrant locations, which have been addressed in the drawings.
- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts a memorandum dated February 16, 2022 (Giles to Guinn), incorporated herein by reference, in which DPIE provided comments regarding road, traffic, sidewalk, rights-of-way, and soils issues, which were transmitted to the applicant to be addressed at the time of permitting.
- j. **Prince George's County Police Department**—The Police Department did not provide any comments on the subject application.
- k. **Prince George's County Health Department**—The Planning Board has reviewed and adopts a memorandum dated January 13, 2022 (Adepoju to Guinn), incorporated herein by reference, in which the Health Department provided comments relative to the desktop

health impact assessment review of the site, and a recommendation for the use of dust and noise controls during construction, as conditioned herein.

- l. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board has reviewed and adopts plan notes and a memo sent on January 20, 2022 (Madagu to Guinn), incorporated herein by reference, in which WSSC provided water, sewer, and associated easement conditions to be addressed prior to development of the site, which were transmitted to the applicant.
  - m. **Maryland State Highway Administration (SHA)**—The Planning Board has reviewed and adopts an email dated February 8, 2022 (Woodroffe to Guinn), in which SHA indicated that they had no comments on the subject application.
15. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if approved with the proposed conditions below, will 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.
  16. As required by Section 27-285(b)(2) of the Zoning Ordinance, this DSP is also in general conformance with the approved CSP.
  17. As required by Section 27-285(b)(4) of the Zoning Ordinance, 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).**

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the impact exhibit and the conditions included in this resolution. Eight of the Impacts (2, 3, 4, 5, 6, 7, 11B, and 12) remain unchanged as approved under PPS 4-11004. Impact 9 was eliminated during the review of PPS 4-11004. Impacts 1, 8, 10, and 11 from PPS 4-11004 and the PMA Impact from PPS 4-15011 have been adjusted from what was previously approved under the PPS and have been submitted for reapproval. A new impact (DSP PMA Impact 4) has been added for approval.

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 TCP2-008-2017-01, and further APPROVED Detailed Site Plan DSP-20050 for the above-described land, subject to the following conditions:



1. Prior to certification, the detailed site plan (DSP) shall be revised, as follows:
  - a. Revise the plan such that there are no more than 379 lots within the area of the site subject to Preliminary Plan of Subdivision 4-11004.
  - b. Add a table of development standards to the plans, including minimum lot size and width, front, side, and rear setbacks, maximum residential building height, and standards for fences, decks, and sheds.
  - c. Revise the tree canopy coverage worksheet to show that 10 percent of the gross tract area is required.
  - d. Revise the photometric plan to show adequate lighting for all on-street parking and parking lots.
  - e. Add a 20-foot-wide landscaped buffer along the right-of-way of Cattail Way.
  - f. Add notes to the plans indicating the triggers for recreational facility completion.
  - g. 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.
  - h. Obtain approval of a revision to the natural resources inventory plan to correct the wetland delineation and primary management area.
  - i. Prior to the issuance of the 250th residential building permit, the applicant shall submit a traffic signal warrant analysis to the Maryland State Highway Administration (SHA) for the intersection of US 301 and Mattawoman Drive, unless otherwise directed by SHA, with written correspondence, that the warrant analysis is not required until a later building permit number. If the signal is deemed warranted and required by SHA, the applicant shall construct the traffic signal according to a schedule, as directed by SHA.
  - j. Revise the Road Phasing Information table on Sheet 3 of the DSP to reflect the required deadline for completion of improvements, in accordance with the reconsiderations of Preliminary Plans of Subdivision 4-11004 and 4-15011.
  - k. Add dog waste stations at intervals throughout the development.
  - l. Revise the playground equipment to include accessible play features, specifically an ADA-accessible swing.

2. Prior to certification of the detailed site plan, the Type 2 tree conservation plan (TCP2) shall be revised as follows, in accordance with the Environmental Technical Manual:
  - a. Reflect the off-site woodland conservation impacts and mitigation approved under TCPII-055-09.
  - b. Add the following note to the plan under the specimen tree table:

“NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE): The removal of two specimen trees (Section 25-122(b)(1)(G)) ST-35 and ST-36.”
  - c. Add the limits of disturbance line to the plans.
  - d. Update the general note for the invasive plant species removal notes to add timing for implementation, insert the qualified professionals name that prepared the management plan, and the date of the document.
  - e. Have the TCP2 and worksheet signed by the qualified professional who prepared it.
3. Prior to the certification of the Type 2 tree conservation plan (TCP2) for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submission to the Office of Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber \_\_\_\_\_ Folio \_\_\_\_\_. Revisions to this TCP2 may require a revision to the recorded easement.”
4. Prior to approval of a grading permit, the applicant shall:
  - a. Implement the invasive species management plan.
  - b. Coordinate with Historic Preservation staff to finalize the text of the interpretive signage.
5. The residential units approved in this DSP development should be constructed in accordance with the Stephen’s Crossing Road Phasing Plan.

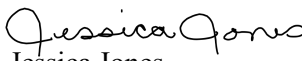
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

\* \* \* \* \*

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, and Doerner voting in favor of the motion, and with Commissioner Hewlett absent at its regular meeting held on Thursday, March 31, 2022, in Upper Marlboro, Maryland.

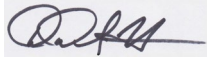
Adopted by the Prince George's County Planning Board this 21st day of April 2022.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:RG:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: April 6, 2022