

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on November 4, 2004, regarding Specific Design Plan SDP-0408 for Summerfield at Morgan Station, the Planning Board finds:

1. The request is for preliminary grading of a residential development along Garrett A. Morgan Boulevard. Approval of the request will set the direction for the final development design and preservation of important environmental features on the site.
2. **Development Data Summary**

|                 | <b>EXISTING</b> | <b>PROPOSED</b>      |
|-----------------|-----------------|----------------------|
| Zone(s)         | L-A-C           | L-A-C                |
| Use(s)          | Vacant          | Rough Grade for Dev. |
| Acreage         | 57.46           | 57.46                |
| Lots            | 0               | 406 (approximate)    |
| Outparcels      | 0               | 2                    |
| Dwelling Units: |                 |                      |
| Attached        | 0               | 0*                   |
| Multifamily     | 0               | 0*                   |

\*Ultimately, 406 attached units and 500 multifamily units are proposed on the site. The subject application approves grading of the site but does not authorize construction of any dwelling units.

3. **Location:** The site is in Planning Area 72, Council District 5, and is located on Tax Map 67 and Grid A-3 west of I-95/495 and north of MD 214. The property is located on both sides of Garrett A. Morgan Boulevard north of the new Garrett A. Morgan Boulevard Metro Station and the extension of the Metro Blue Line.
4. **Surroundings and Use:** The proposed development is bordered by Hill Road Park and single-family homes on the west. There are single-family homes on the north, apartments on the east (across Garrett Morgan Blvd.), and undeveloped forested land to the south.
5. **Previous Approvals:** This site has previously been approved for Basic Plan A-9678-C, Preliminary Plan 4-03124 (Phase I Lot 1 and Outparcels A and B) and 4-0432, Comprehensive Design Plan CDP-0301, and Type I Tree Conservation Plan TCPI/27/03. Some conditions of the basic and preliminary plans are discussed in the transportation planning referral.

## COMPLIANCE WITH EVALUATION CRITERIA

6. **Zoning Ordinance:** As the subject SDP proposes only rough grading of the site, it is in conformance with all applicable regulations of the L-A-C Zone.
7. **Zoning Map Amendment A-9678:** The current L-A-C Zone was created for this 56-acre property in 1989 from an existing 91-acre R-R Zone property. Conditions for the approval include funded transportation improvements, maximum units for the R-M and L-A-C Zones, alignment of Ritchie Road, grading or cutting of trees, and Metro details. The zoning plan also mentioned what should be expected for the comprehensive design plan including a 100-foot vegetated buffer "...where there is existing residential development...and a minimum 50-foot buffer where there are undeveloped adjacent properties." An additional recommendation for the CDP was "...how structures fit the land form and use of the topography...methods of preservation and conservation of woodlands and trees should be proposed in relation to accommodation of structures." The proposed development will "...fit the land form..." to the degree feasible given the type of dense, transit-oriented development desired on this site.
8. **Comprehensive Design Plan:** Given that the subject SDP is for grading only, few of the conditions of CDP-0301 are applicable to this application. The SDP is in general conformance with the environmental envelope established in the CDP, as modified and refined by the approved preliminary plan of subdivision.
9. **Preliminary Plan for Subdivision 4-03124, Summerfield at Morgan Station, Phase I, and 4-04032 Phase II:** Preliminary Plan 4-03124 for Lot 1 (500 multifamily units) was adopted on March 11, 2004, with 14 conditions. The conditions that apply to grading are Condition 1, which requires revisions to the Type I tree conservation plan that should be addressed prior to certification of the subject SDP. Conditions 2,3,7 and 8 require review of on-site private recreational amenities and proper siting to include sidewalks along Garrett A Morgan Blvd. and trail connections from Willow Hill Drive to Morgan Blvd. and the Metro as well as a comprehensive trail plan. A landscaped grass strip shall be provided between the trail along Garrett A. Morgan Blvd. as a buffer for pedestrians and visual relief. These issues will be addressed in subsequent SDP applications.  
  
Preliminary Plan 4-04032 for Parcels A and B (415 townhouse lots) was adopted on September 23, 2004 with 17 conditions. Conditions that apply to grading include revision to the Type I Tree Conservation Plan (prior to certification of the SDP), permission from the Department of Parks and Recreation for clearing and grading on their property, and approval of a Type II tree conservation plan with prior approval from the Department of Parks and Recreation for grading on their property.
10. **Woodland Conservation Ordinance:** The entire site is densely wooded with 68 specimen trees 30 inches in diameter or larger. Only a small portion, less than 20 percent, is saved using the current preliminary plan. A conservative grading plan for rough grading will allow future plan alternatives to save valuable specimen and forest stands in the PMA and at the edge of the site. The

Environmental Planning Section has recommended that prior to approval of any permits, beyond rough grading, that the TCPII shall be revised to address previous comments and "...show the full extent of proposed clearing and grading operations."

11. **Environmental Features:** The soils, according to the Prince George's County Soil Survey, include Collington fine sandy loam, Adelphia silt loam, Mixed alluvial land, and Sunnyside loam. The Mixed alluvial land, Adelphia, and Sunnyside soils have severe limitations due to high water tables and impeded drainage. Collington soils pose few limitations to development. According to available information, Marlboro clay is not found to occur in the vicinity of this property. Preliminary Plan of Subdivision 4-03124 also states, "These limitations will not affect the proposed development layout or infrastructure, but may have an impact during the construction phase of the project. During the design phase of this project, special consideration should be given to areas with impeded drainage and high water tables because many residences in this area and throughout the county experience basement flooding during the winter months and during storm events of extended duration. The plans should account for natural drainage away from the residences and for backup systems."
12. **Design Features:** The site is being reviewed for rough grading but certain design changes should be considered to improve the design and reduce the impacts of development. The applicant has agreed to modify the grading plan to pull back the limits of disturbance so the suggested design changes and additional preservation of trees and steep slopes can be reviewed more carefully in the course of subsequent development applications.

The specific design plan was adjusted to reduce construction on steep slopes and to preserve forested land and large trees along the central drainage wetland and the stream along the western side of the site. The limit of disturbance was pulled back away from steep slopes of the proposed development on the northern edge west of Garrett A. Morgan Blvd, the central wetland area, and on the northeast, east of Garrett A. Morgan Blvd. The connection across the central wetland area was also not shown in the limit of disturbance to allow for the possibility of future changes in the plan that could eliminate this connection.

13. **Referral Responses:**
  - a. The Community Planning Division found (Osei to Greene, Sept 20, 2004): "This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier and Regional Center designation for the Morgan Boulevard Metro Station." and "...conforms to the 2004 approved Morgan Boulevard and Largo Town Center Metro Areas Sector Plan land use recommendations."
  - b. The Subdivision Section stated that the two preliminary plans contained several conditions that should be met prior to a rough grading plan. Preliminary Plan 4-03124 (Phase I, Lot 1) for 500 multifamily units requires for Condition 1 revisions to the Type I tree conservation plan prior to certification of the SDP. Conditions 2, 3, 7 and 8 discuss recreation amenities and trails. Preliminary Plan 4-04032 (Phase II) for 415 lots had several conditions that are relevant to grading. Condition 1 requires revisions to the Type I tree conservation plan prior

to certification of the SDP. Condition 12 requires approval of a Type II tree conservation plan but Condition 2 requires that the Department of Parks and Recreation approve clearing and grading on its property prior to approval of the Type II TCP.

- c. The Transportation Planning Section found (Masog to Greene, Sept. 13, 2004) that all conditions of the prior applications were met with the following exception: Condition 17a: "...traffic signal warrant studies to DPW&T at the time of SDP at the Garrett A Morgan Boulevard/Metrorail station entrance intersection...the applicant must provide specific evidence of the status of the signal or otherwise submit the required warrant study...a condition for certification of SDP-0403." The applicant has since submitted information to indicate that this issue has been resolved

Based on roadway improvements in Preliminary Plans of Subdivision 4-03124 and 4-04032, "Insofar as the basis for the findings is still valid, and in consideration of the scope of this application, the transportation staff can make a finding that the subject property is in general conformance with the approved preliminary, comprehensive design, and basic plans. The Transportation Planning Section also finds that the subject application will be served by adequate transportation facilities within a reasonable period of time. This finding is conditional, however, on the provision of the current status of the planned traffic signal and improvements at the Garrett A Morgan Boulevard/Metrorail station entrance intersection."

The senior trails planner had "no recommendations" but stated, "All previously approved trail and sidewalk conditions still apply." These recommendations were included as Condition 17 of approved CDP-0301.

- d. Permit Review Section staff had several questions and comments that were resolved in the course of the review.
- e. The Department of Parks and Recreation staff had "no comments" for this proposal. They had no objections to grading on parkland.
- f. The State Highway Administration stated "based on the M-NCPPC Resolution No. 04-06 Condition 13(a) and (b), this office is satisfied that prior to full build the improvements to the state highway system will be implemented."
- g. The Department of Environmental Resources stated: "The site plan shows the infrastructure for Summerfield at Morgan Station SDP-0408 is consistent with approved stormwater concept #39562-2003."
- h. The Environmental Planning Section staff stated that "The subject SDP and TCPII will be reviewed in more detail when the SDPs for each phase are submitted and reviewed. Prior to the approval of any permits beyond those needed for the rough grading of Phases I and II, the TCPII shall be revised to fully address all previous comments and to show the full extent of proposed clearing and grading of the property."

## REQUIRED FINDINGS

14. The plan generally conforms to the approved Comprehensive Design Plan, CDP-0301 in regard to preservation of environmental features such as wetlands, steep slopes and tree stands in that they have submitted a Woodland Conservation Plan and Tree Conservation Plan. The applicant must satisfy the TCPII requirements to show the full extent of clearing and grading.
15. As the subject application will not result in approval or construction of any dwelling units, the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.
16. The approved stormwater concept plan has made adequate provision for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.
17. The plan is in conformance with an approved Type I tree conservation plan.

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 the Type II Tree Conservation Plan (TCPII/83/04-01), and further APPROVED Specific Design Plan SDP-0408 for the above-described land, subject to the following conditions:

1. Prior to certification of SDP-0408, certification of Preliminary Plans 4-03124 and 4-04032 and accompanying tree conservation plans shall be completed. This SDP shall reflect any revisions required as a result of certification of the preliminary plans.
2. Prior to the approval of any permits beyond those needed for the rough grading of Phases I and II, the TCPII shall be revised to fully address all previous comments and to show the full extent of proposed clearing and grading of the property.

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 Squire, seconded by Commissioner Harley, with Commissioners Squire, Harley, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, November 4, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of December 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:DG:rmk