

July 14, 2020

Timothy Branch, Inc.
2124 Priest Bridge Drive, Suite 18
Crofton, MD 21114



Re: Notification of Planning Board Action on
Specific Design Plan SDP-1701-03
Timothy Branch

Dear Applicant:

This is to advise you that the above-referenced Specific Design Plan was acted upon by the Prince George's County Planning Board on **July 9, 2020** in accordance with the attached Resolution.

Pursuant to Section 27-528.01, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Acting Clerk of the County Council, at 301-952-3600.

Please be advised that, pursuant to Council Resolution 10-2020, adopted on March 17, 2020, the District Council suspended certain time periods that may be applicable to an appeal of the matter approved by the Planning Board in the attached resolution. For questions concerning your right to appeal, please contact the Office of the County Clerk at Clerkofthecouncil@co.pg.md.us.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: Jill Kosack
Reviewer

Attachment: PGCPB Resolution No. **2020-102**

cc: Donna J. Brown, Acting Clerk of the County Council
Persons of Record

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on June 11, 2020, regarding Specific Design Plan SDP-1701-03 for Timothy Branch, the Planning Board finds:

- Request:** This application requests approval of a specific design plan (SDP) for the development of 250 dwelling units in the RM-3 and a portion of the RM-4 pods, as the second phase of residential development of the Villages of Timothy Branch. These dwelling units consist of 96 single-family attached (townhouses), 30 single-family semidetached (duplexes), and 124 single-family detached dwelling units.

2. Development Data Summary:

| | EXISTING | APPROVED |
|--|-----------------|-----------------|
| Zones | L-A-C/R-M/M-I-O | L-A-C/R-M/M-I-O |
| Use | Vacant | Residential |
| Gross Total Acreage | 322.41 | 322.41 |
| R-M Zone | 250.15 | 250.15 |
| L-A-C Zone | 72.26 | 72.26 |
| Total Dwelling Units in SDP-1701-03 | 0 | 250 |
| Single-Family Detached | 0 | 124 |
| Single-Family Semidetached | 0 | 30 |
| Single-Family Attached | 0 | 96 |

OTHER DEVELOPMENT DATA:

PARKING – RM-3 and RM-4

| | REQUIRED | APPROVED |
|--|------------|------------|
| 124 Single-family detached units @ 2.0/unit | 248 | 373* |
| 30 Single-family semidetached units @ 2.0/unit | 60 | 90* |
| 96 Single-family attached units @ 2.04/unit | 196 | 288* |
| Surface parking | - | 32** |
| Total | 504 | 783 |

Note: *Three spaces are provided per unit; two in each garage and one in each driveway.

**Total surface parking includes four van-sized handicapped accessible spaces.

3. **Location:** The subject pods, RM-3 and RM-4, are located in the middle of the larger development known as the Villages at Timothy Branch, which is located on the south side of MD 381 (Brandywine Road), approximately 1,000 feet east of its intersection with Short Cut Road. The subject property is in Planning Area 85A and Council District 9.
4. **Surrounding Uses:** The entire Timothy Branch property consists of 322.41 acres and is bounded to the north by MD 381; to the northwest by Short Cut Road; to the east by the Timothy Branch Stream Valley; to the south by vacant land in the Mixed Use-Transportation Oriented and Heavy Industrial Zones and a commercial development in the Commercial Shopping Center Zone; and to the west by US 301 (Robert S. Crain Highway), a single commercial parcel zoned Commercial Miscellaneous, and multiple industrial parcels along the US 301 frontage zoned Light Industrial (I-1) In addition, there is an internal parcel (Parcel E) located in the central northern portion of the property, which is split zoned Planned Industrial/Employment Park (I-3) and Employment and Institutional Area (E-I-A) and is developed as an existing warehouse. The 72.26-acre Local Activity Center (L-A-C) zoned portion of the property is in the northeastern corner, just south of MD 381, and the 250.15-acre, Residential Medium Development (R-M) zoned portion is located in the south, abutting US 301. The residential development included in this SDP is in the R-M Zone only.

The RM-3 and RM-4 development is bound by Short Cut Road to the north, the right-of-way of Mattawoman Drive and Parcel E developed with an existing warehouse to the east, the right-of-way of US 301 and industrially developed I-1-zoned property to the west, and an undeveloped portion of RM-4 to the south.

5. **Previous Approvals:** Zoning Map Amendments (Basic Plans) A-9987-C and A-9988-C were approved by the Prince George's County District Council on July 11, 2008, rezoning the property from the I-3 and E-I-A Zones to the L-A-C and R-M Zones, subject to 12 conditions and one consideration. The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* retained the subject property in the R-M and the L-A-C Zones.

The Prince George's County Planning Board approved Comprehensive Design Plan CDP-0901 for the L-A-C-zoned portion on October 7, 2010 (PGCPB Resolution No. 10-111). The District Council elected to review the case on November 14, 2011 and issued an order of approval on January 23, 2012, subject to 46 conditions. Subsequently; the applicant requested a reconsideration of the decision, which was reviewed and approved by the Planning Board on March 19, 2015. The final resolution (PGCPB Resolution No. 10-111(A)), including 38 conditions, was adopted by the Planning Board on the same day.

The Planning Board approved CDP-0902 for the R-M-zoned portion on October 7, 2010 (PGCPB Resolution No. 10-110). The District Council elected to review the case on

November 14, 2011. The District Council remanded the case to the Planning Board on January 23, 2012, and the case was reapproved by the Planning Board on April 5, 2012. The District Council reviewed the revised approval and issued an order of approval on November 4, 2013, subject to 50 conditions. Subsequently, the applicant requested a reconsideration of the decision, which was reviewed and approved by the Planning Board on March 19, 2015. The final resolution (PGCPB Resolution No. 10-110(A)), including 42 conditions, was adopted by the Planning Board on the same day. The Planning Board approved revision CDP-0902-01 on May 14, 2020. The March 17, 2020 County Council issuance of Prince George's County Council Resolution CR-10-2020 *An Emergency Resolution Concerning Emergency Operations-Public Meetings, Sessions and Hearings* postponed all actions of the District Council, so they have not yet had the opportunity to elect, or waive their right to review the application. A final order, or waiver from the District Council is not expected until at least June 2020.

The Planning Board approved Preliminary Plan of Subdivision (PPS) 4-09003 covering the entire Timothy Branch project on October 28, 2010 (PGCPB Resolution No. 10-117). The applicant's request for a reconsideration of this decision was granted, and on April 5, 2012, the Planning Board heard testimony regarding the reconsideration and approved PPS 4-09003 subject to the 32 conditions, contained in PGCPB Resolution No. 10-117(A/1).

The Planning Board approved SDP-1304 on October 23, 2014 (PGCPB Resolution No. 14-116) for rough-grading, dedication and construction of Mattawoman Drive, installation of stormwater management (SWM) features, and construction of a sound attenuation berm along a portion of US 301. The current proposed site development has an approved SWM Concept Plan, 11355-2009-02, dated January 24, 2020.

The Planning Board approved SDP-1701 on September 14, 2017 (PGCPB Resolution No. 17-119), for the first phase of residential development of the R-M Zone portion of Timothy Branch. The SDP included 323 dwelling units, inclusive of 39 single-family detached, 18 single-family semidetached, 194 single-family attached (townhouses), and 72 two-family attached (two-over-two) dwelling units.

Two amendments to SDP-1701 have since been approved. The first, SDP-1701-01, was approved by the Planning Board on July 12, 2018 (PGCPB Resolution No. 18-64), for additional architectural models and to modify the maximum allowed lot coverage within the Phase I development area. The second amendment, SDP-1701-02, was approved by the Planning Director on May 4, 2020, to add a new architectural model and modify a previously approved architectural model.

6. **Design Features:** The subject SDP is for Phase 2 of the residential development of the Villages at Timothy Branch. The area of impact in this phase is in the middle western portion of the larger 322.41-acre property, entirely within the R-M-zoned portion. The previously approved SDP-1304 for infrastructure includes the construction of the main public spine road, Mattawoman Drive, through the property, which will provide access to the residential units in this SDP. Development in this phase is in the areas designated as Residential Modules 3 and 4 (RM-3 and RM-4) by

CDP-0902. This naming convention is carried over from the CDP into Timothy Branch's residential SDP-1701 and subsequent amendments, including the subject SDP.

RM-3 and RM-4 are accessed via a system of new public roads and private alleys with three connections to Mattawoman Drive. The northern pod, RM-3, includes 69 single-family detached and 12 single-family semidetached residential units. The site design for RM-3 follows a "U" shaped, looped roadway; single-family detached units wrap the outside and inside of this roadway, with semi-detached units located along cross streets in the central portion. The southern end of RM-3 abuts RM-4 where an open area for recreation with a playground is located. A small portion of RM-3 falls within the Military Installation Overlay (M-I-O) Zone for noise intensity associated with Joint Base Andrews.

Development is proposed in the northern portion of RM-4 with this SDP and includes 96 single-family attached (townhouse), 55 single-family detached, and 18 single-family semi-detached residential units. Townhouse units are clustered near Mattawoman Road. A mix of 20-foot-wide and 24-foot-wide units are provided, and all have rear-loaded, two-car garages accessed from private alleys. Single-family semidetached units are provided directly west of the townhouses, with single-family detached homes along the western edge. The western limit of the development in RM-4 is defined by a noise attenuation berm located between the single-family homes and US 301. A recreational greenspace with a multiage playground is centrally located within RM-4.

Architectural models and signage details for residential development in Timothy Branch was previously approved by the Planning Board under SDP-1701. The subject SDP provides locations for previously approved signage types for RM-3 and the northern section of RM-4. Recreational amenities including two playgrounds and open spaces are provided in accordance CDP-0902-01. Lighting is provided via streetlights along the public roads and the alleys. However, some of the alleys do not show sufficient lighting, so a condition is included herein requiring the plans be revised to address this issue.

7. **Zoning Map Amendment (Basic Plan) A-9987:** Basic Plan A-9987-C was approved by the District Council on July 11, 2008, subject to 12 conditions and one consideration. The following are applicable to the review of this SDP:

Land Use Types and Quantities:

A-9987:

| | |
|--|------------------------|
| Total area: | 262± acres |
| Land in the 100-year floodplain: | 19 acres |
| Adjusted gross area: | 243 acres |
| Density permitted under the R-M Zone: | 3.6–5.7 du/ac |
| Permitted Dwelling Unit Range | 874.8–1385.1 du |

Proposed Land Use Types and Quantities:

One-family detached, townhouse, one-family attached, two-family attached (two-over-two), and multifamily and recreational facilities.

Conformance with these requirements was found at the time of CDP approval. The subject SDP proposes 250 dwelling units within the R-M-zoned portion of land governed by A-9987. Combined with the 323 units approved by SDP-1701, for a total of 573, the density proposed at this time is 2.36 dwelling units per acre, which falls below the approved range. The subject SDP proposes townhouses, one-family detached, and one-family semidetached dwelling units and recreational facilities in conformance with A-9987.

Conditions

3. **The applicant shall construct the Master Plan hiker-biker-equestrian trail along the subject site's entire segment of Timothy Branch either within M-NCPPC parkland or within HOA land within a public use trail easement. Trail connectors should be provided from the Master Plan trail to adjacent development envelopes.**

Conformance with this condition was found at the time of CDP. The master planned trail is not located within or adjacent to the RM-3 or RM-4 development pods.

5. **The applicant shall provide standard sidewalks along both sides of Mattawoman Drive, unless modified by DPW&T.**

Sidewalks along Mattawoman Drive were addressed with the SDP-1304 approval for infrastructure. The subject SDP shows a five-foot sidewalk along the west side of Mattawoman Drive, adjacent to RM-3 and RM-4.

6. **The applicant shall provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T. The sidewalk and trail network will be evaluated in detail at the time of Preliminary Plan and Specific Design Plan. Trail connectors may be warranted to the proposed recreation center and park/school site.**

Sidewalks are shown at all appropriate locations on-site. Trails are provided on the east side of Mattawoman Road, outside the RM-3 or RM-4 development pods.

10. **Woodland conservation that is required by the Woodland Conservation Ordinance shall be provided on-site to the greatest extent possible.**

A revised Type 2 Tree Conservation Plan (TCP2-068-93-05) was submitted with the current application. The TCP2 proposes to meet approximately 77 percent of the overall requirement onsite.

8. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-M and M-I-O Zones of the Zoning Ordinance. Since no development is proposed within the L-A-C Zone portion of the property by this SDP amendment, conformance with those requirements is not required at this time.
- a. The subject application is in conformance with the applicable requirements of Section 27-507, Purposes; Section 27-508, Uses; and Section 27-509, Regulations, governing development in the R-M Zone.
 - b. A small portion of RM-3 is located within the Noise Impact Zone (60-74 dBA noise contour) of the M-I-O Zone. A Phase II noise study has been submitted with the SDP that shows all interior noise levels of the residential homes will be mitigated to 45 dBA Ldn or less and there is no outdoor play area located within noise contours higher than 65 dBA Ldn.
 - c. Section 27-528 of the Zoning Ordinance sets forth the following criteria for approval of a SDP:
 - (a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**
 - (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**

The subject plan conforms to the requirements of CDP-0902 and its amendment, as discussed in Finding 9 below, and the 2010 *Prince George's County Landscape Manual* (Landscape Manual) requirements, as detailed in Finding 13. This SDP revision proposes townhouses in a portion of RM-4.

Section 27-274(a)(1)(B) of the Zoning Ordinance requires an applicant to provide justification for reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings, but the subject application complies with all of the applicable design guidelines for townhouses in Section 27-274(a)(11) as follows:

- (A) Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.**

Within the subject SDP amendment area, mature trees could not be retained on-site in open space areas between rears of townhouse buildings because this arrangement of buildings only occurs in the denser portion of the proposed development of RM-4. The site was already cleared pursuant to SDP-1304.

- (B) Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.**

The submitted plan shows a townhouse layout with units at right angles in a semi-courtyard design, with fronts on roadways throughout.

- (C) Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.**

Fronts of single-family detached units in the RM-4 development area face the centrally located recreation facility and open space area. Recreational facilities in RM-4 are separated from dwelling units on-site with roadways and proposed plantings. Sufficient separation is provided for privacy while still integrating the facilities into the community. Within RM-3, the rears of 11 single-family detached units face the centrally located recreational facility but are sufficiently buffered through proposed plantings.

- (D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door**

treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.

Residential home designs, including architectural elements, to be utilized in the R-M Zone development of Timothy Branch were approved with SDP-1701, as amended. The subject amendment, SDP-1701-03, incorporates previously approved home designs and conforms to this requirement.

- (E) To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.**

No rears of townhouses are oriented towards public rights-of-way, or parking lots; all are oriented toward private alleys.

- (F) Attention should be given to the aesthetic appearance of the offsets of buildings.**

The submitted plan shows a two- to three-foot offset between units in all buildings in conformance with this requirement.

The applicable regulations for townhouses set forth in Section 27-433(d) of the Zoning Ordinance are as follows:

- (1) All dwellings shall be located on record lots shown on a record plat.**

The proposed townhouses are shown on lots that are required to be recorded on a plat prior to the issuance of permits.

- (2) There shall be not more than six (6) nor less than three (3) dwelling units (four (4) dwelling units for one-family attached metropolitan dwellings) in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that**

more than six (6) dwelling units (but not more than eight (8) dwelling units) or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.

The SDP conforms to these requirements as there are no more than six dwelling units in any horizontal, continuous, attached townhouse group.

- (3) The minimum width of dwellings in any continuous, attached group shall be at least twenty (20) feet for townhouses, and twenty-two (22) feet for one-family attached metropolitan dwellings. Attached groups containing units all the same width and design should be avoided, and within each attached group attention should be given to the use of wider end units.**

All proposed townhouse units are 20 or 24 feet wide, and all units have a slightly different design, including various specialty windows and entry trim. All townhouse designs were previously approved in SDP-1701, as amended.

- (4) The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty (1,250) square feet for townhouses, and two thousand two hundred (2,200) square feet for one-family attached metropolitan dwellings.**

The minimum gross living space proposed for the townhouses is 1,667 square feet, in conformance with this requirement.

- (5) Side and rear walls shall be articulated with windows, recesses, chimneys, or other architectural treatments. All endwalls shall have a minimum of two (2) architectural features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from public spaces, streets, or because of topography or road curvature) shall have additional endwalls treatments consisting of architectural features in a balanced composition, or natural features which shall include brick, stone, or stucco.**

All townhouse models including architectural features and additional treatments for highly visible endwalls were previously approved in SDP-1701, as amended.

- (6) **Above-grade foundation walls shall either be clad with finish materials compatible with the primary facade design, or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco. Exposed foundation walls of unclad or unfinished concrete are prohibited.**

Conformance with this requirement was previously demonstrated through the approval of SDP-1701, as amended.

- (7) **A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one "front."**

The submitted SDP amendment includes notes and a tracking chart regarding the requirement for 60 percent of the townhouse units to have a full-front facade of brick, stone or stucco. This is consistent with prior approvals.

- (8) **One-family attached metropolitan dwellings shall be designed with a single architecturally integrated "Front Wall." A minimum of one hundred percent (100%) of the "Front Wall", excluding garage door areas, windows, or doorways shall be constructed of high quality materials such as brick or stone and contain other distinctive architectural features.**

The proposed units are not one-family attached metropolitan dwellings.

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

The SDP does not contain property designated as a regional urban community.

- (2) **The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, provided**

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

In a memorandum dated May 8, 2020 (Thompson to Bossi), an analysis of the required adequacy findings relative to police facilities, fire and rescue, schools, and water and sewer was provided. Adequate public facilities were determined to be present for fire and rescue, schools, and water/sewer.

On May 29, 2020, the County Council adopted CB-24-2020 approving the "Fiscal Years 2021 - 2026 Capital Improvement Program - Fiscal Year 2021 Capital Budget." The Capital Improvement Program proposes construction of a police facility for District V in which the development is located. Because the County has previously funded a portion of the design and construction costs for the facility, and the Program projects additional funding will be committed by the County for the facility in FY21-FY26, the Planning Board finds the development will be adequately served within a reasonable period of time with programmed police facilities shown in the appropriate Capital Improvement Program,

In a memorandum dated May 11, 2020 (Masog to Bossi), it was determined that the SDP meets the adequacy test for the required transportation facilities serving this development through conditioned traffic improvements and contribution to the Brandywine Road Club.

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

A SWM Concept Approval Letter and Plan, 11355-2009-00, extended on May 9, 2017 and valid through May 9, 2020, was submitted with this application, which included 16 conditions of approval and six additional traffic safety comments. Technical SWM design is subject to approval by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). Final technical plans were previously approved. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

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

The Planning Board finds that the proposed development is in conformance with the revised Type 2 Tree Conservation Plan TCP2-068-93-05 subject to several technical corrections, conditioned herein.

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

The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the TCP2 submitted with the current application. The primary management area impacts shown on the SDP and TCP2 plan are consistent with those approved with PPS 4-09003, SDP-1304 and SDP-1701.

9. **Comprehensive Design Plan CDP-0902, as amended:** CDP-0902, for the R-M zoned portion of the subject property, was originally approved by the Planning Board on October 7, 2010 (PGCPB Resolution No. 10-110). It was then remanded by the District Council to the Planning Board on January 23, 2012, and the case was reapproved by the Planning Board on April 5, 2012. The District Council elected to review the remand, and issued an order affirming the Planning Board's approval on November 4, 2013, subject to 50 conditions. Subsequently, the applicant requested a reconsideration to the decision, which was reviewed and approved by the Planning Board on March 19, 2015. The final resolution, including 42 conditions, was adopted by the Planning Board on March 19, 2015 (PGCPB Resolution No. 10-110(A)). An amendment, CDP-0902-01, was approved on May 14, 2020 (PGCPB Resolution No. 2020-64). The conditions of approval are applicable to the review of the subject SDP and warrant discussion as follows:

1. **All conditions of approval of Basic Plan A-9987 shall remain in full force and effect.**

The subject SDP revision is in conformance with the applicable conditions of approval of Basic Plan (A-9887), as discussed in Finding 7.

2. **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.**

This condition sets an overall trip cap for the whole of the Villages at Timothy Branch (covered by CDP-0901 and CDP-0902). The trip cap was based, in part, on 1,200 residences. The table below summarizes the trip generation in each peak hour that will be used to demonstrate conformance to the PPS trip cap for the site:

| Trip Generation Summary: SDP-1701-03: Timothy Branch | | | | | | | | |
|--|--------------|--------|--------------|------------|--------------|--------------|------------|--------------|
| Land Use | Use Quantity | Metric | AM Peak Hour | | | PM Peak Hour | | |
| | | | In | Out | Tot | In | Out | Tot |
| Current Proposal | | | | | | | | |
| Single-Family Detached | 125 | units | 19 | 75 | 94 | 74 | 39 | 113 |
| Townhouse | 126 | units | 18 | 70 | 88 | 66 | 35 | 101 |
| Total: Current Proposal | | | 37 | 145 | 182 | 140 | 74 | 214 |
| Other Approvals and Pending Proposals | | | | | | | | |
| SDP-1701-01 Single-Family Detached | 39 | units | 6 | 23 | 29 | 23 | 12 | 35 |
| SDP-1701-01 Townhouse | 212 | units | 30 | 118 | 148 | 110 | 60 | 170 |
| SDP-1701-01 Two Over Two | 72 | units | 10 | 40 | 50 | 38 | 20 | 58 |
| SDP-1701-04 Multifamily | 243 | units | 24 | 102 | 126 | 95 | 51 | 146 |
| Total Trips for Approved/Pending Proposals | | | 70 | 283 | 353 | 266 | 143 | 409 |
| Total Trips Including Current Proposal | | | 107 | 428 | 535 | 406 | 217 | 623 |
| Trip Cap: Per CDP-0901/CDP-0902/4-09003 | | | | | 1,269 | | | 1,775 |

The proposal of SDP-1701-03 is within the established trip cap for Timothy Branch.

3. 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.

The required 50-foot minimum building restriction line (BRL) is provided. All building locations for SDP-1701-03 are located beyond the BRL, further than 50 feet from the ultimate right-of-way of Mattawoman Drive.

4. A minimum 200-foot building restriction line (BRL) as measured from the ultimate right-of-way of US 301 shall be provided on the specific design plan (SDP) for multifamily buildings unless it is deemed that a lesser BRL provides sufficient area to adequately buffer the dwellings from the roadway. The minimum width of building restriction lines for other residential product types along US 301 shall be determined at the time of SDP and the Phase II Noise Study shall be considered in the determination of establishing the building restriction lines.

The subject application does not propose multifamily buildings. Further, as provided in SDP-1304 for infrastructure, a sound attenuation berm is provided between the single-family residential units in RM-4 and US 301. These dwellings are also outside of the 200-foot BRL associated with the right-of-way for US 301. A Phase II Noise Study was submitted and considered as part of this application.

5. Prior to certificate of approval of the subject comprehensive design plan:

- c. **Revise the development standard chart in the text and on the plan as follows:**

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—R-M ZONE¹ | | | | | |
|--|----------------------------|----------------------------|--|---|------------------------|
| | One-family detached | Two-family attached | Single-family semidetached^{8, 9} | Single-family attached^{3, 8, 9} | Multifamily |
| Minimum Net Lot Area | 6,000 sq. ft. | N/A | 3,600 sq. ft. | 1,800 sq. ft. | N/A |
| Minimum frontage at street R.O.W | 60 | N/A | 36 feet | 20 feet | N/A |
| Minimum frontage at Front B.R.L. | 60 | N/A | 36 feet | 20 feet | N/A |
| Minimum frontage – corner lot | 70 | N/A | 40 feet | 30 feet | N/A |
| Maximum Lot Coverage (%) | 30 | 35 ⁴ | 35 | 35 ⁴ | 50 ⁴ |
| Minimum building setback from Mattawoman Drive | 50 feet | 50 feet | 50 feet | 50 feet | 50 feet |
| Minimum building setback from Robert Crain Highway (US 301) | TBD ¹⁰ | TBD ¹⁰ | TBD ¹⁰ | TBD ¹⁰ | 200 feet ¹⁰ |
| Minimum front setback⁵ | 25 | N/A | 20 feet | 3.6 | 7 |
| Minimum side setback⁵ | 10 | N/A | 10 feet | 6 | 7 |
| Minimum rear setback⁵ | 20 | N/A | 20 feet | 6 | 7 |
| Minimum side setback to street⁵ | 25 | N/A | 20 feet | 6 | 7 |
| Maximum residential building height¹¹ | 40 | 55 feet | 45 feet | 45 feet | 80 feet |
| Maximum percentage of total units | N/A | N/A | N/A | 50 ² | 25 ² |
| Minimum frontage on cul-de-sac | 40 | N/A | N/A | N/A | N/A |

¹ All parking is governed by Part 11 of the Zoning Ordinance.

² Variance requested from the maximum townhouse and multifamily dwelling unit percentage, which allows a maximum 30 and 10 percent respectively of units in the R-M Zone.

³ Applies to both front and rear loaded garage townhouses. Rear-load garage townhomes shall have a minimum 25-foot front yard setback, in order to reduce the length of the driveway.

⁴ This percentage is for building coverage (and not for lot coverage) of the overall net tract area

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

⁶ 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.

⁷ For multifamily buildings, the minimum building setback along a street shall be 25 feet, except for Mattawoman Drive, which requires a 50-foot setback unless it is deemed that a lesser BRL provides sufficient area to adequately buffer the units.

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

⁹ On lots consisting of one acre or less, fences in the front yard shall not be more than four feet high.

¹⁰ The minimum building setback for one-family detached, two-family detached, single-family semidetached, single-family attached and multifamily from Robert Crain Highway (US 301) shall be determined at the time of SDP review.

¹¹ These height limits may be increased if a variance and/or modification is granted by the Planning Board at the time of SDP.

| ACCESSORY BUILDINGS—R-M ZONE | |
|--|----------------|
| Maximum Lot Coverage (%) | 25 |
| Minimum setback from front street line | 60 feet |
| Minimum setback from side lot line | 2 feet |
| Minimum setback from rear lot line | 2 feet |
| Corner lot - Minimum setback from side street line (along which an abutting lot fronts) | 10 feet |
| Corner lot - Minimum setback from side street line (along which an abutting lot does not front) | 7 feet |
| Maximum building height above grade | 15 feet |
| Note: No accessory building shall be located closer to the street line than the main building. | |

CDP-0902-01 amended the development standard chart and associated footnotes by introducing one new development standard requiring a minimum distance between buildings for one-family detached and single-family semidetached dwellings, revised Footnote 3, added two footnotes to the development standards table, and amended seven specific standards applicable to one-family detached units, and two standards applicable to single-family semidetached units. The development standards chart provided with SDP-1701-03 conforms with the development standards chart, as amended by CDP-0902-01.

- d. **A note shall be added to the plans and the comprehensive design plan document shall be revised to include a note stating that the requirements of Section 4.7 of the Prince George's County Landscape Manual shall be used as a starting point or minimum for the provision of an adequate separation between incompatible uses, at the perimeter of the site. The requirement may be increased as necessary so as to ensure compatibility between incompatible uses at the time of approval of the specific design plan.**

The perimeter area of RM-3 is buffered from an existing warehouse/distribution center by retained woodlands in accordance with Section 4.7 of the Landscape Manual. Residential development in the western portion of RM-4 is buffered from a single commercial site and US 301 by a sound attenuation berm. The berm is to be planted in accordance with the applicable TCP2. These features serve as sufficient buffers between the proposed residential development and adjacent incompatible uses.

- e. **The following Architectural Design Parameters shall apply and be revised in the CDP text:**

- (1) **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.**

Notes and a tracking chart are provided on the SDP to demonstrate conformance with this requirement.

- (2) **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 60 percent with high-quality materials such as brick, stone or stucco (excluding gables, bay windows, trim, and doors) or other masonry materials of equivalent quality.**
- (3) **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 as long as the buildings are within 100 feet of the Mattawoman Drive right-of-way.**

- (4) **Front elevations of townhouses and two-family attached units facing Mattawoman Drive shall have dormers or gables to reduce the single plane of roof.**

Notes are provided on the SDP to demonstrate conformance with these three requirements.

- (5) **Front elevations of townhouse and two-family attached units facing Mattawoman Drive shall be offset by a minimum of two feet.**

The SDP provides only townhouses facing Mattawoman Drive. In all groupings of townhouses, units are offset by two to three feet.

- (7) **A minimum of 60 percent of one-family detached dwellings shall have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco, or other masonry materials of equivalent quality.**

Notes and a tracking chart are provided on the SDP to demonstrate conformance with this requirement.

- (8) **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.**

All residential models and associated architectural treatments proposed for use in this SDP were approved in SDP-1701, as amended. Therefore, the subject SDP conforms with this requirement.

7. **Prior to the approval of a specific design plan, 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, will be required unless other stormwater management design approvals and/or waivers are granted by DPW&T.**

The SDP-1304 approval for infrastructure, including SWM, addressed this condition.

8. **The TCPII for the subject property shall demonstrate 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.

The TCP2 proposes to meet 75.38 acres of the overall 103.26-acre requirement on-site. The previously approved TCP2 plan proposes off-site mitigation as part of Phase 2. Phasing was eliminated from the plan by the approval of TCP2-68-93-04 and the off-site requirement was fully met within the Mattawoman watershed with the previously issued grading permit.

- 12. 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 has been addressed. A non-tidal wetland mitigation area of 3.5 acres was previously protected on the site as required. This was 1.26 acres more than the wetlands mitigation permitting requirement. No additional impacts are proposed with this SDP.

- 13. A variance for the removal of Specimen Tree No. 3 shall be applied for and approved with the appropriate SDP application and associated TCPII.**

This condition was addressed with SDP-1304 and TCP2-068-93-01.

- 14. Prior to approval of TCPII which proposes to credit as woodland conservation planting occurring with a stormwater management easement, an approved Site Development Stormwater Management Plan shall be submitted to the Planning Department which indicates that the planting areas proposed have been approved by the Department of Public Works and Transportation regarding the location, size, and plant stocking proposed. No afforestation or preservation area can be shown within 15 feet of the toe of the embankment, or as determined by the Department of Public Works and Transportation or the Soil Conservation District.**

The proposed SWM for the site received final technical approval. The approval by DPIE was in coordination with the Prince George's County Department of Public Works and Transportation, who provided written approval of woodland planting within the SWM easement. The technical plan shows woodland planting within the easements of ponds 1, 2A and 4. All SWM easements are delineated and labeled on the SDP and TCP2 in accordance with the approved final technical plan, and afforestation/reforestation within the SWM easements have been credited as on-site woodland conservation.

- 16. All future SDPs and associated TCPIIs shall include a tree canopy coverage (TCC) schedule indicating how the TCC requirements have been fulfilled for the subject application.**

The submitted SDP includes a schedule stating that the tree canopy coverage (TCC) requirement for the site is 46.53 acres, which has been satisfied by the 78.84 acres of on-site woodland conservation.

17. **At time of specific design plan application for residential units in the R-M zone, a Phase II noise study 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 time of SDP shall also demonstrate how the proposed structures are in conformance with the noise mitigation measures recommend in the Phase II noise report for interior residential uses.**

Architecture for residential buildings was previously approved. A Phase II Noise Analysis for Timothy Branch – RM-3 and RM-4, dated February 12, 2020, was submitted with the subject SDP. It demonstrates that most residential units will be outside of areas requiring special attention to noise mitigation. However, the 42 townhouse units closest to Mattawoman Drive, and 15 single-family detached dwellings closest to US 301 will require the use of upgraded windows and doors to provide interior noise levels of 45dBA or less. Outdoor activity areas are shown having noise levels of 65 dBA or less.

18. **Applications for building permits for residential uses within the 65 dBA Ldn noise contour shall contain a certification, to be submitted to M-NCPPC, 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.**

This condition will be addressed prior to the issuance of building permits.

19. **All SDPs for the subject property shall demonstrate the use of full cut-off optics to ensure that off-site light intrusion into residential and environmentally-sensitive areas is minimized. At 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."**

The subject application includes a detail of a lighting fixture and a photometric plan showing adequate street light levels provided, except within the alleys. Light fixtures proposed do not appear to utilize cut-off optics. A condition has been included herein for the proposed light fixture detail to be revised and the required note added to the SDP.

- *~~21~~20. **Prior to approval of building permits by M-NCPPC for 50 percent of the residential dwelling units within CDP-0901 and CDP-0902, the applicant shall make a monetary contribution in the amount of \$700,000.00 in 2015 dollars to The Maryland-National Capital Park and Planning Commission (M-NCPPC). M-NCPPC shall adjust the amount of the contribution using the Consumer Price Index (CPI) for inflation at the time of payment. The funds shall be used for the construction of recreational facilities in**

Brandywine Area Community Park (M-NCPPC), as determined by the Prince George's County Department of Parks and Recreation (DPR), to complement the facilities being provided at the Southern Area Aquatic and Recreational Complex.

The subject application proposes 250 dwelling units in RM-3 and RM-4, and 323 dwelling units in RM-1 and RM-2 were previously approved, for a combined 573 dwelling units. This is less than 50 percent of the total 1,200 residential dwelling units provided in CDP-0902 and CDP-0901. Conformance is not required at this time.

- *[28]21. 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*.**

The proposed private recreational facilities have been reviewed and are found to be adequate in accordance with previous approvals and the *Park and Recreation Facilities Guidelines*.

- *[29]22. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division (DRD), M-NCPPC for adequacy, conformance to the *Park and Recreation Facilities Guidelines* and appropriateness of location during the specific design plan review.**

The proposed private recreational facilities have been reviewed and are found to be adequate and properly sited in accordance with previous approvals and the *Park and Recreation Facilities Guidelines*.

- *[31]24. Include the following phasing for the on-site private recreational facilities within the CDP text and plan:**

| CDP-0902 - PHASING OF AMENITIES | | |
|---|---|---|
| FACILITY | BOND | FINISH CONSTRUCTION |
| 7,500 sq. ft. multiage – RM1 | Prior to the issuance of any residential unit permit | Complete by 200th overall* residential unit permit |
| 7,500 sq. ft. multiage – RM3 | Prior to the issuance of any residential unit permit within RM3 | Complete by 450th overall residential unit permit |
| 20,000 sq. ft. Open play area – RM 4 | Prior to the issuance of any residential unit permit within RM4 | Complete by 600th overall residential unit permit |
| Min. 4,200-square-foot Community building and 25 meter swimming pool – RM2 | Prior to the issuance of 500th overall* residential unit permit | Complete by 750th overall residential unit permit |
| 2,500 sq. ft. tot-lot – RM2 | Prior to the issuance of 500th overall residential unit permit | Complete by 750th overall residential unit permit |
| 5,000 sq. ft. per teen – RM2 | Prior to the issuance of 500th overall residential unit permit | Complete by 750th overall residential unit permit |
| 7,500 sq. ft. multiage – RM5 | Prior to the issuance of any residential unit permit with RM5 | Complete by 1,000th overall residential unit permit |
| Timothy Branch Stream Valley Trail ¹ (approx. 5,600 L.F.) or other recreational trail | Prior to the issuance of any residential unit permit for the adjacent pod | 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) and CDP-0902 (RM Zone) ¹ Unless the District Council amends the Basic Plan condition requiring the same</p> | | |

Two amendments impacting the provision of recreational facilities in the R-M Zone of Timothy Branch were approved by CDP-0902-01. The first updated the phasing table for the provision of on-site private recreational amenities, as follows:

| FACILITY | BOND | FINISH CONSTRUCTION |
|-------------------------------------|---|---|
| 7,500 sq. ft. multiage – RM4 | Prior to the issuance of any residential unit permit within RM4 | Complete by 700th overall residential unit permit |
| 20,000 sq. ft. Open play area – RM4 | Prior to the issuance of any residential unit permit within RM4 | Complete by 650th overall residential unit permit |
| 7,500 sq. ft. multiage – RM3 | Prior to the issuance of any residential unit permit within RM3 | Complete by 775th overall residential unit permit |

The second amendment relocated a previously approved 7,500-square-foot multiage playground from RM-5 to the centrally located 20,000-square-foot open play area within RM-4. A condition was included in CDP-0902-01, to ensure RM-5 will be served by additional on-site private recreation amenities. Therefore, conformance is shown with this condition, as amended by CDP-0902-01.

***[33]26. The developer and his heirs, successors, and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed private recreational facilities.**

All private recreation facilities for RM-3 and RM-4, subject of this SDP, are located on property that is to be owned and maintained by a future Homeowners Association.

***[34]27. Provide an eight-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 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 five-foot-wide bike lanes within the travel lanes of the primary street located between the commercial and residential development, with directional signage to the Timothy Branch trail. A five-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.**

The development subject of this SDP is on the west side of Mattawoman Drive, where a five-foot-wide sidewalk is provided. Internal sidewalks are shown at appropriate location on-site.

- *[36]29. **Provide four-foot-wide sidewalks along both sides of all internal residential roads (excluding alleys).**

Sidewalks are shown at all appropriate locations.

- *[37]30. **Indicate on the specific design plan the width of all of the on-road and off-road bikeways, sidewalks, and trails.**

- *[38]31. **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 SHA and DPW&T standards where applicable.**

Five-foot-wide sidewalks are shown on the SDP. On-road bike lanes and trails are not included in RM-3 and RM-4.

- *[39]32. **Trails shall be shown no less than 20 feet from all private residential lot lines and/or 25 feet from all residential dwellings, excluding where trails connect with the internal road network, unless environmental constraints/impacts exist that make this impractical. The final trail location shall be reviewed at the time of SDP.**

Trails are not provided by the subject SDP in the RM-3 and RM-4 development areas.

- *[43]36. **Show bicycle parking spaces on the specific design plan at the recreational facilities and in the community buildings. These spaces should be located near the front entrances to the buildings and have access to bikeway and trail facilities.**

No commercial buildings are proposed. Bicycle parking is provided at recreational facilities proposed in this phase of development.

- *[46]39. **The applicant and/or the applicant's heirs, successors, 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 V Master Plan, as well as any properties along US 301/MD 5 between T.B. (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 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 the payment of the following:

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

For each single-family detached unit, a fee calculated as $\$1,306 x$ (Engineering News-Record Highway Construction Cost Index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

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

For each multi-family unit, a fee calculated as $\$886 x$ (Engineering News-Record Highway Construction Cost Index at time of payment) / (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 M-NCPPC 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 four-lane road to a six-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently approved SHA plans.

- b. **Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T.**
- c. **Make minor widening/stripping improvements to the US 301/MD 5 interchange ramps.**
- d. **Widen US 301 from a four-lane road to a six-lane road beginning at the T.B. 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 DPW&T and SHA.**
- g. **Provide a grade separation at the point the spine road crosses US 301 northeast of T.B.**
- h. **Reconstruct the traffic signal at MD 5/Brandywine Road.**
- i. **Construction of an interchange around US 301/MD 5 and Cedarville/McKendree Roads.**
- j. **Construction of an interchange around MD 5 and A-63 north of T.B.**
- k. **Construction of A-63 as a six-lane arterial roadway (where off site) between the US 301/MD 5/Cedarville Rd./McKendree Rd. intersection and MD 5 north of T.B.**
- l. **Widen US 301/MD 5 from a six-lane road to an eight-lane road beginning at the T.B. interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.**
- m. **Widen MD 5 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.**

This condition requires payment to the Brandywine Road Club. The Timothy Branch project's participation in the Brandywine Road Club was further confirmed by CR-9-2017, which elevated the construction of Mattawoman Drive through the subject property to the top of the priority list. Pro-rata payments shall be required in accordance with this condition at the time of each building permit.

- *~~148~~11.** At the time of SDP review, the applicant may redesign Residential Module 3 to reduce the block perimeter and to increase the pedestrian and vehicular circulation. The housing types within and around these blocks should be reconsidered to facilitate rear loading townhouses.

RM-3 development is proposed by the subject SDP with a pedestrian and vehicular circulation system layout that is acceptable. Townhouses are not proposed in RM-3.

10. **Preliminary Plan of Subdivision 4-09003:** The relevant PPS, 4-09003, was originally approved by the Planning Board on October 28, 2010. Subsequently, the applicant requested a reconsideration, which the Planning Board heard and approved on April 5, 2012 (PGCPB Resolution No. 10-117(A/1)), subject to 32 conditions. Many relevant PPS conditions mirror those provided by CDP-0902. Responses provided to overlapping conditions discussed under Finding 9 apply to both the CDP and PPS. The following conditions warrant discussion in relation to the subject SDP:

9. **A Phase II noise study shall be submitted for review with each SDP for residential uses. The Phase II noise study shall address how noise has been mitigated to 65 dBA Ldn exterior and 45dBA Ldn interior for residential units throughout the site.**
10. **The appropriate SDP shall show noise mitigation measures for the single-family detached lots impacted by noise levels of 65 dBA Ldn or greater along Mattawoman Drive. Mitigation for outdoor activity areas, as defined by the SDP, may include fencing or walls necessary to reduce the noise levels in the outdoor activity areas to 65 dBA Ldn or less.**

A Phase II Noise Analysis was submitted with the subject SDP. It demonstrates that most residential units will be outside of areas requiring special attention to noise mitigation. However, the townhouse units closest to Mattawoman Drive, and single-family detached dwellings closest to US 301 will require the use of upgraded windows and doors to provide interior noise levels of 45dBA or less. Outdoor activity areas are shown having noise levels of 65 dBA or less. A noise attenuation berm and sound barriers are shown on the plans reducing noise levels in backyards of single-family dwellings shown proximate to US 301 to acceptable levels.

- †~~24~~17.** In conformance with the 2009 *Approved Countywide Master Plan of Transportation and the Approved Subregion 5 Master Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

- d. **A five-foot-wide sidewalk along the subject site's frontage of the entire west side of Mattawoman Drive (including the Matapeake Business Drive extension), unless modified by DPW&T.**
- e. **Medians and/or pedestrian refuges shall be indicated along Mattawoman Drive at the time of SDP, unless modified by DPW&T.**

Sidewalks and sidepaths along Mattawoman Drive were previously approved under SDP-1304. The subject SDP shows the appropriately sized and located sidewalk on the west side of Mattawoman Drive.

- f. Standard sidewalks along both sides of all internal residential roads excluding alleys, unless modified by DPW&T.**

Sidewalks are shown at all appropriate locations on-site.

- g. The location, width, and surface treatment shall be indicated for all bikeways, sidewalks, and trails at the time of SDP.**
- h. Sidewalk, sidepath, and trail cross sections and details shall be provided at the time of SDP, consistent with current DPW&T and DPR standards and guidelines.**

The location, width, and surface treatment are provided in the subject SDP for sidewalks. Trails and bikeways are not proposed by this SDP.

- j. Bicycle parking shall be shown at all commercial buildings and active recreational facilities at the time of SDP. The number and location of bicycle parking spaces shall be determined at that time.**

No commercial buildings are proposed in this phase of development and bicycle parking is provided at proposed recreational facilities.

- l. The need for additional facilities and amenities for pedestrians at transit stops will be evaluated at the time of SDP.**

No bus stops are currently located on or adjacent to the subject site. Future transit improvements may be appropriate on-site if the planned light rail/bus rapid transit is implemented in the corridor.

†[26]19.

The applicant shall develop and submit a phasing plan for the following improvements at the time of the initial specific design plan involving development within the subject property, and also shall submit any needed warrant studies related to condition c at this time. A status report for these improvements shall be submitted with each specific design plan within the property, with the transportation staff recommendation to be based upon a comparison of the status with the phasing plan. The staging of conditions a, b, and d shall be related to the timing of collection of Road Club fees (pursuant to Condition 27). Condition c would be implemented when the signal is deemed to be warranted and required by SHA.

- 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 SHA.**
- b. **A northbound left-turn lane along US 301 at Mattawoman Drive, subject to SHA 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.**

The submitted phasing plan states, that the CDP and PPS resolutions already allow Villages at Timothy Branch to move forward based solely on payment of the Brandywine Road Club fees, and the order of construction is based upon the availability of funds and the phased construction of items, as required in CR-9-2017. The phasing for each item, as noted by the applicant, is described below:

- a. A third northbound through lane along US 301: This improvement is subject to the payment of fees through the Brandywine Road Club. Pursuant to the priority project listing within CR-9-2017, this improvement is a later priority, and higher priorities within CR-9-2017 would be constructed earlier subject to available funding under the Brandywine Road Club.
- b. A northbound left-turn lane along US 301 at Mattawoman Drive: This improvement is subject to the payment of fees through the Brandywine Road Club. Pursuant to the priority project listing within CR-9-2017, this improvement is a later priority, and higher priorities within CR-9-2017 would be constructed earlier subject to available funding under the Brandywine Road Club.
- 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: The signalization is subject to warrants being met at the MD 381/Mattawoman Drive intersection. An initial signal warrant analysis has been done, and the signal warrant analysis will be redone upon completion of the full Mattawoman Drive connection from MD 381 to Matapeake Business Drive. This will allow the State to determine if the warrants are satisfied, and to make a decision on when the traffic signal should be installed. This is a reasonable timeframe for the completion of this improvement.

- d. The extension of Mattawoman Drive, south of the subject property to connect to Matapeake Business Drive: This improvement is subject to the payment of fees through the Brandywine Road Club. Pursuant to the priority project listing within CR-9-2017, this improvement is an earlier priority. The applicant is currently working with the County to complete the Mattawoman Drive connection from MD 381 to Matapeake Business Drive, and it is currently under construction (aerial photography confirms this). The applicant expects this connection to be open to traffic in late 2020. This is a reasonable timeframe for the completion of this improvement.

- † ~~[37]~~29. **For each individual specific design plan, the applicant shall provide an inventory of the existing quantities of uses (if any) in the development, expressed in cumulative square footage or number of the varying types of residential units and information as to the exact square footage/number of units and types proposed, so that conformance with the overall approved land uses can be evaluated. Each plan of development shall also contain information demonstrating conformance to the density increment analysis completed in association with CDP-0901 and CDP-0902.**

The subject SDP provides tracking charts and notes with an inventory of total proposed development in this phase.

- † ~~[38]~~30. **An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.**

This requirement is noted in the General Notes on the SDP.

- † ~~[40]~~32. **Prior to the approval of any SDP for the Villages of Timothy Branch development, the applicant and the applicant's heirs, successors, and/or assignees shall work with Historic Preservation staff to develop names for the subdivision streets that reflect the history of the property, the adjacent Brandywine community, and its associated families.**

The applicant previously worked with the Historic Preservation staff during the review of prior SDPs for the development, and the proposed street names generally reflect the history of the property, the adjacent Brandywine community, and its associated families.

11. **Specific Design Plan SDP-1304:** SDP-1304 for infrastructure only including rough grading, dedication and construction of Mattawoman Drive, and SWM ponds, was approved by the Planning Board on October 23, 2014 (PGCPB Resolution No. 14-116), subject to three conditions. None of those conditions are applicable to this SDP.
12. **Specific Design Plan SDP-1701 and amendments:** SDP-1701 and amendments approved the development of RM-1 and a portion of RM-2, as well as approved architectural models to be

utilized throughout the residential development in the R-M Zone of Timothy Branch; including homes proposed in the subject SDP amendment. None of these prior approvals included conditions applicable to the subject SDP amendment.

- 13. 2010 Prince George's County Landscape Manual:** The subject SDP proposes the development of 250 residential units in RM-3 and RM-4 areas of Timothy Branch. This development is subject to the following requirements of the Landscape Manual, Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; and Section 4.9, Sustainable Landscaping Requirements. Landscape plans provided for the subject area of development demonstrate conformance with these requirements.
- 14. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the entire site has a previously approved Type 1 tree conservation plan and a portion of the site has an approved and implemented TCP2. In addition, a revised TCP2 prepared in accordance with the current woodland conservation requirements have been submitted with this application.

The TCP2 covers a 334.26-acre property that contains 175.35 acres of upland woodlands and 28.69 acres of wooded floodplain. The TCP2 shows 2 phases of development. Phase 1 is 320 acres and Phase 2 is 13.63 acres. The current application is for the development RM-3 and RM-4. No development is proposed in the L-A-C portion of the site. The revised TCP2 submitted with the current application proposes to clear a cumulative total of 137.95 acres of upland woodlands and 1.00 acre of wooded floodplain.

The woodland conservation threshold of this property is 53.77 acres. Based upon the total proposed clearing, the woodland conservation requirement is 103.26 acres. The plan proposes to meet the woodland conservation requirement in 34.04 acres of on-site preservation, 39.33 acres of on-site afforestation/reforestation within the net tract, 2.01 acres of afforestation/reforestation in the floodplain, and 26.15 acres of off-site woodland conservation being provided on the site.

Several technical revisions to the TCP2 are required, as conditioned herein.

- 15. Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance requires a minimum percentage of TCC on projects that require a building or grading permit for 5,000 square feet or greater of gross floor area or disturbance. Properties that are zoned L-A-C and R-M are required to provide a minimum of 10 and 15 percent, respectively, of the gross tract area in tree canopy. TCC was gauged for the entirety of the Timothy Branch development, which is 322.41 acres in size, resulting in a blended TCC requirement of 44.75 acres, or 13.9 percent. A TCC schedule was provided showing that the requirement is being met on-site by woodland preservation and reforestation, in addition to proposed plantings.

16. Further Planning Board Findings and Comments from Other Entities: The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and are incorporated herein by reference:

- a. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated May 14, 2020 (Greene to Bossi), which noted that pursuant to Part 8, Division 4, Subdivision 2 of the Zoning Ordinance, master plan conformance is not required for this application.
- b. **Transportation Planning**— The Planning Board adopted, herein by reference, a memorandum dated May 11, 2020 (Masog to Bossi), which included an analysis of previous conditions of approval with relative conditions included herein addressing issues, as required. Access and circulation are acceptable. The overall circulation system conforms in large part to the underlying preliminary plan. All internal streets are adequately sized.

From the standpoint of transportation and in consideration of the findings contained herein, it is determined that this plan is acceptable.

- c. **Subdivision**—Input received indicated that the SDP was in general conformance with PPS 4-09003 as discussed in findings above.
- d. **Trails**— The Planning Board adopted, herein by reference, a memorandum dated May 8, 2020 (Smith to Bossi), which provided a discussion of previous conditions of approval and recommendations of relevant master plans. The subject SDP is in general conformance with conditions of prior approvals and relevant master plan recommendations for pedestrian and bicycle infrastructure at Timothy Branch. A single condition is necessary for extending a sidewalk to improve connectivity between Ring House Road and General Maxwell Drive.
- e. **Permits**— The Planning Board adopted, herein by reference, a memorandum dated May 11, 2020 (Chaney to Bossi), which included four items that have been addressed in revisions to the SDP.
- f. **Environmental Planning**— The Planning Board adopted, herein by reference, a memorandum dated May 18, 2020 (Finch to Bossi), which provided a comprehensive history of the site's environmental review and conformance with prior conditions of approvals. The SDP revision and associated TCP 2 can are in conformance with the previously approved basic plan, CDP, PPS, and relevant SDPs. A series of minor technical corrections to the TCP2 are needed prior to certification of the SDP as conditioned herein.
- g. **Special Projects**— The Planning Board adopted, herein by reference, a memorandum dated May 8, 2020 (Thompson to Bossi), that provided an analysis of the required adequacy findings relative to police facilities, fire and rescue, schools, and water and

sewer. Adequate public facilities were determined to be present for fire and rescue, schools, and water and sewer. The development will also be served by adequate police facilities pursuant to the inclusion of a proposed police facility in the County's FY21-FY26 Capital Improvement Plan as further described in Finding 8.

- h. **Department of Permitting, Inspections and Enforcement (DPIE)**— The Planning Board adopted, herein by reference, a memorandum dated May 13, 2020 (Giles to Bossi) in which DPIE noted that roadway improvements and right-of-way dedication for Mattawoman Drive is required, as is the provision of sidewalks with ADA ramps along all roadways within the property limits. DPIE further noted that the SDP is consistent with the approved SWM Concept Plan 11355-2009-02 dated January 24, 2020.
- i. **Prince George's County Police Department**— The Planning Board adopted, herein by reference, a memorandum dated April 14, 2020 (Contic to Planner Coordinator, Urban Design Section), in which the Police Department noted they have no comments.
- j. **Prince George's County Health Department**— The Planning Board adopted, herein by reference, a memorandum dated April 15, 2020 (Adepoju to Bossi), which suggested that future retail space within Timothy Branch be dedicated to a business that would provide access to healthy food choices in the area. The Department also noted health concerns with residential development sited near major roadways. Construction activity should follow County noise and dust control requirements.
- k. **Prince George's Department of Parks and Recreation (DPR)**— The Planning Board adopted, herein by reference, an email dated May 15, 2020 (Asan to Bossi), in which DPR noted that the subject SDP revision has no impact on conditions of previous approvals relevant to parks.
- l. **Prince George's County Fire/EMS Department**—The Fire Department did not comment on the subject SDP.
- m. **Washington Suburban Sanitary Commission (WSSC)**— The Planning Board adopted, herein by reference, a memorandum dated February 19, 2020, in which WSSC provided standard comments regarding water and sewer service for the proposed RM-3 and RM-4 development.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-068-93-05, and further APPROVED Specific Design Plan SDP-1701-03 for the above-described land, subject to the following conditions:

- I. Prior to certification of the specific design plan (SDP), the applicant shall provide the following information and/or revise the site plan to provide the following:

- a. Show a sidewalk connection along the east side of Ring Horse Road, extending from Lot 1 to the sidewalk along General Maxwell Drive, for a continuous pedestrian connection.
 - b. Identify the townhouse and single-family dwelling lots in need of noise mitigation measures on the SDP.
 - c. Revise the exterior light detail provided and add the following note to the SDP: "All lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over."
 - e. Provide seven shade trees within Parcel A, Block Q open space to provide relief to the playground and portions of the open field.
 - f. Revise the SDP and the photometric plan to show sufficient lighting within the alleys.
 - g. Update the Development Data Summary to correctly reflect a total of 250 dwelling units and 124 single-family detached units.
2. Prior to certification of the specific design plan (SDP), the Type 2 tree conservation plan (TCP2) shall be revised, as follows:
- a. Fully delineate and label the required 40-foot-wide scenic easement on the frontage of MD 381 (Brandywine Road).
 - b. Include all recommended noise barriers proposed for RM-3 and RM-4 with SDP-1701-03 on the plan. To provide maintenance access, all noise barriers shall be setback 5 feet from the lot line, and woodland conservation areas shall be set back 10 feet from a noise barrier. Except for Lots 13-20, Block J and Lots 14-15, Block P, the noise barrier may be adjacent to the lot line, but a 5-foot-wide maintenance access easement shall be provided along the rear of the lots.
 - c. The top and bottom elevation of noise buffers shall be shown on the plan.
 - d. All woodland conservation less than 50 feet in width shall be eliminated as woodland conservation or revised to meet the minimum design criteria for width.
 - e. Revise the General Notes if necessary, to reflect the current TCP2 revision.
 - f. Revise the plan as necessary to be consistent with the SDP.
 - g. Add an Owner's Awareness Certificate to the cover sheet.

- h. After all required revisions are made, revise the woodland conservation worksheet to correctly reflect the woodland conservation required and fulfilled for the site.
 - i. Have the revised plan signed and dated by Qualified Professional who prepared it.
3. Prior to the approval of the first building permit for RM-3 or RM-4, all afforestation/ reforestation planting, permanent tree protection fencing, and signage within the development pod shall be installed and completed.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Geraldo and Hewlett voting in favor of the motion, and with Commissioner Doerner temporarily absent at its regular meeting held on Thursday, June 11, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of July 2020.

Elizabeth M. Hewlett
Chairman



By Jessica Jones
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY
David S. Warner /s/
M-NCPPC Legal Department
Date: June 26, 2020