

R E S O L U T I O N

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 April 26, 2018, regarding Specific Design Plan SDP-1704 for Summerfield at Morgan Station, Phase 3, the Planning Board finds:

1. **Request:** The subject application is for approval of a specific design plan (SDP) for 52 single-family attached units (townhouses) in Phase 3 of a larger development known as Summerfield at Morgan Station.
2. **Development Data Summary:**

|                              | <b>EXISTING</b>   | <b>APPROVED</b>   |
|------------------------------|-------------------|-------------------|
| Zones                        | L-A-C/D-D-O/M-I-O | L-A-C/D-D-O/M-I-O |
| Use                          | Vacant            | Residential       |
| Total Gross Acreage          | 11.34             | 11.34             |
| 100-year floodplain          | 1.23              | 1.23              |
| Single-Family Attached Units | 0                 | 52                |

**OTHER DEVELOPMENT DATA—PARKING**

|                                 | <b>REQUIRED</b> | <b>APPROVED</b> |
|---------------------------------|-----------------|-----------------|
| 52 Single-family attached units | 107 (2.04/unit) | 107             |
| On-street parking               | -               | 17*             |
| <b>Total</b>                    | <b>107</b>      | <b>124</b>      |

**Note:** \*On-street public parking for visitors

## ARCHITECTURAL MODELS

| Ryan Homes                              | Base Finished Floor Area |
|-----------------------------------------|--------------------------|
| Clarendon (three-story; one-car garage) | 1,620 square feet        |
| Clarendon (one-car garage)              | 1,845 square feet        |
| Strauss (two-car rear garage)           | 1,989 square feet        |
| Strauss Attic (two-car rear garage)     | 2,221 square feet        |
| Hepburn (one-car rear garage)           | 1,383 square feet        |

3. **Location:** The subject property is located approximately 1,200 feet north of the intersection of MD 214 (Central Avenue) and Summerfield Boulevard, across from the Morgan Boulevard Metro Station, in Planning Area 67, and Council District 5.
4. **Surrounding Uses:** The subject site is adjacent to Local Activity Center (L-A-C) and Development District Overlay (D-D-O)-zoned property to the north that was developed as Phase 2 of Summerfield at Morgan Station with residential townhouses. The site is bounded on the west by the public right-of-way of Garret A Morgan Boulevard. The properties directly across Garrett A Morgan Boulevard are zoned Mixed Use-Infill (M-U-I) and D-D-O and are developed with the Morgan Boulevard Metro Station. The development to the south and east is zoned Residential Medium Development (R-M) and Military Installation Overlay (M-I-O) and is developed with residential townhouses.
5. **Previous Approvals:** The subject site is Phase 3 of Summerfield at Morgan Station. This site has an approved Zoning Map Amendment (Basic Plan), A-9678-C, which was approved by the Prince George's District Council (Zoning Ordinance No. 3-1989) on January 9, 1989 to rezone the property to the L-A-C Zone, with nine conditions and 16 considerations. The 2004 *Approved Sector Plan and Sectional Map Amendment for the Morgan Boulevard and Largo Town Center Metro Areas* (Morgan Boulevard and Largo Town Center Metro Areas Sector Plan and SMA) retained the L-A-C Zone for the property and superimposed a D-D-O Zone. The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA) also retained the property in the L-A-C Zone and superimposed a D-D-O Zone on the property. A small portion of the southern area of the application is located within the M-I-O Zone.

Comprehensive Design Plan CDP-0301, for the L-A-C-zoned portion, was approved by the Prince George's County Planning Board on September 4, 2003 (PGCPB Resolution No. 03-181) with 23 conditions. The District Council affirmed the Planning Board's approval on January 27, 2004 with 22 conditions.

Preliminary Plan of Subdivision (PPS) 4-14001, for 52 townhouses on 11.34 acres, was approved by the Planning Board on July 9, 2015 with 21 conditions.

The proposed site development has an approved Stormwater Management (SWM) Concept Plan, 39019-2014-01, which was approved on March 8, 2018 and is valid through March 8, 2021.

6. **Design Features:** The subject SDP is for 52 townhouses, as approved in PPS 4-14001. The site will be accessed directly from Garrett A Morgan Boulevard through Road A. Private Road B, which is perpendicular to Road A and is parallel to Garrett A Morgan Boulevard, will provide access to nine building sticks on the site. Four building sticks are oriented toward Garrett A Morgan Boulevard, and the five remaining building sticks are perpendicular to both Road B and Garrett A Morgan Boulevard. Fifteen on-street parking spaces are provided on Road B and two additional parking spaces are provided along a private alley.

An open green area of approximately 5,352 square feet, with a bioretention garden, terminates the vista of Road A when one enters the subject site. A six-foot-wide boardwalk is also proposed to link the open green area to the north of the subject site to connect to the Summerfield community trail network. Four benches are shown along the boardwalk and a lookout terrace, with decorative pavers, is also proposed east of Lot 9. A monument sign is also located on the open green area facing the main entrance (Road A) to the site. The monument sign carries the subdivision name of “Morgan Overlook” on the four-foot-high brick-veneer wall, with an 18-inch by 18-inch masonry column that has a precast cap on its east side, adjacent to Lot 4. The design and materials of the proposed signage is acceptable. The monument sign face area cannot be more than 12 square feet in accordance with Part 11 of the Prince George’s County Zoning Ordinance. A condition has been included in this resolution requiring that the square footage of the sign be provided prior to certification.

Three townhouse architectural models of Ryan Homes have been proposed with this SDP. The townhouses are predominately three stories in the front, with some being four stories on the rear. The townhouses are of the current regional style featuring pitched roofs, some with cross-gables, and some with a rooftop terrace. The front elevations of the townhouses are finished predominantly with brick and some with a combination of brick and standard vinyl siding. Other design features such as shutters, box windows, decorative louvers, solid course lintels, and pedimented doors are also used throughout the front elevations. The rear and side elevations are finished mainly with vinyl siding and the side elevations have a brick watertable and a standard deck. The dimensions of each floor have been provided. However, the total building height is not provided. A condition has been included in this resolution requiring that the building height be properly labeled on all elevations.

For those side elevations on the highly-visible end units that are viewed from the streets, such as Garrett A Morgan Boulevard and Road A, the first floor should be finished with brick and a minimum of four design features should be provided in a balanced composition. Those highly-visible end units include Lots 3, 4, 15, 16, 25, 26, 32, 33, 38, 39, 46, 47, and 52. A highly-visible end unit elevation should be provided in the architectural plan set prior to certification of this SDP, and a condition has been included in this resolution.

Full cut-off light fixtures are proposed for the street lights. The proposed lighting fixtures details are shown on the landscape plan.

At the time of Comprehensive Design Plan CDP-0301 approval, a set of development standards was approved for townhouses regarding lot width and depth. The final approval of the CDP also allows variation to the applicable development standards, to be approved by the Planning Board at the time of SDP, on a case-by-case basis. This SDP proposes the identical site layout, street pattern, and lotting pattern with the minimum lot size as those approved with PPS 4-14001. The lot width, as shown on the SDP, varies from 16 to 23 feet and the lot depth varies from 58 to approximately 82 feet, which is consistent with the approved development standards.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment (Basic Plan) A-9678-C:** The current site in the L-A-C Zone was rezoned as a part of a larger Zoning Map Amendment, A-9678, consisting of 233.68 acres in the R-M Zone and 91.9 acres in the L-A-C Zone that was approved by the District Council on January 9, 1989, subject to 9 conditions and 16 CDP considerations. Conditions of 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 issues relative to the Metrorail facilities in the area. All conditions of approval, including considerations, have been fulfilled through previous approvals.
8. **2004 Approved Sector Plan and Sectional Map Amendment for the Morgan Boulevard, Largo Town Center Metro Areas and the 2010 Approved Subregion 4 Master Plan and Sectional Map Amendment:** Both the Morgan Boulevard and Largo Town Center Metro Areas Sector Plan and the Subregion 4 Master Plan retained the L-A-C Zone for the property and superimposed a D-D-O Zone on the property. However, this application is not subject to D-D-O Zone standards and is subject to approval of an SDP.

In addition, the Planning Board, in the approval of PPS 4-14001 (PGCPB Resolution No. 15-71), made the following summarized findings:

“Subsequent to approval of CDP-0301, the District Council approved the May 2004 *Approved Sector Plan and Sectional Map Amendment for the Morgan Boulevard and Largo Town Center Metro Areas*, which placed the subject property in a Development District Overlay Zone and incorporated the previous approval on the mixed-use L-A-C (Local Activity Center) Zone as modified by Comprehensive Design Plan CDP-0301.

“The Subregion 4 Master Plan SMA was then adopted in 2010. The Subregion 4 Master Plan replaces the May 2004 *Approved Sector Plan and Sectional Map Amendment for the Morgan Boulevard and Largo Town Center Metro Areas* Sector Plan, but the Subregion 4 Master Plan SMA did not replace the Morgan Boulevard and Largo Town Center Metro Areas D-D-O Zone. If this property were not in a comprehensive design zone, it would be subject to the Morgan Boulevard and Largo Town Center Metro Areas D-D-O Zone Development Standards and the Subregion 4 Master Plan.

“The 2010 Subregion 4 Master Plan and Sectional Map Amendment, which included the subject site, retained the L-A-C zoned property in the D-D-O Zone but only provided supplemental standards for the I-1 and the M-U-I Zones, it did not provide supplemental standards for the L-A-C Zone.”

9. **Prince George’s County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the L-A-C, D-D-O, and M-I-O Zones of the Zoning Ordinance, as follows:
  - a. The subject application is in conformance with the applicable requirements of Section 27-494, Purposes; Section 27-495, Uses; and Section 27-496, Regulations, governing development in the L-A-C Zone. The subject site is part of a larger development approved under Comprehensive Design Plan CDP-0301. Conformance with CDP-0301 is discussed below.
  - b. Even though the subject site is located within the D-D-O Zone, it is not subject to the requirements of the D-D-O Zone, as discussed in Finding 8.
  - c. Military Installation Overlay Zone: A portion of the project is also located within Joint Base Andrews Imaginary Surface B of the M-I-O Zone, that has a maximum height limit not to exceed 400 feet. The proposed townhouses have three stories and will not exceed a maximum of four stories, which is less than 50 feet. The proposed townhouse dwelling units are below the maximum building height of 400 feet and conform to the regulations of the M-I-O Zone.
  - d. Section 27-528 of the Zoning Ordinance sets forth the following criteria for approval of an SDP:
    - (a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**
      - (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**

The plan conforms to the requirements of Comprehensive Design Plan CDP-0301, as detailed in Finding 10, and the 2010 *Prince George's County Landscape Manual* (Landscape Manual), as detailed in Finding 12 below.

The subject site is within one-half mile of an existing Washington Metropolitan Area Transit Authority (WMATA) Metrorail station, Morgan Boulevard. The regulations set forth in Section 27-480(d) and (e) are discussed, as follows:

#### **Section 27-480 General Development Regulations**

- (d) There shall be no more than six (6) townhouses per building group in any Comprehensive Design Zone (with the exception of the V-L and V-M Zones) for which an application for a Specific Design Plan is filed after December 30, 1996, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) 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 six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the SDP, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The restrictions on units per building group and percentages of building groups shall not apply to townhouses in the L-A-C Zone, if any portion of the L-A-C tract lies within one-half (1/2) mile of an existing or planned Washington Metropolitan Area Transit Authority Metrorail station. In no event shall there be more than nine (9) dwelling units in a building group. Garage parking within all building groups shall be provided in rear-loaded garages except where the rears of the units are located along open space areas along the perimeter of the development area or areas of steep topography.**

Of the nine building sticks included in this SDP, one has three units, one has four units, six buildings have six units, one has seven units, and one has eight units. The property is located in the L-A-C Zone within one-half mile of an existing WMATA Metrorail station and, therefore, the restrictions on units per building group and percentage do not apply. All garage parking within all building groups is provided in rear-loaded garages.

- (e) **The minimum building width for townhouses in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space for a townhouse shall be one thousand two hundred and fifty (1,250) square feet in any development for which an application for a Specific Design Plan is filed after December 30, 1996 (with the exception of townhouses in the V-L and V-M Zones and, as it applies to the minimum building width only, townhouses on property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or planned Washington Metropolitan Area Transit Authority Metrorail station). 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 property is located in the L-A-C Zone within one-half mile of an existing WMATA Metrorail station. Therefore, the minimum building width requirement does not apply, and the minimum 16-foot width proposed is in conformance with CDP-0301. The base finished areas of the proposed models are between 1,383 square feet and 2,221 square feet, which is above the minimum required 1,250 square feet.

- (1.1) **For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

The subject project is not a regional urban community. Therefore, the requirements of this subpart are not applicable to this SDP.

- (2) **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, provided as part of the private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;**

The SDP was reviewed by the Planning Board and found that the development will be served by adequate transportation facilities within a reasonable period of time. The development will be served by existing facilities and proposed improvements provided as part of the larger CDP; therefore, this requirement is met. All public facilities are adequate to serve this project.

- (3) **Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;**

The proposed development has an approved SWM Concept Plan, 39019-2014-01, providing for draining surface water. The approved SWM concept plan is valid until March 8, 2021. The SDP is in conformance with the approved SWM concept plan according to the review of the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).

- (4) **The plan is in conformance with an approved Type 2 Tree Conservation Plan;**

The site has an approved Type 1 Tree Conservation Plan, TCP1-027-03-03. A Type 2 Tree Conservation Plan, TCP2-083-04-04, has also been submitted with this application package. The Planning Board found that the plan is in conformance with the approved TCP2.

- (5) **The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The SDP and the companion TCP2 demonstrate that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with Section 24-130(b)(5) of the Subdivision Regulations if modified in accordance with the conditions in this resolution.

10. **Comprehensive Design Plan CDP-0301:** Comprehensive Design Plan CDP-0301 for the L-A-C-zoned portion of the larger property of Summerfield at Morgan Station, including the subject site, was originally approved by the Planning Board on September 4, 2003 (PGCPB Resolution No. 03-181). The District Council affirmed the Planning Board's decision on January 27, 2004 with 22 conditions. The conditions of approval that are applicable to the review of the subject SDP are discussed as follows:
5. **The Woodland Conservation Threshold portion of the requirement (8.97 acres) shall be satisfied as on-site preservation of priority woodlands. The balance of the requirements may be satisfied by additional on-site preservation, on-site reforestation, or at an approved off-site mitigation bank in the Developing Tier. If the project is phased, woodland on-site that will be cleared in the future can be used to meet the requirements until such time as the off-site mitigation requirement is applicable.**



The Planning Board concluded that the subject application meets all requirements of the Woodland and Wildlife Habitat Conservation Ordinance (WCO), subject to several conditions.

6. **No Specific Design Plans for residential development shall be submitted on the subject property south of the Metro station until a building permit is issued for a minimum of 50,000 square feet of commercial uses to the south of the Metro station including at least 3 acres on the property encompassed by the subject CDP.**

This condition has been filled by prior approvals in Phases 1 and 2 in previously approved Specific Design Plans SDP-0403 and SDP-0418, respectively.

7. **The applicant, his successors, and/or assigns, shall provide adequate, private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.**

A public open space of approximately 5,352 square feet is shown on the site plan that terminates the vista when entering the subdivision. The open space has some sitting areas and a six-foot-wide boardwalk connecting the property to the public park to the north. Given the location of the subject site, the recreational facilities provided on the site is adequate.

8. **The improvements at Garrett A Morgan Boulevard at East Village/West Village access shall include modification of the intersection to provide left-turn bays at the median break to serve the site accesses.**

This condition has been satisfied because it relates to the East Village/West Village access roadway, which is fully completed.

16. **At the time of the Specific Design Plan, the following shall be shown on the Specific Design Plan drawings:**

- a. **A continuous minimum eight-foot-wide sidewalk or trail along the subject site's entire road frontage on the west side of Morgan Boulevard to complement the existing trail on the east side of Morgan Boulevard and allow for safe pedestrian travel to and from the Metro and FedEx Field.**

This SDP is for the third phase of Summerfield at Morgan Station that is located on the east side of Garrett A Morgan Boulevard. This condition is not applicable to this SDP.

- b. **A pedestrian connection from the end of Willow Hill Drive to Morgan Boulevard. In areas where the connection is located along planned roadways, a six-foot-wide sidewalk can be substituted for the trail.**

This trail was provided in Phases 1 and 2 of the Summerfield development, as contained in the previously approved Specific Design Plans SDP-0403 and SDP-0418, respectively.

- c. **A pedestrian connection from the end of Willow Hill Drive to Metro to link the existing communities and the subject site to Metro immediately to the south. In areas where the pedestrian connection is located along planned roadways, an eight-foot-wide sidewalk can be substituted for the trail.**

This connection was provided in Phases 1 and 2 of the Summerfield development.

- d. **A pedestrian connection from Morgan Boulevard, through the East Village, and to the existing trails in the adjoining Summerfield community which abuts the subject property.**

This property is known as the East Village and this pedestrian connection is reflected on the SDP.

- e. **Standard sidewalks along both sides of all roads.**

Sidewalks are provided on one side of all private streets. Per Condition 21 of PPS 4-14004 (PGCPB Resolution No. 15-71), road standards are subject to DPIE, the Prince George's County Department of Public Works and Transportation (DPW&T), and the Transportation Planning Section's approval. The applicant is in the process of setting up a meeting with DPIE and DPW&T to review the proposed road sections for concurrence. Additionally, sidewalks are provided on one side of private streets where residential driveways do not exist, to allow for the safe passage of pedestrians, while minimizing vehicle and pedestrian conflicts. Sidewalk placement restricts pedestrian movements to the site entrance, trail, and site amenities, with access beyond to the Metro station across Garrett A Morgan Boulevard. Finally, sidewalk placement on one side of the streets allows for additional parking based on community input, while meeting minimum zoning requirements for parking.

- f. **Comprehensive trail and sidewalk map showing the proposed location of all master plan trails, feeder trail connections and sidewalks.**

This was addressed during the PPS process. The map submitted in the PPS record has been provided with the SDP submittal package.

- g. **HOA feeder trails a minimum of six feet wide and asphalted.**

A six-foot-wide trail is provided through the site for access from the Metro site and the existing master-planned trail to the project boundary. The material is standard concrete and is provided as a wood-constructed boardwalk through the eastern portion of the site to fit with the surrounding woodland character, while minimizing environmental impacts.

**h. Appropriate pedestrian safety measures such as well marked crosswalks, signage, adequate lighting and curb bump outs.**

Pedestrian safety measures are provided along the site frontage, as per the bicycle pedestrian impact study (BPIS) report and exhibits provided with this submittal. Adequate crosswalks, street lighting, and curb bump outs are provided along the private streets where on-street parking is provided.

**i. Appropriate in-road bicycle facilities along some internal roads on the subject site in keeping with the 1999 ASSHTO Guide for the development of Bicycle Facilities.**

At the time of PPS, the applicant provided, and the Planning Board approved, requirements associated with the BPIS for off-site improvements. The applicant is committed to fulfilling its BPIS obligations. Both the BPIS exhibit and the report have been included in the SDP submittal package. Since the internal roadways are narrow, there is not adequate room for bicycle facilities.

**j. Location of private recreational facilities. The location and adequacy of the private recreational facilities shall be reviewed by the Urban Design Section.**

The location of the proposed private recreational facilities is reflected on the submitted SDP (Parcels B and E). The recreational facilities proposed are acceptable for the proposed development.

**17. Prior to approval of a Specific Design Plan for the subject property, the applicant shall:**

- a. Submit acceptable signal studies to DPW&T at Garrett A Morgan Boulevard at Metrorail access/site access (to be installed by others) and the modification of the intersection to provide a left-turn bay to serve the site access.**
- b. Submit acceptable traffic signal warrant studies to DPW&T at Garrett A Morgan Boulevard at Ridgefield/site access. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T at that time, the applicant shall bond the**

**signal prior to the release of any building permits within the subject property, and install it at a time when directed by DPW&T. The improvements at this location shall include the modification of the intersection to provide a left-turn bay to serve the site access.**

- c. **Submit acceptable traffic signal warrant studies to DPW&T at Garrett A Morgan Boulevard at Fieldstone/site access (during review of the preliminary plan, the need for this study and resulting signal installation may be waived by DPW&T upon review of traffic operations along Garrett A Morgan Boulevard). The applicant should analyze a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property, and install it at a time when directed by DPW&T. The improvements at this location shall include the modification of the intersection to provide a left-turn bay to serve the site access.**

This condition was reviewed during the previous SDPs for Phases 1 and 2 of Summerfield at Morgan Station and the prior PPS for the property. This condition has been fulfilled.

11. **Preliminary Plan of Subdivision 4-14001:** The governing Preliminary Plan of Subdivision, 4-14001, was approved by the Planning Board on July 9, 2015 for 52 townhouses and is subject to 21 conditions. The conditions warrant discussion in relation to the review of the subject SDP, as follows:

7. **Development of this site shall be in conformance with the Stormwater Management Concept Plan, 39019-2014 and any subsequent revisions.**

Stormwater Management Concept Plan 39019-2014-00 was approved on March 8, 2018 and remains valid through March 8, 2021. The SWM concept plan has been submitted with the SDP application package. The SDP is consistent with the approved SWM concept plan, according to DPIE.

8. **At the time of SDP, the applicant shall provide private on-site recreational facilities on Parcel B in accordance with Section 24-134 of the Subdivision Regulations, which shall consist of the tot-lot (or equivalent) in Condition 1(g).**

Condition 1(g) spells out specific facilities to be placed on Parcel B as follows:

- g. Identify the location of the proposed tot-lot or equivalent community gathering space on Parcel B which may include a gazebo and two benches.**

The subject SDP proposes a green open space area and two sitting areas, to be located on Parcel B, that will include four benches and trash receptacles. The green open space will be further connected via a six-foot-wide boardwalk to the public park to the north of the site. The details of the green area have been provided on the landscape plan, along with the recreational facility details.

- 10. Total development shall be limited to uses which generate no more than 37 AM peak-hour trips and 42 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**

The SDP shows 52 townhouses that are consistent with what has been approved with the PPS (4-14001). The total development does not exceed 37 AM and 42 PM peak-hour trips, and the SDP is within the above trip caps.

- 11. In conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* and the June 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:**

- a. Construct a standard sidewalk along both sides of Private Road 'B,' which shall be reflected on the SDP.**

Private Road B, as shown on the SDP, only provides connections to roads internal to the subdivision. A five-foot-wide sidewalk is provided along the east side of Private Road B. This is because the majority of residents will use this sidewalk to access the Morgan Boulevard Metro Station. Most of the residents using this sidewalk will also be located on the east side of Road B. On-street parking is located along the east side of Road B. For visitors accessing the rear of units, sidewalk ramps provide access less than 100 feet away from parking spaces. Additionally, the sidewalk network proposed will keep pedestrians from conflicts with vehicles and connect them to Garrett A Morgan Boulevard.

No sidewalk is provided along the west side of Road B to ensure pedestrian safety. No traffic generators are located along the west side of Road B. Dwellings located along the west side of Road B will have vehicular access provided by a driveway to the rear of the home and pedestrian access directly from the lead walks along Garrett A Morgan Boulevard. Visitors and pedestrians will use the existing sidewalks located along Garrett A Morgan Boulevard.

- b. Construct a trail connection on Parcel E through the subject site to the site's eastern property line. Stairs may be required in some locations due to areas of steep slopes and exceptions to full compliance with Americans with Disabilities Act (ADA) shall be permitted based on the provisions of Section 1019.1 of the Architectural Barriers Act Accessibility Guidelines. Appropriate triggers for construction of the trail shall be determined at the time of SDP.**

A trail connection is provided through the community to the eastern property boundary. Stairs are provided as necessary. The trail connection, which is a six-foot-wide boardwalk, will be complete at the same time with the green open space, prior to issuance of the 52nd building permit.

- 13. In accordance with the approved BPIS improvements, at the time of SDP, provide an exhibit that illustrates the number and location of all signs required along Garrett A Morgan Boulevard and the pedestrian crossing. This exhibit shall also incorporate the required improvements at the pedestrian crossing as determined by DPIE. If it is determined at the time of Specific Design Plan that alternative off-site improvements are appropriate, the applicant shall demonstrate that the substitute improvements shall comply with the facility types contained in Section (d), be within one-half mile walking or bike distance of the subject site, within the public right-of-way, and within the limits of the cost cap contained in Section(c). The Planning Board shall find that the substitute off-site improvements are consistent with the BPIS adequacy finding made at the time of Preliminary Plan.**

BPIS exhibits are included in the SDP application package. In a memorandum dated March 30, 2018 (signed off on April 3, 2018), DPIE was silent on the issue. DPIE will enforce their requirements through their separate permitting process.

- 15. The SDP application package shall contain a Phase II Noise Study prepared and sealed by a Professional Engineer with competency in acoustical analysis. The report shall determine the location of the unmitigated 65 dBA Ldn noise contour, provide a list of the STC ratings required to mitigate interior noise on specific lots.**

A Phase II noise study, prepared and sealed by a professional engineer with competency in acoustical analysis, is included with the application submission. Standard transmission class ratings are provided in the study to mitigate interior noise on specific lots (Lots 26 through 52) to below 45 dBA Ldn.

- 20. The applicant and the applicant's heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities, prior to the issuance of building permits. The recreational facilities to be required shall be determined with the full review of the specific design plan.**

The recreational facilities proposed on Parcel B with this application are acceptable. The recreational facilities, green area, and boardwalk are required to be complete prior to issuance of the 52nd building permit.

21. **At the time of SDP, coordination between DPW&T and the Transportation Planning Section of M-NCPPC shall determine the right-of-way required for Road Type ‘A’ (Private Road A), which could result in the loss of a lot.**

Road A is a 46-foot right-of-way with 22 feet of paving. A six-foot-wide sidewalk is provided along the north side of the right-of-way. This standard road section provides curb, planting area, and sidewalk on one side.

12. **2010 Prince George’s County Landscape Manual:** Per Section 27-528(a)(1) of the Zoning Ordinance, an SDP must conform to the applicable standards of the Landscape Manual. The proposed residential units in the L-A-C Zone are subject to Section 4.1, Residential Requirements; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets, of the Landscape Manual.

- a. **Section 4.1, Residential Requirements**—Section 4.1 requires a certain number of plants for different types of residential lots. The submitted SDP includes 52 townhouses and is required to provide 1.5 shade trees and one ornamental/evergreen tree for each dwelling unit. The landscape plan provides the correct schedules showing the requirements being met for all the residential lots.
- b. **Section 4.7, Buffering Incompatible Uses**—The subject application requires a Section 4.7 buffer along its eastern property line where an existing residential property is adjacent to the subject site. The required bufferyard has been provided on the adjacent property.
- c. **Section 4.9, Sustainable Landscaping Requirements**—Section 4.9 requires that a certain percentage of plants, within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs), be native species (or the cultivars of native species). The minimum percentage of plants of each plant type required to be native species and/or cultivars is specified below:

|                  |            |
|------------------|------------|
| Shade trees      | 50 percent |
| Ornamental trees | 50 percent |
| Evergreen trees  | 30 percent |
| Shrubs           | 30 percent |

The landscape plan provides 100 percent native shade trees, 100 percent native ornamental trees, 100 percent native evergreen trees, and 100 percent native shrubs and, therefore, meets the above requirements.

- d. **Section 4.10, Street Trees Along Private Streets**—Section 4.10 of the Landscape Manual provides specifications for the planting of street trees along private streets that applies to the subject development. Specifically, both Roads ‘A’ and ‘B’ are subject to this requirement. The submitted landscape plan provides the required schedules showing the requirements of this section being met. Since Roads ‘A’ and ‘B’ are subject to the requirements of Section 4.10, Section 4.6 does not apply. All reference to Section 4.6 for those lots along Road B should be removed. A condition has been included in this resolution requiring the applicant to remove the Section 4.6 schedules from the landscape plan prior to certification.
13. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the WCO because the entire site has a previously approved TCP1, and a portion of the site has an approved and implemented TCP2. Additionally, a revised TCP2, prepared in accordance with the current woodland conservation requirements, has been submitted with this application.

An approved Natural Resources Inventory, NRI-159-14, was submitted with the application. The NRI indicates that streams, wetlands, 100-year floodplain, and areas of steep slopes are found to occur within the limits of the SDP and comprise the primary management area (PMA). The existing features of the site, as shown on the TCP2 and SDP, are in conformance with the NRI. No revisions are required for conformance to the NRI.

The forest stand delineation indicates the presence of two forest stands totaling 11.34 acres covering the entire site. Fifteen specimen trees were identified on-site, and three specimen trees were identified within 100 feet of the property boundary. Tree conservation plan applications are required to meet all of the requirements of Subtitle 25, Division 2, of the Prince George’s County Code, which includes the preservation of specimen trees (Section 25-122(b)(1)(G)). Every effort should be made to preserve the trees in place, considering the different species’ ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species’ ability to tolerate root zone disturbances). A variance from Section 25-122(b)(1)(G) was granted with the PPS for the removal of Specimen Trees 2 through 5 (ST2–5). No additional specimen trees are requested to be removed with the subject application; however, it should be noted that ST-9, located on the adjacent site, was recently blown down. It should also be noted that several alternative sewer outfall connections have been provided for evaluation. Sewer Alignment 6 would affect the critical root zones of ST-16 and ST-18; however, it does not appear that the trees would need to be removed.

Based on the TCP2 submitted with the application, the required findings of Section 25-119(d) were adequately addressed for the removal of specimen trees with PPS 4-14001. No additional specimen trees are requested for removal as part of this application.



The current application is for Phase 3 of the overall project. The woodland conservation threshold (WCT) for the overall 91.48-acre property is 15 percent of the net tract area, or 10.09 acres, an increase from what was approved with the CDP (Condition 5). The woodland conservation requirement, based on the amount of clearing proposed as shown on the plan for the current application for Phase 3, is 25.19 acres. The woodland conservation requirement is proposed to be satisfied with 14.13 acres of on-site preservation and 10.56 of off-site woodland conservation credits. With this phase, the overall WCT is being met on-site, in accordance with Condition 5 of CDP-0301.

Additional discussion on the proposed sewer line alignment is provided in Finding 15 below.

14. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a building or grading permit for 5,000 square feet or greater of gross floor area or disturbance. Properties that are zoned L-A-C are required to provide a minimum of 10 percent of the gross tract area in TCC. The subject property is 11.34 acres in size, resulting in a TCC requirement of 1.134 acres or 49,397 square feet. A TCC schedule was provided showing that the requirement is being met on-site by the existing woodland preservation and reforestation, in addition to the proposed plantings.
15. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the various agencies and offices that have jurisdictions over the subject property. The referral comments are summarized as follows:
  - a. **Community Planning**—The Planning Board made the following findings:

Pursuant to Section 27-528(a) of the Zoning Ordinance, master plan conformance is not required for this application. Pursuant to Section 27-478(a), development in the L-A-C Zone is subject to approval of an SDP. Consistent with the Planning Board's determination in PGCPB Resolution No. 15-71, this application is not subject to the Morgan Boulevard and Largo Town Center Metro Areas D-D-O Zone or to detailed site plan review.

The 2016 *Approved Military Installation Overlay Zoning Map Amendment* retained the subject property in the D-D-O/L-A-C Zones and applied the M-I-O Zone to the property, as discussed previously.
  - b. **Transportation Planning**—The Planning Board made an analysis of conformance with the transportation-related conditions in previous approvals, which is incorporated into Findings 10 and 11 above, as well as the following summarized discussion:

The proposed use of 52 single-family attached dwelling units is expected to generate 36 AM trips and 42 PM trips, which is consistent with the trip cap established with PPS 4-14001.

In reviewing access and circulation, the Planning Board found:

- Access and circulation from Garrett A Morgan Boulevard (Road Type A) is acceptable. However, at the time of PPS approval, the width of the required right-of-way for Road Type A was unresolved. DPIE has provided comments stating that the width of Road Type A needs to be 26 feet, which is reflected on the SDP.
- Road Type B was revised to include a five-foot-wide sidewalk on the western side of the road, which is acceptable.
- Road Type C are alleys perpendicular to Road Type B and are 20 feet wide, which is acceptable.
- Garrett A Morgan Boulevard is a master plan arterial in the Subregion 4 Master Plan and SMA. The right-of-way was previously dedicated, so no further dedication is required.

Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for an SDP, as described in the Zoning Ordinance.

- c. **Subdivision Review**—The Planning Board made an analysis of the site plan's conformance with Preliminary Plan of Subdivision 4-14001 (PGCPB Resolution No. 15-71), which is incorporated into Finding 11 above.

Additionally, the Planning Board made the following comments:

- Preliminary Plan of Subdivision 4-14001 was approved for 52 lots and 7 parcels, which is consistent in the SOJ submitted with this application. The SDP shows 52 lots and 9 parcels. The number of parcels shall be consistent with the PPS. The applicant must revise the SDP prior to certification.
- All bearings and distances must be clearly shown on the SDP and must be consistent with the record plat, prior to permits.

- d. **Trails**—The Planning Board analyzed the SDP for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the Subregion 4 Master Plan and SMA (for informational purposes), and previous approvals that govern the property in order to implement planned trails, bikeways, and pedestrian improvements. The discussion of conformance with the previous conditions of approval has been included in the findings above. The rest of the comments are summarized as follows:

- Three master plan trail issues impact the subject property. A trail connection is recommended through the East Village to Morgan Boulevard. This trail will provide direct pedestrian access between the subject site and the adjoining Summerfield development and its extensive existing trail network. Garrett A Morgan Boulevard is also designated with a bike lane and sidewalk corridor. Wide sidewalks exist along the frontage of the subject site. Striping for designated bike lanes, or other bicycle treatment, should be considered comprehensively for the road by DPW&T at the time of road resurfacing or improvements. In the interim, “Bikes May Use Full Right Lane” signs are recommended per DPW&T policy.
- The Central Avenue Connector Trail is also planned along a segment of Garrett A Morgan Boulevard, including the frontage of the subject site, north of Private Road A. This trail was identified on the 2017 Joint Signature Letter as the second highest priority for a park trail in Prince George’s County and is signed by the County Council and the County Executive, and is intended to convey the top construction priorities of the County to the State of Maryland. While construction of this trail on the subject property is premature at this time, the trail can be accommodated within the existing dedicated public right-of-way or within a public improvement easement on Parcel E, if agreeable to the applicant and the operating agency.

The MPOT also contains a chapter on Complete Streets, providing guidance on accommodating all modes of transportation, as new roads are constructed, or frontage improvements are made. It also includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

**POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

**POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

The Planning Board approved this SDP with conditions that have been included in this resolution.

- e. **Environmental Planning Section**—The Planning Board analyzed the site plan’s conformance with the provisions of the WCO and the environmentally-related conditions of approval of Basic Plan A-9678-C, CDP-0301, and PPS 4-14001, which are included in findings above, as appropriate. Additional comments, specifically on the proposed sewer line alignment, are as follows:

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

There is a PMA comprised of regulated environmental features, which include streams and wetlands, associated buffers, 100-year floodplain, and adjacent steep slopes. These regulated environmental features are required to be preserved and/or restored to the fullest extent possible under Section 27-528(a)(5) of the Zoning Ordinance.

Three impacts to the PMA were approved with the PPS; one for a SWM outfall, one for minor impacts for the installation and maintenance of retaining walls (several minor impacts due to the irregular nature of the PMA delineation vs. the straight nature of a wall), and one for a trail connection. Impacts associated with the sewer connection (Alignment 1) shown through the stream valley were denied by the Planning Board because the criteria for avoidance and minimization had not been met. The final PPS and TCP1 were signature approved, with no sewer connection shown on the plans. The three previously approved impacts remain the same and have not been reevaluated with the current application.

The impacts associated with a revised sewer connection alignment and several alternative alignments have been provided in an SOJ dated March 22, 2018. The SOJ includes an evaluation of six sewer alignments and is the culmination of several meetings that were held subsequent to the February 23, 2018 SDRC meeting and an on-site meeting held on March 14, 2018. Additional clarifying information, including an updated exhibit and information from Washington Sanitary Suburban Sanitary Commission's (WSSC) 2016 Development Services Code, was submitted on April 5, 2018. The updated exhibit, labeled as PMA Impact Exhibit Sheet 3, dated January 2018 is included in the back-up materials for this report.

The PMA exhibit references six possible alignments. An overview of each is provided in the table below with a detailed analysis. The Planning Board approved Alignment 2, served by gravity and located entirely within roadways because it completely avoids all impacts to regulated environmental features.

| Alignment # | Total Impact Area<br>(on-site and off-site) | Description of Location                                                                                                                                                                                                                                                                | Staff's Recommendation                        |
|-------------|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Alignment 1 | 0.80                                        | Begins at the terminus of private alley 1. Travels slightly north, under a proposed retaining wall, then east along and within the south side of the stream on the subject property and then through a wetland on M-NCPPC property where it connects to a manhole at the wetland edge. | Denied by the Planning Board with 4-14001     |
| Alignment 2 | 0                                           | Located entirely within the Morgan Blvd. and Fieldstone Way rights-of-way. Begins on Morgan Blvd. then on Fieldstone way where it connects to an existing sewer located at center point of Fieldstone Way.                                                                             | Approval of gravity sewer within the roadways |
| Alignment 3 | 0.67                                        | Begins at the terminus of private alley 1. Travels slightly north, under a proposed retaining wall, where it crosses to the north side of the stream, then east along steep slopes. It then crosses again to the south side of the stream to connect to a manhole at the wetland edge. | Denial of impacts                             |
| Alignment 4 | 0.54                                        | Begins at the terminus of private alley 1. Travels slightly north, under a proposed retaining wall, then east along the south side of the stream, through the wetland on property owned by Harbor Group International where it connects to a manhole at the wetland edge.              | Denial of impacts                             |
| Alignment 5 | 0                                           | Same as Alignment 2                                                                                                                                                                                                                                                                    | Denial of pumping option within the roadway   |
| Alignment 6 | 0.46                                        | Same as Alignment 3 but a portion of the alignment is slightly south in a "bench" area that appears to have been previously disturbed.                                                                                                                                                 | Denial of impacts                             |

Based on the Planning Board's analysis below, Alignment 2 preserves the regulated environmental features to the fullest extent possible, in accordance with Section 27-528(a)(5) of the Zoning Ordinance, because all impacts would be avoided. The Planning Board approved Alignment 2, as discussed further.

The SOJ includes detailed information regarding, not only the anticipated impacts of each alternative, but also a discussion of the pros and cons of each, including a cost estimate. The Planning Board has incorporated this information, supplemented with information obtained by the Environmental Planning Section from WSSC during a teleconference meeting held on April 5, 2018, based on the provided PMA exhibit.

**Alignment 1** was the original alignment that was denied at the time of PPS. This alignment was included in the SOJ, but is not a viable option because it was previously denied. No further analysis of this alignment has been provided with this application.

**Alignments 2 and 5** would completely avoid PMA impacts because they are located in an existing right-of-way and would connect to an existing sewer line within Fieldstone Way. Alignment 2 would operate by gravity, while Alignment 5 would operate by a pump system. Alignment 5 was presented by the applicant to address a pumping option. The SOJ indicates that pumping systems can fail without power and that WSSC would reject a pressure option if a gravity option is available. In meeting with WSSC, WSSC clarified that they are not in favor of publicly-owned pumping stations. They further indicated that a private site utility system could be an option; however, the private lines should not be

located within a public right-of-way. For the reasons outlined above, the applicant, WSSC, and it is agreed that the pumping option presented in Alignment 5 is not a preferred option.

The applicant's SOJ provides detailed viewpoints of the negative impacts that Alignment 2 would cause. The Planning Board has provided a response to each. These comments also apply to Alignment 5.

(1) Roadway System Impact

- **SOJ:** The SOJ indicates that this alignment would temporarily impact the roadway system with pavement needing to be removed and subsequently replaced upon completion of installation of the sewer line in Morgan Boulevard and Fieldstone Way.
- **Planning Board Response:** Other utilities exist within Morgan Boulevard and Fieldstone Way and their maintenance could cause the road to be temporarily impacted at any time, causing the same inconvenience to the residences along Fieldstone Way. Standard construction and maintenance and/or repair practices for utilities in any roadway system will require some disruption of the roadway system.

(2) Traffic Impact

- **SOJ:** The SOJ states that DPW&T has voiced strong objection to any shutdown of Morgan Boulevard, especially during events at FedEx Stadium. The SOJ goes on to say that DPW&T recommended that infrastructure be located out of the arterial roadway during the previous review of the overall Summerfield development.
- **Planning Board Response:** No correspondence from DPW&T regarding the project has been provided. During staff's teleconference, WSSC agreed that this is considered a temporary impact that is standard for installation, maintenance, or repair, and would be no different from other temporary impacts necessary for installation or repair of utilities within a roadway in other parts of the County.

(3) Community Impact

- **SOJ:** The SOJ indicates that this alignment would temporarily impact the roadway system and parking area for residents of the adjacent Villages at Morgan Station apartments, would require four temporary residential pump-arounds while a particular section of pipe is being installed, and that the close proximity of the pump would cause odors. The applicant

conducted a community meeting on February 20, 2018 and, according to the meeting minutes included in the SOJ, approximately 12 residents were in attendance. The community expressed resistance to the sewer alignment option along Fieldstone Way due to concerns regarding vehicular disruption during construction, potential disruption of service during installation, and concern regarding how the street would be left after construction.

- **Planning Board Response:** The Villages of Morgan Metro provides private off-street parking for its residents. No parking is allowed on the road. Per staff's meeting with WSSC, it was determined that only the connection to the existing line that begins at the midpoint of Fieldstone Way would be needed, and that the remainder of the line downgradient of the connection area would not need to be updated. Therefore, the disruption to the apartment complex's back parking lot would not be needed, as there would be no work required in that area. WSSC indicated that a low-flow pump-around system would reduce the impact of odor. Again, the Planning Board concluded that these impacts were temporary and are necessary as part of standard practice for installation and maintenance. As previously mentioned, there are other utilities and existing sewer lines currently located within Fieldstone Way that could require maintenance at any time, thus temporarily disrupting traffic and potentially services. Allowing the applicant to connect to the existing line within Fieldstone Way would be a temporary impact, just as maintaining any other utility in the roadway.

(4) Deep Sewer

- **SOJ:** The SOJ indicates that this alignment would necessitate a "noncompliant deep sewer." The SOJ states that the design of Alignment 2 conflicts with the WSSC design manual for sewers over 20 feet of cover and goes on to list the "special design" criteria for deep sewer construction. The SOJ states that the design requirements are in place to discourage such sewer design and to protect the safety of residents and workers in the area. The SOJ states that the contractor for the applicant confirmed that the deep sewer within Morgan Boulevard would require larger trench boxes, engineered trench design and additional sheeting and shoring to protect the workers, that the construction presents safety concerns for the workers, and will take substantially longer than normal construction.
- **Planning Board Response:** The applicant indicated in the SOJ and verbally to staff concern regarding the depth of the manholes that would be needed for Alignment 2 within Morgan Boulevard and Fieldstone

Way. The applicant's exhibit shows manhole depths within Morgan Boulevard at 17.2, 20.0, 20.4, and 16.3 feet deep. The depth of manholes within Fieldstone Way would be 18.7, and the replacement/transition manhole from the proposed to existing line would need to be taken from 8.4 to 15.3 feet deep. WSSC indicated that any sewer manholes deeper than 20 feet would need to meet the "deep sewer" design criteria and Occupational Safety and Health Administration standards for worker safety, but that it can be done and is not "noncompliant." WSSC also pointed out to staff that the applicant's proposed stream valley sewer alignment (Alignments 1, 3, 4, and 6) contains deep manholes, as the line transitions under a proposed retaining wall. The applicant's exhibit does not label the depths of these manholes on the exhibit, but the summary table indicates that Alignment 3 ranges in depth from 8.1 to 17.9 feet and Alignment 6 ranges in depth from 8.2 to 14.2 feet. While these are not "deep" sewers of 20 feet or more, the hydraulic planning analysis (HPA) calls it out as a "Special Circumstance" and that special design requirements will be required in order to enable this proposed alignment. WSSC expressed more concern regarding the proposed manholes and piping (Alignments 1, 4, 3, and 6) under the proposed retaining wall, than deep manholes within the roadway, because there would be no access for WSSC at those points due to the wall loading and depth.

(5) Sewer/Pavement Replacement

- **SOJ:** The applicant has indicated that any alignment they provide for their development would be required to provide enough capacity to serve the remaining development within the sewer basin. The existing main within Fieldstone Way is eight inches and, for approximately 294 feet (between manholes 52M and 54M), was installed at an improper grade (for the size of the pipe) and does not meet the required capacity to serve the remainder of the sewer basin. The SOJ indicates that this section of pipe would need to be replaced.
- **Planning Board Response:** WSSC indicated that only a newly-constructed sewer line would be required to account for the sewer capacity for the remaining sewer basin (all stream valley connection options and any new pipe installed as part of the roadway connection). For the roadway connection, the developer would only be responsible for providing capacity through their new pipes. WSSC indicated that only a short segment (approximately 100 feet), at the point where the proposed line within Fieldstone Way connects to the existing line, would need to be upgraded so that the depth of the proposed line and the existing line can be reconciled. WSSC believes that none of the existing lines below that connection would need to be updated for capacity purposes. The HPA



from 2015 (which was also submitted as part of the PPS) was reviewed by WSSC based on the applicants proposed stream valley alignment.

(6) Existing Utilities

- **SOJ:** The SOJ states that such a design presents the applicant with additional conflicts with other applicable regulations and design standards that would inhibit its ability to pursue a reasonable means of providing an alternative route to the connection point. The SOJ states that the other applicable requirements include stormwater regulations and best management practices, but does not provide any further explanation of how or why the stormwater conflicts with the sewer design, or what other applicable regulations are in conflict.
- **Planning Board Response:** The final design of the sewer connection will need to meet the WSSC standards for separation from other utilities.

(7) Transition Sewer

- **SOJ:** As part of the short segment of pipe replacement required in Fieldstone Way, a temporary pump-around system would need to be installed to serve the four individual connections located along that section during construction. The SOJ indicates that a transition from an 8-inch line to a 10-inch line cannot occur at a single manhole and that further analysis by WSSC is needed to determine the extent of additional replacement.
- **Planning Board Response:** Based on staff's teleconference with WSSC, the applicant can design this segment of pipe to meet WSSC's requirement for transition in this area by (1) providing a temporary pump-around for continued service to the four affected residences during construction of that segment, (2) the depth of the manholes at the transition point has been addressed, and (3) an additional manhole is shown to accommodate the transition from a 10-inch pipe to an 8-inch pipe.

(8) Feasibility

- **SOJ:** The applicant has provided a cost estimate for installation of this proposed alignment at \$817,562.
- **Planning Board Response:** Cost is not a consideration for justification of impacts for the demonstration of preservation and/or restoration of regulated environmental features, to the fullest extent possible. According

to the Environmental Technical Manual, “The determination of fullest extent possible is a three-step process that starts with avoidance of impacts. Then, if the impacts are unavoidable and necessary to the overall development of the site... and cannot be avoided, the impacts must be minimized. In the third step, if the cumulative, minimized impacts are above the designated threshold, then mitigation is required for the impacts proposed.” WSSC has indicated that the roadway connection alignment is feasible. Alignment 2 is the only alternative presented that demonstrates preservation and/or restoration of regulated environmental features, to the fullest extent possible, in accordance with Section 27-528(a)(5) of the Zoning Ordinance because no impacts would be needed. The Planning Board approved Alignment 2.

**Alignments 3 and 6:** Alignment 3 was designed in an effort to reduce stream buffer impacts by providing the line farther away from the stream than what was previously proposed at the time of PPS; however, there are steep slopes and trees within the forest associated with this alignment that would be negatively affected by Alignment 3. No specimen trees would be impacted by this alignment. Although there would be less impact to the PMA, the impact to this area considered a public benefit would still remain.

Alignment 6 is a variation of Alignment 3, where three of the manholes have been redesigned to be located along an existing bench that runs parallel to the stream. This bench was discovered during an on-site field meeting with the applicant and is small enough that it does not appear on the topography on the plans. The bench has been disturbed in the past and is assumed to have served as access through the site for previous stormdrain/SWM purposes associated with the adjacent WMATA use. The benched area contains younger growth vegetation consisting mainly of shrubs and small saplings. The critical root zones of ST-16 and ST-18 would be impacted by this alignment; however, it does not appear that the trees would need to be removed. The impacts associated with Alignment 6 only differ by less impact to the PMA; however, the disturbance to the overall wooded stream valley and the potential impact, as a result of future maintenance, remains.

Essentially, Alignments 3 and 6 would run parallel to the stream on the northern side, and then cross back to the southern side of the system (which is more of a wetland system crossing at that point), where it would connect to the existing line. It should be noted that the existing manhole, where all stream valley options propose to connect, and the pipe below this proposed connection point were constructed to handle the additional capacity needed for not only this site, but for the remainder of the sewer basin. While this seems to indicate that the sewer was designed to have additional development connect into the system at this point, the environmental impacts associated with that connection were not approved.

- **SOJ:** According to the SOJ, the applicant states that Alignments 3 and 6 are the most feasible in terms of engineering and construction, and that Alignment 3 has an approved HPA. The SOJ states that the alignment does not contain any “deep sewer” or any manholes requiring special design. The majority of the alignment is located on the site, where ownership/ permission are not an issue; however, the Prince George’s County Department of Parks and Recreation (DPR) would need to grant permission to cross a small portion (less than 300 feet) of the adjacent property in order to connect to an existing manhole. At SDRC and other meetings, staff expressed concern about the location of the sewer within the stream valley and the surrounding steep slopes for future access by WSSC. The SOJ indicates that WSSC’s standard practice is to restore any disturbance according to the restoration schedule and that they have inspectors to ensure the work is done properly. The SOJ states that major repairs are not anticipated for 50 years or more. The applicant has hired a reputable contractor for installation of the sewer lines. Upon completion of the installation, restoration will occur in accordance with WSSC, DPIE, and Soil Conservation District plans. The SOJ states that “It was determined that the optimum route for the sanitary was through the stream valley. Further discussion occurred in a meeting at WSSC on June 19, 2015, and on October 18, 2017, WSSC stated they continue to support the alignment as shown on the approved Hydraulic Planning Analysis as the preferred alignment.” The applicant has provided a cost estimate for installation of the various alignments. The applicant has provided a cost estimate for Alignment 3 at \$147,297 and for Alignment 6 at \$141,529.
- **Planning Board Response:** The HPA dated November 25, 2014 is the same one that was submitted with the preliminary plan and shows the alignment that was denied. WSSC has not had the opportunity to review any of the proposed alternatives in detail, as they have not been submitted to WSSC. However, in staff’s meeting with WSSC, WSSC indicated that staying out of stream valleys is preferred, when possible, which directly contradicts the statement made in the SOJ concerning WSSC’s stance on the optimum route for the sanitary sewer for this project. The Planning Board continues to have concern regarding, not only the environmental and PMA impacts needed for initial installation of a sewer line in the stream valley, but also the potential long-term environmental damage associated with the line. Sewer lines have the potential to leak into the stream and streams are known to meander in their location; just because the sewer is installed adjacent to the stream today does not mean that the stream could not meander and undermine the pipes in years to come. The stream channel on-site is severely incised (estimated at approximately 8–12 feet deep). Once streams have down-cut to a stable layer such as bedrock, they tend to then scour outward, instead of down. Should this occur, the sewer lines could be negatively affected.

The SOJ indicates that major repairs to the lines are not anticipated for 50 years or more. During a 50-year period, the woodland associated with the stream valley will have matured and stabilized. Impacts, at that time, would be disruptive to an ecosystem that would have finally stabilized. While WSSC requires easements for access to the lines, it is unclear how equipment could get down to the easement once the development has been implemented. One of WSSC's current practices to access such a site involved, not only clearing the trees for an access road, but to also place planks along the path to provide for safe access.

The SOJ states that the alignment does not contain any "deep sewer" or any manholes requiring special design. During staff's meeting with WSSC, WSSC expressed concern regarding the depth of the line and the manholes associated with Alignments 1, 3, 4, and 6 because they would cross under a retaining wall. The applicant's exhibit does not label the depths of these manholes on the exhibit, but the summary table indicates that Alignment 3 ranges in depth from 8.1 to 17.9 feet and Alignment 6 ranges in depth from 8.2 to 14.2 feet. While these are not "deep" sewers of 20 feet or more, the HPA calls it out as a "Special Circumstance" and that special design requirements will be required in order to enable this proposed alignment. WSSC also indicated that the depth of the few manholes in the pavement is no worse than the depth of the manholes crossing under the retaining wall and down a steep embankment.

Alignment 3 would impact more steep slopes and less stream buffer. Alignment 6 would impact more stream buffer and less steep slopes. While the earlier standard practice for sewer installation had been to locate sewer connections within the stream valley, minimization efforts were required, but total avoidance was not expected. Still, this resulted in environmental setbacks due to exposed pipes, failed pipes, blocked fish passage, and sewage overflow into the streams that eventually flow to the Chesapeake Bay. Other disturbances may also occur as a result of creating access roads needed to bring in the construction equipment. Heavy equipment can lead to soil compaction, limiting natural infiltration. With the current WSSC consent decree to repair and replace a lot of older pipe systems in the County, it has led to significant clearing around the County, leaving open paths laid with planking materials, soils compaction, and loss of canopy in some very contiguous wooded areas of the County.

Given today's design elements, improved engineering, awareness of environmental protection, the existing aging WSSC infrastructure that has recently been mandated by the Environmental Protection Agency and the state to repair and replace certain lines and provide environmental restoration, as well as local requirements to first avoid impacts when possible, all point to the avoidance of impacts to regulated environmental features, when possible.

**Alignment 4** was provided at the request of staff. This alignment completely avoids any impacts to the DPR property and is located mostly on property owned by Harbor Group International. On paper, this alignment appealed to staff because it is located at the existing edge of the woodland, has a perpendicular crossing of a smaller tributary stream that runs from a stormdrain outfall under Fieldstone Way parallel to the southwestern boundary of the subject property, and includes only minor impacts to a wetland buffer. However, during the field meeting, it became apparent that the alignment would present construction challenges due to the proximity of the retaining walls associated with the existing apartments to the south. The potential dewatering of the wetland was discussed because the sewer trench would be lined with rock and may allow for the water within the wetland to drain down along the sewer (similar to a French drain). According to the applicant, repeated attempts to contact the property owner to obtain permission for the installation have failed because they received no response. Exhibit 11 of the SOJ outlines the applicant's efforts to contact the property owner. For the reasons outlined above, the applicant and the Planning Board agreed that Alignment 4 is not a viable option.

#### **Summary**

Alignment 2 for a sewer connection along Garrett A Morgan Boulevard and onto Fieldstone Way is the only alternative that preserves regulated environmental features, to the fullest extent possible, when compared to the other alignments, as required pursuant to Section 27-538(a)(5) of the Zoning Ordinance. According to the applicant's SOJ, the temporary impacts to the road system are not feasible when compared to the permanent disturbance to the forest and stream valley. Such a decision would place a typical residential roadway's value providing the same sewer service over a stand of forest in good condition that has been deemed a public benefit in the review of the CDP.

When a WSSC easement is placed over a wooded area or over regulated environmental features, it is considered a permanent impact because that area is subject to future disturbance by WSSC, as it deems necessary. Alignment 2 did not present any obstructions or challenges that would prevent installation, other than the typical temporary impacts.

The Planning Board disapproved the proposed sewer line extension Alignments 3, 4, and 6, and approved Alignment 2, as shown on the applicant's PMA exhibit dated January 2018.

Based on the review of the submitted information, in addition to comments provided by WSSC in a teleconference meeting, Alignment 3 (the applicant's preferred alignment) and Alignments 4 and 6 do not preserve and/or restore the regulated environmental features to the fullest extent possible. Alignment 2, with WSSC's input, has demonstrated that the impacts to the PMA can be completely avoided.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated March 28, 2018 (Zyla to Zhang), DPR provided the following comments:

The application has been reviewed for conformance with Basic Plan (A-9678-C), Comprehensive Design Plan (CDP-0301), Preliminary Plan of Subdivision (4-14001), the Approved Subregion 4 Master Plan and SMA, the Land Preservation, Parks and Recreation Plan (LPPRP) for Prince George's County and the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space; as policies in these documents pertain to public parks and recreational facilities.

Comprehensive Design Plan CDP-0301 and Preliminary Plan 4-14001 conditioned adequate private recreational facilities for the subject property. This Specific Design Plan SDP-1704 application reflects the required private recreational facilities for the development.

In order to provide sewer service to this development, the applicant proposes the installation of a gravity sanitary sewer connection to an existing Washington Suburban Sanitary Commission (WSSC) manhole on the adjacent property. In order to achieve this connection, the sewer line will need to be constructed through DPR property, Summerfield Park (Parcel 46). While DPR would prefer to avoid any disturbance on parkland, if other off-site sewer alignment options are deemed infeasible by the Prince George's County Planning Board and/or Prince George's County District Council, DPR would allow the construction of the sewer line in the proposed location. There are no existing recreational facilities that would be impacted. However, the sewer line construction is still subject to a separate limited access right-of-entry (ROE) permit and Construction and Maintenance (C&M) Agreement through DPR.

- g. **Special Projects Section**—The Planning Board reviewed this application in accordance with Section 27-528(a)(2) of the Zoning Ordinance, to ensure that the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Prince George's County Capital Improvement Program (CIP) or provided as part of the private development. The Planning Board concluded that the required findings have been made. The comments are summarized as follows:

**Fire and Rescue**

The Planning Board reviewed this SDP for adequacy of fire and rescue services, in accordance with Section 24-122.01(d) of the Subdivision Regulations. The response time standard established by Section 24-122.01(e) is a maximum of seven minutes travel time from the first due station. The proposed project is served by Forestville Fire/EMS, Company 837, located at 1415 Ritchie Marlboro Road. The Deputy Fire Chief, Brian J. Frankel, Emergency Services Command of the Prince George's County Fire/EMS Department, stated in writing that "as of April 16, 2018 the project is within a 7-minute

travel time from the first due station.” The Fire Chief, as of May 15, 2016, has outlined the adequacy of personnel and equipment as required by Section 24-122.01 (e).

#### **Capital Improvement Program**

There are no CIP projects for public safety facilities proposed near the subject site.

#### **Police Facilities**

The Planning Board determined that this SDP is in District III, Palmer Park. Police facilities have been determined to be adequate, in accordance with Section 24-122.01(c) of the Subdivision Regulations and County Council Resolution CR-78-2005 because the response time standard established by legislation is 10 minutes for emergency and 25 minutes for nonemergency calls in the vicinity of the site. The SDP was accepted for processing by the Planning Department on February 2, 2018.

The most recent available information, from December 2015, forwarded by Police Chief states that the response time standards of 10 minutes for emergency calls and the 25 minutes for nonemergency calls were met.

#### **Schools**

The Planning Board reviewed this SDP for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and Council Resolution CR-23-2003, and concluded the following:

#### **Impact on Affected Public School Clusters Single-Family Attached Units**

| Affected School Clusters  | Elementary School<br>Cluster 3 | Middle School<br>Cluster 3 | High School<br>Cluster 3 |
|---------------------------|--------------------------------|----------------------------|--------------------------|
| Dwelling Units            | 52                             | 52                         | 52                       |
| Pupil Yield Factor        | .145                           | .076                       | .108                     |
| Subdivision Enrollment    | 8                              | 4                          | 7                        |
| Actual Enrollment in 2017 | 6,475                          | 2,371                      | 3,659                    |
| Total Enrollment          | 6,483                          | 2,375                      | 3,666                    |
| State Rated Capacity      | 8,667                          | 2,610                      | 4,565                    |
| Percent Capacity          | 75%                            | 91%                        | 80%                      |

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of \$7,000 per dwelling if a building is located between I-95/495 (Capital Beltway) and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by WMATA; or \$12,000 per dwelling for all other buildings.

Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$9,317 and \$ 15,972, to be paid at the time of issuance of each building permit.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved Transit District Overlay (T-D-O) Zone; or where there is no approved T-D-O within one-quarter mile of a Metro station; or within the Bowie State MARC Station Community Center designation area, as defined in the 2010 *Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment*. The Bill also established an exemption for studio or efficiency apartments that are located within County urban centers and corridors, as defined in Section 27A-106 of the County Code; within an approved T-D-O Zone; or where there is no approved T-D-O Zone, then within one-quarter mile of a Metro station. This act is in effect from October 1, 2013 through September 30, 2018.

#### **Water and Sewerage Findings**

Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The 2008 Water and Sewer Plan placed this property in water and sewer Category 4, Community System adequate for development.

- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 30, 2018 (Giles to Zhang), DPIE stated that the proposed SDP is consistent with approved Stormwater Management Concept Plan 39019-2014-00 dated March 24, 2015. It should be noted that DPIE subsequently approved an ‘01’ revision to the SWM concept plan that extended the validity date to March 8, 2021. The other requirements of DPIE will be enforced through its separate permitting process.
- i. **Prince George’s County Police Department**—The Police Department did not provide comments on the subject application.
- j. **Prince George’s County Health Department**—In a memorandum dated March 6, 2018 (Johnson to Zhang), the Health Department stated that they had completed a health impact assessment review of the SDP and provided the following comments:
  - (1) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.



This information has been transmitted to the applicant. A site plan note will be required to be put on the plan regarding this, prior to certification.

- (2) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

This information has been transmitted to the applicant. A site plan note will be required to be put on the plan regarding this, prior to certification.

- (3) Miscellaneous solid waste materials (debris) must be collected and properly disposed to the municipal waste landfill.
- (4) Any wells or septic system components discovered in the course of site development and grading must be backfilled and/or sealed in accordance with Health Department requirements.

The information in comments 3 and 4 have been transmitted to the applicant.

- k. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated July 7, 2017, WSSC provided a standard response on issues such as pipe and easement requirements. All the requirements of WSSC will be enforced in its separate permitting process.
- l. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not provide comments on the subject application.

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 TCP2-083-04-04, and further APPROVED Specific Design Plan SDP-1704 for the above-described land, subject to the following conditions:

1. Prior to certification of the specific design plan (SDP), the applicant shall:
  - a. Provide the sign face area of the monument sign, in accordance with the Prince George's County Zoning Ordinance.
  - b. Provide building height information for each proposed model.
  - c. Include a highly-visible end unit elevation, with a minimum of four architectural features and brick finish on the first floor, in the architectural elevation set.

- d. Label the following lots on the site plan as being highly-visible end units: Lots 3, 4, 15, 16, 25, 26, 32, 33, 38, 39, 46, 47, and 52.

- e. Provide site plan notes stating the following:

“Fully cut-off lighting fixtures will be used throughout the entire development.”

“An approved fire suppression system or other fire suppression system, acceptable to the Prince George’s County Fire/EMS Department, shall be provided in all new buildings proposed in this subdivision.”

“A minimum of 60% of all townhouse units shall have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco.”

“The applicant intends to conform to dust control requirements, as specified in 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, and to construction noise control requirements, as specified in Subtitle 19 of the Prince George’s County Code, which is adopted by reference to the Code of Maryland Regulations (COMAR).”

- f. Remove the Section 4.6 schedules from the landscape plan.

- g. Revise the Type 2 tree conservation plan (TCP2), as follows:

- (1) Add a note below the Specimen Tree table to indicate that the trees have been survey-located.

- (2) Revise the TCP notes, as follows:

- (a) Revise Note 9 to reference the grandfathering provisions of Section 25-119(g) of the Prince George’s County Code.

- (b) Revise the off-site woodland conservation note to state the following:

“The off-site woodland conservation requirements for the subject property shall be met within the Western Branch of the Patuxent River watershed, unless the applicant demonstrates due diligence in seeking out opportunities for off-site woodland conservation location in accordance with the priorities of Section 25-122(A)(6).”

- (c) Revise the font under the post development notes so that the entire note is legible.

- (3) Remove the woodland conservation from the stormwater management easement associated with the culvert under Garrett A Morgan Boulevard.
  - (4) Add the standard details for root pruning (DET-10) and the standard detail for tree pruning (DET-11) found in the Environmental Technical Manual.
  - (5) Add the standard owner's awareness certification to the cover sheet of the plan.
  - (6) Add the standard note regarding the recordation of the required on-site woodland conservation easement below the TCP approval block.
  - (7) Add labels to the cover sheet to show Phases 1 and 2 of the overall site.
  - (8) Revise the woodland conservation worksheet to address the shortage for Phase 4 and provide an explanation for the discrepancy.
- h. Revise all plans to eliminate the limit of disturbance, grading, and clearing associated with sewer Alignments 3, 4, and 6, and show sewer Alignment 2 within Morgan Boulevard and Fieldstone Way, consistent with Alignment 2, as presented in the applicant's primary management area exhibit.
- i. Revise the number of parcels included in this SDP to "seven."
2. Prior to issuance of the 52nd building permit, the recreational facilities and associated improvements on Parcel B, including the six-foot-wide boardwalk connecting to the northern property line, shall be completed.
3. The applicant and the applicant's heirs, successors, and/or assignees shall upgrade the curb ramps and crosswalk at the existing crossing of Garrett A Morgan Boulevard, as determined by the Prince George's County Department of Permitting, Inspections and Enforcement.

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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, April 26, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of May 2018.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:HZ:rpg