



The Maryland-National Capital Park and Planning Commission  
Prince George's County Planning Department  
Development Review Division  
301-952-3530

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## Comprehensive Design Plan The Villages at Timothy Branch

**CDP-0901-01**

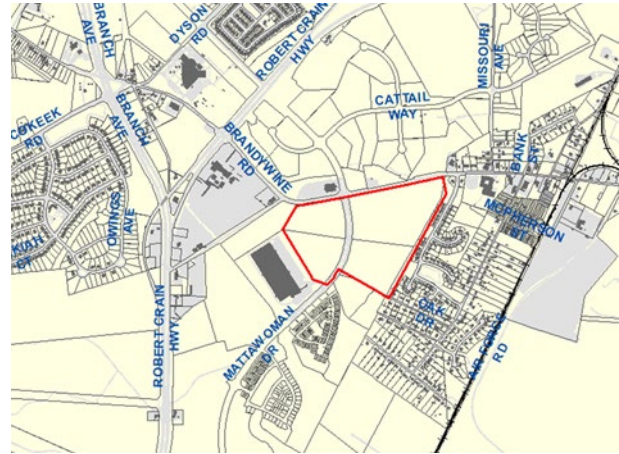
REQUEST	STAFF RECOMMENDATION
Amendment of the development and standards to remove commercial uses and expand the mixed retirement development.	APPROVAL with conditions

**Location:** On the south side of MD 381 (Brandywine Road), approximately one-half mile east of its intersection with US 301 (Robert Crain Highway).

Gross Acreage:	72.43
Zone:	L-A-C/M-I-O
Dwelling Units:	212
Gross Floor Area:	N/A
Planning Area:	85A
Council District:	09
Election District:	11
Municipality:	N/A
200-Scale Base Map:	218SE07, 219SE07, 220SE07, 2018SE08 and 2019SE08

**Applicant/Address:**  
Timothy Branch, Inc.  
2124 Priest Bridge Drive, Suite 18  
Crofton, MD 21114

**Staff Reviewer:** Adam Bossi  
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Planning Board Date:	01/14/2021
Planning Board Action Limit:	01/19/2021
Staff Report Date:	12/30/2020
Date Accepted:	10/26/2020
Informational Mailing:	01/21/2020
Acceptance Mailing:	10/22/2020
Sign Posting Deadline:	12/15/2020

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION  
PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Comprehensive Design Plan CDP-0901-01  
Type 1 Tree Conservation Plan TCP1-151-90-03  
The Villages at Timothy Branch

The Urban Design Section has completed its review of the subject application and agency referral comments concerning the Comprehensive Design Plan, CDP-0901-01, and recommends APPROVAL with conditions, as stated in the Recommendation section of this report.

**EVALUATION CRITERIA**

- a. The requirements of Zoning Map Amendment (Basic Plan) A-9988-C-01.
- b. The requirements of Part 8, Division 2, Subdivision 2, of the Zoning Ordinance, governing development in the Local Activity Center (L-A-C) Zone; and Part 8, Division 4, governing the approval of a comprehensive design plan.
- c. The requirements of Comprehensive Design Plan CDP-0901.
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation and Tree Canopy Coverage Ordinances.
- e. Referral comments from concerned agencies and divisions.

**FINDINGS**

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** To amend the previously approved comprehensive design plan (CDP) to remove commercial uses and expand the mixed retirement development.

2. **Development Data Summary:**

	<b>PREVIOUSLY APPROVED</b>	<b>PROPOSED</b>
Zone(s)	L-A-C/M-I-O	L-A-C/M-I-O
Use(s)	Residential, Retail, Office	Mixed Retirement Development
Gross Acreage	72.43	72.43
Number of Dwelling Units	131	212
Commercial Office gross floor area (sq. ft.)	205,000	0
Commercial Retail gross floor area (sq. ft.)	100,000	0

**OTHER DEVELOPMENT DATA—Dwelling Units by Housing Types**

	<b>PREVIOUSLY APPROVED</b>		<b>PROPOSED</b>	
<b>Dwelling Types</b>	<b>Approximate % of Total Units</b>	<b>Number of Units</b>	<b>Approximate % of Total Units</b>	<b>Number of Units</b>
Single-family Detached	0	0	48	102
Single-family Semidetached (duplexes)	15	20	52	110
Single-family Attached	8	11	0	0
Two-family Attached	31	40	0	0
Multifamily Condominium	46	60	0	0
<b>Totals</b>	<b>100%</b>	<b>131</b>	<b>100%</b>	<b>212</b>

3. **Location:** The subject property is located on the south side of MD 381 (Brandywine Road), approximately one-half mile east of its intersection with US 301 (Robert Crain Highway), in Planning Area 85A, and Council District 9.
4. **Surrounding Uses:** This portion of the Villages at Timothy Branch development is zoned Local Activity Center (L-A-C) and is bounded to the north by the right-of-way of MD 381; to the east by the Timothy Branch stream valley, with single-family development in the Rural Residential (R-R) Zone beyond; to the south and west by the Residential Medium Development (R-M) zoned portion of the Timothy Branch development and by an existing warehouse in the Planned Industrial/Employment Park (I-3) and Employment and Institutional Area (E-I-A) Zones. Mattawoman Drive, a constructed arterial roadway, bisects the subject property.
5. **Previous Approvals:** The 1978 *Brandywine-Mattawoman Section Map Amendment* rezoned the property from the R-R Zone to the I-3 and E-I-A Zones. The 1993 *Approved Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A, and 85B* retained the property in the E-I-A and I-3 zoning categories.

Zoning Map Amendment A-9988-C, approved by the Prince George's County District Council on June 16, 2008, rezoned the property from the I-3 and E-I-A Zones to the L-A-C Zone, subject to 12 conditions. A-9988-C approved land uses including residential, inclusive of one-family attached, townhouse and multi-family (active adult community), and recreational facilities; retail/commercial, office, warehousing and distribution, light manufacturing, and industrial flex space.

On October 28, 2010, the Prince George's County Planning Board approved CDP-0901 (PGCPB Resolution No. 10-111) for the L-A-C-zoned portion of the Timothy Branch development. The Planning Board approved a reconsideration of Conditions 14–21 on March 19, 2015 (PGCPB Resolution No. 10-111(A)), to adjust findings and conditions related to the provision of off-site recreational facilities. A variance was also approved with the CDP to allow for an increase in the maximum multifamily dwelling unit percentage requirement of Section 27-515(b), Footnote 29, of the Zoning Ordinance, from a maximum of 30 percent to 45.8 percent.

On October 28, 2010, the Planning Board approved Preliminary Plan of Subdivision PPS 4-09003 (PGCPB Resolution No. 10-117(A/1)), which provided for the creation of 580 lots, 68 parcels to support the development of up to 1,200 dwelling units in the L-A-C and R-M-zoned sections of the Timothy Branch development. It was later reconsidered twice.

On October 23, 2014, the Planning Board approved Specific Design Plan SDP-1304 (PGCPB Resolution No. 14-116) for rough grading and development of basic infrastructure, as well as dedication and construction of Mattawoman Drive, in the R-M and L-A-C-zoned areas of the Timothy Branch development.

On September 14, 2017, the Planning Board approved SDP-1701 (PGCPB Resolution No. 17-119) for the first phase of development of Timothy Branch. Multiple amendments to SDP-1701 have since been approved, with the first providing for an increase in maximum lot coverage and for approval of architectural modifications. The second revision, SDP-1701-02 added architecture for two new home models, and revisions -03 through -05 provided for residential development in the R-M Zone section.

On November 9, 2020, the District Council approved A-9988-C-01 to amend the previously approved basic plan for the L-A-C-zoned section, only to expand the mixed retirement development use (active adult community), and remove all nonresidential uses, subject to one condition.

6. **Design Features:** The 72.4 acres of land comprising this CDP amendment includes the existing northern portion of Mattawoman Drive and two areas proposed for mixed retirement development on the east and west side of the roadway. The eastern development area includes a grid of public and private streets and a recreation center. The western residential development area also includes public and private streets, including multiple culs-de-sac and a recreation facility. A total of 212 dwelling units are proposed, consisting of 102 single-family detached and 110 single-family semi-detached (duplex) units. The associated on-site recreational facilities proposed for this mixed retirement development includes a community building, dog park, bocce ball and pickle ball courts, gazebo/sitting area, and a portion of a master-planned trail with fitness stations. The

previously approved nonresidential uses for the subject site are proposed to be removed from the CDP by this amendment, consistent with Basic Plan Amendment A-9988-C-01.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9988-C-01:** Zoning Map Amendment A-9988-C-01 was approved by the District Council on November 9, 2020, with one condition which is not applicable to this CDP. The land use types and quantities approved are relevant to this CDP amendment, as follows:

### Land Use Types and Quantities:

<b>Total area:</b>	<b>72+/- acres</b>
<b>Land in the 100-acre floodplain:</b>	<b>8 acres</b>
<b>Adjusted gross area:</b>	<b>64 acres</b>
<b>Density permitted under the L-A-C Zone:</b>	<b>10 - 15 dwelling units per acre</b>
<b>Permitted Dwelling Unit Range:</b>	<b>640 - 960 dwelling units</b>
<b>Floor Area Ratio</b>	<b>0.2 – 0.4 FAR</b>

### Proposed Land Use Types and Quantities: Mixed Retirement Development

This CDP amendment proposes a mixed retirement development use to include 212 dwelling units, and residential density of 2.9 dwelling units per acre. These are within the limits established by the amended basic plan and are acceptable. Two dwelling types are proposed consisting of single-family detached units and single-family semidetached (duplex) units.

8. **Prince George's County Zoning Ordinance:** As one of the comprehensive design zones, the L-A-C Zone allows the applicant to establish its own design standards and to earn additional density if certain criteria have been met in the development review process, subject to Planning Board approval.
- Sections 27-494 through 27-496 of the Zoning Ordinance: The CDP amendment conforms with the purposes, uses, and regulations for the L-A-C Zone. The District Council approval of A-9988-C-01 included findings that demonstrate the mixed retirement development proposed by this CDP amendment conforms with the purposes of the L-A-C Zone. The density of 2.9 dwelling units per acre is under the maximum development density of 8 units per gross acre for a mixed retirement development.
  - Section 27-515: The mixed retirement development use, as defined in Section 27-107.01 of the Zoning Ordinance, is a permitted use in the L-A-C Zone, subject to conformance with Footnote 28, which requires a recorded declaration of covenants that the site will be solely occupied by elderly persons. This will be addressed at the time of SDP.
  - Section 27-521(a) of the Zoning Ordinance includes the following required findings for approval of a CDP:

- (1) **The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

The subject CDP amendment is in conformance with A-9988-C-01, as discussed in Finding 7 above.

- (2) **The proposed plan would result in a development with a better environment than could be achieved under other regulations;**

The comprehensive design zones provide much greater flexibility in design, compared with regulations in conventional zones. This CDP amendment provides for a development that will be in greater harmony with the surrounding environment than could be achieved under conventional regulations. The proposed development has been designed in response to changes in market conditions and development that occurred in the vicinity of Timothy Branch since the CDP was originally approved in 2012.

- (3) **Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**

The subject project includes design elements and provides recreational facilities and amenities for the project's residents including the provision of open space, special attention to protecting environmental features, attention to views, and an enhanced multimodal pedestrian system throughout the Timothy Branch development. In addition, this CDP amendment provides an appropriate private on-site recreational facilities package for the mixed retirement development, to include a community building, dog park, bocce ball and pickle ball courts, gazebo/sitting area, and a portion of a master-planned trail with fitness stations.

- (4) **The proposed development will be compatible with existing land use, zoning, and facilities in the immediate surroundings;**

This CDP amendment provides a significant update to the mixed-use development concept for Timothy Branch's L-A-C-zoned area. Commercial uses have been removed and the entirety of the subject area is now proposed for mixed retirement development, which is an approved use in the L-A-C Zone, and compatible with surrounding development. In the approximately 8 years since this CDP was originally approved, significant development has occurred in the US 301 corridor area and commercial market conditions have changed, making the mixed-use development

concept less viable and development of an active adult community more compatible and appropriate for the site.

**(5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

- (A) Amounts of building coverage and open space;**
- (B) Building setbacks from streets and abutting land uses; and**
- (C) Circulation access points;**

The subject amendment proposes to update the previously approved development standards to facilitate the development of the mixed retirement development. These standards are discussed in detail under Finding 9. Staff has found the uses, standards, and facilities provided to be compatible in terms of building coverage and open space, building setbacks, and circulation access points.

**(6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;**

Timothy Branch is being developed in stages. As discussed in Finding 5, there have been multiple revisions to SDP-1701 to provide for development in staged phases, with each capable of creating an environment of continuing quality and stability while bolstering the quality and stability of the larger development. This CDP amendment provides for the development in the L-A-C-zoned portion of Timothy Branch in the same manner, fulfilling this requirement.

**(7) The staging of development will not be an unreasonable burden on available public facilities;**

The proposed amendment will not impact the previous findings relative to public facilities. The scale of development proposed is less intensive than previously approved. Further analysis will be done at the time of the required PPS and SDP.

**(8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**

- (A) The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting;**
- (B) Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;**



- (C) The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;**

The CDP does not involve any adaptive use of an historic site. This requirement is not applicable to this application.

- (9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and except as provided in Section 27-521(a)(11), where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d);**

The plan is consistent with this requirement by incorporating the applicable site design guidelines in the development standards for the residential dwellings proposed for the mixed retirement development in Timothy Branch's L-A-C-zoned area. This CDP amendment does not propose townhouses.

- (10) The Plan is in conformance with an approved Type 1 Tree Conservation Plan;**

This CDP amendment revises the Type 1 tree conservation plan, TCP1-151-90-03, to reflect the mixed retirement development, with no additional environmental impacts proposed. Environmental Planning staff recommends approval of the revised TCP.

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

Based on the level of design information shown on the CDP, and the Statement of Justification that does not request any additional environmental impacts, the amended CDP demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible, in accordance with the requirements of Subtitle 24-130-(b)(5) of the Subdivision Regulations.

- (12) Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

Section 27-226(f)(4) of the Zoning Ordinance is the District Council procedure for approving a comprehensive design zone application as part of a sectional map amendment. This provision is not applicable to the subject application because the property was rezoned to the comprehensive design zone through a basic plan application, not through a sectional map amendment.

- (13) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

This provision is not applicable to the subject application because The Villages at Timothy Branch is not a regional urban community.

- 9. Comprehensive Design Plan CDP-0901:** This application proposes to amend the CDP by removing the previously approved nonresidential uses for the subject site and expanding the mixed retirement development consistent with A-9988-C-01. All findings and conditions of CDP-0901 (PGCPB Resolution No. 10-111(A)), except for those modified in this application, remain valid and govern the development of the L-A-C-zoned section of The Villages at Timothy Branch. Previous conditions applicable to the commercial uses are being removed and other general conditions relative to the transportation, trails, and recreational facilities, specifically Conditions 14–21, 23–30, and 32–37, are being carried forward. Other previous CDP conditions of approval warrant discussion, as follows:

- 1. All conditions of approval of Basic Plan A-9988 shall remain in full force and effect.**

A-9988-C-01, approved by the District Council in 2020, updated the findings and conditions of approval. This CDP amendment is in conformance with the requirements of A-9988-C-01. This condition remains in effect.

- 2. The multifamily component of the project shall be developed for active adults in accordance with the Land Use Types table of the basic plan.**

This CDP amendment provides for mixed retirement development, in conformance with the land use types approved in A-9988-C-01. The mixed retirement development proposed is to be an active adult community comprised of two types of single-family dwellings, detached and semi-detached. While the mixed retirement development use allows for multifamily units, they are not proposed by this application. This condition is no longer applicable.

- 3. The proposed mixed-use development on this property shall include a maximum of 100,000 square feet of retail commercial uses, a minimum of 205,000 square feet of office, service commercial, institutional and educational uses, and a minimum of 131 residential units.**

As discussed in Finding 7, A-9988-C-01 amended the approved land use types and quantities to include mixed retirement development only. This CDP amendment provides for a mixed retirement development with 212 single-family residential units, which conforms with the requirements of A-9988-C-01. This condition is no longer applicable.

- 4. The total areas within the L-A-C Zone (CDP-0901) and the R-M Zone (CDP-0902) comprise a combined total trip cap of 1,269 trips in the AM and 1,775 trips in the PM. If the densities of the L-A-C Zone or the R-M Zone are modified for any reason, trips may be re-allocated between these two zones**

**(CDP-0901 & CDP-0902) such that the overall trip cap of 1,269 AM and 1,775 PM trips is not exceeded.**

The mixed retirement development use, including 212 single-family residential units proposed by this CDP amendment, is a less intensive development than was previously approved. As a result, the associated traffic generation will be less than what was previously approved for the L-A-C-zoned area, and is within the established trip cap. Given the change in development scheme provided by this CDP amendment, a new PPS and associated traffic study will be required for the L-A-C-zoned portion of Timothy Branch. This condition remains in effect.

- 5. At the time of preliminary plan and SDP, the applicant may increase the residential density beyond the 131 dwelling units shown on the CDP, preferably through the addition of a multistory, mixed-use structure. However, the plans must conform to the maximum development allowed as stated in Condition 4 above. Revisions to the CDP for this purpose will not be required so long as the basic design requirements are adhered to in the proposed layout.**

As discussed in Finding 7, the residential density for the site was amended with the approval of A-9988-C-01, and mixed-used development is no longer proposed for the subject site. The development proposed by this CDP amendment consists of 212 single-family residential units and is within the maximum development allowed by the trip caps established by Condition 4 above. This condition is no longer applicable.

- 6. A minimum 50-foot building restriction line (BRL) as measured from the ultimate right-of-way of Mattawoman Drive shall be provided on the Specific Design Plan (SDP) unless it is determined that a lesser BRL provides sufficient area to adequately buffer the dwellings from the roadway.**

This condition remains applicable, as residential uses are still proposed in proximity to Mattawoman Drive.

- 7. Prior to certificate approval of the comprehensive design plan:**

**b. The CDP plan and text shall be revised as follows:**

- (1) The on-site private recreational facilities list contained in the CDP text and plan shall include a swimming pool and a tot-lot.**
- (2) The community building and swimming pool shall be relocated to either the southern end of the residential use area, adjacent to the existing stormwater management (SWM) pond, or central to the pod of development. A six-foot-wide trail shall be provided around the SWM pond, if possible.**
- (3) Add a note to the plan and text that the residential development will be limited to no more than three different residential unit types, which may include two-family attached (two-over-two),**

**single-family semidetached, single-family attached (townhouse), or multifamily units, in order to create a more cohesive development.**

- (4) The CDP text and plan notes shall be corrected to reflect 131 residential units, a residential density of 4.3 dwelling units per acre, and a commercial floor-to-area ratio of 0.17.**
- (5) Revise the development standard chart in the text and on the plan pursuant to Condition 13.**
- (6) Revise the “Residential Architecture: Design Parameters” within the CDP text as follows:**
  - (a) A minimum of 60 percent of all townhouse units shall have a full front façade (excluding gables, bay windows, trim, and doors) and all highly-visible endwalls, which shall be identified at the time of SDP, shall be brick, stone or stucco, or other masonry materials of equivalent quality.**
  - (b) Townhouses and single-family semidetached dwellings facing a public street and the side elevation of the same unit facing a public street (corner lots) shall be faced up to 100 percent with high-quality materials such as brick, stone or stucco (excluding gables, bay windows, trim, and doors).**
  - (c) All residential buildings with front elevations facing Mattawoman Drive shall have a full front façade of brick, stone or stucco (excluding gables, windows, doors, and trim), or other masonry materials of equivalent quality.**
  - (d) Front elevations of townhouses and two-family attached units facing Mattawoman Drive shall have dormers or gables to reduce the single plane of roof.**
  - (e) Front elevations of townhouse and two-family attached units facing Mattawoman Drive shall be offset by a minimum of two feet.**
  - (f) Architecture for multifamily buildings shall be faced with at least 60 percent brick, stone, stucco or equivalent, or other masonry materials of equivalent quality. Elevations of multifamily buildings facing Mattawoman Drive shall be faced with 100 percent brick, stone or stucco (excluding gables, bay windows, trim, and doors), or other masonry materials of equivalent quality.**

- (g) Side and rear walls of all residential buildings shall be articulated with windows, recesses, chimneys, or other architectural treatments. All residential endwalls shall have a minimum of two architectural features, except endwalls in highly visible locations, which shall be identified at the time of SDP, shall have additional architectural features creating a well-balanced composition.**
- (7) Revise the “Commercial Architecture: Design Review Parameters” within the CDP text as follows:**
  - (a) Commercial building elevations shall incorporate a minimum of 60 percent, high-quality building materials which are durable and attractive, such as brick, stone, stucco or other masonry materials of equivalent quality.**
  - (b) Architecture of all of the commercial structures shall be cohesively designed, pedestrian oriented, and compatible in scale with the overall design of the Timothy Branch village center.**
  - (c) The design of retail buildings of two or more stories, if proposed, should emphasize the division between ground level and upper stories through design features such as, but not limited to, aligned windows, awnings, patterned bands, and cornices.**
  - (d) Drive-through facilities shall be designed with adequate space for queuing lanes that do not conflict with traffic circulation or pedestrian access.**
  - (e) All building façades facing major roads shall be designed with equal attention to design details and building materials.**
  - (f) Trash enclosures made of high-quality building materials shall be used to screen trash dumpsters.**
- (8) Include the following phasing for the on-site private recreational facilities within the CDP text and plan.**

<b>CDP-0901 - PHASING OF AMENITIES</b>		
<b>FACILITY</b>	<b>BOND</b>	<b>FINISH CONSTRUCTION</b>
<b>One gazebo/seating area - LAC</b>	<b>Prior to the issuance of any residential unit permit</b>	<b>Complete by 100th overall* residential unit permit</b>
<b>2,500 sq. ft. tot-lot - LAC</b>	<b>Prior to the issuance of any residential unit permit</b>	<b>Complete by 100th overall residential unit permit</b>
<b>Min. 2,200 square-foot Community building and swimming pool - LAC</b>	<b>Prior to the issuance of 200th overall* residential unit permit</b>	<b>Complete by 300th overall residential unit permit</b>
<b>Double Tennis Court - LAC</b>	<b>Prior to the issuance of 200th overall residential unit permit</b>	<b>Complete by 300th overall residential unit permit</b>
<b>Timothy Branch<sup>1</sup> Stream Valley Trail (approx. 1,800 L.F.) or other recreational trail</b>	<b>Prior to the issuance of any residential unit permit for the adjacent pod</b>	<b>Complete with adjacent pod development</b>
<p><b>It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessary. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25 percent, and an adequate number of permits shall be withheld to assure completion of all of the facilities prior to completion of all the dwelling units.</b></p> <p><b>* "Overall" means CDP-0901 (LAC Zone) and CDP-0902 (RM Zone)</b></p> <p><b><sup>1</sup> Unless the District Council amends the Basic Plan condition requiring the same</b></p>		

This CDP amendment significantly modifies the scope of the proposed development that was previously approved, including removing all commercial and retail uses, expansion of the mixed retirement development use, and update of the associated private, on-site recreational facilities package. Staff finds the updated development program and private on-site recreation facilities package to be acceptable. The updated recreation facilities package and phasing proposed with the CDP amendment is as follows:

CDP-0901-01 - PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
One gazebo/sitting area – L-A-C West	Prior to the issuance of the any residential unit permit	Complete by 175th overall* residential unit permit
Dog Park – L-A-C East	Prior to the issuance of any residential unit permit	Complete by 125th overall residential unit permit
Min. 2,200 square-foot Community Building – L-A-C East	Prior to the issuance of 75th overall residential unit permit	Complete by 125th overall residential unit permit
Bocce and Pickleball Court – L-A-C East	Prior to the issuance of 75th overall residential unit permit	Complete by 125th overall residential unit permit
Timothy Branch <sup>1</sup> Stream Valley Trail (approx. 1,800 L.F.) or other recreational trail	Prior to the issuance of any residential unit permit	Complete with adjacent pod development
<p>It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessary. The number of permits allowed to be released, prior to construction of any given facility, shall not be increased by more than 25 percent, and an adequate number of permits shall be withheld to assure completion of all of the facilities, prior to completion of all the dwelling units.</p> <p>* “Overall” means CDP-0901 (LAC Zone)</p> <p><sup>1</sup> Unless the District Council amends the basic plan condition requiring the same</p>		

- c. **The CDP and the TCP1 shall be revised to show a minimum of a 40-foot-wide scenic easement and landscaped buffer, outside of the ultimate right-of-way and any public utility easements, along the southern frontage of historic Brandywine Road. A reduction in width of the scenic easement may be permitted at the time of SDP if additional design elements are implemented.**

The submitted CDP shows a 40-foot-wide scenic easement outside of the right-of-way and public utility easements, along the southern frontage of historic Brandywine Road, in conformance with this condition.

**8. Prior to the approval of a specific design plan, the following shall be provided:**

- a. **On both corners at the intersection of Mattawoman Drive and Brandywine Road, landmark buildings shall be provided within the retail/office use areas at the entrance into the development. These buildings shall have a maximum build-to-line of 100 feet from both rights-of-way, be a minimum of 26 feet high, be faced with a minimum of 60 percent brick, stone or stucco, or other masonry materials of equivalent quality, and have enhanced architecture on all building elevations, to include, but not limited to, balanced fenestration,**

ornamentation, and dimensional articulated roofs. Additionally, both buildings shall include a special architectural feature, such as, but not limited to, a portico, cupola, or belvedere located at the corner of the building closest to the intersection. The area in front of the proposed landmark buildings shall be designed to enhance visual interest provided through variation in building materials and color at the street level, pedestrian-scaled signage, awnings, outdoor seating areas, and high-quality pedestrian amenities. Specific details of the retail façades shall be provided and reviewed with the specific design plan application.

- b. A cohesive relationship shall be created between the retail, office, and residential components by using similar landscape elements, paving materials, etc. throughout the development. The landscape elements and paving materials shall be reviewed during the specific design plan stage.
- c. The design of the landscape bufferyard treatment proposed adjacent to the land use envelope for the development pods fronting on Brandywine Road should complement the landscape and buffer treatments proposed on Lots 21 and 22, Stephen's Crossing, located on the north side of Brandywine Road, or any other development thereon approved by the Planning Board, and shall be addressed with the approval of the SDP.
- d. The architectural design and front setback treatments for any commercial buildings fronting on Mattawoman Drive should be complementary in design and character with the Stephen's Crossing development to the north, unless it can be proven impractical, in order to create a consistent visual appearance along the entire Mattawoman Drive road frontage.
- e. Location, details, and specifications of the proposed bus stop shelters and associated amenities, as appropriate, shall be submitted for review and approval.
- f. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view and residential areas with materials harmonious to the building, or they shall be located so as not to be visible from any public ways.
- g. Refuse and waste removal areas, service yards, and large loading areas shall be screened from view from public ways and residential areas with masonry screening materials that are harmonious to the nearby buildings.
- h. An employee amenity area shall be provided in association with the office/employment component of the development and shall include seating areas, landscaping, and decorative paving, at a minimum.



- i. No rear elevations of residential buildings shall be oriented toward Mattawoman Drive. Any side elevations of residential buildings oriented toward Mattawoman Drive shall be designed with the same attention to detail as the front elevation.**
- j. No rear elevations of commercial buildings shall be oriented toward Brandywine Road or Mattawoman Drive. Any side elevations of commercial buildings oriented toward Brandywine Road or Mattawoman Drive shall be designed with the same attention to detail as the front elevation.**
- k. An appropriate landscape bufferyard shall be provided between the commercial and residential uses unless a street is located between them with single-family homes fronting the road. This bufferyard shall be specifically designed to screen and buffer undesirable views and activities, while also creating defined, direct pedestrian circulation between the uses.**
- l. Trails shall be shown no less than 20 feet from all private residential lot lines and/or 25 feet from all residential buildings, excluding where trails connect with the internal road network, unless such environmental constraints/impacts exist that make this impractical.**
- m. All community and commercial buildings shall have enhanced architectural design, to include, but not limited to, high-quality materials, such as brick, stone and stucco, or other masonry materials of equivalent quality, ornamentation, varying roof lines, and balanced fenestration.**
- n. A site development plan for stormwater management that details how the new stormwater management requirements will be met regarding the provision of environmental site design techniques, to the fullest extent practicable, unless other stormwater management design approvals and/or waivers are granted by DPW&T.**
- o. The TCP2 for the subject property demonstrating that the requirements of the Woodland and Wildlife Habitat Conservation Ordinance are provided on-site through preservation or afforestation to the fullest extent possible, consistent with the desired pattern of development and densities indicated in the General Plan. If off-site mitigation is required, it shall be provided within the Mattawoman watershed.**
- p. A variance for the removal of Specimen Tree No. 3 shall be applied for and approved with the appropriate SDP application and associated TCP2.**
- q. The use of full cut-off optics to ensure that light intrusion into residential and environmentally-sensitive areas is minimized. At the time of SDP, details of all lighting fixtures shall be submitted for review**

**along with certification that the proposed fixtures are full cut-off optics and a photometric plan showing proposed light levels. The following note shall be placed on all future SDPs:**

**“All lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over.”**

- r. A tree canopy coverage (TCC) schedule on the SDPs and associated TCP2s indicating how the TCC requirements have been fulfilled for the subject application.**
- s. A Phase II noise study for any residential units along Mattawoman Drive shall be submitted for review. The Phase II noise study shall address how noise impacts to the residential units will be mitigated to provide interior noise levels of 45 dBA Ldn or less and exterior noise levels of 65 dBA Ldn or less within outdoor activity areas based on the final site design. The approval of architecture at the time of SDP shall also demonstrate how the proposed structures are in conformance with the noise mitigation measures recommended in the Phase II noise report for interior residential uses.**
- t. Buildings compatible in terms of exterior materials and colors, scale and massing, and style.**
- u. Eating and drinking establishments with drive-through service and gas stations, if any, shall be designed so that the drive-through area and gas pumps are located behind the building, not directly adjacent to the street, and do not impede pedestrian circulation.**
- v. A 30-foot landscape buffer, inclusive of any public utility easement, between the right-of-way of Mattawoman Drive and any commercial development.**
- w. The residential development shall be designed to minimize the use of public streets ending in cul-de-sacs in order to promote vehicular circulation.**

The proposed land uses for the subject site have changed since the original approval of the CDP, as discussed in Finding 7. This CDP amendment follows in line with the recent basic plan revision to expand the mixed retirement development use of the site and removes other previously approved commercial uses. The above referenced conditions a, b, d, f, g, h, j, k, q, t, u, and v pertain to aspects of the previously approved project that are being removed from the CDP with this proposed amendment. Conditions 8 c, e, i, l, m, n, o, p, r, s, and w remain valid and conformance will be evaluated at the time of SDP review.

- 9. At the time of the first SDP for any office or retail/commercial use, an overall cohesive signage plan for all of the retail and office uses within CDP-0901 shall be submitted for review. This plan shall include unifying design standards, including, but not limited to, signage amount, size, location, color, purpose, and style for all freestanding and building-mounted signage.**

As retail/commercial use is no longer proposed as part of this CDP, this condition is no longer applicable.

- 10. Prior to acceptance of an SDP, a plan and proposal for the type, location, and timing of any required PMA mitigation, associated with the SDP, shall be submitted.**

This condition remains applicable and shall be addressed, prior to the acceptance of an SDP for development in the L-A-C-zoned portion of Timothy Branch.

- 11. Prior to approval of any TCP2 which proposes to credit as woodland conservation planting occurring within a stormwater management easement, a site development stormwater management plan shall be submitted to the Prince George's County Planning Department which indicates that the planting areas proposed have been reviewed by the Department of Public Works and Transportation (DPW&T) with regard to the location, size, and plant stocking proposed. No afforestation or preservation areas should be shown within 15 feet of the toe of the pond embankment, or as determined by DPW&T or the Soil Conservation District reviewers.**

This condition remains valid and must be addressed, prior to approval of a TCP2.

- 12. Construction/building shells for all office buildings, fronting on Mattawoman Drive, proposed within the 65dBA LDN noise contour or higher, should be designed to reduce noise levels.**

The CDP amendment removes all previously approved retail, office, and commercial uses from the L-A-C-zoned portion of Timothy Branch, and as such, this condition is no longer applicable.

- 13. The following standards shall apply to the development. (Modifications to the standards may be permitted on a lot-by-lot basis by the Planning Board at the time of specific design plan if circumstances warrant.)**

<b>RESIDENTIAL USES—L-A-C Zone<sup>1</sup></b>				
	<b>Two-family attached</b>	<b>Single-family semidetached<sup>8, 9</sup></b>	<b>Single-family attached<sup>3, 8, 9</sup></b>	<b>Active-Adult Multifamily<sup>4</sup></b>
<b>Minimum Net Lot Area</b>	N/A	3,600 sq. ft.	1,800 sq. ft.	N/A
<b>Minimum frontage at street R.O.W</b>	N/A	36 feet	20 feet	N/A
<b>Minimum frontage at Front B.R.L.</b>	N/A	36 feet	20 feet	N/A
<b>Minimum frontage – corner lot</b>	N/A	40 feet	30 feet	N/A
<b>Maximum Lot Coverage (%)</b>	35 <sup>10</sup>	35	35 <sup>10</sup>	50 <sup>10</sup>
<b>Minimum building setback from Mattawoman Drive<sup>11</sup></b>	50 feet	50 feet	50 feet	50 feet
<b>Minimum front setback<sup>5</sup></b>	N/A	20 feet	3, 6	7
<b>Minimum side setback<sup>5</sup></b>	N/A	10 feet	6	7
<b>Minimum rear setback<sup>5</sup></b>	N/A	20 feet	6	7
<b>Minimum side setback to street<sup>5</sup></b>	N/A	20 feet	6	7
<b>Maximum residential building height<sup>12</sup></b>	55 feet	45 feet	45 feet	80 feet
<b>Maximum percentage of total units</b>	N/A	N/A	40	45.8 <sup>2</sup>

<sup>1</sup> All parking is governed by Part 11 of the Zoning Ordinance.

<sup>2</sup> Variance approved from the maximum multifamily dwelling unit percentage, which allows a maximum 30 percent of multifamily dwelling units in the L-A-C Zone.

<sup>3</sup> Applies to both front and rear loaded garage townhouses. Rear-load garage townhomes shall have a minimum 30-foot front yard setback in order to reduce the length of the driveway.

<sup>4</sup> To be developed as condominiums and as an active adult community, per A-9988.

<sup>5</sup> Stoops and/or steps may encroach into yard area.

<sup>6</sup> Minimum yard area of 800 square feet to be allocated for front, side, or rear yard. May be reduced to 500 square feet for providing stoops, steps, and terraces which may project into yard area. Decks may project into rear yards only.

<sup>7</sup> For multifamily buildings, the minimum building setback along a street shall be 25 feet, except for Mattawoman Drive, which requires a 50-foot setback.

<sup>8</sup> Fences and retaining walls up to six feet high may be constructed anywhere in a rear yard without meeting setback requirements.

<sup>9</sup> Fences in the front yard shall not be more than four feet high.

<sup>10</sup> This percentage is for building coverage (and not for lot coverage) of the overall net tract area.

<sup>11</sup> At the time of SDP, these distances may be modified if it is determined by the Planning Board, that adequate measures are provided to protect all residential buildings from the traffic nuisances of Mattawoman Drive.

<sup>12</sup> These height limits may be increased if a variance and/or modification is granted by the Planning Board at the time of SDP.

<b>Accessory Buildings—L-A-C Zone</b>	
<b>Maximum Lot Coverage (%)</b>	<b>25</b>
<b>Minimum setback from front street line</b>	<b>60 feet</b>
<b>Minimum setback from side lot line</b>	<b>2 feet</b>
<b>Minimum setback from rear lot line</b>	<b>2 feet</b>
<b>Corner lot - Minimum setback from side street line (along which an abutting lot fronts)</b>	<b>10 feet</b>
<b>Corner lot - Minimum setback from side street line (along which an abutting lot does not front)</b>	<b>7 feet</b>
<b>Maximum building height above grade</b>	<b>15 feet</b>
<b>Note: No accessory building shall be located closer to the street line than the main building on the lot or parcel.</b>	

<b>COMMERCIAL USES—L-A-C Zone</b>			
	<b>Commercial Office</b>	<b>Commercial Retail</b>	<b>Employment/ Flex Space</b>
<b>Minimum Net Lot Area</b>	N/A	N/A	N/A
<b>Minimum frontage at street R.O.W</b>	N/A	N/A	N/A
<b>Minimum frontage at Front B.R.L.</b>	N/A	N/A	N/A
<b>Maximum Lot Coverage (%)</b>	N/A	N/A	N/A
<b>Maximum Build-to-Line along Mattawoman Drive</b>	<b>100 feet</b>	<b>100 feet</b>	<b>100 feet</b>
<b>Minimum front setback from R.O.W.</b>	<b>30 feet</b>	<b>30 feet</b>	<b>30 feet</b>
<b>Minimum side setback</b>	<b>30 feet</b>	<b>30 feet</b>	<b>30 feet</b>
<b>Minimum rear setback</b>	<b>30 feet</b>	<b>30 feet</b>	<b>30 feet</b>
<b>Maximum building height</b>	N/A	N/A	N/A
<b>Minimum parking spaces</b>	<b>As required by Part 11 of the Zoning Ordinance</b>		

As previously noted, this CDP amendment proposes single-family detached and single-family semidetached dwellings, as part of the mixed retirement development. Revised standards are proposed to replace those previously approved, as follows:

RESIDENTIAL USES – L-A-C Zone <sup>1</sup>		
MIXED RETIREMENT DEVELOPMENT		
	One Family Detached	Single Family Semidetached <sup>3,4</sup>
Minimum Net Lot Area	5,200 sq. ft.	3,000 sq. ft.
Minimum Frontage at Street R.O.W.	40 feet	30 feet
Minimum Frontage at Front B.R.L.	50 feet	30 feet
Minimum Frontage- Corner Lot	60 feet	30 feet
Maximum Lot Coverage (percent)	60 percent	60 percent
Minimum Building Setback from Mattawoman Drive <sup>5</sup>	50 feet	50 feet
Minimum Front Setback <sup>2</sup>	20 feet	20 feet
Minimum Side Setback <sup>2</sup>	5 feet	5 feet
Minimum Distance Between Buildings	10 feet	10 feet
Minimum Rear Setback <sup>2</sup>	20 feet	20 feet
Minimum Side Setback to Street <sup>2</sup>	15 feet	5 feet
Maximum Residential Building Height <sup>6</sup>	40 feet	45 feet
Maximum Percentage of Total Units	N/A	N/A
Minimum Frontage on Cul-de-sac	30 feet	N/A

<sup>1</sup> All parking is governed by Part 11 of the Zoning Ordinance.

<sup>2</sup> Stoops and/or steps may encroach into yard area.

<sup>3</sup> Fences and retaining walls up to 6 feet high may be constructed anywhere in a rear yard without meeting setback requirements.

<sup>4</sup> Fences in the front yard shall not be more than 3 feet high.

<sup>5</sup> At the time of SDP, these distances may be modified if it is determined by the Planning Board that adequate measures are provided to protect all residential buildings from the traffic nuisances of Mattawoman Drive.

<sup>6</sup> These height limits may be increased if a variance and/or modification is granted by the Planning Board, at the time of SDP.

Staff finds the proposed revisions to the L-A-C Zone development standards to be acceptable and supportive of a mixed retirement development.

**31. Show bicycle parking spaces on the specific design plan at the recreational facilities and in the commercial areas. These spaces should be located near the front entrances to the buildings and have access to bikeway and trail facilities.**

The CDP amendment removes the commercial uses and areas from the development proposal; therefore, this condition will be modified to apply only to recreational facilities.

- 10. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance:** A revised TCP1-151-90-03, which covers both the L-A-C and R-M-zoned portions of Timothy Branch, has been submitted with the current application and shows the overall 334.26-acre site with a net tract area of 282.99 acres. The site has 175.35 acres of existing woodland in the net tract area and 28.69 acres in the

floodplain. The woodland conservation threshold is 53.77 acres (19 percent of the site's overall net tract area). The woodland conservation worksheet shows the removal of 137.95 acres of woodland on the net tract area, 1.00 acre in the floodplain, and 0.13 acre off-site, resulting in a woodland conservation requirement of 103.39 acres. This requirement was proposed to be met with 33.84 acres of woodland preservation, 44.72 acres of afforestation, and 23.10 acres in off-site woodland conservation credits. No technical revisions to the TCP1 have been identified during the current review.

The subject 72.4-acre L-A-C-zoned portion of Timothy Branch has a minimum tree canopy coverage (TCC) requirement of 10 percent. The subject site is required to provide at least 7.24 acres in TCC, which will be evaluated at the time of SDP review.

**11. Referral Comments:** The subject application was referred to the concerned agencies and divisions, which was limited due to the scope of the amendment. The referral comments are incorporated herein by reference, and major findings are summarized, as follows:

- a. **Community Planning**—In a memorandum dated December 7, 2020 (Calomese to Bossi), the Community Planning Division noted no master plan conformance issues and further noted that the Military Installation Overlay (M-I-O) Zone requirements for noise applies to the residential development proposed within the Overlay Zone. The interiors of all new residential construction within the applicable noise contours must be certified to 45 dBA Ldn or less by an acoustical engineer or qualified professional of comparable expertise.
- b. **Transportation Planning**—In a memorandum dated December 16, 2020 (Hancock to Bossi), the Transportation Planning Section noted the peak trip generation estimates for the mixed retirement development are less intensive and will result in less traffic generation than the previously approved mixed-use development. An updated traffic study will be required for review with a new PPS for the L-A-C-zoned portion of Timothy Branch. Mattawoman Drive (A-63) is a master plan arterial facility with a minimum right-of-way of 120-feet. Right-of-way along this facility has been previously dedicated along the frontage of the site. No further dedication is required.
- c. **Environmental Planning**—In a memorandum dated December 14, 2020 (Finch to Bossi), the Environmental Planning Section recommended approval of the amendment to the CDP and TCP1-151-90-03. The application has an approved Natural Resources Inventory Equivalency Letter, NRI-002-07-03, approved on December 16, 2019. An equivalency letter was issued because the site already had an implemented TCPII, TCPII-068-93-04. The CDP shows the required NRI information in general conformance with the NRI plan (NRI-002-07) for the overall Villages at Timothy Branch, which was approved on August 19, 2010.

The overall site contains streams, wetlands, and wetland buffers, and 100-year floodplain within the delineated primary management area (PMA), which are protected by conservation easements to the fullest extent possible, as determined at time of previous PPS and SDP approvals. The application does not propose additional impacts to the PMA.

- d. **Trails**—In a memorandum dated December 9, 2020, (Smith to Bossi), Trails staff noted the planned development includes multimodal facilities that fulfill the intent of the pedestrian and bicycle transportation recommendations of the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* and the 2009 *Approved Countywide Master Plan of Transportation*. This CDP amendment does not alter or modify the previous findings or conditions of approval associated with the general provision of bicycle and pedestrian facilities.
- e. **Subdivision**—In a memorandum dated December 14, 2020 (Gupta to Bossi), it was noted that a portion of the subject L-A-C-zoned portion of Timothy Branch is also within the M-I-O Noise Intensity Zone, which needs to be reflected on the plans. A Phase I noise study was prepared and submitted for the subject property, to evaluate transportation-related noise impacts to proposed residential areas in the L-A-C Zone, along the southeast side of Mattawoman Drive. Since the previously approved commercial uses along the northwest side of Mattawoman Drive has been replaced by residential use, the noise impact should be reevaluated for this area. The Phase I noise study for this property shall be updated and submitted with the PPS.

The entirety of Timothy Branch is covered by an approved PPS, 4-09003. This PPS provided multiple parcels in the L-A-C portion of the development for a mix of retail, office, employment, and residential uses. The revisions proposed by this CDP amendment will require a new PPS and final plats to establish lots and parcels to support the mixed retirement development.

Pursuant to Section 24-121(a)(4) of the Subdivision Regulations, residential lots adjacent to existing or planned roadways of arterial or higher classification shall be platted with a minimum depth of 150 feet. Mattawoman Drive, a master-planned arterial roadway, bisects the subject property. It is recommended that any future lots are provided, in accordance with the Subdivision Regulations, and appropriate mitigation be provided to protect dwellings from traffic noise and nuisance, which will be further evaluated at the time of PPS.

- f. **Parks**—In a memorandum dated December 16, 2020 (Holley to Bossi), the Parks Department noted that the CDP amendment will not affect the previously approved conditions of PGCPB Resolution No. 10-111(A).
- g. **Historic**—In a memorandum dated November 19, 2020 (Smith and Stabler to Bossi), it was noted that the subject property does not contain and is not adjacent to designated Prince George's County historic sites or resources, and all archeological investigations have been completed.
- h. **Special Projects**—At the time of writing of this staff report, Special Projects did not provide comments on this application.
- i. **Police Department**—At the time of writing of this staff report, the Police Department did not provide comments on this application.
- j. **Fire/EMS Department**—At the time of writing of this staff report, the Fire Department did not provide comments on this application.



- k. **Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of writing of this staff report, DPIE did not provide comments on this application.
- l. **Washington Suburban Sanitary Commission (WSSC)**—At the time of writing of this staff report, WSSC did not provide comments on this application.

## RECOMMENDATION

Based upon the preceding evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and APPROVE Comprehensive Design Plan CDP-0901-01 and Type 1 Tree Conservation Plan TCP1-151-90-03, for The Villages at Timothy Branch, subject to conditions as follows:

- 1. Prior to certificate approval of this comprehensive design plan (CDP), the applicant shall revise the CDP, as follows:
  - a. Correct General Note 2 and labeling on plans to show the Local Activity Center-zoned area as “mixed retirement development” use.
  - b. Correct plan notes to reflect approval and conditions of Basic Plan A-9988-C-01.
  - c. Revise the plans to show, label, and address the Military Installation Overlay Noise Intensity Zone.
  - d. The CDP and text shall be revised, as necessary, to reflect this approval.
  - e. Include the following phasing for the on-site private recreational facilities within the CDP text and on the plan:

CDP-0901-01 - PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
One gazebo/sitting area – L-A-C West	Prior to issuance of any residential unit permit	Complete by 175th overall* residential unit permit
Dog Park – L-A-C East	Prior to issuance of any residential unit permit	Complete by 125th overall residential unit permit
Min. 2,200-square-foot Community Building – L-A-C East	Prior to issuance of 75th overall residential unit permit	Complete by 125th overall residential unit permit
Bocce and Pickleball Court – L-A-C East	Prior to issuance of 75th overall residential unit permit	Complete by 125th overall residential unit permit
Timothy Branch <sup>1</sup> Stream Valley Trail (approx. 1,800 L.F.) or other recreational trail	Prior to issuance of any residential unit permit	Complete with adjacent pod development
<p>It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessary. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25 percent, and an adequate number of permits shall be withheld to assure completion of all of the facilities prior to completion of all the dwelling units.</p> <p>* “Overall” means CDP-0901 (LAC Zone)</p> <p><sup>1</sup> Unless the District Council amends the Basic Plan condition requiring the same</p>		

2. All conditions of approval of Basic Plan A-9988-C-01 shall remain in full force and effect.
3. The total areas within the Local Activity Center (L-A-C) Zone (Comprehensive Design Plan CDP-0901) and the Residential Medium Development (R-M) Zone (CDP-0902) comprise a combined total trip cap of 1,269 trips in the AM and 1,775 trips in the PM. If the densities of the L-A-C Zone or the R-M Zone are modified for any reason, trips may be reallocated between these two zones (CDP-0901 and CDP-0902) such that the overall trip cap of 1,269 AM and 1,775 PM trips is not exceeded.
4. A minimum 50-foot building restriction line (BRL), as measured from the ultimate right-of-way of Mattawoman Drive shall be provided on the specific design plan unless it is determined that a lesser BRL provides sufficient area to adequately buffer the dwellings from the roadway.
5. Prior to the approval of a specific design plan (SDP), the following shall be provided:
  - a. The design of the landscape bufferyard treatment proposed, adjacent to the land use envelope for the development pods fronting on Brandywine Road, should complement the landscape and buffer treatments proposed on Lots 21 and 22, Stephen’s Crossing, located on the north side of Brandywine Road, or any other development thereon approved by the Planning Board, and shall be addressed with the approval of the SDP.

- b. Location, details, and specifications of the proposed bus stop shelters and associated amenities, as appropriate, shall be submitted for review and approval.
- c. No rear elevations of residential buildings shall be oriented toward Mattawoman Drive. Any side elevations of residential buildings oriented toward Mattawoman Drive shall be designed with the same attention to detail as the front elevation.
- d. Trails shall be shown no less than 20 feet from all private residential lot lines and/or 25 feet from all residential buildings, excluding where trails connect with the internal road network, unless such environmental constraints/impacts exist that make this impractical.
- e. All community buildings shall have enhanced architectural design, to include, but not limited to, high-quality materials, such as brick, stone and stucco, or other masonry materials of equivalent quality, ornamentation, varying roof lines, and balanced fenestration.
- f. A site development plan for stormwater management (SWM) that details how the new SWM requirements will be met, regarding the provision of environmental site design techniques, to the fullest extent practicable, unless other SWM design approvals and/or waivers are granted by the Prince George's County Department of Public Works and Transportation.
- g. The Type 2 tree conservation plan for the subject property, demonstrating that the requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance are provided on-site through preservation or afforestation to the fullest extent possible, consistent with the desired pattern of development and densities indicated in the general plan. If off-site mitigation is required, it shall be provided within the Mattawoman watershed.
- h. A variance for the removal of Specimen Tree No. 3 shall be applied for and approved with the appropriate SDP application and associated Type 2 tree conservation plan.
- i. A tree canopy coverage (TCC) schedule on the SDPs and associated Type 2 tree conservation plans, indicating how the TCC requirements have been fulfilled for the subject application.
- j. A Phase II noise study for any residential units along Mattawoman Drive shall be submitted for review. The Phase II noise study shall address how noise impacts to the residential units will be mitigated to provide interior noise levels of 45 dBA Ldn or less and exterior noise levels of 65 dBA Ldn or less within outdoor activity areas based on the final site design. The approval of architecture at the time of SDP shall also demonstrate how the proposed structures are in conformance with the noise mitigation measures recommended in the Phase II noise report for interior residential uses.
- k. The residential development shall be designed to minimize the use of public streets ending in culs-de-sac, in order to promote vehicular circulation.

6. Prior to acceptance of a specific design plan (SDP), a plan and proposal for the type, location, and timing of any required primary management area mitigation, associated with the SDP, shall be submitted.
7. Prior to approval of any Type 2 tree conservation plan, which proposes to credit as woodland conservation planting occurring within a stormwater management (SWM) easement, a site development SWM plan shall be submitted to the Prince George's County Planning Department, which indicates that the planting areas proposed have been reviewed by the Prince George's County Department of Public Works and Transportation (DPW&T) with regard to the location, size, and plant stocking proposed. No afforestation or preservation areas should be shown within 15 feet of the toe of the pond embankment, or as determined by DPW&T or the Soil Conservation District reviewers.
8. The following standards shall apply to the development. Modifications to the standards may be permitted on a lot-by-lot basis by the Planning Board at the time of specific design plan if circumstances warrant.

RESIDENTIAL USES – L-A-C Zone <sup>1</sup>		
MIXED RETIREMENT DEVELOPMENT		
	One Family Detached	Single Family Semidetached <sup>3,4</sup>
Minimum Net Lot Area	5,200 sq. ft.	3, 000 sq. ft.
Minimum Frontage at Street R.O.W.	40 feet	30 feet
Minimum Frontage at Front B.R.L.	50 feet	30 feet
Minimum Frontage-Corner Lot	60 feet	30 feet
Maximum Lot Coverage (percent)	60 percent	60 percent
Minimum Building Setback from Mattawoman Drive <sup>5</sup>	50 feet	50 feet
Minimum Front Setback <sup>2</sup>	20 feet	20 feet
Minimum Side Setback <sup>2</sup>	5 feet	5 feet
Minimum Distance Between Buildings	10 feet	10 feet
Minimum Rear Setback <sup>2</sup>	20 feet	20 feet
Minimum Side Setback to Street <sup>2</sup>	15 feet	5 feet
Maximum Residential Building Height <sup>6</sup>	40 feet	45 feet
Maximum Percentage of Total Units	N/A	N/A
Minimum Frontage on Cul-de-sac	30 feet	N/A

<sup>1</sup> All parking is governed by Part 11 of the Zoning Ordinance.

<sup>2</sup> Stoops and/or steps may encroach into yard area.

<sup>3</sup> Fences and retaining walls up to 6 feet high may be constructed anywhere in a rear yard without meeting setback requirements.

<sup>4</sup> Fences in the front yard shall not be more than 3 feet high.

<sup>5</sup> At the time of SDP, these distances may be modified if it is determined by the Planning Board, that adequate measures are provided to protect all residential buildings from the traffic nuisances of Mattawoman Drive.

<sup>6</sup> These height limits may be increased if a variance and/or modification is granted by the Planning Board, at the time of SDP.

9. Prior to approval of building permits by the Maryland-National Capital Park and Planning Commission (M-NCPPC) for 50 percent of the residential dwelling units within Comprehensive Design Plans CDP-0901 and CDP-0902, the applicant shall make a monetary contribution in the amount of \$700,000.00 in 2015 dollars to M-NCPPC, who shall adjust the amount of the contribution using the Consumer Price Index for inflation, at the time of payment. The funds shall be used for the construction of recreational facilities in the Brandywine Area Community Park (M-NCPPC), as determined by the Prince George's County Department of Parks and Recreation, to complement the facilities being provided at the Southern Area Aquatic and Recreational Complex.
10. The applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private recreational facilities on-site, in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.
11. The private recreational facilities shall be reviewed by the Urban Design Section, as designee of the Prince George's County Planning Board for adequacy, conformance to the Park and Recreation Facilities Guidelines, and location during the specific design plan review.
12. The applicant shall submit three original executed private recreational facilities agreements (RFA) for the private recreational facilities on-site to the Prince George's County Planning Department, Development Review Division (DRD) for their approval three weeks prior to submission of a final plat. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records, Upper Marlboro, Maryland.
13. Submission to the Prince George's County Planning Department, Development Review Division (DRD) of a performance bond, letter of credit, or other suitable financial guarantee for construction of private recreational facilities, in an amount to be determined by DRD, shall be done at least two weeks prior to applying for any building permits.
14. The developer and his heirs, successors, and/or assignees shall satisfy the Prince George's County Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed private recreational facilities.
15. The applicant shall provide an 8-foot-wide, concrete side path in the right-of-way, along the subject site's entire frontage of Brandywine Road (MD 381), subject to the Maryland State Highway Administration's (SHA) approval, in accordance with SHA standards, and subject to American Association of State Highway and Transportation Officials guidance.
16. The applicant shall provide sufficient dedication on the preliminary plan, along Brandywine Road for on-road bike lanes, in accordance with the Maryland State Highway Administration's standards and the American Association of State Highway and Transportation Officials guidance.
17. Provide an 8-foot-wide, concrete hiker/biker trail on the east side of Mattawoman Drive (A-63), along the subject site's entire frontage between Brandywine Road and the southern property line, in accordance with the Prince George's County Department of Public Works and Transportation (DPW&T) standards for a concrete hiker/biker trail within an urban right-of-way (DPW&T Standard 100.18). The hiker/biker trail shall be connected to the Timothy Branch trail, if required, via an alternate configuration (DPW&T Standard 100.06)

to accommodate two 5-foot-wide bike lanes within the travel lanes of a primary street located with directional signage to the Timothy Branch trail. A 5-foot-wide sidewalk shall also be provided on the west side of Mattawoman Drive. All hiker/biker trail locations, materials, signs, and other details shall be shown on the applicable specific design plan. Both the hiker/biker trail and the sidewalk shall be provided within the public right-of-way.

18. At the time of specific design plan, the plans shall identify the location of median refuge islands along Mattawoman Drive, per Prince George's County Department of Public Works and Transportation standards and with American Association of State Highway and Transportation Officials guidance.
19. Provide 4-foot-wide sidewalks along both sides of all internal residential roads (excluding alleys).
20. Indicate on the specific design plan the width of all of the on-road and off-road bikeways, sidewalks, and trails.
21. At the time of specific design plan review, provide cross section details of the proposed sidewalks, on-road bike lanes, shared-use roads, and trails per Maryland State Highway Administration and Prince George's County Department of Public Works and Transportation standards where applicable.
22. Provide a master plan hiker/biker/equestrian trail (the Timothy Branch trail), along the subject site's entire segment of the Timothy Branch stream valley, unless the Prince George's County District Council amends the basic plan condition requiring the same.
23. Any trail connectors on homeowners association land to the Timothy Branch trail, if required, shall be 6-feet-wide and asphalt.
24. Provide details of the way finding and trail signage, in accordance with American Association of State Highway and Transportation Officials guidance, at the time of specific design plan review, including the location of signage. This signage can be tailored to the development and provide way finding to nearby commercial areas or destinations. At a minimum, way finding signage should indicate the direction of the Southern Area Aquatics and Recreation Complex to the north of the subject site and the Rose Creek Connector trail to the south of the site.
25. Show bicycle parking spaces on the specific design plan at the recreational facilities. These spaces should be located near the front entrances to the buildings and have access to bikeway and trail facilities.
26. At the time of specific design plan, trail access points shall be designed to ensure that off-road motorized vehicles do not use trails except for maintenance and emergency purposes or wheelchair access. Details of bollards and/or other appropriate structures shall be provided for review.
27. Provide a trail construction sequence plan with each of the specific design plans so that staff can evaluate the timing of the construction of the trails.

28. At the time of preliminary plan of subdivision submittal, an updated Phase I noise study shall be included and the plan shall reflect the following rights-of-way:
- a. A 120-foot right-of-way along A-63, Mattawoman Drive, from north to south through the subject property.
  - b. A right-of-way of 40 feet from centerline along C-613, MD 381, along the site's entire frontage.

29. The applicant and the applicant's heirs, successors, and/or assignees shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a road club that will include the applicant, the Montgomery Ward's Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area C in the Subregion 5 Master Plan, as well as any properties along US 301/MD 5 between Timothy Branch (the intersection of US 301 and MD 5 in Prince George's County) and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Prince George's County Planning Board. For development on the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be payment of the following:

For commercial buildings, a fee calculated as  $\$1.41 \text{ per gross square foot of space } X \text{ (Engineering News-Record Highway Construction Cost index at time of payment) } / \text{ (Engineering News-Record Highway Construction Cost Index for first quarter, 1993)}$ .

For each townhouse, duplex, two over two unit, a fee calculated as  $\$1,187 X \text{ (Engineering News-Record Highway Construction Cost Index at time of payment) } / \text{ (Engineering News-Record Highway Construction Cost Index for first quarter, 1993)}$ .

For each multifamily unit, a fee calculated as  $\$886 X \text{ (Engineering News-Record Highway Construction Cost Index at time of payment) } / \text{ (Engineering News-Record Highway Construction Cost Index for first quarter, 1993)}$ .

Payment is to be made in trust to the road club escrow agent and shall be due on a pro rata basis, at the time of issuance of building permits. Prior to issuance of any building permit(s), the applicant shall provide written evidence to the Maryland-National Capital Park and Planning Commission that the required payment has been made.

The off-site transportation improvements to be constructed are set forth below. Construction of these improvements shall occur in the numerical sequence in which they appear. Each improvement shall be constructed if and only if sufficient funds for engineering, full design, and construction have been deposited into the road club escrow account by road club members or said funds have been provided by public agencies. The off-site transportation improvements shall include:

- a. Widen US 301/MD 5 from a 4-lane road to a 6-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at Timothy Branch). Construction shall be in accordance with presently approved Maryland State Highway Administration plans.
  - b. Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by the Prince George's County Department of Public Works and Transportation.
  - c. Make minor widening/stripping improvements to the US 301/MD 5 interchange ramps.
  - d. Widen US 301 from a 4-lane road to a 6-lane road beginning at the Timothy Branch interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.
  - e. Reconstruct the traffic signal at US 301/MD 381.
  - f. Install a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by the Prince George's County Department of Public Works and Transportation and the Maryland State Highway Administration.
  - g. Provide a grade separation at the point where the spine road crosses US 301 northeast of Timothy Branch.
  - h. Reconstruct the traffic signal at MD 5/Brandywine Road.
  - i. Construction of an interchange in the area of US 301/MD 5 and Cedarville/McKendree Roads.
  - j. Construction of an interchange in the area of MD 5 and A-63 north of Timothy Branch.
  - k. Construction of A-63 as a 6-lane arterial roadway (off-site) between the US 301/MD 5/Cedarville Rd./McKendree Road intersection and MD 5 north of Timothy Branch.
  - l. Widen US 301/MD 5 from a 6-lane road to an 8-lane road beginning at the Timothy Branch interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.
  - m. Widen MD 5 from a 4-lane road to a 6-lane road beginning at the Timothy Branch interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.
30. The applicant and the applicant's heirs, successors and/or assignees shall provide the following transportation improvements, as proffered in the July 2009 traffic impact study.
- a. A third northbound through lane along US 301 through the MD 381 and the Mattawoman Drive intersections, beginning approximately 1,000 feet south of MD 381 and continuing approximately 2,500 feet north of MD 381. The elimination



of left turns at the US 301/MD 381 intersection coincident with the construction of a northbound left-turn lane along US 301 at Mattawoman Drive shall be constructed by the applicant if required by the Maryland State Highway Administration.

- b. A northbound left-turn lane along US 301 at Mattawoman Drive, subject to Maryland State Highway Administration approval.
  - c. The signalization of the MD 381/Mattawoman Drive intersection, along with the addition of a westbound left-turn lane along MD 381 at Mattawoman Drive.
  - d. The extension of Mattawoman Drive, south of the subject property to connect to Matapeake Business Drive.
31. Applications for building permits for residential uses within the 65 dBA Ldn noise contour shall contain a certification, to be submitted to the Maryland-National Capital Park and Planning Commission, prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.