




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

Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

# Special Exception Alternative Compliance Stewart Property

**SE-22002**  
**AC-23008**

REQUEST		STAFF RECOMMENDATION	
<b>SE-22002:</b> Special exception to permit a planned retirement community with 57 age-restricted single-family attached dwelling units.  <b>Variance</b> for the removal of eight specimen trees.  <b>AC-23008:</b> Alternative compliance from Section 4.6 and Section 4.10 of the Landscape Manual.		With the conditions recommended herein: <ul style="list-style-type: none"><li>• Approval of Special Exception SE-22002</li><li>• Approval of Type 2 Tree Conservation Plan TCP2-017-2023</li><li>• Approval of a Variance to Section 25-122(b)(1)(G)</li><li>• Approval of Alternative Compliance AC-23008</li></ul>	
<b>Location:</b> Approximately 390 feet southeast of the intersection of Lake Glen Drive and Springfield Road.			
Gross Acreage:	12.01	Planning Board Date:	07/27/2023
Zone:	RR	Planning Board Action Limit:	N/A
Prior Zone:	R-R	Staff Report Date:	07/13/2023
Dwelling Units:	57	Date Accepted:	05/12/2023
Gross Floor Area:	2,200 – 3,200 sq. ft.	Informational Mailing:	12/07/2022
Lots:	57	Acceptance Mailing:	04/28/2023
Parcels:	3	Sign Posting Deadline:	N/A
Planning Area:	71A		
Council District:	04		
Municipality:	None		
<b>Applicant/Address:</b> ESC 8215 Springfield, L.C. 1355 Beverly Road, Suite 240 McLean, VA 22101			
<b>Staff Reviewer:</b> Andrew Shelly <b>Phone Number:</b> 301-952-4976 <b>Email:</b> <a href="mailto:Andrew.Shelly@ppd.mncppc.org">Andrew.Shelly@ppd.mncppc.org</a>			

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/](http://www.mncppcapps.org/planning/Person_of_Record/).  
Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

**TECHNICAL STAFF REPORT:**

TO: The Prince George's County Planning Board  
The Prince George's County District Council

VIA: Jeremy Hurlbutt, Supervisor, Zoning Review Section,  
Development Review Division

FROM: Andrew Shelly, Planner II, Urban Design Section  
Development Review Division

SUBJECT: Special Exception SE-22002  
Stewart Property

REQUEST: **SE-22002:** Special exception to permit a planned retirement community with  
57 age-restricted single-family attached dwelling units.

**Variance** for the removal of eight specimen trees.

**AC-23008:** Alternative compliance from Section 4.6 and Section 4.10 of the  
Landscape Manual.

RECOMMENDATION: **APPROVAL with conditions**

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**NOTE:**

The Planning Board has scheduled this application on the consent agenda for transmittal to the Zoning Hearing Examiner on the agenda date of July 27, 2023.

You are encouraged to become a person of record in this application. Requests to become Persons of Record should be submitted electronically, by email to: ZHE@co.pg.md.us. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

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## SUMMARY

This application, to permit a planned retirement community with 57 age-restricted single-family attached dwelling units through a special exception, was accepted by the Prince George's County Planning Department on May 12, 2023, and is being reviewed in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Section 27-1900 of the Zoning Ordinance.

A special exception is subject to the general required findings of approval for all special exceptions contained in Section 27-317(a) of the prior Prince George's County Zoning Ordinance. Part 4 of the Zoning Ordinance also includes additional required findings for specific uses. A planned retirement community use is subject to the additional findings of Section 27-395 of the prior Zoning Ordinance. In support of the application, the applicant filed an amended statement of justification, submitted June 9, 2023, incorporated by reference herein.

## FINDINGS:

1. **Location and Site Description:** The subject property is located approximately 390 feet southeast of the intersection of Lake Glen Drive and Springfield Road. The site is currently improved with a single-family detached dwelling, being utilized as a private residence, with six associated structures, which include a detached garage and carport. The applicant is requesting to develop a planned retirement community with 57 age-restricted single-family attached dwelling units.
2. **History and Previous Approvals:** The subject property is a 12.01-acre parcel, known as Parcel 131, located in Tax Map 28, Grid D-3, D-4, E-3, and E-4. The property is located within the Rural Residential (RR) Zone in the Zoning Ordinance and the Rural-Residential (R-R) Zone of the prior Zoning Ordinance. The property is not subject to a previously approved preliminary plan of subdivision (PPS), and there are no prior final plats of subdivision recorded for the property. The proposed development will require a PPS, a certificate of adequacy, and a final plat to find conformance with the development proposed with this special exception application.
3. **Neighborhood and Surrounding Uses:** The immediate properties surrounding the site and their current respective zoning designations are, as follows:

<b>North—</b>	Open space and single-family dwellings in the Rural Residential (RR) Zone.
<b>East—</b>	Open space and single-family dwellings in the RR Zone.
<b>South—</b>	Vacant land in the RR Zone.
<b>West—</b>	Springfield Road and single-family dwellings in the Residential Estate (R-E) Zone.

The neighborhood continues to be defined by staff, by the following boundaries and characteristics:

- North—** An open space parcel owned by the Oakstone Homeowners Association, Inc.; an open space parcel owned by the Springfield Manor Homeowners Association, Inc.; and single-family dwellings beyond, belonging to both associations.
- East—** An open space parcel owned by the Springfield Manor Homeowners Association, Inc., and two single-family dwellings.
- South—** Vacant land within the Glenn Dale North development, which has an approved preliminary plan of subdivision, 4-04170.
- West—** Springfield Road and single-family dwellings beyond.

The landscape of the neighborhood is wooded and the elevation ranges from 130 feet above sea level at the Newstop Branch stream center, to the east of the property, to 220 feet above sea level at Wycombe Park Lane, to the west of the property. The developed character of the neighborhood is that of single-family dwellings along residential, two-lane streets and culs-de-sacs. Parcel sizes are in the range of approximately .24 acre to approximately 1.35 acres. Dwellings are frame, executed in the American traditional/Colonial Revival style and have clapboard siding or brick cladding, and most were constructed after 1984.

4. **Request:** The applicant requests approval of a special exception to permit a planned retirement community use with 57 age-restricted single-family attached dwelling units, with a variance request for the removal of eight specimen trees. In addition, an associated alternative compliance is requested from the requirements of Section 4.6(c)(1)(A)(ii) (Buffering Residential Development from Streets) and Section 4.10 (Street Trees Along Private Streets) of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).
5. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	RR (Prior R-R)	RR (Prior R-R)
Use(s)	Single-Family Detached Dwelling	Planned Retirement Community (Age-Restricted Single-Family Attached Dwellings)
Acreage	12.01	12.01
Parcels	1	3
Lots	-	57
Gross Floor Area	2,768 sq. ft.	2,200 – 3,200 sq. ft. per lot
Dwellings	1	57

6. **Required Findings:** This application, to permit a planned retirement community use (with 57 age-restricted single-family attached dwelling units) through a special exception, is being reviewed in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Section 27-1900 of the Zoning Ordinance. The analysis of all required findings for approval are provided below.

**General Special Exception Findings**—Section 27-317(a) provides the following:

**(a) A Special Exception may be approved if:**

**(1) The proposed use and site plan are in harmony with the purposes of this Subtitle;**

The purposes of Subtitle 27 of the Prince George's County Code, as set forth in Section 27-102(a)(1–15) of the prior Zoning Ordinance, are generally to protect the health, safety, and welfare of the public; to promote compatible relationships between various land uses; to guide orderly development; and, to ensure adequate public facilities and services. This proposal will also be subject to a PPS to determine adequacy of public facilities.

Staff find that the proposed development will not negatively impact the public. The 57 age-restricted single-family attached dwelling units proposed will provide diverse housing options for the surrounding community through quality senior housing. The site will also include amenities through gathering areas, walking trails, and a community garden. A trail is proposed between the sidewalk network along Springfield Road and the western terminus of an internal private street, Private Road B, increasing the connectivity between the development and the existing sidewalk network.

The site abuts a collector street, Springfield Road, to the west. The site will be screened via native trees and shrubs. In addition, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (master plan) show a planned bicycle lane along the subject property's entire frontage of Springfield Road. A condition has been included herein requiring the applicant to show the bicycle lane on the special exception plan.

The environmental features of the site will be protected through the majority preservation of the primary management area (PMA) and a stormwater management (SWM) system. In addition, both on-site and off-site woodland conservation areas are proposed.

The proposed special exception use and site plan demonstrate harmony with the purposes of Subtitle 27 of the County Code.

**(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;**

The proposed use is in conformance with the requirements and regulations set forth in Subtitle 27. In 1987, the Prince George's County District Council enacted Council Bill CB-144-187. This ordinance was to permit a planned retirement community use under certain circumstances. The latest revision to the ordinance occurred in 2005, when the Prince George's County District Council enacted Council Bill CB-78-2005. Subtitle 27 permits a planned retirement community to be approved via a special exception in the R-R Zone.

The proposed use is being evaluated according to the general required findings of approval for all special exceptions contained in Section 27-317(a) of the prior Zoning Ordinance. A planned retirement community use is also subject to the additional findings of Section 27-395 of the prior Zoning Ordinance.

The application also demonstrates conformance with the R-R Zone development regulations. The proposed unit layouts and representative architecture have been provided by the applicant to supplement the special exception site plan. Staff has provided four conditions, given that the architecture is only representative and a specific builder has not been chosen yet. These conditions are discussed in the analysis of Section 27-395, which is incorporated by reference within this finding.

**(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan;**

*Plan Prince George's 2035 Approved General Plan* (Plan 2035) classifies this application as located within the Established Communities Growth Policy Area. Established communities areas are most appropriate for context-sensitive infill and low- to medium-density development. The subject property is surrounded by single-family residences and open space parcels. These open space parcels are owned and maintained by two different homeowners associations, the Oakstone Homeowners Association, Inc., and the Springfield Manor Homeowners Association, Inc. The proposed use of a planned retirement community (with age-restricted single-family attached dwellings) complements the surrounding neighborhood uses.

The master plan recommends low-density residential land uses on the subject property (Map 16, Future Land Use, p. 50). The description of the residential low land use category is, "Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings," (Table 3, Future Land Use Categories, p. 49). The density proposed with this application is 4.7 dwelling units per acre. However, Section 27-395(a)(3)(C) of the prior Zoning Ordinance states that for a planned retirement community, "The average number of dwelling units per acre shall not exceed (8) for the gross tract area." Therefore, the proposed number of dwelling units conforms to the prior Zoning Ordinance.

In addition, the master plan has various housing goals and initiatives which are supported by this proposed development. For example, Housing & Neighborhoods Goals 1 & 3 examine the affordability and housing options available within the Established Communities Growth Policy Area associated with Plan 2035. This proposal offers 57 age-restricted single-family attached dwelling units that will provide a new senior housing option in the community. Environmental policies are also considered as the site will provide a SWM system and preserve a majority of the PMA, which contains sensitive environmental features. This preserved area of environmental

features will also be utilized as a sound and visual buffer from surrounding development to the north and east of the site.

Staff find that the construction of 57 age-restricted single-family attached dwelling units for the elderly within a planned retirement community will not substantially impair the integrity of the master plan or Plan 2035. Special Exception SE-22002, as requested, conforms to this finding.

**(4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area;**

The proposed use will add quality senior housing to the surrounding community. Amenities will be provided to facilitate community gatherings and enhance public health, through walking trails and a community garden.

The development will provide safe vehicular and pedestrian circulation for current and future residents. The special exception site plan shows a proposed sidewalk along the site's frontage on Springfield Road along with internal site sidewalks. A natural trail will be provided connecting Private Road B and the on-site pedestrian network to the Springfield Road sidewalk. Conditions have been included herein, requiring the applicant to provide a bicycle lane on the special exception plan along the site's frontage on Springfield Road and dimension all sidewalks and trails. Once revised, according to the conditions proposed herein, this site will be consistent with MPOT policies. The master plan indicates that the minimum dimensions for all sidewalks should be six feet wide and this standard has been included within the condition.

Staff find that the proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area.

**(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and**

The site is bounded to the north and east by open space and single-family dwellings; to the south by vacant land; and, to the west, by Springfield Road and single-family detached dwellings beyond.

The development proposed will complement the surrounding residential uses. The surrounding community and adjacent properties will not be negatively impacted by construction of a planned retirement community with age-restricted single-family attached dwelling units. A condition has been included herein, to further enhance this purpose, requiring the applicant to provide a photometric plan demonstrating that the lighting will consist of full cut-off fixtures that reduce spill-over into the surrounding community.

**(6) The proposed site plan is in conformance with an approved Tree Conservation Plan; and**



Type 2 Tree Conservation Plan TCP2-017-2023 was submitted with this application and shows a total of 4.77 acres of woodland in the net-tract and 1.58 acres of wooded floodplain. The development proposes the clearing of 4.03 acres of woodland in the net tract and 0.03 acre of wooded floodplain. The threshold, as established by the R-R Zone, is 20 percent, or 2.09 acres. Based on the proposed clearing, a total woodland conservation requirement of 4.14 acres is required. The applicant proposes to meet this requirement with 0.34 acre of on-site preservation, 0.18 acre of on-site reforestation, 0.17 acre of landscape credits, and 3.45 acres of off-site credits. The landscape area, in order to count towards meeting the requirements, shall be 35 feet in width, at its narrowest point. A condition is provided herein to show the landscape area (LCA-1) as a minimum of 35 feet in width and contiguous with the property line to the south.

On-site woodland conservation shall be placed in woodland and wildlife habitat conservation easements, prior to certification of the TCP2. The majority of the woodland conservation requirements will be met off-site by purchasing credits, within an off-site tree bank.

A Subtitle 25 variance was also submitted for review with this application. The applicant has requested to remove eight specimen trees, as is shown on the TCP2. The condition of trees proposed for removal ranges from fair to good, and are located across the entire site, many in the northeast near the boundary of the PMA. Staff support the removal of four of the proposed eight specimen trees. An analysis of this variance is provided in Finding 11.

**(7) The proposed site 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).**

PMA is located on this property, as delineated on the approved Natural Resource Inventory, NRI-069-2022. The NRI shows steep slopes, specimen trees, floodplain, and a stream with an associated buffer on the eastern property edge. On June 2, 2023, the applicant submitted a statement of justification (SOJ) for impacts to the PMA at three locations. Impact 1 proposes 1,885 square feet (0.04 acre) of impact to the floodplain and stream buffer for connection, installation, and associated grading for a sanitary sewer line. Impact 2 proposes 90 square feet (0.002 acre) of impact to the floodplain of an outfall associated with a submerged gravel wetland. Impact 3 proposes 190 square feet (0.004 acre) of impact to the floodplain for an outfall for a submerged gravel wetland.

The specimen trees proposed for removal are located outside of the regulated environmental features (REF), however, as further discussed in Finding 11, staff do not support the removal of Specimen Trees ST-5 through ST-8.

Based on the plans submitted, the REF on the subject property have been preserved and/or restored, to the fullest extent possible. The necessary

impacts are to connect to a Washington Suburban Sanitary Commission (WSSC) sanitary sewer line and to construct SWM outfalls, which staff support.

**Specific Special Exception Requirements**—Section 27-395 provides the following:

**Section 27-395—Planned retirement community.**

**(a) A planned retirement community may be permitted, subject to the following criteria:**

**(1) Findings for approval.**

**(A) The District Council shall find that:**

**(i) The proposed use will serve the needs of the retirement-aged community**

The proposed planned retirement community is providing a single-family attached dwelling use that will allow for home ownership within the proposed planned retirement community.

As stated in the amended SOJ, dated June 9, 2023, this development will provide a new housing option for senior residents in Prince George's County, in close proximity to non-age-restricted dwelling units. This development proposal aligns with the County's *Comprehensive Housing Strategy*, which seeks to support elderly households and provide a diverse set of housing opportunities. Staff find that the property's sole single-family use is sufficient to support the needs of the retirement-aged community. The use provided allows for home ownership with recreational amenities that include a community pavilion, a community garden, a sitting plaza, and trails. Dog waste stations have also been provided, in lieu of a dog park. Conditions have been included herein, requiring the applicant to provide details for the on-site furniture that will be utilized within the community pavilion and demonstrate the locations of the dog waste stations on the special exception plan, with relevant site details.

**(ii) The proposed use will not adversely affect the character of the surrounding residential community; and**

The proposed planned retirement community site layout with 57 age-restricted single-family attached dwelling units has been designed to minimize the number of rear-facing single-family attached units along Springfield Road. The proposal also ensures that adequate landscape buffering is

provided on-site to reduce the visual impact of the development, with the exception of the alternative compliance, which is discussed in Finding 9. Representative architecture has been provided. The applicant has submitted a Visibility Impact Exhibit, which demonstrates end units that will be either highly visible or moderately visible. The exhibit includes four conditions which are acceptable to staff and are included herein. However, an additional condition has been provided herein requiring that all end units be considered moderately visible. This condition will provide architectural consistency, as all end units will have full brick or other masonry material at least up to the water table. Staff find that the age-restricted single-family attached dwelling use integrates into the fabric of the existing low- to moderate-density residential community. The proposed development and planned retirement community use, as conditioned, will not adversely affect the character of the surrounding residential community.

- (iii) In the R-A Zone, there shall be a demonstrated need for the facility and an existing medical facility within the defined market area of the subject property.**

This is not applicable, as the subject property is located in the R-R Zone and not the Residential-Agricultural (R-A) Zone.

**(2) Site plan.**

- (A) In addition to the requirements of Section 27-296(c), the site plan shall set forth the proposed traffic circulation patterns.**

The primary traffic circulation patterns are shown on the special exception site plan. The current configuration of the site allows for one point of vehicle access, along Springfield Road. Per the approved transportation scoping agreement, traffic counts at the site access point and Springfield Road, as well as traffic counts at the intersection of Lanham-Severn Road and Springfield Road, are required to determine adequacy. Staff and the applicant agree that further analysis related to vehicular adequacy will be evaluated at the time of PPS.

The applicant is proposing the use of private streets. The prior Zoning Ordinance and prior Subdivision Regulations require that each lot have frontage on, and direct access to, a public street, unless permitted pursuant to Subtitle 24, of the Subdivision Regulations. The use of private streets and the specific standards will be addressed at the time of PPS as it relates to the on-site traffic circulation patterns.

**(3) Regulations.**

- (A) Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, dwelling unit types, and other requirements of the specific zone in which the use is proposed shall not apply to uses and structures provided for in this Section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for a given Special Exception.**

A Development Standards table has been provided on the special exception plan. The standards provide applicable dimensional and bulk regulations that will govern this property. As stated above, this development is not required to conform to the regulations in the underling R-R Zone.

However, staff find that the applicant should provide additional regulations within the table. These requirements should include minimum lot size, side setbacks, and standards for accessory structures. Standards for accessory structures should include, at a minimum, decks, sheds, and fences if proposed for this development. These conditions have been included herein, and staff find the regulations have been appropriately provided.

- (B) The subject property shall contain at least twelve (12) contiguous acres.**

The property is comprised of 12.01 contiguous acres. Pursuant to the Prince George's County Department of Public Works and Transportation's (DPW&T) confirmation letter, submitted with this application, the property has a land area of 12.01 contiguous acres, as a result of a prescriptive easement, along Springfield Road. Staff find the DPW&T letter and submitted property survey as acceptable evidence demonstrating conformance to this requirement.

- (C) The average number of dwelling units per acre shall not exceed eight (8) for the gross tract area.**

The gross tract area is approximately 12.01 acres, and when multiplied by 8, equals 96 dwelling units. A total of 57 dwelling units are proposed, which is below the 96 units allowed.

- (D) In the R-A Zone, buildings shall not exceed three (3) stories.**

This is not applicable, as the subject property is located in the R-R Zone and not the R-A Zone.

**(E) In the I-3 Zone, the following shall apply:**

- (i) The gross tract area shall be a minimum of ninety (90) acres with at least twenty-five percent (25%) of its boundary adjoining residentially-zoned land or land used for residential purposes;**
- (ii) The property shall have at least one hundred fifty (150) feet of frontage on, and direct vehicular access to, a public street;**
- (iii) All buildings shall be set back a minimum of seventy-five (75) feet from all nonresidentially-zoned boundary lines or satisfy the requirements of the Landscape Manual, whichever is greater; and**
- (iv) The property shall be located within two (2) miles of mass transit, regional shopping, and a hospital.**
- (v) In the I-3 and C-O Zones, townhouses shall comply with the design guidelines set forth in Section 27-274(a)(11) and the regulations for development set forth in Section 27-433(d).**

These requirements do not apply, as the property is located in the R-R Zone and not the Planned Industrial/Employment Park (I-3) Zone.

**(F) In the I-3 and C-O Zones, townhouses shall comply with the design guidelines set forth in Section 27-274(a)(11) and the regulations for development set forth in Section 27-433(d).**

This requirement does not apply, as the property is located in the R-R Zone and not the I-3 or Commercial Office (C-O) Zones.

**(4) Uses.**

- (A) The planned retirement community shall include a community center or meeting area, and other recreational facilities which the District Council finds are appropriate. These recreational facilities shall only serve the retirement community. The scope of the facilities shall reflect this fact. The Council may only permit a larger facility which serves more than the retirement community if the facility is harmoniously integrated with the retirement community and the surrounding neighborhood. All recreational facilities shall be constructed prior to, or concurrent with, the construction of the residential units, or in accordance with a schedule approved by the District Council;**

The amended SOJ, dated June 9, 2023, includes the following information, which addresses the requirements contained in Section 27-395(a)(4)(A) of the Zoning Ordinance and is acceptable to staff:

“The proposed development and recreational facilities are commensurate with the size of the development. The main community gathering area is centrally located on the site to encourage regular use by all residents. The focal point of the central park area is a +/-400-square-foot covered pavilion on a +/-3,050-square-foot plaza. The wood post and asphalt shingle roof pavilion will feature lights and power outlets that make the pavilion suitable for community events such as picnics and homeowners association meetings. Permanent fixed benches and moveable outdoor tables and chairs will be provided at the pavilion and on the plaza. The plaza will be surfaced with permeable pavers and surrounded with landscaping contained by seating height masonry walls. Approximately twelve 4x8’ raised garden beds for community use are proposed next to the plaza.

In addition, the property is located less than three miles from both the Huntington Community Center and the Glenn Dale Community Center and Splash Park, each of which features programming with fitness, crafts, and other activities.”

**(B) Retail commercial uses, medical uses, health care facilities, and other uses which are related to the needs of the community may be permitted.**

No retail, commercial, medical, or healthcare uses are proposed with this application.

**(5) Residents’ age.**

**(A) Age restrictions in conformance with the Federal Fair Housing Act shall be set forth in covenants submitted with the application and shall be approved by the District Council, and filed in the land records at the time the final subdivision plat is recorded.**

According to the amended SOJ, age restrictions will be established through the recordation of covenants in the land records of Prince George’s County. A copy of a draft covenant was included in the submittal package, as Exhibit A, for approval by the District Council. A condition requiring that the age-restricted covenants be approved by the District Council and filed in the land records of Prince George’s County has been included herein. To ensure notice to future owners, the liber and folio of the covenants is recommended to be reflected on the final plat, prior to recordation.

(6) **Recreational facilities.**

- (A) **Covenants guaranteeing the perpetual maintenance of recreational facilities, and the community's right to use the facilities, shall be submitted with the application. The covenants shall be approved by the District Council, and shall be filed in the land records at the time the subdivision plat is recorded. If the recreational facilities are to be part of a condominium development, a proposed condominium declaration showing the recreational facilities as general common elements shall be approved by the District Council, and shall be recorded (pursuant to Title II of the Real Property Article of the Annotated Code of Maryland) at the time the subplat is recorded.**

The SOJ indicates that the community will have an homeowners association, which will ensure the maintenance of all common areas, including the associated recreational amenities. A copy of a draft covenant was included in the submittal package as Exhibit A, for approval by the District Council. A condition requiring that the covenants for the perpetual maintenance of recreational facilities and the community's right to use the facilities be approved by the District Council and filed in the land records of Prince George's County, prior to record plat, has been included herein.

7. **Parking Regulations:** In accordance with the parking and loading regulations contained in Section 27-568, for a townhouse or other one-family attached dwelling use, 2.04 spaces are required per dwelling unit. The applicant has proposed 57 dwelling units, which requires a minimum of 117 parking spaces for the development. The special exception site plan shows a total of 246 parking spaces will be provided. Conditions have been included herein, requiring the applicant to provide on-street Americans with Disabilities Act (ADA) parking spaces, electric vehicle charging stations, and visitor parking as additional on-site amenities for residents and guests, prior to the certification of the special exception plan. The applicant has also not demonstrated that large vehicles can sufficiently navigate the site. Therefore, a condition has been provided requiring the applicant to provide truck-turning circulation plans prior to the certification of the special exception plan.
8. **2010 Prince George's County Landscape Manual Requirements:** The proposed development is subject to the requirements of the Landscape Manual. Specifically, conformance is required for Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscape Requirements; and Section 4.10, Street Trees Along Private Streets. The orientation of the dwellings exposes the rear of the units to the public street. An application for Alternative Compliance (AC-23008) to Section 4.6(c)(1)(A)(ii) of the Landscape Manual was provided with this application and was evaluated separately. Staff find the subject application is in conformance with the requirements of the Landscape Manual, except for those referenced with the alternative compliance request, subject to technical corrections.

9. **Alternative Compliance:** The applicant requests alternative compliance from Section 4.6, Buffering Development from Streets, along the Springfield Road frontage, and Section 4.10, Street Trees Along Private Streets, for all private streets in the proposed development. The applicant is seeking relief, as follows:

**REQUIRED: Section 4.6(c)(1)(A)(ii) Buffering Residential Development from Streets, along Springfield Road, a master plan collector road**

Linear feet of property line adjacent to the street	389 feet
Minimum width of buffer	35 feet
Shade Trees (4 per 100 linear feet)	16
Evergreen Trees (12 per 100 linear feet)	47
Shrubs (20 per 100 linear feet)	78

**PROVIDED: Section 4.6(c)(1)(A)(ii) Buffering Residential Development from Streets, along Springfield Road, a master plan collector road**

Linear feet of property line adjacent to the street	389 feet
Minimum width of buffer	35 feet (for 325 linear feet) 22 feet (for 33 linear feet) 20 feet (for 31 linear feet)
Shade Trees	19
Evergreen Trees	48
Shrubs	88

**Justification of Recommendation**

The applicant is requesting alternative compliance from the requirements of Section 4.6(c)(1)(A)(ii), Buffering Residential Development from Streets, which requires a minimum buffer width of 35 feet, when the rear yards of single-family attached or detached dwellings are oriented toward a street classified as a collector road, such as Springfield Road.

The 35-foot-wide buffer is provided for 325 of the 389 linear feet of frontage on Springfield Road, or approximately 83 percent. At two points, the rear yards of Lot 1 and Lot 46 encroach into the buffer, reducing the width to 22 feet and 20 feet, respectively. The buffer plantings have been consolidated around these two points to ensure there is an attractive view of development from the street. In addition, the applicant has proposed a 6-foot-high privacy fence around the rear yards of Lots 1 and 46. The buffer planting requirements have been met for the entirety of the buffer.

Since the buffer width is only impacted at two locations, which make up a small portion of the overall street frontage (64 out of 389 linear feet; approximately 17 percent), and the applicant exceeds the plant unit requirements, in addition to a fence, the Planning Director finds the applicant's proposal equally effective as normal compliance with Section 4.6, Requirements for Buffering Residential Development from Streets.



#### **Section 4.10, Street Trees Along Private Streets**

##### **REQUIRED: Section 4.10(c) Street Trees Along Private Streets, along all private roads**

Number of Street Trees	51(total)
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##### **PROVIDED: Section 4.10(c) Street Trees Along Private Streets, along all private roads**

Number of Street Trees	29 (total)
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#### **Justification of Recommendation**

The applicant is also requesting alternative compliance from Section 4.10(c), Street Trees Along Private Streets, which requires one street tree per 35 linear feet of frontage. Per Section 4.10(c)(4), street trees shall be located a minimum of 35 feet from the point of curvature of an intersection of two streets. In addition, Section 4.10(c)(5) requires that street trees be located a minimum of 10 feet from the point of curvature of residential driveway entrances. The driveways for single-family attached homes, the narrow space between driveways, the many short blocks and intersections, and easement constraints, limit the number of street tree locations.

The applicant has provided the maximum amount of street trees given the space limitations of the proposed elderly housing development. As an alternative, the applicant has proposed additional plantings as part of Section 4.1, Residential Requirements for Townhouses, One-Family Semi-Detached, and Two-Family Dwellings Arranged Horizontally. The Section 4.1 requirements are exceeded, and the additional trees are proposed as close to the private streets as possible, but outside of public utility easements (PUE), which meets the purposes and objectives of Section 4.10 by enhancing the private streets, both visually and environmentally.

The Planning Director finds that portions of Private Roads “A” and “B” that do not have adequate street trees could allow additional trees, and a condition is included herein requiring six trees to be added. The Planning Director also recommends that the proposed Section 4.10 street trees and Section 4.1 trees, adjacent to the private streets, be planted at a larger caliper to meet the objectives of Section 4.10 more quickly.

Given the additional plantings close to the private streets, both provided and conditioned, and the larger tree size as conditioned, the Planning Director finds the applicant’s proposal equally effective as normal compliance with Section 4.10, Requirements for Street Trees Along Private Streets.

The Planning Director recommends approval of Alternative Compliance AC-23008 from the 2010 *Prince George's County Landscape Manual* for Section 4.6, Buffering Development from Streets, and Section 4.10, Street Trees Along Private Streets, with four conditions, as discussed above, and included herein.

10. **Prince George’s County Tree Canopy Coverage:** This application is subject to the requirements of the Tree Canopy Coverage Ordinance. This site is located within the prior R-R Zone and is required to provide 15 percent of the site area in tree canopy coverage (TCC). The site is 12.01 acres, and a total of 1.80 acres or 78,473 square feet of TCC is required. Conformance with the TCC requirements will be evaluated, at the time of

permitting. However, with this application, the applicant is demonstrating conformance by providing 91,656 square feet of TCC. A condition has been included herein, requiring the applicant to revise the TCC on-site woodland conservation acres provided, and non-woodland conservation acres provided in conformance with the provided TCP2.

- 11. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** The site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property contains more than 10,000 square feet of woodland and proposes clearing of more than 5,000 square feet. A TCP2 was submitted with this application (TCP2-017-2023), which shows a total of 4.77 acres of woodland in the net tract and 1.58 acres of wooded floodplain. The development proposes the clearing of 4.03 acres of woodland in the net tract and clearing 0.03 acre of wooded floodplain. The threshold, as established by the zone, is 20 percent, or 2.09 acres. Based on the proposed clearing, a total woodland conservation requirement of 4.14 acres is required. The applicant proposes to meet this requirement with 0.34 acre of on-site preservation, 0.18 acre of on-site reforestation, 0.17 acre of landscape credits, and 3.45 acres of off-site credits.

The landscape area, in order to count toward meeting the requirements, shall be 35 feet in width, at its narrowest point. A condition is provided herein to show the landscape area (LCA-1) as a minimum of 35 feet in width and contiguous with the property line to the south.

A Subtitle 25 variance was submitted for review with this application. The approved NRI-069-2022 identifies a total of 10 specimen trees on-site. The following analysis is the review of the request to remove eight specimen trees.

The letter of justification (LOJ) requests the removal of eight specimen trees identified as Specimen Trees 1, 3, 5, 6, 7, 8, 9, and 10. The condition of trees proposed for removal ranges from fair to good. This site is broken into one stand, Stand A. Stand A is located in the northeastern portion of the property. The TCP2 shows the location of the trees proposed for removal. These specimen trees are proposed for removal for the development of the site, roadways, utilities, stormwater management (SWM), and associated infrastructure.

Specimen Tree Variance SOJ Table						
ST-#	DBH	Common Name	Location	Rating	Impacted by Design Elements	Construction Tolerance
1	32	Post oak	Within Road A right-of way	Fair	Proposed Road A, and grading for stormwater management facility, utilities, and house site.	Good
3	31	White oak	Lot 16	Good	Proposed roadway, stormwater management facility, utilities, and house site.	Good/Medium
5	45	White oak	Lot 19	Good	House site and grading, and stormwater management facility.	Good/Medium
6	35	Southern red oak	Between Lots 19 and 20	Good	House site and grading, and stormwater management facility.	Good

7	33	Southern red oak	Between Lots 19 and 20	Good	House site and grading, and stormwater management facility.	Good
8	31	Southern red oak	Between Lots 19 and 20	Fair	House site and grading, and stormwater management facility.	Good
9	30	Southern red oak	Lot 24	Good	Within proposed roadway, stormwater management facility, utilities, and house construction.	Good
10	32	White oak	Lot 54	Good	Within proposed roadway, stormwater management facility, utilities, and house construction.	Good/Medium

### **Evaluation**

Staff support the removal of four of the eight specimen trees requested by the applicant, based on the findings below. Section 25-119(d) contains six required findings [text in **bold**] to be made before a variance from the WCO can be granted. An evaluation of this variance request, with respect to the required findings, is provided in plain text, below:

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

In relation to other properties in the area, special conditions peculiar to the subject property would cause an unwarranted hardship if the applicant were required to retain the 10 specimen trees located on-site. Those “special conditions” relate to the specimen trees themselves, such as their size, condition, species, and on-site location.

The property is 12.01 acres, and the natural resource inventory (NRI) shows PMA that includes steep slopes, specimen trees, floodplain, and a stream and associated buffer on the eastern property edge.

The specimen trees are located across the entire site; however, a majority are found along the northeastern property line. The specimen trees proposed for removal are located outside of the REF; however, the critical root zone (CRZ) of Specimen Tree ST-5 encroaches into the PMA.

The table above indicates the eight specimen trees requested for removal for proposed roadways, building footprints, and grading. The species in this area are all a variety of oak and the condition ratings of these trees ranges from fair to good, with most classified in good condition. The trees have good to medium construction tolerances; however, all species of the included specimen trees have limiting factors for their construction tolerance, specifically if significant impacts are proposed to the CRZ. These trees are located throughout the site, outside of the steep slope areas.

Removal of Specimen Tree ST-1, a 32-inch Post oak in fair condition, is requested to adequately provide circulation on the site. Specimen Trees ST-3, ST-5, and ST-10, all White oak and ST-9, a Southern red oak, are all in good condition, ranging from 30 to 45-inches in diameter, and are proposed for removal for house location. Specimen Trees ST-6, ST-7, and ST-8, all Southern red oaks in good condition, from 31 to 35-inches in diameter, are proposed for removal for house location grading and a SWM facility.

Staff find that although ST-1, ST-3, ST-9, and ST-10 are somewhat spread out, they are more integral to the developable portion of the site, and retention would have a considerable impact on the development of the site. Specimen Trees ST-5 through ST-8 are located toward the northeast corner of the property, in a cluster, and abutting the PMA and staff cannot find unwarranted hardship on the retention of these trees.

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

Enforcement of the requirement that all specimen trees be preserved, along with an appropriate percentage of their CRZ, would deprive the applicant of rights commonly enjoyed by others in similar areas. All variance applications for the removal of specimen trees are evaluated in accordance with the requirements of Subtitle 25 and the Environmental Technical Manual for site specific conditions. Specimen trees grow to such a large size because they have been left undisturbed, on a site, for sufficient time to grow; however, the species, size, construction tolerance, and location on a site are all somewhat unique for each site.

Based on the location and species of the specimen trees proposed for removal, retaining the trees and avoiding disturbance to the CRZ of Specimen Trees, ST-1, ST-3, ST-9, and ST-10 would have a considerable impact on the development potential of the property. If similar trees were encountered on other sites, they would be evaluated under the same criteria. These four specimen trees requested for removal are located within the developable parts of the site. Specimen Trees ST-5 through ST-8; however, are not located centrally on the site, and this site can be effectively developed without removal.

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

Not granting the variance to remove Specimen Trees ST-1, ST-3, ST-9, and ST-10 would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. If other similar developments featured REF and specimen trees in similar conditions and locations, it would be given the same considerations during the review of the required variance application. Specimen Trees ST-5 through ST-8; however, are not located centrally on the site, and this site can be effectively developed without removal. Other applicants with similar circumstances would receive the same recommendation.

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

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant. The removal of the specimen trees; however, would be the result of the infrastructure and grading required for the development. The request to remove the trees is solely the proposed layout of the development with respect to the existing trees.

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

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

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

Requirements regarding the SWM concept will be reviewed and approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPPE). Erosion and sediment control requirements are reviewed and approved by the Prince George's Soil Conservation District. Both SWM and sediment and erosion control requirements are to be met in conformance with state and local laws to ensure that the quality of water leaving the site meets the state's standards. State standards are set to ensure that no degradation occurs, and granting this variance will require adherence to these standards.

**Conclusion on the Variance Request**

The required findings of Section 25-119(d) were adequately addressed for the removal of Specimen Trees ST-1, ST-3, ST-9, and ST-10. Staff recommend that the Prince George's County District Council approve the requested variance for the removal of these four specimen trees for the construction of a residential development. Staff recommend that Specimen Trees ST-5 through ST-8 be retained with this application, and that the development be designed to avoid the necessity for removal.

12. **Signage:** A signage schedule has been provided with this application as the applicant proposes two gateway signs to identify the residential subdivision. Section 27-624 states that "A permanent gateway sign identifying a residential subdivision is permitted in any Residential Zone." This section therefore limits the development to only one sign. However, the gateway sign only refers to the signage area. The applicant may remove the sign panel from the wall and the wall could remain. Staff has provided a condition herein, requiring the applicant to conform to Section 27-624 or obtain an approved departure from design standards in accordance with Section 27-239.01.
13. **Referral Comments:** The following referrals were received and are incorporated herein by reference. All the comments are addressed on the site plan, or as part of this technical staff report:
  - a. **Community Planning**—In a memorandum dated July 7, 2023 (Sams to Shelly), the Community Planning Division found that, pursuant to Section 27-317(a)(3) of the prior Zoning Ordinance, this application will not substantially impair the integrity of the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan*.
  - b. **Transportation Planning Section**—In a memorandum dated June 13, 2023 (Ryan to Shelly), the Transportation Planning Section determined the subject plan is acceptable subject to a condition requiring the applicant to provide a bicycle lane along the property's entire frontage and dimension all sidewalks and trails on the special exception and future applications.

- c. **Environmental Planning Section**—In a memorandum dated March 22, 2023 (Nickle to Shelly), the Environmental Planning Section provided an analysis of the subject application.

The site has an approved Natural Resources Inventory (NRI-069-2022), and no further information is required for the NRI regarding existing site conditions.

Based on the proposed clearing, a total woodland conservation requirement of 4.14 acres is required. The applicant proposes to meet this requirement with 0.34 acre of on-site preservation, 0.18 acre of on-site reforestation, 0.17 acre of landscape credits, and 3.45 acres of off-site credits. Staff finds the TCP2 acceptable subject to technical corrections and to update the TCP2 to retain Specimen Trees ST-5 through ST-8.

The required findings of Section 25-119(d) of the WCO were adequately addressed for the removal of four of the eight specimen trees, identified as Specimen Trees 1, 3, 9, and 10. Staff recommend that the District Council approve the requested variance for the removal of these four specimen trees for the construction of a residential development. Staff recommend that Specimen Trees ST-5 through ST-8 be retained with this application, and that the development be designed to avoid the necessity for removal.

Primary management area is located on this property as delineated on the approved NRI plan. The NRI shows steep slopes, specimen trees, floodplain, and a stream with an associated buffer on the eastern property edge. The applicant proposed the following three impacts:

**Impact 1: WSSC Sanitary Sewer Connection**

Impact 1 proposes 1,885 square feet (0.04 acre) of impact to the floodplain and stream buffer for connection, installation, and associated grading for a sanitary sewer line. This proposed impact is for a utility connection and is supported as proposed.

**Impacts 2 and 3: Stormwater management outfalls**

Impact 2 proposes 90 square feet (0.002 acre) of impact to the floodplain for an outfall for a submerged gravel wetland. This proposed impact is associated with a planned SWM facility and is supported as proposed.

Impact 3 proposes 190 square feet (0.004 acre) of impact to the floodplain of an outfall for a submerged gravel wetland. This proposed impact is associated with a planned SWM facility and is supported as proposed.

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Christiana-Downer Complex, Russett-Christiana complex, and Russett Christiana-Urban land complex. Marlboro clay is not present on-site; however, Christiana clay and critical slopes are present on-site. A geotechnical report, including a slope stability analysis, is required with the acceptance of the PPS. The TCP1 shall show 1.5 factor of safety lines, if any, for both unmitigated and mitigated

conditions. The geotechnical analyses shall be performed in accordance with the Prince George's County requirements, Techno-Gram 005-2018.

An unapproved SWM plan (29311-2022-0) was submitted with this application. The unapproved plan shows the use of two submerged gravel wetlands, two micro-bioretenion facilities, and a bioswale to meet the stormwater requirements for the site. Technical SWM management design is subject to approval by DPIE prior to the issuance of permits.

The County requires the approval of an Erosion and Sediment Control Plan. The TCP2 must reflect the ultimate limits of disturbance, not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure, including erosion, and sediment control measures.

- d. **Subdivision Section**—In a revised memorandum dated July 7, 2023 (Diaz-Campbell to Shelly), the Subdivision Section noted that a PPS and final plat are required prior to the approval of permits, because the development proposes the division of land and the construction of multiple dwelling units. A certificate of adequacy (ADQ) will also have to be reviewed concurrently with, and approved prior to, approval of the PPS. In accordance with Section 27-271 of the Zoning Ordinance, a special exception is not subject to the order of approvals which normally requires PPS approval prior to the approval of a site plan. Notwithstanding the provisions of the Zoning Ordinance, staff recommend that a PPS be submitted and concurrently reviewed with the special exception, at a minimum, since the findings and conditions of the PPS and ADQ may have an impact on the lotting pattern proposed with the special exception, and so could necessitate a revision to the special exception. It is noted that a PPS application (4- 22059) for the site has been submitted but has not yet been accepted for processing as of the writing of this referral.

Two conditions have been provided by staff and have been included herein. The first condition requires the applicant to provide additional PUEs to ensure continuity to the PUEs located along the fronts of Lots 47 to 57 and Lots 17 to 36, prior to the certification of the special exception. The second condition requires the applicant to obtain approval of a PPS, which reflects the approved lotting pattern of the preliminary plan on the approved special exception site plan, prior to the certification of the special exception.

- e. **Historic Preservation Section**—In a memorandum dated May 31, 2023 (Stabler, Smith, Chisholm to Shelly), the Historic Preservation Section noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is high. The proximity of the parcel to Newstop Branch suggests the potential for Native American archeological sites, and a large portion of the parcel has never been developed. The property was also part of Edward E. Perkins' farm, "Graceland" (PG:71A-27; the house site is about a third of a mile away), which was part of Governor Oden Bowie's "Springfield."

Staff therefore provided three conditions that have been included herein. The first requires the applicant to identify archaeological resources in the project area by

conducting Phase I archaeological investigations prior to acceptance of the PPS. The second requires the applicant to provide a plan for evaluating the resource at the Phase II level, or avoiding and preserving the resource in place, if it is determined upon receipt of the Phase I report by the Prince George's County Planning Department that potentially significant archeological resources exist on the subject property. This condition is required to be completed by the applicant prior to the approval of the final plat. The third condition requires the applicant to provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner if a Phase II and/or Phase III archeological evaluation or mitigation is necessary. This third condition is required to be completed by the applicant prior to any ground disturbance or the approval of any grading permits.

- f. **Permit Review Section**—In a memorandum dated May 18, 2023 (Chaney to Shelly), the Permit Review section provided eight technical comments, in which three have been included as conditions of approval prior to the certification of the special exception. These conditions require the applicant to delineate and dimension the garages and dwelling units, provide the material of the driveway on a note, and provide dimensions for the setbacks for the buildings to the property lines on the special exception.
- h. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated June 12, 2023 (Quattrocchi and Thompson to Shelly), DPR supports the applicant's proposal to provide on-site recreational facilities. Mandatory dedication of parkland will be further evaluated at the time of the PPS review.
- i. **Prince George's County Fire/EMS Department**—In an email dated May 14, 2023 (Reilly to Shelly), the Fire/EMS Department noted two compliance comments, one of which has been included as a condition herein. This condition requires the applicant to provide an exhibit demonstrating that each housing stick is within 500 feet of a fire hydrant, as hose is laid by the fire department, around corners, obstacles, etc.
- j. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated May 17, 2023 (Giles to Shelly), DPIE evaluated the subject property and provided comments to be addressed prior to, or concurrent with, issuance of a final grading permit and final plat. As part of these requirements, the applicant will be required to obtain Water and Sewer Category 3 status prior to the recordation of a final plat.
- k. **Washington Suburban Sanitary Commission (WSSC)** —As of the writing of this technical staff report, WSSC did not offer any comments on this subject application.
- l. **Prince George's County Health Department**—As of the writing of this technical staff report, the Prince George's County Health Department did not offer any comments on this subject application.
- m. **City of Bowie**—As of the writing of this technical staff report, the City of Bowie did not offer any comments on this subject application.



14. **Community Feedback:** Staff received emails from the surrounding community and an attorney representing a neighboring Homeowner's Association (HOA) prior to the writing of the technical staff report. These emails were not associated with a specific issue regarding the development but only requested additional information on the project.

## RECOMMENDATION

Based on the applicant's statement of justification, the analysis contained in the technical staff report, associated referrals, and materials in the record, the applicant has demonstrated conformance with the required special exception findings, as set forth in Section 27-317 (in general) and Section 27-395 (planned retirement community) of the prior Prince George's County Zoning Ordinance. Staff find that the proposed application satisfies the requirements for approval and that the application will be in conformance with the Zoning Ordinance requirements.

Therefore, staff recommend APPROVAL of Special Exception SE-22002, a Variance from Section 25-122(b)(1)(G), Alternative Compliance AC-23008, and Type 2 Tree Conservation Plan TCP2-017-2023, for Stewart Property, subject to the following conditions:

1. Prior to certification of the special exception site plan, the following revisions shall be made, or information shall be provided:
  - a. Provide a bicycle lane along the subject property's entire frontage of Springfield Road on the special exception plan.
  - b. Provide dimensions for all sidewalks and trails on-site on the special exception plan. All sidewalks shall be at least 6 feet wide in accordance with the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan*.
  - c. Provide additional public utility easements (PUEs) to provide continuity to the PUEs located along the fronts of Lots 47 to Lots 57 and Lots 17 to Lots 36 on the special exception plan.
  - d. Provide the following notes on the special exception plan and revise the representative architectural plans to demonstrate the following:
    - (1) "All dwelling units shall have front facades finished with a minimum of 60 percent brick or other masonry. The first floor of all front facades shall be finished with full brick or other masonry."
    - (2) "All single-family attached end walls shall feature, at a minimum, four points of architectural fenestration on the first floor, three points of architectural fenestration on the second floor, roof line detail, and shutters on all windows to provide a balanced and harmonious composition."
    - (3) "All highly visible single-family attached end walls, as shown on the Applicant's provided 'Visibility Exhibit,' shall be finished with full brick or other masonry on the first floor."

- (4) “All moderately visible one-family attached end walls, as shown on the Applicant’s provided ‘Visibility Exhibit,’ shall be finished with, at a minimum, full brick or other masonry up to the water table.”
- e. Revise the Visibility Impact Exhibit and the special exception plan to show all end units that are not considered highly visible, as moderately visible or MVL.
- f. Provide an exhibit demonstrating that each housing stick is within 500 feet of a fire hydrant, as hose is laid by the fire department, around corners, obstacles, etc.
- g. Obtain approval of a preliminary plan of subdivision and reflect the approved lotting pattern of the preliminary plan on the approved special exception plan.
- h. Revise the development standards table on the special exception plan to include the following:
  - (1) Provide minimum lot size requirements.
  - (2) Provide side setback requirements.
  - (3) Provide accessory building structure requirements if proposed with the development.
- i. Revise the project title on the provided draft covenants to be consistent with the detailed site plan.
- j. Provide Americans with Disabilities Act parking spaces, electric vehicle charging stations, and visitor parking as part of the on-site parking calculation on the special exception plan.
- k. Provide site details for the proposed dog waste stations and demonstrate the locations of these dog waste stations on the special exception plan.
- l. Conform to Section 27-624 or obtain an approved departure from design standards in accordance with Section 27-239.01.
- m. Delineate and dimension the garages and dwelling units on the special exception plan.
- n. Provide a note on the special exception plan that indicates the material of the driveways.
- o. Provide the setbacks for the single-family attached dwelling units on the special exception plan.
- p. Provide truck turning circulation plans.
- q. The landscape plan shall be revised, as follows:

- (1) Increase the minimum size of Section 4.1 and Section 4.10 trees (close to the street) from 2.5–3-inch caliper to 3–3.5-inch caliper.
- (2) Provide six additional shade trees along the eastern section of Private Road “A” and the middle section of Private Road “B” outside of the roadway and public utility easement, but as close to the street as possible. Additional planting locations may be found by decreasing the size of the public utility easement (if possible) or moving the houses back.
- (3) Update the Section 4.6 schedules, as only 29 street trees appear to be proposed, not 30.
- (4) Reduce the plant unit requirement in Schedule 4.7-1 (B) by 50 percent since a 6-foot-high fence is included in the bufferyard.
- (5) Revise the number of plantings in all landscape schedules to correspond with the plant schedule provided on Sheet 2 of the landscape plan.
- (6) Round all plant requirements for all landscape schedule to whole numbers.
- (7) Indicate the landscape schedules where alternative compliance is being requested.
- (8) Provide the following General Notes on Sheet 1 of the landscape plan:
  - (A) Landscaping in front of the residential gateway signs will change seasonally.
  - (B) Plantings in the raised garden beds will be installed by residents.
- (9) Revise the tree canopy coverage on-site woodland conservation acres provided, and non-woodland conservation acres provided, in conformance with the provided Type 2 tree conservation plan.
- (10) Provide a column stating if the proposed planting is native or non-native, on the plant schedule, on Sheet 2 of the landscape plan.
- (11) Label the lighting fixtures and fence on Sheet 2 of the landscape plan. Revise the lighting fixtures to be full cut-off.
- (12) Remove the recreation facilities schedule and calculation on Sheet 3 of the landscape plan.
- (13) Provide site details for the on-site furniture that will be utilized within the community pavilion, on Sheet 3.
- (14) In addition to the landscape plan, provide a photometric plan demonstrating the lighting will consist of full cut-off fixtures that reduce spill-over into the surrounding community.

- r. The Type 2 tree conservation plan (TCP2) shall be revised, as follows:
- (1) Label the proposed development features on the plan (raised garden beds, sitting plaza, etc.).
  - (2) Provide the following note under the specimen tree table, "This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Prince George's County District Council with SE-22002 for the removal of Specimen Trees ST-1, ST-3, ST-9, and ST-10."
  - (3) Provide a layout that preserves Specimen Trees ST-5 through ST-8, and their respective critical root zones.
  - (4) Provide the symbols in the legend for the sewer and associated easement(s), and all other features on the TCP2.
  - (5) Include the area shown as Preserved Not Counted (WPNC-1), as part of the on-site preservation, excluding the area within the Washington Suburban Sanitary Commission easement.
  - (6) Provide efforts, such as reduced grading or a retaining wall, to eliminate the impacts to the critical root zone (CRZ) of Specimen Tree ST-2.
  - (7) Show the landscape area (LCA-1) as a minimum of 35 feet in width and contiguous with the property line to the south.
  - (8) Prior to certification of the TCP2 for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section, for review by the Office of Law and submission to the Prince George's County Land Records office for recordation. The following note shall be added to the standard TCP2 notes on the plan, as follows:

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

2. Prior to the acceptance of the preliminary plan of subdivision, the applicant shall:

- a. Provide a pedestrian and bikeway facilities plan and demonstrate the following:
- (1) Provide a bicycle lane along the subject property's entire frontage of Springfield Road.
  - (2) Provide dimensions for all sidewalks and trails on-site. All sidewalks shall be at least 6 feet wide in accordance with the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan*.

- b. Provide a geotechnical report that includes a slope stability analysis for both unmitigated and mitigated conditions.
  - c. Identify archaeological resources in the project area by conducting Phase I archaeological investigations
- 3. Prior to the approval of the final plat, the applicant shall:
  - a. Provide a plan for evaluating the resource at the Phase II level, or avoiding and preserving the resource in place, if it is determined upon receipt of the Phase I report by the Prince George's County Planning Department that potentially significant archeological resources exist on the subject property.
  - b. In accordance with Section 27-395(a)(5)(A) of the Prince George's County Zoning Ordinance, the applicant shall provide age-restricted covenants, in conformance with the Federal Fair Housing Act, and the covenants shall be approved by the Prince George's County District Council and filed in the land records of Prince George's County prior to record plat. The liber and folio of the covenants shall be reflected on the final plat prior to recordation.
- 4. Prior to issuance of any permit which impacts wetlands, wetland buffers, and streams, or waters of the United States, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions were complied with, and associated mitigation plans.
- 5. Prior to any ground disturbance or the approval of any grading permits, the applicant shall:
  - a. Provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner if a Phase II and/or Phase III archeological evaluation or mitigation is necessary.