



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

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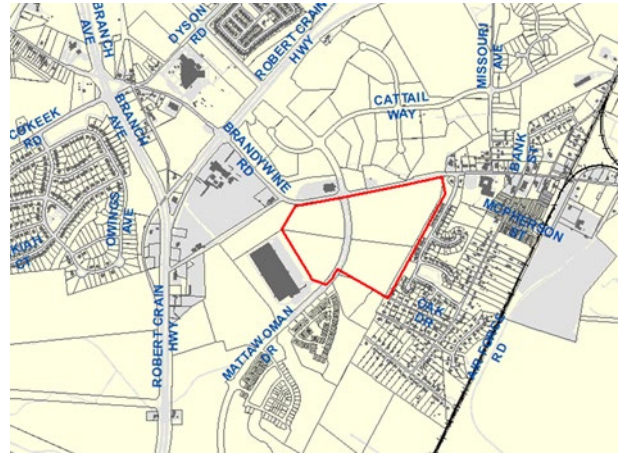
Comprehensive Design Plan

The Villages at Timothy Branch

CDP-0901-01

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

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



Gross Acreage:	72.43
Zone:	L-A-C/M-I-O
Dwelling Units:	212
Gross Floor Area:	N/A
Planning Area:	85A
Council District:	09
Election District:	11
Municipality:	N/A
200-Scale Base Map:	218SE07, 219SE07, 220SE07, 2018SE08 and 2019SE08
Applicant/Address: Timothy Branch, Inc. 2124 Priest Bridge Drive, Suite 18 Crofton, MD 21114	
Staff Reviewer: Adam Bossi Phone Number: 301-780-8116 Email: Adam.Bossi@ppd.mncppc.org	

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

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

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

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

EVALUATION CRITERIA

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

FINDINGS

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

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

2. Development Data Summary:

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

OTHER DEVELOPMENT DATA—Dwelling Units by Housing Types

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

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

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

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

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

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

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

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

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

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

COMPLIANCE WITH EVALUATION CRITERIA

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

Land Use Types and Quantities:

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

Proposed Land Use Types and Quantities: Mixed Retirement Development

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (g) Side and rear walls of all residential buildings shall be articulated with windows, recesses, chimneys, or other architectural treatments. All residential endwalls shall have a minimum of two architectural features, except endwalls in highly visible locations, which shall be identified at the time of SDP, shall have additional architectural features creating a well-balanced composition.**
- (7) Revise the “Commercial Architecture: Design Review Parameters” within the CDP text as follows:**

 - (a) Commercial building elevations shall incorporate a minimum of 60 percent, high-quality building materials which are durable and attractive, such as brick, stone, stucco or other masonry materials of equivalent quality.**
 - (b) Architecture of all of the commercial structures shall be cohesively designed, pedestrian oriented, and compatible in scale with the overall design of the Timothy Branch village center.**
 - (c) The design of retail buildings of two or more stories, if proposed, should emphasize the division between ground level and upper stories through design features such as, but not limited to, aligned windows, awnings, patterned bands, and cornices.**
 - (d) Drive-through facilities shall be designed with adequate space for queuing lanes that do not conflict with traffic circulation or pedestrian access.**
 - (e) All building façades facing major roads shall be designed with equal attention to design details and building materials.**
 - (f) Trash enclosures made of high-quality building materials shall be used to screen trash dumpsters.**
- (8) Include the following phasing for the on-site private recreational facilities within the CDP text and plan.**

CDP-0901 - PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
One gazebo/seating area - LAC	Prior to the issuance of any residential unit permit	Complete by 100th overall* residential unit permit
2,500 sq. ft. tot-lot - LAC	Prior to the issuance of any residential unit permit	Complete by 100th overall residential unit permit
Min. 2,200 square-foot Community building and swimming pool - LAC	Prior to the issuance of 200th overall* residential unit permit	Complete by 300th overall residential unit permit
Double Tennis Court - LAC	Prior to the issuance of 200th overall residential unit permit	Complete by 300th overall residential unit permit
Timothy Branch¹ Stream Valley Trail (approx. 1,800 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)</p> <p>¹ Unless the District Council amends the Basic Plan condition requiring the same</p>		

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RESIDENTIAL USES—L-A-C Zone¹				
	Two-family attached	Single-family semidetached^{8,9}	Single-family attached^{3,8,9}	Active-Adult Multifamily⁴
Minimum Net Lot Area	N/A	3,600 sq. ft.	1,800 sq. ft.	N/A
Minimum frontage at street R.O.W	N/A	36 feet	20 feet	N/A
Minimum frontage at Front B.R.L.	N/A	36 feet	20 feet	N/A
Minimum frontage – corner lot	N/A	40 feet	30 feet	N/A
Maximum Lot Coverage (%)	35 ¹⁰	35	35 ¹⁰	50 ¹⁰
Minimum building setback from Mattawoman Drive¹¹	50 feet	50 feet	50 feet	50 feet
Minimum front setback⁵	N/A	20 feet	3, 6	7
Minimum side setback⁵	N/A	10 feet	6	7
Minimum rear setback⁵	N/A	20 feet	6	7
Minimum side setback to street⁵	N/A	20 feet	6	7
Maximum residential building height¹²	55 feet	45 feet	45 feet	80 feet
Maximum percentage of total units	N/A	N/A	40	45.8 ²

- ¹ All parking is governed by Part 11 of the Zoning Ordinance.
- ² Variance approved from the maximum multifamily dwelling unit percentage, which allows a maximum 30 percent of multifamily dwelling units in the L-A-C Zone.
- ³ Applies to both front and rear loaded garage townhouses. Rear-load garage townhomes shall have a minimum 30-foot front yard setback in order to reduce the length of the driveway.
- ⁴ To be developed as condominiums and as an active adult community, per A-9988.
- 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.
- ⁸ Fences and retaining walls up to six feet high may be constructed anywhere in a rear yard without meeting setback requirements.
- ⁹ Fences in the front yard shall not be more than four feet high.
- ¹⁰ This percentage is for building coverage (and not for lot coverage) of the overall net tract area.
- ¹¹ At the time of SDP, these distances may be modified if it is determined by the Planning Board, that adequate measures are provided to protect all residential buildings from the traffic nuisances of Mattawoman Drive.
- ¹² 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—L-A-C 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 on the lot or parcel.	

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

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

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

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

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

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

⁴ Fences in the front yard shall not be more than 3 feet high.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDATION

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

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

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

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

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

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

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

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

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

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

⁴ Fences in the front yard shall not be more than 3 feet high.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ITEM: 10

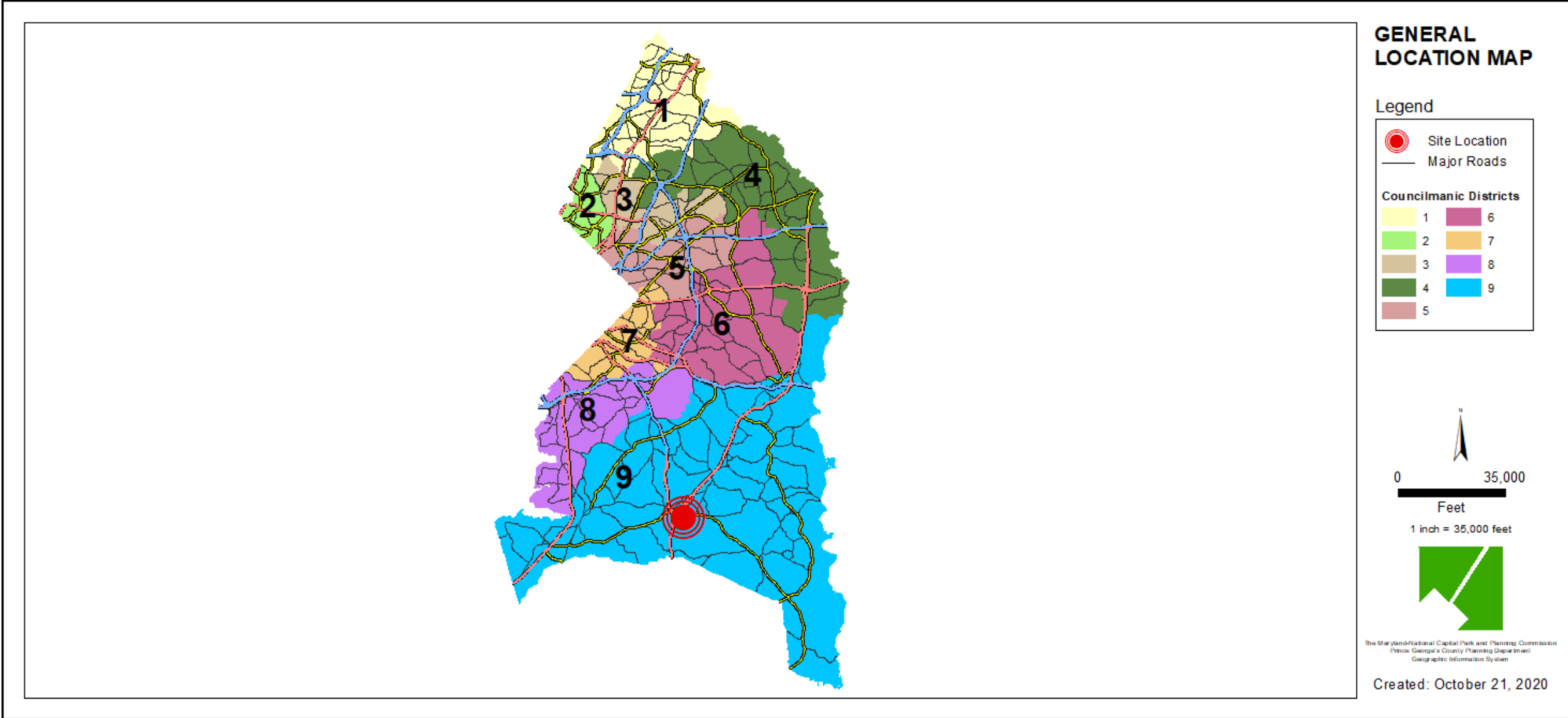
CASE: CDP-0901-01

THE VILLAGES AT TIMOTHY BRANCH

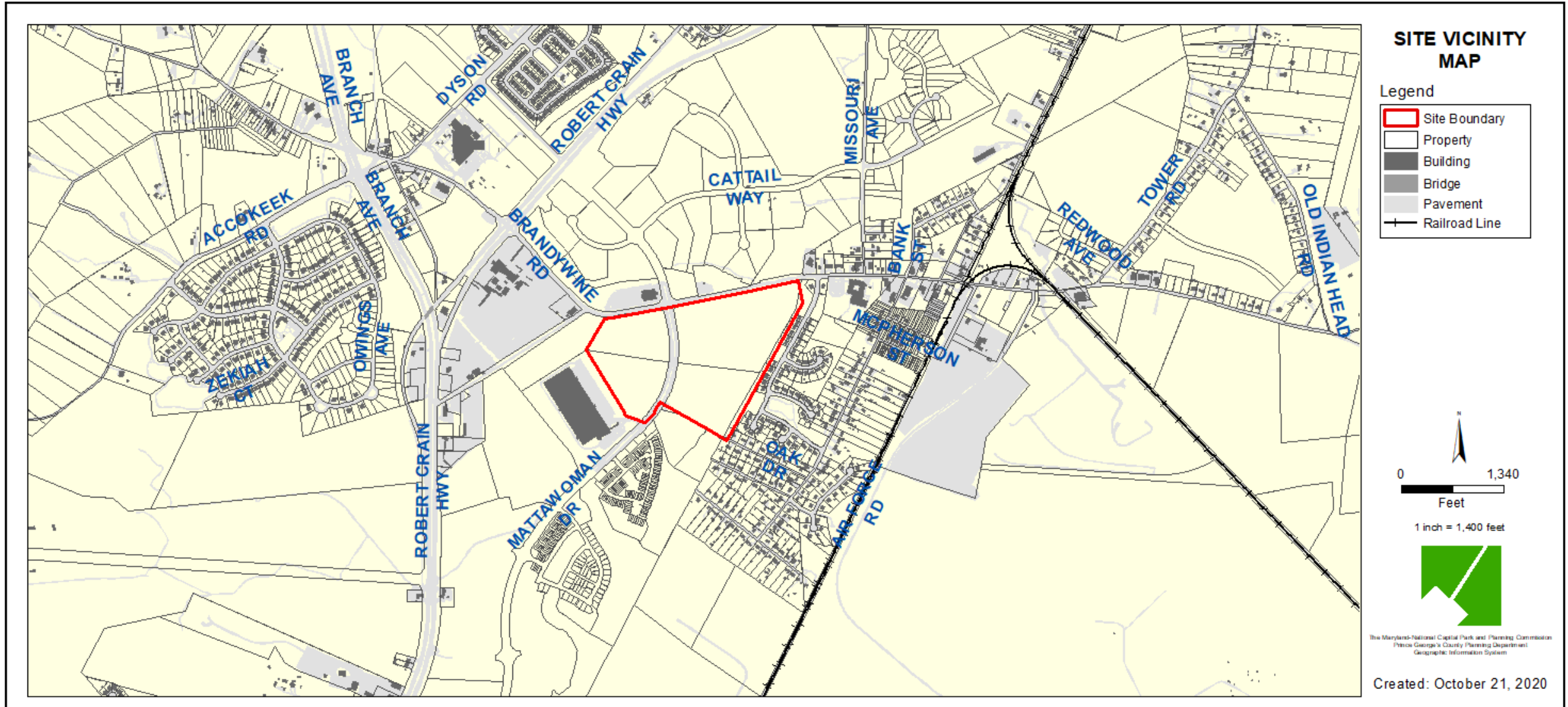
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



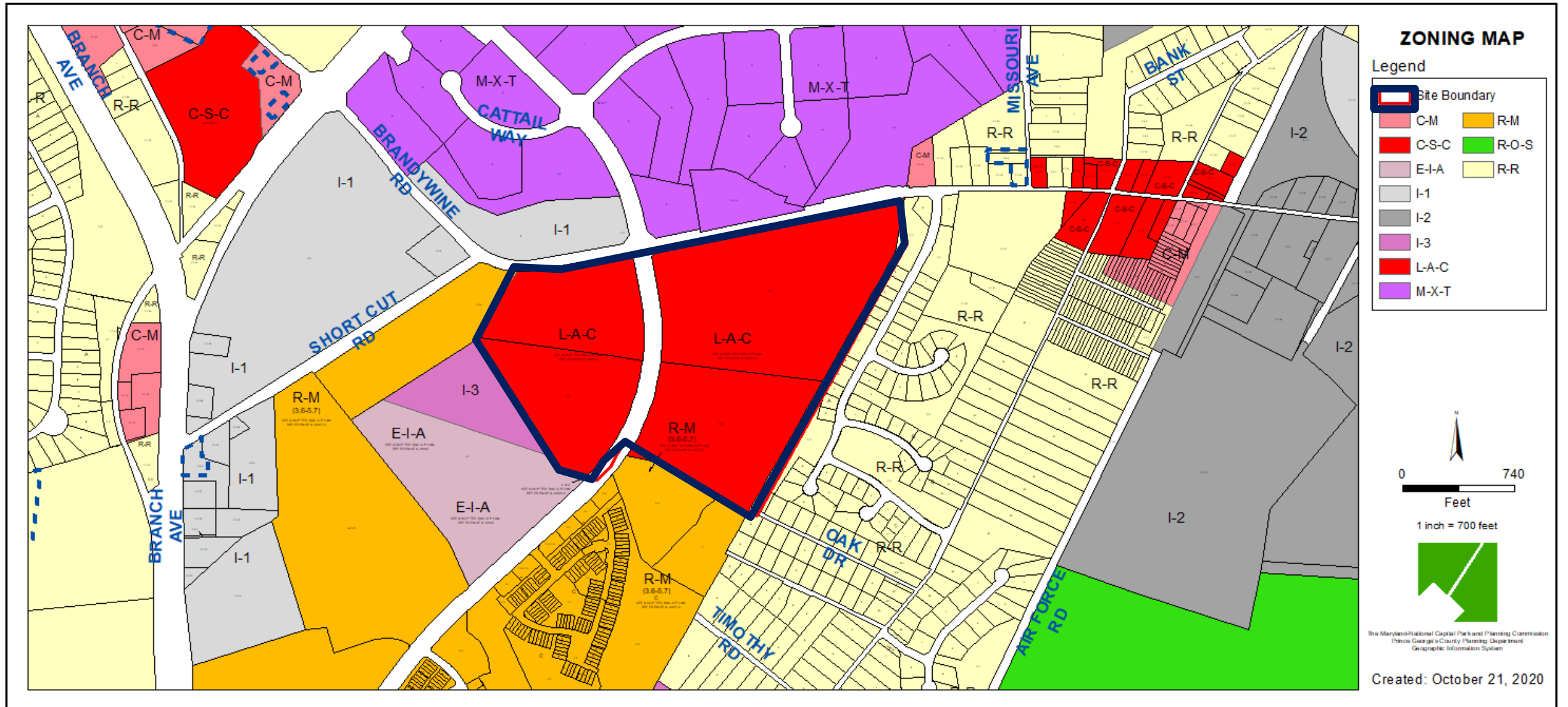
GENERAL LOCATION MAP



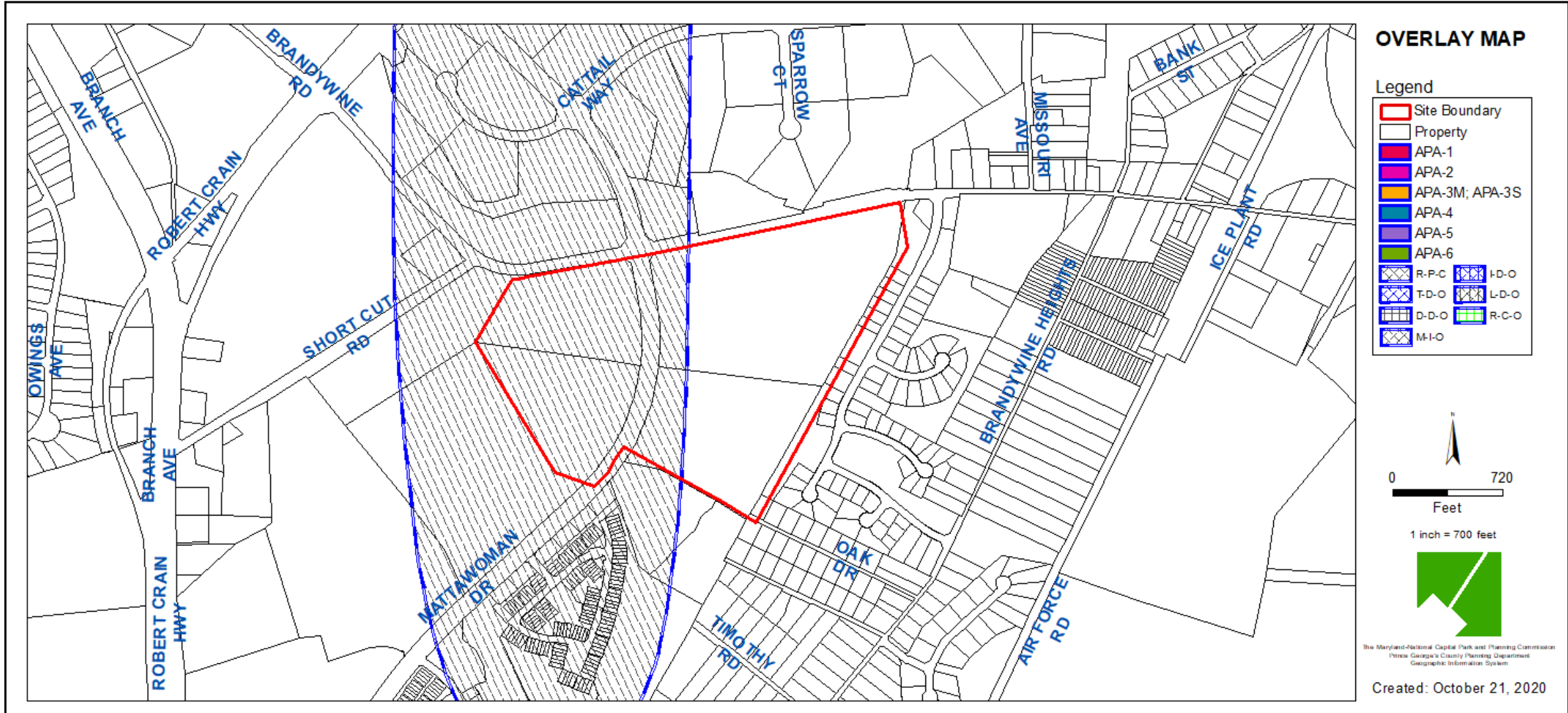
SITE VICINITY



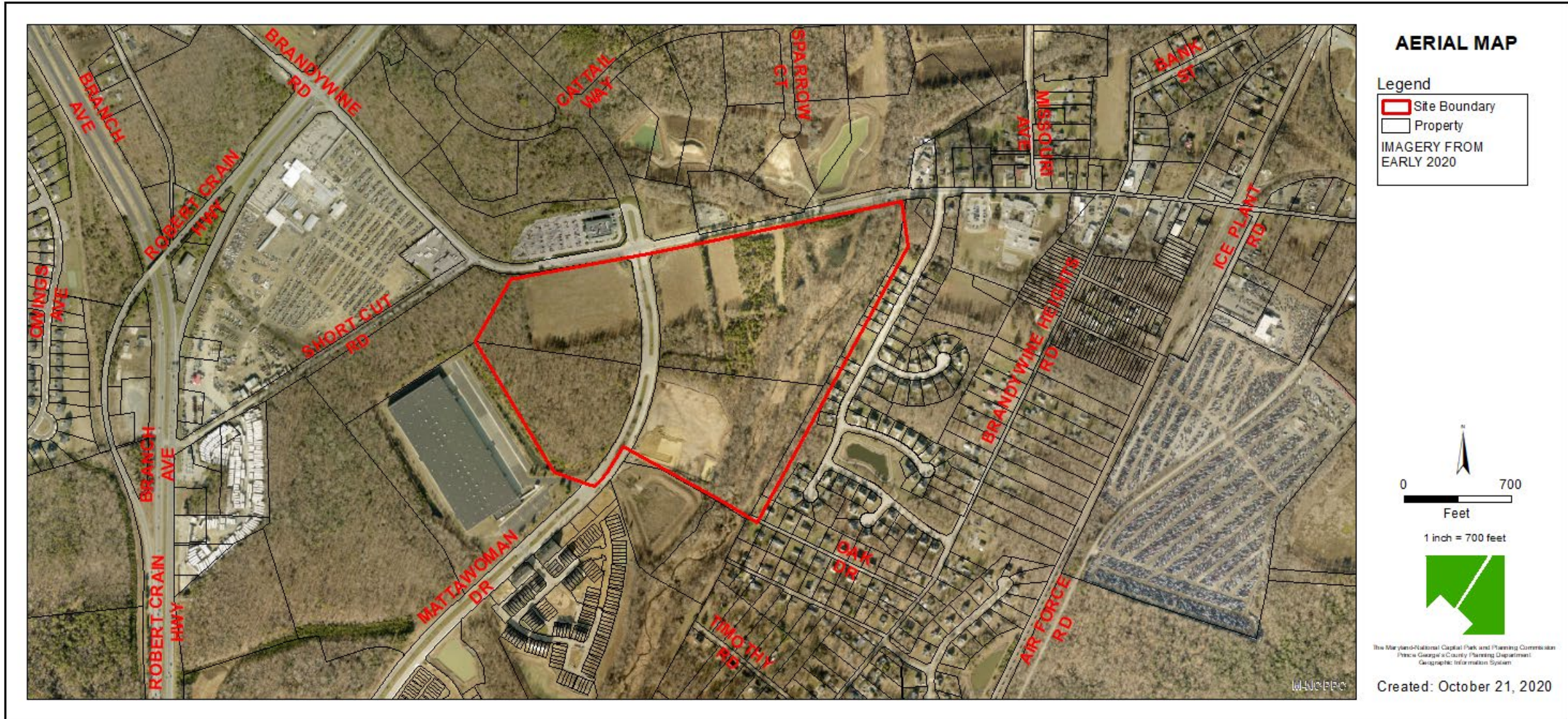
ZONING MAP



OVERLAY MAP



AERIAL MAP



AERIAL MAP

Legend

- Site Boundary
- Property

IMAGERY FROM EARLY 2020

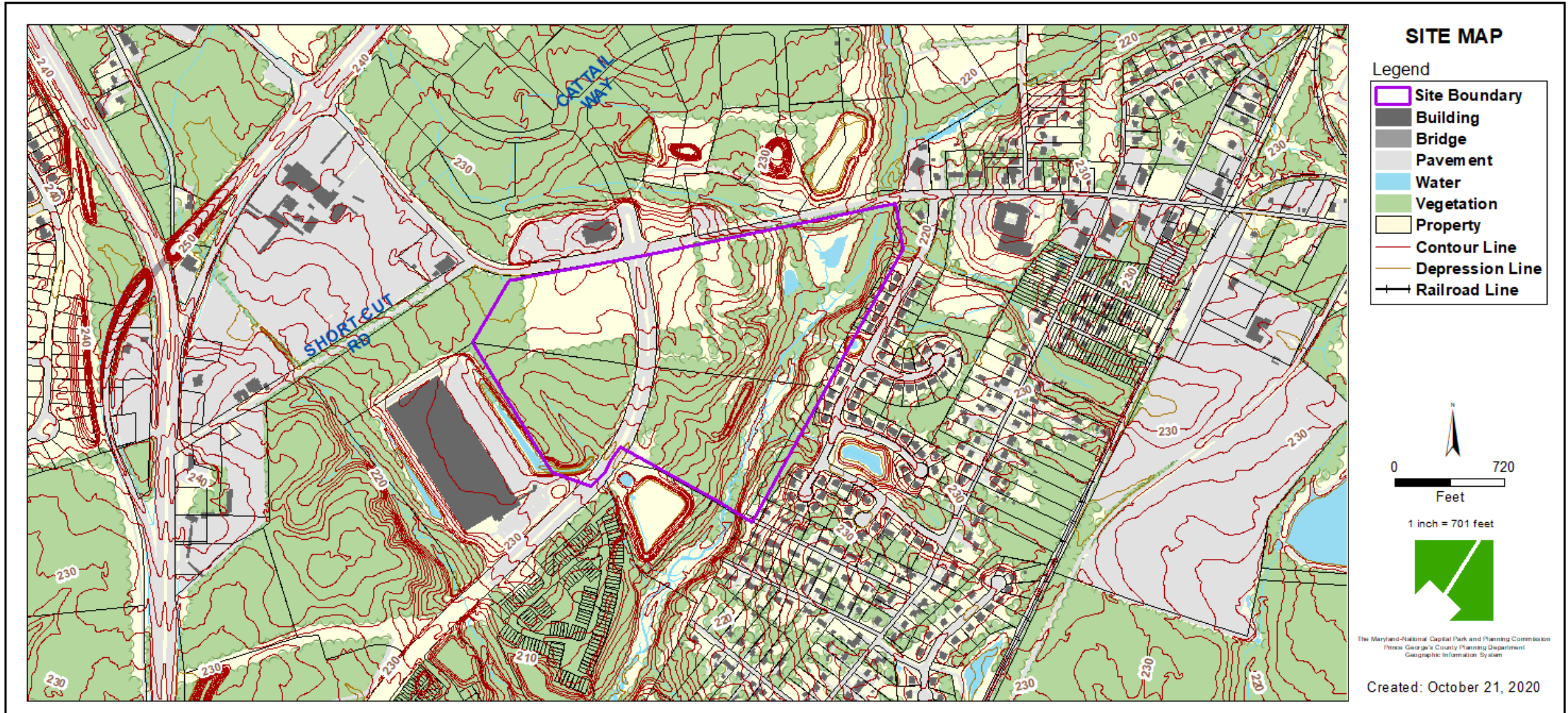
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Feet
1 inch = 700 feet



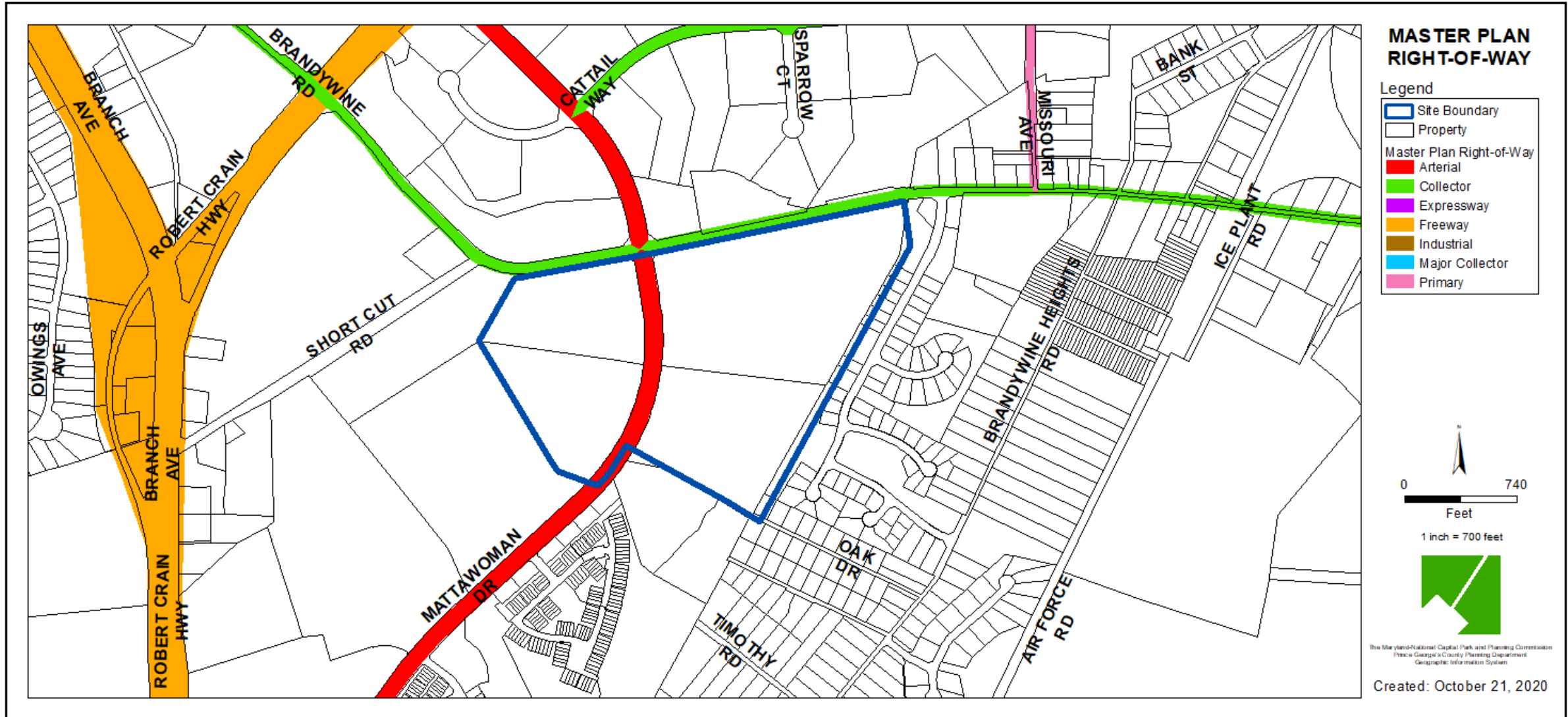
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System

Created: October 21, 2020

SITE MAP



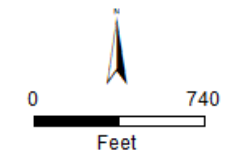
MASTER PLAN RIGHT-OF-WAY MAP



MASTER PLAN RIGHT-OF-WAY

Legend

- Site Boundary
- Property
- Master Plan Right-of-Way
 - Arterial
 - Collector
 - Expressway
 - Freeway
 - Industrial
 - Major Collector
 - Primary



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information Systems

Created: October 21, 2020



COMPREHENSIVE DESIGN PLAN



ILLUSTRATIVE PLAN - ENTIRE TIMOTHY BRANCH

ADJACENT OWNERS

BRANDYWINE VILLAGE OWNERS BY LOT NUMBER

BRANDYWINE HEIGHTS ADDITION OWNERS BY LOT NUMBER

BRANDYWINE HEIGHTS OWNERS BY LOT NUMBER

CURVE TABLE

NO.	RADIUS	ARC LENGTH	CURVE BEARING	CHORD DISTANCE
1	5350.00'	381.57'	S.82°30'00"E	381.57'
2	19650.00'	362.32'	S. 9°39'30"E	362.32'
3	19650.00'	1473.91'	N. 87°38'42"E	1914.68'
4	2294.71'	1026.87'	N. 1°16'12"E	1026.87'
5	53500.00'	261.73'	N. 87°30'42"E	261.73'
6	50100.00'	501.73'	N. 87°00'00"E	485.58'

LINE TABLE

NO.	BEARING	LENGTH
11	S. 47°23'24"E	46.82'
12	N. 47°23'24"E	16.64'

DEVELOPMENT DATA

ZONES: L-A-C, UGA, ACTIVITY CENTER (CLLAGE), CENTER (CPO) AND R-1 RESIDENTIAL NEIGHBORHOOD

U-A-C ZONE (CPO) DATA

LEGEND

DEVELOPMENT SYMBOLS

DEVELOPMENT ENVELOPE - RESIDENTIAL USES

VEHICULAR ACCESS AND CIRCULATION (PUBLIC STREET)

VEHICULAR ACCESS AND CIRCULATION (PRIVATE STREET)

SUBREGION 5 MASTER PLAN PROPOSED TRANSIT STOP

POTENTIAL BUS TRANSIT STOP

POTENTIAL LOCATIONS OF MONUMENT/RESTANDING SIGNS AT SECONDARY ENTRANCES

POTENTIAL LOCATION OF NEIGHBORHOOD SIGNS AT SECONDARY ENTRANCES

PRIVATE RECREATION CENTER OR FACILITY (To be owned by Homeowners' Association)

STORMWATER MANAGEMENT POND - PROPOSED AND EXISTING

MASTER PLAN TRAIL

PROPOSED LOCATIONS OF NOISE MITIGATION MEASURES

GENERAL NOTES:

CDP-0901-01 and CDP-0902-01
 APPLICANT REVISED ILLUSTRATIVE PLAN
THE VILLAGES AT TIMOTHY BRANCH
 BRANDYWINE DISTRICT No. II
 PRINCE GEORGE'S COUNTY, MARYLAND

FOR L-A-C APPROVAL: CDP-0901-01

FOR R-M APPROVAL: CDP-0902-01

OWNER/APPLICANT: TIMOTHY BRANDYWINE INVESTMENTS ONE, LLC
 TIMOTHY BRANDYWINE INVESTMENTS TWO, LLC
 2204 Prince George Drive, Suite 15
 Crofton, Maryland 21114

CONSOLE: MC NAMEE ROSEA
 8431 1st Lane, Suite 200
 Greenbelt, Maryland 20770

ENGINEER/PLANNER: BEN DYER ASSOCIATES, INC.
 1720 Woodstone Road, Suite 200
 Mitchellville, Maryland 20721

CDP-6
 100' 200' 300' 400' 500' 600'
 GRAPHIC SCALE

DRD THE DEVELOPMENT REVIEW DIVISION



**STATEMENT OF JUSTIFICATION
CDP-0901-01**

Timothy Branch

APPLICANT: Timothy Branch, Inc.
2124 Priest Bridge Drive, Suite 18
Crofton, Maryland 21114

OWNER: Timothy Brandywine Investments One, LLC
2124 Priest Bridge Drive, Suite 18
Crofton, Maryland 21114

**ATTORNEY/
CORRESPONDENT:** Matthew C. Tedesco, Esq.
McNamee, Hosea, Jernigan, Kim, Greenan & Lynch, P.A.
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
(301) 441-2420 Voice
(301) 982-9450 Fax

CIVIL ENGINEER: Ben Dyer Associates, Inc.
11721 Woodmore Road, Suite 200
Mitchellville, MD 20721
(301) 430-2000

LAND PLANNER: Mark G. L. Ferguson, R.A.
Senior Land Planner
Site Design, Inc./RDA
9500 Medical Center Drive/Arena Drive, Suite 480
Largo, Maryland 20774

REQUEST The approval of a revision of the comprehensive design plan to amend certain development standards to better conform to market demand, expand the active adult community, remove the commercial/retail, in correspondence with the Basic Plan Amendment currently under review and ensure consistency with existing development within the Timothy Branch subdivision. This amendment also proposes revisions to the recreational amenities proposed within the L-A-C Zoned properties.

I. DESCRIPTION OF PROPERTY

1. Addresses – 14200, 14201, 14211 and 14300 Mattawoman Drive, Brandywine, MD 20613.
2. Proposed Use – Mixed Retirement Development consisting of 110 single-family semidetached (duplexes), and 102 single family detached. The total dwelling units proposed with CDP-0901-01 is 212 dwelling units.
3. Election District – 11

4. Councilmanic District – 9
5. Lots and Parcels – A, B, F and part of G.
6. Total Area –72.4295 acres of land zoned L-A-C.
7. Tax Map & Grid – 145 Grid B-4.
8. Location – Located on the south side of Brandywine Road (MD 381), approximately one-half mile east of its intersection with Robert S. Crain highway (US 301).
9. Existing Zone – L-A-C/M-I-O Zone.
10. WSSC 200 Sheet – 218SE07.
11. Archived 2002 General Plan Tier – Developing.
12. Plan 2035 Growth Policy Area – Established Communities.

II. APPLICANT’S PROPOSAL

The subject property is located in Planning Area 85A within Councilmanic District 9. More specifically, the overall site is located on the south side of Brandywine Road (MD 381), approximately one-half mile east of its intersection with Robert S. Crain highway (US 301). Timothy Branch (formerly “Villages at Timothy Branch”), in its entirety, is a master-planned, comprehensively designed residential community. The overall property is split zoned between the Local Activity Center (L-A-C) Zone to the north and the Residential Medium Development (R-M) Zone to the south. This application to amend the previously approved Comprehensive Design Plan (i.e. CDP-0901) is limited to the L-A-C Zoned portion of the property, and is filed in order to facilitate a new Mixed Retirement Development. Conceptually, the new Mixed Retirement Development may include single family detached, single family semidetached, multifamily and single family attached (i.e. townhouses) residential units. The previously approved retail/commercial, office, warehousing and distribution, and light manufacturing land uses are no longer proposed or viable for this development, and were requested for removal through a pending amendment to the Basic Plan (i.e. A-9988-01). The nature of the review of the subject CDP-0901-01 amendment is to modify certain development standards to better conform to market demand and ensure consistency with existing development within the larger Timothy Branch project, and to amend the land uses and recreational facilities proposed within the L-A-C zoned property.

The changes to the recreational facilities are specifically to update the facilities proposed with the Mixed Retirement Development, to amend the type of amenities to better serve the active-adult residents, and to propose the timing for the finish of construction for the amenities. The facilities list that was approved with the original approval of CDP-0901 was from 2010; since that time, the phasing and the focus of the project within the L-A-C Zone has changed. The active-adult portion that was originally envisioned to be limited to the multifamily component will be expanded to the entirety of the L-A-C Zone. The previously-approved retail/commercial, office, warehousing and distribution, and light manufacturing land uses are no longer proposed or viable for this development. The revised plans depict the desired Mixed Retirement Development and the locations of the proposed recreation facilities.

III. COMMUNITY

The subject property is located in Planning Area 85A within Councilmanic District 9. More specifically, the site is located on the south side of Brandywine Road (MD 381), approximately one-half mile east of its intersection with Robert S. Crain highway (US 301). The property is split zoned between the Local Activity Center (L-A-C) Zone to the north and the Residential Medium Development (R-M) Zone to the south. The properties that are the subject of the recently approved CDP-0902-01 are located within the R-M Zone.

The subject property is surrounded by the following uses:

North: Brandywine Road, and beyond a medical office building (MedStar Health at Brandywine) in the I-1 Zone, and vacant land in the M-X-T Zone.

South: The developing Timothy Branch community in the R-M Zone.

East: Timothy Branch Stream Valley, and beyond existing single family detached residential in the R-R Zone.

West: A vacant industrial building in the I-3 and E-I-A Zones, and vacant land in the R-M Zoned portion of the Timothy Branch community.

IV. GENERAL CRITERIA FOR CDP APPROVAL

Sec. 27-524. - Amendments.

- (a) All amendments of approved Comprehensive Design Plans shall be made in accordance with the provisions of this Division for initial approval, except as set forth below.**
- (b) A minor amendment to a Comprehensive Design Plan for the purpose of making home improvements that are not in conformance with the approved plan may be requested by a homeowner (or authorized representative) and shall be approved by the Planning Board, in accordance with the following procedures:**
 - (1) Filing. The applicant shall submit a site plan and any other material deemed necessary to properly detail the requested modifications.**
 - (2) Fee. At the time the application is filed, the applicant shall pay a fee to cover the costs of processing the request. The amount of the fee shall be established by the Planning Board. In cases of financial hardship, the fee may be waived by the Board.**
 - (3) Public Hearing.**
 - (A) The Planning Board shall conduct a public hearing on the requested amendments.**
 - (B) Findings. The Planning Board may grant the minor amendment if it finds that the requested modifications will not substantially impair the intent, purpose, or integrity of the approved Comprehensive Design Plan.**
 - (C) The Planning Board shall approve, approve with modification, or disapprove the requested amendments, and shall state its reasons for the action. The Planning Board's decision (resolution) on the minor amendment shall be sent to all persons of record in the hearing before the Planning Board and to the District Council.**
 - (4) Appeal of Planning Board Decision.**
 - (A) The Planning Board's decision may be appealed to the District Council upon petition of any person of record. The petition shall be filed with the Clerk of the Council within thirty (30) days after the date of the notice of the Planning**

Board's decision. The District Council may vote to review the Planning Board's decision on its own motion within thirty (30) days after the date of the notice.

- (B) The Clerk of the Council shall notify the Planning Board of any appeal or review decision. Within seven (7) days after receiving this notice, the Planning Board shall transmit to the District Council a copy of the file on the proposed revisions, all written evidence and materials submitted for consideration by the Planning Board, a transcript of the public hearing on the minor amendment, and any additional information or explanatory material deemed appropriate.**
- (C) The District Council shall schedule a public hearing on the appeal or review. Testimony at the hearing shall be limited to the facts and information contained within the record made at the hearing before the Planning Board.**
- (D) Within sixty (60) days after the close of the Council's hearing, the Council shall affirm, reverse, or modify the decision of the Planning Board, or return the modification request to the Planning Board to take further testimony or reconsider its decision. Where the Council approves a minor amendment, it shall make the same findings that are required to be made by the Planning Board. If the Council fails to act within the specified time, the Planning Board's decision is automatically affirmed.**
- (E) The Council shall give its decision in writing, stating the reasons for its action. Copies of the decision shall be sent to all persons of record and the Planning Board.**

COMMENT: CDP-0901-01 is requested to be reviewed and approved by the Planning Board, in accordance with the initial approval. The amendment is not a request by an individual homeowner, and is not an appeal of a decision by the Planning Board.

Section 27-521. - Required findings for approval.

- (a) Prior to approving a Comprehensive Design Plan, the Planning Board shall find that:**
 - (1) The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**
 - (2) The proposed plan would result in a development with a better environment than could be achieved under other regulations;**
 - (3) Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**
 - (4) The proposed development will be compatible with existing land use, zoning, and facilities in the immediate surroundings;**
 - (5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**
 - (A) Amounts of building coverage and open space;**
 - (B) Building setbacks from streets and abutting land uses; and**
 - (C) Circulation access points;**

- (6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;
- (7) The staging of development will not be an unreasonable burden on available public facilities;
- (8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:
 - (A) The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting;
 - (B) Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;
 - (C) The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;
- (9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and except as provided in Section 27-521(a)(11), where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d);
- (10) The Plan is in conformance with an approved Type 1 Tree Conservation Plan;
- (11) The Plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130-(b)(5).
- (12) Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and
- (13) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.

COMMENT: CDP-0901-01 conforms to the findings above in as much as CDP-0901 conformed to the same. CDP-0901-01 is limited to amending certain development standards to better conform to market demands, expanding the Mixed Retirement Development land use, eliminating the commercial/retail uses, ensuring consistency with existing/ongoing development within Timothy Branch and updating the type of recreational facilities and the timing of their construction. Specifically, many of the similar development standard revisions were previously reviewed and approved by the Planning Board in SDP-1701 and SDP-1701-01 as variances. This amendment also proposes to update and relocate (along with adjusting the timing of construction) the recreational facilities proposed within the L-A-C Zoned property. The required findings for Section 27-521 were approved with PGCPB Resolution 10-110(A), which are incorporated and adopted by reference herein.

V. AMENDMENTS TO THE L-A-C DEVELOPMENT STANDARDS

CDP-0901-01 proposes amendments to certain development standards to better conform to market demand, expand the active adult community, remove the commercial/retail, and ensure consistency with existing development within the Timothy Branch subdivision. This amendment also proposes revisions to the recreational amenities proposed within the L-A-C Zoned properties. The L-A-C design standards proposed with CDP-0901-01 are provided in the table below, following:

The following design standards will guide the preparation and review of the future preliminary plan of subdivision and specific design plans. ¹ The standards include design review parameters for residential

uses, commercial uses, standards for materials and design of architecture and standards for design of signage for the entire site. The design standards are presented separately for each zone:

¹ Should there be any inconsistencies between PGCPB Nos. 10-110(a) and 10-111 and the text contained herein, it is understood that the Resolutions and District Council Orders control.

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

RESIDENTIAL USES—L-A-C ZONE¹		
MIXED RETIREMENT DEVELOPMENT:		
	<i>One Family Detached</i>	<i>Single Family Semidetached^{3,4}</i>
<i>Minimum Net Lot Area</i>	<i>5,200 sq. ft.</i>	<i>3,000 sq. ft.</i>
<i>Minimum Frontage at Street R.O.W</i>	<i>40 feet</i>	<i>30 feet</i>
<i>Minimum Frontage at Front B.R.L.</i>	<i>50 feet</i>	<i>30 feet</i>
<i>Minimum Frontage – Corner lot</i>	<i>60 feet</i>	<i>30 feet</i>
<i>Maximum Lot Coverage (%)</i>	<i>60%</i>	<i>60%⁵</i>
<i>Minimum Building Setback from Mattawoman Drive⁶</i>	<i>50 feet</i>	<i>50 feet</i>
<i>Minimum Front Setback²</i>	<i>20 feet</i>	<i>20 feet</i>
<i>Minimum Side Setback²</i>	<i>5 feet</i>	<i>5 feet</i>
<i>Minimum Distance Between Buildings</i>	<i>10 feet</i>	<i>10 feet</i>
<i>Minimum Rear Setback²</i>	<i>20 feet</i>	<i>20 feet</i>
<i>Minimum Side Setback to Street²</i>	<i>15 feet</i>	<i>5 feet</i>
<i>Minimum Residential Building Height⁷</i>	<i>40 feet</i>	<i>45 feet</i>
<i>Maximum Percentage of Total Units</i>	<i>N/A</i>	<i>N/A</i>
<i>Minimum Frontage on cul-de-sac</i>	<i>30 feet</i>	<i>N/A</i>

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

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

³ Fences and retaining walls up to six feet high may be constructed anywhere in a rear yard without meeting setback requirements.

⁴ Fences in the front yard shall not be more than three feet high.

⁵ This percentage is for building coverage (and not for lot coverage) of the overall net tract area.

⁶ At the time of SDP, these distances may be modified if it is determined by the Planning Board, that adequate measures are provided to protect all residential buildings from the traffic nuisances of Mattawoman Drive.

⁷ These height limits may be increased if a variance and/or modification is granted by the Planning Board at the time of SDP.

Specifically, concerning the one-family detached, the requested revisions are as follows:

Minimum Net Lot Area	5,200 square feet
Minimum frontage at street R.O.W	40 feet
Maximum Lot Coverage (%)	60
Minimum side setback	5 feet
Minimum distance between buildings	10 feet
Minimum setback to street	15 feet
Minimum frontage on cul-de-sac	30 feet

Concerning the single-family semidetached, the requested revisions are as follows:

Maximum Lot Coverage (%)	60
Minimum side setback	5 feet
Minimum distance between buildings	10 feet

CDP-0901-01 proposes to update the previously approved CDP development standards to reflect the previous Planning Board approvals in SDP-1701 and SDP-1701-01, amend certain development standards to better conform to market demand, expand the active adult community, remove the commercial/retail, and ensure consistency with existing development within the Timothy Branch subdivision. This amendment also proposes revisions to the recreational amenities proposed within the L-A-C Zoned properties.

The Zoning Map Amendment A-9988-01 seeks the approval of a density range of 2.8-7.5 dwelling units per acre for the Mixed Retirement Development and an approved dwelling unit range of 180-480 dwelling units. The preliminary plan of subdivision, 4-09003, proposed a density of 4.3 dwelling units per net acre and 1,200 total dwelling units, both of which are at the lower end of the ranges approved in A-9987 and A-9988. Notwithstanding the same, the applicant intends to file a new PPS for the LAC Zoned portion of the property to accommodate the proposed mixed retirement development contemplated herein. The generalized Future Land Use Map (Map 10) of the Plan 2035 (General Plan) places the property within a “Mixed-use” land use. Map 11 of the General Plan classifies this property as being in close proximity to a “local center,” and specifically includes a portion of the overall Timothy Branch community as part of the Brandywine Town Center, which has a recommended density from 10 to 60 dwelling units per acre. The Subregion 5 Master Plan and SMA (Master Plan, page 2 Executive Summary) describes the Brandywine Community to be “focused on a transit station, with high-density, mixed residential, commercial, and employment uses abutting existing and planned major commercial uses to the south, and mixed residential uses to the north.” The Master Plan provides a graphic in Map IV-5 Brandywine Community Center Core and Edges (Page 50) and CDP-0901-01 is north east of the “Community Center Edge”, and is further defined as “a mix of residential and commercial uses and is tied to the community center by road linkages and a complementary land use pattern (Master Plan Page 47). The Timothy Branch community is specifically mentioned as having a portion of the property within the community center edge. Although Table I-1 Future Land Use Map Designations, Descriptions and Applicable Zones of the Master Plan places the entirety of the Timothy Branch property within the “Mixed Use” designation, the development proposed with CDP-0901-01 conforms with the “Local Activity Center” description. This use is described as “a mixture of commercial retail and service uses with complementary residential densities between 2.8 and 7.5 dwelling units per acre. Primarily single-family dwellings (detached and attached).” CDP-0901-01 conforms to both the recommendations of the General Plan and Master Plan and the prior approvals.

The applicant offers the following justifications for the specific design standard revisions.

One-Family Detached

Minimum Net Lot area	5,200 square feet
Minimum Frontage at street R.O.W	40 feet
Minimum frontage at front B.R.L.	50 feet
Maximum Lot Coverage (%)	60
Minimum distance between buildings	10 feet
Minimum side setback	5 feet
Minimum setback to street	15 feet
Minimum frontage on cul-de-sac	30 feet

One-Family attached

Maximum Lot Coverage (%) **60**
Minimum distance between buildings **10 feet**
Minimum side setback **5 feet**

The potential builders have requested that the single-family detached residential lots provide for deeper rear yards. In fulfillment of this request, the lots were designed to provide deeper back yards and the lot width was reduced to new minimums of 40 foot wide at the street right-of-way, 50 foot wide at the front building restriction line, 60% maximum lot coverage, and minimums of five foot side setback, 15 foot side street setback and 30 foot minimum frontage on cul-de-sacs. The reduction of the lot width necessitated the reduction in the minimum net lot area to 5,200 square feet. The entirety of the L-A-C residential property has extensive environmental constraints that have been taken into consideration with the previous approved layouts and in the design of the SDPs. The development was designed to stay within the limited development envelope, as to not further impact the regulated environmental features. However, in so doing, and in order to maintain the development densities envisioned with previous approvals, the applicant requests a modification to this development standard for both the one-family detached and one-family attached to reduce the side setback to a minimum of 5 feet with a minimum distance between buildings of 10 feet. The proposed design standards are consistent with similar comprehensively designed developments recently approved, specifically Renard Lakes, Bevard East, Beechtree, and Parkside.

VI. AMENDMENTS TO THE L-A-C RECREATIONAL FACILITIES

The changes to the recreational facilities are specifically to revise the facilities previously proposed within the L-A-C Zone to better serve the active adult community, and to amend the timing for the finish of construction for several of the amenities. This proposed facilities list was approved with the original approval of CDP-0901 in 2010. Since that time, the program of land use types and phasing of the project has changed. For these reasons, adjustments need to be made with respect to the timing of finished construction of the recreation facilities. Below is the revised CDP-0901-01 Phasing of Amenities chart:

CDP-0901 PHASING OF AMENITIES

<i><u>FACILITY</u></i>	<i><u>BOND</u></i>	<i><u>FINISH CONSTRUCTION</u></i>
<i>One gazebo/seating area – LAC West</i>	<i>Prior to the issuance of 125th residential unit permit</i>	<i>Complete by 175th overall* residential unit permit</i>
<i>Dog Park - LAC East</i>	<i>Prior to the issuance of any residential unit permit</i>	<i>Complete by 125th overall residential unit permit</i>
<i>Min. 2,200 square-foot Community building– LAC East</i>	<i>Prior to the issuance of 75th overall* residential unit permit</i>	<i>Complete by 125th overall residential unit permit</i>
<i>Bocce & Pickle Ball LAC East</i>	<i>Prior to the issuance of 75th overall residential unit permit</i>	<i>Complete by 125th overall residential unit permit</i>
<i>Timothy Branch¹ Stream Valley Trail (1,800 L.F.) or other recreational trail</i>	<i>Prior to the issuance of any residential unit permit for the adjacent pod</i>	<i>Complete with adjacent pod development</i>

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.

**Overall means CDP-0901 (L-A-C Zone)*

¹Unless the District Council amends the Basic Plan condition requiring the same.

VII. APPLICABLE CONDITIONS OF APPROVAL

CONFORMANCE WITH prior conditions of approval:

Basic Plan A-9987-C/A-9988-C

- 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.**

COMMENT: CDP-0901 plans showed the Master Plan hiker-biker-equestrian trail as a 10-foot-wide asphalt hiker-biker trail with an adjacent four-foot-wide turf verge for equestrian use, within close proximity to the adjacent development envelopes. CDP-0901-01 does not propose to alter this alignment, and is in conformance with this condition.

- 4. The applicant shall construct the eight-foot-wide Master Plan trail along the subject site's entire frontage of A-55. This trail shall include ADA-accessible curb cuts and ramps at all intersections and shall be separated from the curb by a grass planting strip.**

COMMENT: Throughout the previous and extensive review processes, the location of A-55 has changed many times. The current location for A-55 is to the south of the Timothy Branch, located outside of the project boundaries. This condition is no longer applicable due to the recent realignment of A-55, as Timothy Branch no longer has any frontage along A-55.

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

COMMENT: CDP-0901 plans showed sidewalks along both sides of Mattawoman Drive. CDP-0901-01 does not propose to alter this alignment, and is in conformance with this condition.

- 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.**

COMMENT: CDP-0901-01 proposes sidewalks along both sides of all internal roads. Further details of the sidewalks and trail network will be provided at the time of preliminary plan of subdivision and specific design plan reviews.

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

COMMENT: CDP-0901-01 complies with this condition. Tree Conservation Plan –Type 1 TCP1-151-90-02 is submitted for review with this application.

- 12. The applicant shall communicate with representatives of the following adjacent projects, to coordinate its development activities with these projects: Wilmer's Park, Chaddsford, Centrex, and Brandywine Crossing. The applicant shall place in the record (with copies to the Councilmanic District 9 office) copies of the correspondence with these project representatives. One year after final approval of the Basic Plan Amendment approved herein, the applicant shall file in the record (with a copy to the Councilmanic District 9 office) a report showing steps taken and to be taken to develop the subject property consistently and harmoniously with these other projects.**

COMMENT: This condition has previously been satisfied with prior approvals and is no longer applicable.

Comprehensive Design Plan CDP-0901 (PGCPB No. 10-111(A))

(Note: any condition from CDP-0901 not provided herein is either not being amended by this application (and is being complied with by this application) or not relevant to this application).

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

COMMENT: CDP-0901-01 conforms to this condition, as noted above.

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

COMMENT: This condition of the CDP approval will need to be modified under this requested amendment to reflect that a multifamily component will not be proposed by this amended Comprehensive Design Plan, notwithstanding that is a permissible component of a Mixed Retirement Development, and further that multifamily dwellings will still be a permitted use under the amendment to the Basic Plan A-9988-01 as submitted.

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

COMMENT: The previously approved retail/commercial, office, warehousing and distribution, and light manufacturing land uses are no longer proposed or viable for this development, and have been requested for removal through an amendment to the Basic Plan (i.e. A-9988-01). The nature of the review of CDP-0901-01 is to amend certain development standards to better conform to market demand and ensure consistency with existing development within Timothy Branch, and to amend the land uses and recreational facilities proposed within the L-A-C zoned property.

- 4. The total areas within the L-A-C Zone (CDP-0901) and the R-M Zone (CDP-0902) comprise a combined total trip cap of 1,269 trips in the AM and 1,775 trips in the PM. If the densities of the L-A-C Zone or the R-M Zone are modified for any reason, trips may be re-allocated between these two zones (CDP-0901 & CDP-0902) such that the overall trip cap of 1,269 AM and 1,775 PM trips is not exceeded.**

COMMENT: CDP-0901-01 is within the trip cap previously established; therefore, this condition is met.

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

COMMENT: This conditions will need to be modified under CDP -0901-01 to reflect the new mixed retirement development proposal. It is anticipated that a new PPS for the LAC portion of the property will be filed to accommodate the same.

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

COMMENT: This conditions is reflected in the proposed development standards for CDP-0901-01.

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

(1) The on-site private recreational facilities list contained in the CDP text and plan shall include a swimming pool and a tot-lot.

(2) The community building and swimming pool shall be relocated to either the southern end of the residential use area, adjacent to the existing Stormwater management (SWM) pond, or central to the pod of development. A six-foot-wide trail shall be provided around the SWM pond, if possible.

(3) Add a note to the plan and text that the residential development will be limited to no more than three different residential unit types, which may include two-family attached (two-over-two), single-family semidetached, single-family attached (townhouse), or multifamily units, in order to create a more cohesive development.

(4) The CDP text and plan notes shall be corrected to reflect 131 residential units, a residential density of 4.3 dwelling units per acre, and a commercial floor-to-area ratio of 0.17.

(5) Revise the development standard chart in the text and on the plan pursuant to Condition 13.

(6) Revise the "Residential Architecture: Design Parameters" within the CDP text as follows:

(a) A minimum of 60 percent of all townhouse units shall have a full front facade (excluding gables, bay windows, trim, and doors) and all highly-visible endwalls, which shall be identified at the time of SDP, shall be brick, stone or stucco, or other masonry materials of equivalent quality.

(b) Townhouses and single-family semidetached dwellings facing a public street and the side elevation of the same unit facing a public street (corner lots) shall be faced up to 100 percent with high-quality materials such as brick, stone or stucco (excluding gables, bay windows, trim, and doors).

(c) All residential buildings with front elevations facing Mattawoman Drive shall have a full front facade of brick, stone or stucco (excluding gables, windows, doors, and trim), or other masonry materials of equivalent quality.

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

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

(f) Architecture for multifamily buildings shall be faced with at least 60 percent brick, stone, stucco or equivalent, or other masonry materials of equivalent quality. Elevations

of multifamily buildings facing Mattawoinan Drive shall be faced with 100 percent brick, stone or stucco (excluding gables, bay windows, trim, and doors), or other masonry materials of equivalent quality.

(g) Side and rear walls of all residential buildings shall be articulated with windows, recesses, chimneys, or other architectural treatments. All residential endwalls shall have a minimum of two architectural features, except endwalls in highly visible locations, which shall be identified at the time of SDP, shall have additional architectural features creating a well-balanced composition.

(7) Revise the "Commercial Architecture: Design Review Parameters" within the CDP text as follows:

(a) Commercial building elevations shall incorporate a minimum of 60 percent, high-quality building materials which are durable and attractive, such as brick, stone, stucco or other masonry materials of equivalent quality.

(b) Architecture of all of the commercial structures shall be cohesively designed, pedestrian oriented, and compatible in scale with the overall design of the Timothy Branch village center.

(c) The design of retail buildings of two or more stories, if proposed, should emphasize the division between ground level and upper stories through design features such as, but not limited to, aligned windows, awnings, patterned bands, and cornices.

(d) Drive-through facilities shall be designed with adequate space for queuing lanes that do not conflict with traffic circulation or pedestrian access.

(e) All building facades facing major roads shall be designed with equal attention to design details and building materials.

(f) Trash enclosures made of high-quality building materials shall be used to screen trash dumpsters.

(8) Include the following phasing for the on-site private recreational facilities within the CDP text and plan.

CDP-0901 -PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
One gazebo/seating area – LAC	Prior to the issuance of any residential unit permit	Complete by 100th overall* residential unit permit
2,500 sq. ft. tot-lot -LAC	Prior to the issuance of any residential unit permit	Complete by 100th overall residential unit permit
Min. 2,200 square-foot Community building and Swimming pool - LAC	Prior to the issuance of 200th overall* residential unit permit	Complete by 300th overall residential unit permit
Double Tennis Court – LAC	Prior to the issuance of 200th overall* residential unit permit	Complete by 300th overall residential unit permit
Timothy Branch ¹ Stream Valley Trail (approx.. 1,800 L.F) or other recreational trail	Prior to the issuance of any residential unit permit for the adjacent pod	Complete with adjacent pod development
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 maybe 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.

*** "Overall" means CDP-0901 (LAC Zone) and CDP-0902 (RM Zone)**

¹ Unless the District Council amends the Basic Plan condition requiring the same

COMMENT: This condition of the CDP approval is being modified under this requested amendment to reflect the updated recreation facilities and the updated phasing. The new (or amended) recreational facilities and phasing is as follows:

<u>FACILITY</u>	<u>BOND</u>	<u>FINISH CONSTRUCTION</u>
One gazebo/seating area – LAC West	Prior to the issuance of 125 th residential unit permit	Complete by 175 th overall* residential unit permit
Dog Park - LAC East	Prior to the issuance of any residential unit permit	Complete by 125 th overall residential unit permit
Min. 2,200 square-foot Community building– LAC East	Prior to the issuance of 75 th overall* residential unit permit	Complete by 125 th overall residential unit permit
Bocce & Pickle Ball LAC East	Prior to the issuance of 75 th overall residential unit permit	Complete by 125 th overall residential unit permit
Timothy Branch ¹ Stream Valley Trail (1,800 L.F.) or other recreational trail	Prior to the issuance of any residential unit permit for the adjacent pod	Complete with adjacent pod development

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.

**Overall means CDP-0901 (L-A-C Zone)*

¹ Unless the District Council amends the Basic Plan condition requiring the same.

This condition of the CDP approval is being modified under this requested amendment to reflect new develop standards associated with the Mixed Retirement Development, as provided in the revised CDP Text filed in conjunction with the CDP-0901-01.

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

- a. On both corners at the intersection of Mattawoman Drive and Brandywine Road, landmark buildings shall be provided within the retail/office use areas at the entrance into the development. These buildings shall have a maximum build-to-line of 100 feet from both rights-of-way, be a minimum of 26 feet high, be faced with a minimum of 60 percent brick, stone or stucco, or other masonry materials of equivalent quality, and have**

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

- b. A cohesive relationship shall be created between the retail, office, and residential components by using similar landscape elements, paving materials, etc. throughout the development. The landscape elements and paving materials shall be reviewed during the specific design plan stage.
- c. The design of the landscape bufferyard treatment proposed adjacent to the land use envelope for the development pods fronting on Brandywine Road should complement the landscape and buffer treatments proposed on Lots 21 and 22, Stephen's Crossing, located on the north side of Brandywine Road, or any other development thereon approved by the Planning Board, and shall be addressed with the approval of the SDP.
- d. The architectural design and front setback treatments for any commercial buildings fronting on Mattawoman Drive should be complementary in design and character with the Stephen's Crossing development to the north, unless it can be proven impractical, in order to create a consistent visual appearance along the entire Mattawoman Drive road frontage.
- e. Location, details, and specifications of the proposed bus stop shelters and associated amenities, as appropriate, shall be submitted for review and approval.
- f. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view and residential areas with materials harmonious to the building, or they shall be located so as not to be visible from any public ways.
- g. Refuse and waste removal areas, service yards, and large loading areas shall be screened from view from public ways and residential areas with masonry screening materials that are harmonious to the nearby buildings.
- h. An employee amenity area shall be provided in association with the office/employment component of the development and shall include seating areas, landscaping, and decorative paving, at a minimum.
- i. No rear elevations of residential buildings shall be oriented toward Mattawoman Drive. Any side elevations of residential buildings oriented toward Mattawoman Drive shall be designed with the same attention to detail as the front elevation.
- j. No rear elevations of commercial buildings shall be oriented toward Brandywine Road or Mattawoman Drive. Any side elevations of commercial buildings oriented toward Brandywine Road or Mattawoman Drive shall be designed with the same attention to detail as the front elevation.
- k. An appropriate landscape bufferyard shall be provided between the commercial and residential uses unless a street is located between them with single-family homes fronting the road. This bufferyard shall be specifically designed to screen and buffer undesirable views and activities, while also creating defined, direct pedestrian circulation between the uses.
- l. Trails shall be shown no less than 20 feet from all private residential lot lines and/or 25 feet from all residential buildings, excluding where trails connect with the internal road network, unless such environmental constraints/impacts exist that make this impractical.
- m. All community and commercial buildings shall have enhanced architectural design, to include, but not limited to, high-quality materials, such as brick, stone and stucco, or

other masonry materials of equivalent quality, ornamentation, varying roof lines, and balanced fenestration.

- n. A site development plan for stormwater management that details how the new stormwater management requirements will be met regarding the provision of environmental site design techniques, to the fullest extent practicable, unless other stormwater management design approvals and/or waivers are granted by DPW&T.
- o. The TCP 2 for the subject property demonstrating that the requirements of the Woodland and Wildlife Habitat Conservation Ordinance are provided on-site through preservation or afforestation to the fullest extent possible, consistent with the desired pattern of development and densities indicated in the General Plan. If off-site mitigation is required, it shall be provided within the Mattawoman watershed.
- p. A variance for the removal of Specimen Tree No. 3 shall be applied for and approved with the appropriate SDP application and associated TCP 2.
- q. The use of full cut-off optics to ensure that light intrusion into residential and environmentally-sensitive areas is minimized. At the time of SDP, details of all lighting fixtures shall be submitted for review along with certification that the proposed fixtures are full cut-off optics and a photometric plan showing proposed light levels. The following note shall be placed on all future SDPs:
"All lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over."
- r. A tree canopy coverage (TCC) schedule on the SDPs and associated TCP2s indicating how the TCC requirements have been fulfilled for the subject application.
- s. A Phase II noise study for any residential units along Mattawoman Drive shall be submitted for review. The Phase II noise study shall address how noise impacts to the residential units will be mitigated to provide interior noise levels of 45 dBA Ldn or less and exterior noise levels of 65 dBA Ldn or less within outdoor activity areas based on the final site design. The approval of architecture at the time of SDP shall also demonstrate how the proposed structures are in conformance with the noise mitigation measures recommended in the Phase II noise report for interior residential uses.
- t. Buildings compatible in terms of exterior materials and colors, scale and massing, and style.
- u. Eating and drinking establishments with drive-through service and gas stations, if any, shall be designed so that the drive-through area and gas pumps are located behind the building, not directly adjacent to the street, and do not impede pedestrian circulation.
- v. A 30-foot landscape buffer, inclusive of any public utility easement, between the right-of-way of Mattawoman Drive and any commercial development.
- w. The residential development shall be designed to minimize the use of public streets ending in cul-de-sacs in order to promote vehicular circulation.

COMMENT: The proposed land uses have changed since the original approval. CDP-0901-01 proposed to expand the active adult community, remove the commercial/retail, and ensure consistency with existing development within the Timothy Branch subdivision. If approved, the above conditions a, b, d, f, g, h, j, k, q, t, u and v will no longer apply to the L-A-C portion of the Timothy Branch development.

- 11. Prior to approval of any TCP 2 which proposes to credit as woodland conservation planting occurring within a stormwater management easement, a site development stormwater management plan shall be submitted to the Prince George's County Planning Department which indicates that the planting areas proposed have been reviewed by the Department of Public Works and Transportation (DPW&T) with regard to the location, size, and plant stocking proposed. No afforestation or preservation areas should be shown within 15 feet of the toe of the pond embankment, or as determined by DPW&T or the Soil Conservation District reviewers.

COMMENT: The Stormwater Concept approval number that reviewed and approved credit for woodland conservation planting occurring within a stormwater management easement was 11355-2009-00. The technical approval that allowed planting within the easement areas is included with Permit #35729-2009. This condition has been addressed.

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

COMMENT: This condition of the CDP approval is being modified under this requested amendment to reflect the updated development standards for the proposed MRD, as further provided in the amended CDP Text filed in conjunction with this application. .

15. The applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private recreational facilities on-site in accordance with the standards outlines in the Parks and Recreation Facilities Guidelines.

COMMENT: The applicant is providing private recreational facilities, as further described in the CDP Text filed in conjunction with this application.

22. Provide at least six-foot-wide sidewalks where parking abuts a sidewalk, and at least five-foot-wide sidewalks around the public areas of the buildings in the commercial center area, and provide crosswalks from the residential areas to the commercial areas.

COMMENT: This condition is no longer applicable and should be deleted.

30. Provide details of the way finding and trail signage in accordance with AASHTO guidance at the time of specific design plan review including the location of signage. This signage can be tailored to the development and provide way finding to the commercial areas or nearby destinations. At a minimum, way finding signage should indicate the direction of the Brandywine Area Community Park to the north of the subject site and the Rose Creek Connector trail to the south of the site.

COMMENT: This conditions should be modified to delete any reference to commercial areas, as the proposed MRD does no longer contemplates any commercial/retail development.

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

COMMENT: This conditions should be modified to delete any reference to commercial areas, as the proposed MRD does no longer contemplates any commercial/retail development.

38. At the time of SDP review, the applicant may redesign the residential pod to include the relocation of the multifamily units, townhouse units, two-over-two units, and the recreational facility.

COMMENT: This condition should be modified since the MRD proposed does not contemplate TH units nor multifamily units.


Comprehensive Design Plan CDP-0902

CDP-0901-01 is specific to the L-A-C portions of the Timothy Branch development. The conditions included with CDP-0902, which are specific to the property in the R-M Zone, are not applicable to this review.

VIII. CONCLUSION

The applicant respectfully requests the approval of the requested amendment to Comprehensive Design Plan (CDP-0901-01) to conform to the new land uses provided for in A-9988-01 (i.e., a Mixed Retirement Development), and to modify certain development standards to better conform to market demand and ensure consistency with existing development within Timothy Branch, and to amend the recreational facilities proposed within the L-A-C zoned property. Based on the foregoing, as well as the comprehensive design plan package filed in conjunction with this application, and all evidence that has or will be submitted into the record, this application, and the requests herein, adhere to Section 27-524 of the Zoning Ordinance and the conditions of approval of A-9988-C, and CDP-0901. Accordingly, the applicant respectfully requests that the Planning Board approve CDP-0901-01.

Respectfully submitted,
McNamee Hosea

By: 
Matthew C. Tedesco, Esq.

Date: July 31, 2020



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

November 19, 2020

**RE: A-9988-C-01 The Villages at Timothy Branch
Timothy Brandywine Investments One, LLC, Applicant**

NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed a copy of Zoning Ordinance No. 5 - 2020 setting forth the action taken by the District Council in this case on November 9, 2020.

CERTIFICATE OF SERVICE

This is to certify that on November 19, 2020 this notice and attached Council order were mailed, postage prepaid, to all persons of record.

A handwritten signature in cursive script that reads "Donna J. Brown".

Donna J. Brown
Clerk of the Council

Case No.: A-9988-C-01
The Villages at Timothy Branch

Applicant: Timothy Brandywine Investments
One, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 5 –2020

AN ORDINANCE to amend the Basic Plan previously approved by the District Council in Zoning Map Amendment A-9988.

WHEREAS, the undeveloped subject property is located east of US Route 301 (Crain Highway) and MD 5 (Branch Avenue) on the south side of Brandywine Road, in the eastern and western quadrants of its intersection with Mattawoman Drive; and

WHEREAS, the Application is consistent with the recommendations of the current approved General Plan for Prince George's County (Plan 2035), that placed the subject property within the Established Communities Growth Policy Area, which recommends "context-sensitive infill and low to medium-density development;" and

WHEREAS, the Subregion 5 Master Plan, approved after the original A-9988 approval of the L-A-C Zone, delineated the limits of the Core and Edge areas of the Brandywine Community Center; and

WHEREAS, the defined center included a portion of the R-M zoned component of the overall Villages at Timothy Branch development, but did not extend the limits as far as the subject L-A-C zoned portion; and

WHEREAS, however, the land use recommendation for the subject property is for Mixed Use land use, consistent with the Brandywine Community Center core area, and the edge areas north of the planned A-55 alignment; and

WHEREAS, the Master Plan text describes the area of the subject property as follows:

The northeastern community center edge includes a portion of the Villages at Timothy Branch community. This community would include a mix of residential uses, predominately single-family attached and detached housing. The developer concept for the northern portion of the Villages at Timothy Branch community includes a mixed commercial and residential node near the intersection of A-63 and MD 381 (Brandywine Road); and

WHEREAS, the property is surrounded by the following uses:

- North: Across Brandywine Road is undeveloped land in the M-X-T (Mixed Use Transit) Zone, single-family detached homes to the northeast in the R-R (Rural Residential) Zone, and medical office building (Medstar Health at Brandywine) in the 1-1 (Light Industrial) Zone
- East: Single-family detached homes in the R-R Zone and Timothy Branch Stream Valley
- South: The developing Timothy Branch Community in R-M (Residential Medium Development) Zone
- West: Industrial uses in the 1-3 (Planned Industrial/Employment Park) and E-I-A (Employment and Industrial Area) Zones, and vacant land in the R-M Zone; and

WHEREAS, the approved neighborhood of A-9988 encompassed all property within one mile of the subject property; and

WHEREAS, given the land and infrastructure development that has occurred since its initial approval and the subsequent delineation of the Brandywine Community Center by the July,

2013 Subregion 5 Master Plan, a more specific delineation of the neighborhood is useful, which

Applicant has proposed more specifically as:

- North: SMECO right-of-way on the north side of Dyson Road, running east to the railroad
- East: Pope's Creek Branch Railroad
- South: Timothy Branch, as it runs south of Brandywine Crossing
- West: Maryland Route 5; and

WHEREAS, the overall property is split zoned between the Local Activity Center (L-A-C) Zone portion to the north and the Residential Medium Development (R-M) Zone to the south; and

WHEREAS, the Application to amend the previously approved Basic Plan (A-9988) is limited to the L-A-C Zoned portion of the property, and is filed to facilitate a Mixed Retirement Development; and

WHEREAS, conceptually, the new Mixed Retirement Development component may include single family semidetached, multifamily and single family attached residential units because the previously approved retail/commercial, office, warehousing and distribution, and light manufacturing land uses are no longer proposed or viable for this development; and

WHEREAS, the L-A-C Zoned portion of the Timothy Branch development has a Gross Tract Area of 72.4295 acres and is located along Brandywine Road with access from existing Mattawoman Drive, which was reviewed and approved as Zoning Map Amendment A-9988-C, with a density of 10-15 dwelling units per acre, a dwelling unit range of 640-960 dwelling units, proposed 220,000-270,000 square feet of commercial uses; and

WHEREAS, with this amendment to the Basic Plan, A-9988-01, Applicant is proposing a Mixed Retirement Development with a density of 2.8-7.5 dwelling units per acre, and a dwelling unit range of approximately 180-480 units; and

WHEREAS, the development proposed with the original approval envisioned this area as a mixed-use village center of commercial office, retail uses, light industrial flex space, and a mix of residential unit types that included a multifamily active adult community, however, the Brandywine Crossing development to the south of the Timothy Branch community was reviewed, approved, and constructed after the original approval of the Basic Plan; and

WHEREAS, Brandywine Crossing encompasses approximately 500,000 square feet of commercial retail space and currently serves as the center of activity in the General Plan and Master Plan's defined Brandywine Community Center; and

WHEREAS, adjacent to the Brandywine Crossing development, there exists an additional 48,000 square feet of office/retail uses in its immediate surroundings; and

WHEREAS, the addition of more commercial space within a mile of Brandywine Crossing would be duplicative, and warrants a new look at the L-A-C portion of the Timothy Branch development; and

WHEREAS, additionally, the Southern Area Aquatics and Recreation Complex was recently completed to the north of the subject property, on the west side of Missouri Avenue; and

WHEREAS, this facility, the first multigenerational recreation complex in Prince George's County, serves as a significant locus of public activity to support the Brandywine Community Center, and the subject property is a part of the direct link between the commercial center and this important public facility; and

WHEREAS, the requested amendment to the Basic Plan will help to support the existing retail center to the south instead of competing with it, and at the same time will provide population to support the activity at the Southern Area Aquatics and Recreation Complex; and

WHEREAS, the proposed active adult use would create a better balance of land use areas around the Brandywine Community Center; and

WHEREAS, the approved Basic Plan reflects the following land uses, types and quantities:

Total area:	72± acres
Land in the 100-year floodplain:	8 acres
Adjusted gross area:	64 acres
Density permitted under the L-A-C Zone:	10 - 15 du/ac
Permitted Dwelling Unit Range: -	640 - 960 du
Floor area ratio:	0.2 - 0.4 FAR
Proposed commercial/employment:	220,000 - 270,000 sq. ft.

Proposed Land Use Types and Quantities:

Commercial/office, retail, light industrial flex space
for office, manufacturing, warehousing and distribution uses; and

WHEREAS, Zoning Map Amendment Application No. 9988-C-01 (A-9988-C-01) is a request to amend the Basic Plan for the Villages at Timothy Branch to expand the Mixed Retirement Development and remove all non-residential uses, and amend the conditions of approval, pursuant to §27-197(c) of the Zoning Ordinance, on approximately 72.43 acres of land in the L-A-C (Local Activity Center Zone), located on the south side of Brandywine Road in the eastern and western quadrants of its intersection with Mattawoman Drive, also known as 14200, 14211 and 14300 Mattawoman Drive, Brandywine, MD, Councilmanic District 9; and

WHEREAS, the Application was advertised and the property was posted prior to public hearings, in accordance with all requirements of law; and

WHEREAS, the Planning Department's Technical Staff recommended approval of the instant Application; and

WHEREAS, the Planning Board elected not to hold a hearing on the Application and adopted the recommendation of the Technical Staff; and

WHEREAS, on September 30, 2020, the Zoning Hearing Examiner held an evidentiary hearing on the Application, which was unopposed; and

WHEREAS, on September 30, 2020, the Examiner closed the record; and

WHEREAS, on October 16, 2020, the Examiner issued a recommendation that the Application request, to amend the Basic Plan for the Villages at Timothy Branch to expand the Mixed Retirement Development and remove all non-residential uses, and amend the conditions of approval, pursuant to §27-197(c) of the Zoning Ordinance, be approved subject to conditions; and

WHEREAS, on October 22, 2020, the Examiner issued an Errata Sheet to clarify that the decision was a disposition recommendation of approval subject to final decision of the District Council; and

WHEREAS, on October 26, 2020, the Examiner's disposition recommendation appeared on the District Council's agenda for action as a new case; and

WHEREAS, on October 26, 2020, the District Council directed staff to prepare an order in accordance with the Examiner's disposition recommendation to approve the Application with conditions; and

WHEREAS, on October 30, 2020, the Examiner issued a second Errata Sheet to clarify certain recommended conditions of approval; and

WHEREAS, the District Council's final decision adopts and incorporates by reference, as if fully stated herein, the Examiner's disposition recommendation issued October 16, 2020, and modified by Errata Sheets issued October 22nd, and 30th, 2020.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The request to amend the Basic Plan for the Villages at Timothy Branch to expand the Mixed Retirement Development and remove all non-residential uses, and amend the conditions of approval, pursuant to §27-197(c) of the Zoning Ordinance, on approximately 72.43 acres of land in the L-A-C (Local Activity Center Zone), located on the south side of Brandywine Road in the eastern and western quadrants of its intersection with Mattawoman Drive, also known as 14200, 14211 and 14300 Mattawoman Drive, Brandywine, MD, Councilmanic District 9, is conditionally APPROVED.

SECTION 2. Subject to the conditions of approval herein, use of the subject property shall comply with all other requirements in the applicable zone or zone for the property. Failure to comply with any condition herein shall constitute a zoning violation and shall constitute sufficient grounds for the District Council to annul the amendment of the Basic Plan; to revoke use and occupancy permits; to institute appropriate civil or criminal proceedings; and/or to take any other action deemed necessary to obtain compliance.

SECTION 3. Amendment of the Basic Plan in A-9988-C-01, is subject to the following:

Land Use Types and Quantities:

Total area:	72± acres
Land in the 100-year floodplain:	8 acres
Adjusted gross area:	64 acres
Density permitted under the L-A-C Zone:	10 -15 du/ac
Permitted dwelling unit range:	640 - 960 du
Floor area ratio:	0.2-0.4 FAR

Proposed Land Use Types and Quantities: Mixed Retirement
Development

Conditions

1. Prior to certification the Basic Plan Map shall be revised to:
 - a. Delineate the M-I-O-Z-Intensity Zone and note on the plan that residential construction within the M-I-O-Z shall conform to Section 27-548.55(b) of the Prince George's County Zoning Ordinance.
 - b. Clarify the land use as either conventional residential, or Mixed-Use Retirement, in accordance with Subtitle 27.

SECTION 4. The Ordinance shall become effective upon enactment.

ENACTED this 9th day of November, 2020, by the following vote:

In Favor: Council Members Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter, Taveras, and Turner.


Opposed:

Abstained:

Absent:

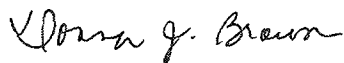
Vote: 11-0.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF THE
MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: 

Todd M. Turner, Council Chair

ATTEST:



Donna J. Brown
Clerk of the Council

Case No.: CDP-0901
VD-0901

Applicant: Timothy Brandywine
Investments One, LLC

Timothy Brandywine
Investments Two, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION,
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the Planning Board's decision in Resolution PGCPB No. 10-111, to approve with conditions a comprehensive design plan consisting of 131 residential units, and 305,000 square feet of commercial space, with a variance from the maximum percentage of multifamily dwelling units in a comprehensive design zone, on property described as 72.26 acres of land in the L-A-C Zone, for a project referred to as The Villages at Timothy Branch, on the east side of US 301, southeast of its intersection with MD 5, and south of MD 381, Brandywine, is:

AFFIRMED, for the reasons stated by the Planning Board in its resolution, which are hereby adopted as the findings of fact and conclusions of law of the District Council.

Affirmance of the Planning Board's decision is subject to the following conditions.

1. All conditions of approval of Basic Plan A-9988 shall remain in full force and effect.
2. The multifamily component of the project shall be developed for active adults in accordance with the Land Use Types table of the basic plan.
3. The proposed mixed-use development on this property shall include a maximum of 100,000 square feet of retail commercial uses, a minimum of 205,000 square feet of office, service commercial, institutional and educational uses, and a minimum of 131 residential units.

4. The total areas within the L-A-C Zone (CDP-0901) and the R-M Zone (CDP-0902) comprise a combined total trip cap of 1,269 trips in the AM and 1,775 trips in the PM. If the densities of the L-A-C Zone or the R-M Zone are modified for any reason, trips may be re-allocated between these two zones (CDP-0901 & CDP-0902) such that the overall trip cap of 1,269 AM and 1,775 PM trips is not exceeded.
5. At the time of preliminary plan and SDP, the applicant may increase the residential density beyond the 131 dwelling units shown on the CDP, preferably through the addition of a multistory, mixed-use structure. However, the plans must conform to the maximum development allowed as stated in Condition 4 above. Revisions to the CDP for this purpose will not be required so long as the basic design requirements are adhered to in the proposed layout.
6. A minimum 50-foot building restriction line (BRL) as measured from the ultimate right-of-way of Mattawoman Drive shall be provided on the Specific Design Plan (SDP) unless it is determined that a lesser BRL provides sufficient area to adequately buffer the dwellings from the roadway.
7. Prior to certificate approval of the comprehensive design plan:
 - a. The TCP 1 shall be revised as follows:
 - (1) Show the provision of the total of the woodland conservation threshold for the site plus the portion of the replacement required for clearing below the threshold, as woodland conservation on-site, and add a note indicating that this standard shall be maintained on all future tree conservation plans.
 - (2) Provide a ten-foot-wide clear access zone on the sides and to the rear yards of all townhouse and multifamily units. This clear access zone should be free of woodland conservation areas or noise mitigation measures that would block access.
 - (3) Provide the minimum required widths and areas for preservation and afforestation areas.
 - (4) Meet the requirements of the Environmental Technical Manual with regard to standard notes.
 - (5) Revise the specimen tree table to add a note stating the method of specimen tree location (field or survey located).
 - (6) Eliminate woodland conservation from the proposed ultimate rights-of-way and easements.
 - (7) Eliminate woodland conservation credits from the areas within the trail and the associated clear areas on each side.

- (8) Revise the approval blocks on all sheets to reflect correct plan numbering nomenclature.
 - (9) Revise the woodland conservation worksheet to reflect all of the revisions included above.
 - (10) Revise the TCP and have it signed and dated by the qualified professional who prepared it.
 - (11) Revise the TCP 1 to conform to the ultimate rights-of-way for the CDP as determined by the Transportation Planning Section based on the Subregion 5 Master Plan. All conditions associated with the rights-of-way assume the ultimate rights-of-way as approved on the CDP.
 - (12) Provide a tree canopy coverage (TCC) requirement schedule on the TCP 1 indicating how the TCC requirement has been fulfilled.
- b. The CDP plan and text shall be revised as follows:
- (1) The on-site private recreational facilities list contained in the CDP text and plan shall include a swimming pool and a tot-lot.
 - (2) The community building and swimming pool shall be relocated to either the southern end of the residential use area, adjacent to the existing stormwater management (SWM) pond, or central to the pod of development. A six-foot-wide trail shall be provided around the SWM pond, if possible.
 - (3) Add a note to the plan and text that the residential development will be limited to no more than three different residential unit types, which may include two-family attached (two-over-two), single-family semidetached, single-family attached (townhouse), or multifamily units, in order to create a more cohesive development.
 - (4) The CDP text and plan notes shall be corrected to reflect 131 residential units, a residential density of 4.3 dwelling units per acre, and a commercial floor-to-area ratio of 0.17.
 - (5) Revise the development standard chart in the text and on the plan pursuant to Condition 13.
 - (6) Revise the “Residential Architecture: Design Parameters” within the CDP text as follows:
 - (a) A minimum of 60 percent of all townhouse units shall have a full front façade (excluding gables, bay windows, trim, and doors) and

all highly-visible endwalls, which shall be identified at the time of SDP, shall be brick, stone or stucco, or other masonry materials of equivalent quality.

- (b) Townhouses and single-family semidetached dwellings facing a public street and the side elevation of the same unit facing a public street (corner lots) shall be faced up to 100 percent with high-quality materials such as brick, stone or stucco (excluding gables, bay windows, trim, and doors).
 - (c) All residential buildings with front elevations facing Mattawoman Drive shall have a full front façade of brick, stone or stucco (excluding gables, windows, doors, and trim), or other masonry materials of equivalent quality.
 - (d) Front elevations of townhouses and two-family attached units facing Mattawoman Drive shall have dormers or gables to reduce the single plane of roof.
 - (e) Front elevations of townhouse and two-family attached units facing Mattawoman Drive shall be offset by a minimum of two feet.
 - (f) Architecture for multifamily buildings shall be faced with at least 60 percent brick, stone, stucco or equivalent, or other masonry materials of equivalent quality. Elevations of multifamily buildings facing Mattawoman Drive shall be faced with 100 percent brick, stone or stucco (excluding gables, bay windows, trim, and doors), or other masonry materials of equivalent quality.
 - (g) Side and rear walls of all residential buildings shall be articulated with windows, recesses, chimneys, or other architectural treatments. All residential endwalls shall have a minimum of two architectural features, except endwalls in highly visible locations, which shall be identified at the time of SDP, shall have additional architectural features creating a well-balanced composition.
- (7) Revise the “Commercial Architecture: Design Review Parameters” within the CDP text as follows:
- (a) Commercial building elevations shall incorporate a minimum of 60 percent, high-quality building materials which are durable and attractive, such as brick, stone, stucco or other masonry materials of equivalent quality.

- (b) Architecture of all of the commercial structures shall be cohesively designed, pedestrian oriented, and compatible in scale with the overall design of the Timothy Branch village center.
 - (c) The design of retail buildings of two or more stories, if proposed, should emphasize the division between ground level and upper stories through design features such as, but not limited to, aligned windows, awnings, patterned bands, and cornices.
 - (d) Drive-through facilities shall be designed with adequate space for queuing lanes that do not conflict with traffic circulation or pedestrian access.
 - (e) All building façades facing major roads shall be designed with equal attention to design details and building materials.
 - (f) Trash enclosures made of high-quality building materials shall be used to screen trash dumpsters.
- (8) Include the following phasing for the on-site private recreational facilities within the CDP text and plan.

CDP-0901 - PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
One gazebo/seating area - LAC	Prior to the issuance of any residential unit permit	Complete by 100th overall* residential unit permit
2,500 sq. ft. tot-lot - LAC	Prior to the issuance of any residential unit permit	Complete by 100th overall residential unit permit
Min. 2,200 square-foot Community building and swimming pool - LAC	Prior to the issuance of 200th overall* residential unit permit	Complete by 300th overall residential unit permit
Double Tennis Court - LAC	Prior to the issuance of 200th overall residential unit permit	Complete by 300th overall residential unit permit
Timothy Branch ¹ Stream Valley Trail (approx. 1,800 L.F.) or other recreational trail	Prior to the issuance of any residential unit permit for the adjacent pod	Complete with adjacent pod development

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.

* “Overall” means CDP-0901 (LAC Zone) and CDP-0902 (RM Zone)

¹ Unless the District Council amends the Basic Plan condition requiring the same

- c. The CDP and the TCP 1 shall be revised to show a minimum of a 40-foot-wide scenic easement and landscaped buffer, outside of the ultimate right-of-way and any public utility easements, along the southern frontage of historic Brandywine Road. A reduction in width of the scenic easement may be permitted at the time of SDP if additional design elements are implemented.
8. Prior to the approval of a specific design plan, the following shall be provided:
- a. On both corners at the intersection of Mattawoman Drive and Brandywine Road, landmark buildings shall be provided within the retail/office use areas at the entrance into the development. These buildings shall have a maximum build-to-line of 100 feet from both rights-of-way, be a minimum of 26 feet high, be faced with a minimum of 60 percent brick, stone or stucco, or other masonry materials of equivalent quality, and have enhanced architecture on all building elevations, to include, but not limited to, balanced fenestration, ornamentation, and dimensional articulated roofs. Additionally, both buildings shall include a special architectural feature, such as, but not limited to, a portico, cupola, or

belvedere located at the corner of the building closest to the intersection. The area in front of the proposed landmark buildings shall be designed to enhance visual interest provided through variation in building materials and color at the street level, pedestrian-scaled signage, awnings, outdoor seating areas, and high-quality pedestrian amenities. Specific details of the retail façades shall be provided and reviewed with the specific design plan application.

- b. A cohesive relationship shall be created between the retail, office, and residential components by using similar landscape elements, paving materials, etc. throughout the development. The landscape elements and paving materials shall be reviewed during the specific design plan stage.
- c. The design of the landscape bufferyard treatment proposed adjacent to the land use envelope for the development pods fronting on Brandywine Road should complement the landscape and buffer treatments proposed on Lots 21 and 22, Stephen's Crossing, located on the north side of Brandywine Road, or any other development thereon approved by the Planning Board, and shall be addressed with the approval of the SDP.
- d. The architectural design and front setback treatments for any commercial buildings fronting on Mattawoman Drive should be complementary in design and character with the Stephen's Crossing development to the north, unless it can be proven impractical, in order to create a consistent visual appearance along the entire Mattawoman Drive road frontage.
- e. Location, details, and specifications of the proposed bus stop shelters and associated amenities, as appropriate, shall be submitted for review and approval.
- f. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view and residential areas with materials harmonious to the building, or they shall be located so as not to be visible from any public ways.
- g. Refuse and waste removal areas, service yards, and large loading areas shall be screened from view from public ways and residential areas with masonry screening materials that are harmonious to the nearby buildings.
- h. An employee amenity area shall be provided in association with the office/employment component of the development and shall include seating areas, landscaping, and decorative paving, at a minimum.
- i. No rear elevations of residential buildings shall be oriented toward Mattawoman Drive. Any side elevations of residential buildings oriented toward Mattawoman Drive shall be designed with the same attention to detail as the front elevation.

- j. No rear elevations of commercial buildings shall be oriented toward Brandywine Road or Mattawoman Drive. Any side elevations of commercial buildings oriented toward Brandywine Road or Mattawoman Drive shall be designed with the same attention to detail as the front elevation.
- k. An appropriate landscape bufferyard shall be provided between the commercial and residential uses unless a street is located between them with single-family homes fronting the road. This bufferyard shall be specifically designed to screen and buffer undesirable views and activities, while also creating defined, direct pedestrian circulation between the uses.
- l. Trails shall be shown no less than 20 feet from all private residential lot lines and/or 25 feet from all residential buildings, excluding where trails connect with the internal road network, unless such environmental constraints/impacts exist that make this impractical.
- m. All community and commercial buildings shall have enhanced architectural design, to include, but not limited to, high-quality materials, such as brick, stone and stucco, or other masonry materials of equivalent quality, ornamentation, varying roof lines, and balanced fenestration.
- n. A site development plan for stormwater management that details how the new stormwater management requirements will be met regarding the provision of environmental site design techniques, to the fullest extent practicable, unless other stormwater management design approvals and/or waivers are granted by DPW&T.
- o. The TCP 2 for the subject property demonstrating that the requirements of the Woodland and Wildlife Habitat Conservation Ordinance are provided on-site through preservation or afforestation to the fullest extent possible, consistent with the desired pattern of development and densities indicated in the General Plan. If off-site mitigation is required, it shall be provided within the Mattawoman watershed.
- p. A variance for the removal of Specimen Tree No. 3 shall be applied for and approved with the appropriate SDP application and associated TCP 2.
- q. The use of full cut-off optics to ensure that light intrusion into residential and environmentally-sensitive areas is minimized. At the time of SDP, details of all lighting fixtures shall be submitted for review along with certification that the proposed fixtures are full cut-off optics and a photometric plan showing proposed light levels. The following note shall be placed on all future SDPs:

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

- r. A tree canopy coverage (TCC) schedule on the SDPs and associated TCP2s indicating how the TCC requirements have been fulfilled for the subject application.
 - s. A Phase II noise study for any residential units along Mattawoman Drive shall be submitted for review. The Phase II noise study shall address how noise impacts to the residential units will be mitigated to provide interior noise levels of 45 dBA Ldn or less and exterior noise levels of 65 dBA Ldn or less within outdoor activity areas based on the final site design. The approval of architecture at the time of SDP shall also demonstrate how the proposed structures are in conformance with the noise mitigation measures recommended in the Phase II noise report for interior residential uses.
 - t. Buildings compatible in terms of exterior materials and colors, scale and massing, and style.
 - u. Eating and drinking establishments with drive-through service and gas stations, if any, shall be designed so that the drive-through area and gas pumps are located behind the building, not directly adjacent to the street, and do not impede pedestrian circulation.
 - v. A 30-foot landscape buffer, inclusive of any public utility easement, between the right-of-way of Mattawoman Drive and any commercial development.
 - w. The residential development shall be designed to minimize the use of public streets ending in cul-de-sacs in order to promote vehicular circulation.
9. At the time of the first SDP for any office or retail/commercial use, an overall cohesive signage plan for all of the retail and office uses within CDP-0901 shall be submitted for review. This plan shall include unifying design standards, including, but not limited to, signage amount, size, location, color, purpose, and style for all freestanding and building-mounted signage.
10. Prior to acceptance of an SDP, a plan and proposal for the type, location, and timing of any required PMA mitigation, associated with the SDP, shall be submitted.
11. Prior to approval of any TCP 2 which proposes to credit as woodland conservation planting occurring within a stormwater management easement, a site development stormwater management plan shall be submitted to the Prince George's County Planning Department which indicates that the planting areas proposed have been reviewed by the Department of Public Works and Transportation (DPW&T) with regard to the location, size, and plant stocking proposed. No afforestation or preservation areas should be shown within 15 feet of the toe of the pond embankment, or as determined by DPW&T or the Soil Conservation District reviewers.

12. Construction/building shells for all office buildings, fronting on Mattawoman Drive, proposed within the 65dBA LDN noise contour or higher, should be designed to reduce noise levels.
13. The following standards shall apply to the development. (Modifications to the standards may be permitted on a lot-by-lot basis by the Planning Board at the time of specific design plan if circumstances warrant.)

RESIDENTIAL USES—L-A-C ZONE¹

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

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

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

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

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

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.
- 8 Fences and retaining walls up to six feet high may be constructed anywhere in a rear yard without meeting setback requirements.
- 9 Fences in the front yard shall not be more than four feet high.
- 10 This percentage is for building coverage (and not for lot coverage) of the overall net tract area.
- 11 At the time of SDP, these distances may be modified if it is determined by the Planning Board, that adequate measures are provided to protect all residential buildings from the traffic nuisances of Mattawoman Drive.
- 12 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—L-A-C 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 on the lot or parcel.

COMMERCIAL USES—L-A-C ZONE

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

14. The applicant and the applicant’s heirs, successors, and/or assignees shall provide off-site public recreational facilities at the Brandywine Area Community Park in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.
15. Prior to issuance of 50 percent of the residential building permits within CDP-0901 and CDP-0902, including all single-family and multifamily units, the applicant shall construct Phase 1 recreational facilities at the Brandywine Area Community Park as conceptually shown on Exhibit B which includes the following:
 - a. softball field
 - b. soccer field
 - c. 65-space parking lot
 - d. access road from Missouri Avenue
16. Prior to issuance of 20 percent of the residential building permits within CDP-0901 and CDP-0902, including all single-family and multifamily units, the applicant shall provide to DPR, for review and approval, construction drawings and specifications for the construction of the Phase 1 recreational facilities and related stormwater management facilities in Brandywine Area Community Park.
17. The applicant shall be responsible for any costs associated with the environmental, archeological and/or geotechnical studies, and permit fees associated with the design and construction of the Phase 1 recreational facilities in Brandywine Area Community Park.
18. The applicant shall construct any stormwater management facilities on parkland needed for Phase 1 recreational facilities in Brandywine Area Community Park.

19. The applicant shall be responsible for woodland conservation requirements for the construction of Phase 1 recreational facilities in Brandywine Area Community Park, which shall be provided on-site and/or off-site on parkland owned by M-NCPPC.
20. The applicant shall submit three original executed public recreational facilities agreements (RFA) for the construction of Phase 1 recreational facilities in the Brandywine Area Community Park to DPR for their approval three weeks prior to submission of a final plat. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
21. Submission to DPR of a performance bond, letter of credit, or other suitable financial guarantees for the construction of Phase 1 recreational facilities in the Brandywine Area Community Park, in an amount to be determined by DPR, shall be done at least two weeks prior to applying for any building permits.
22. 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 Parks and Recreation Facilities Guidelines.
23. The private recreational facilities shall be reviewed by the Urban Design Section as designee of the Planning Board for adequacy, conformance to the *Park and Recreation Facilities Guidelines*, and location during the specific design plan review.
24. The applicant shall submit three original executed private recreational facilities agreements (RFA) for the private recreational facilities on-site to DRD for their approval three weeks prior to submission of a final plat. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
25. Submission to DRD of a performance bond, letter of credit, or other suitable financial guarantee for the construction of private recreational facilities, in an amount to be determined by DRD, shall be done at least two weeks prior to applying for any building permits unless stated otherwise in Condition 7.b.(8).
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.
27. The applicant shall provide an eight-foot-wide, concrete side path in the right-of-way along the subject site's entire frontage of Brandywine Road (MD 381), subject to SHA approval and in accordance with SHA standards and subject to AASHTO guidance.

28. The applicant shall provide sufficient dedication on the preliminary plan along Brandywine Road for on-road bike lanes in accordance with SHA standards and AASHTO guidance.
29. Provide at least six-foot-wide sidewalks where parking abuts a sidewalk, and at least five-foot-wide sidewalks around the public areas of the buildings in the commercial center area, and provide crosswalks from the residential areas to the commercial areas.
30. 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.
31. At the time of SDP, the plans shall identify the location of median refuge islands along Mattawoman Drive, per DPW&T standards and with AASHTO guidance.
32. Provide four-foot-wide sidewalks along both sides of all internal residential roads (excluding alleys).
33. Indicate on the specific design plan the width of all of the on-road and off-road bikeways, sidewalks, and trails.
34. 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.
35. Provide a master plan hiker/biker/equestrian trail (the Timothy Branch trail) along the subject site's entire segment of the Timothy Branch stream valley, unless the District Council amends the Basic Plan condition requiring the same.
36. Any trail connectors on homeowners association land to the Timothy Branch trail, if required, shall be six feet wide and asphalt.
37. Provide details of the way finding and trail signage in accordance with AASHTO guidance at the time of specific design plan review including the location of signage. This signage can be tailored to the development and provide way finding to the commercial areas or nearby destinations. At a minimum, way finding signage should

- indicate the direction of the Brandywine Area Community Park to the north of the subject site and the Rose Creek Connector trail to the south of the site.
38. Show bicycle parking spaces on the specific design plan at the recreational facilities and in the commercial areas. These spaces should be located near the front entrances to the buildings and have access to bikeway and trail facilities.
 39. At the time of specific design plan, trail access points shall be designed to ensure that off-road motorized vehicles do not use trails except for maintenance and emergency purposes or wheelchair access. Details of bollards and/or other appropriate structures shall be provided for review.
 40. Provide a trail construction sequence plan with each of the specific design plans so that staff can evaluate the timing of the construction of the trails.
 41. At the time of preliminary plan approval, the plan shall reflect the following rights-of-way:
 - a. A 120-foot right-of-way along A-63, Mattawoman Drive, from north to south through the subject property.
 - b. A right-of-way of 40 feet from centerline along C-613, MD 381, along the site's entire frontage.
 42. The applicant and the applicant's heirs, successors, and/or assignees shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a road club that will include the applicant, the Montgomery Ward's Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area C in the Subregion 5 Master Plan, as well as any properties along US 301/MD 5 between 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 payment of the following:

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

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

payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

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

Payment is to be made in trust to the road club escrow agent and shall be due, on a pro rata basis, at the time of issuance of building permits. Prior to issuance of any building permit(s), the applicant shall provide written evidence to 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.). 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 where 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 in the area of US 301/MD 5 and Cedarville/McKendree Roads.

- j. Construction of an interchange in the area of MD 5 and A-63 north of 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 Road 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.
43. The applicant and/or the applicant's heirs, successors and/or assignees shall provide the following transportation improvements as proffered in the July 2009 traffic impact study.
- a. A third northbound through lane along US 301 through the MD 381 and the Mattawoman Drive intersections, beginning approximately 1,000 feet south of MD 381 and continuing approximately 2,500 feet north of MD 381. The elimination of left turns at the US 301/MD 381 intersection coincident with the construction of a northbound left-turn lane along US 301 at Mattawoman Drive shall be constructed by the applicant if required by 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.

44. 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.
45. At the time of SDP review, the applicant may redesign the residential pod to include the relocation of the multifamily units, townhouse units, two-over-two units, and the recreational facility.
46. At the time of specific design plan, the required phasing of the construction of the extension of Mattawoman Drive to Matapeake Business Drive prescribed in Condition 43(d) shall be determined, but the construction of this extension must be completed prior to or concurrent with the construction of the residential component of CDP-0901 in order for this CDP application to satisfy the requirement that it not excessively burden public facilities.

Ordered this 23rd day of January, 2012, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Olson,
Patterson and Toles.

Opposed:

Abstained:

Absent: Council Member Turner.

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

Countywide Planning Division
Prince George's County Planning Department

301-952-3650

December 14, 2020

MEMORANDUM

TO: Adam Bossi, Planner Coordinator, Urban Design Section, DRD

VIA: Megan Reiser, Supervisor, Environmental Planning Section, CWPD *MR*

FROM: Kim Finch, Master Planner, Environmental Planning Section, CWPD *KIF*

**SUBJECT: Timothy Branch
CDP-0901-01 and TCP1-151-90-03**

The Environmental Planning Section (EPS) has reviewed the above referenced amended Comprehensive Design Plan and revised TCP1-151-90-03 application accepted on October 23, 2020. Comments were provided at the Subdivision and Development Review Committee (SDRC) meeting held on November 13, 2020.

Staff recommends approval of CDP-0901-01 and TCP1-151-90-03 subject to findings provided at the end of this memorandum. No conditions are recommended.

Background

The Environmental Planning Section (EPS) has extensively reviewed this site previously with the review of the following applications:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
4-92048	TCP1-151-90	Planning Board	Approved	5/22/2006.	PGCPB No. 92-187
N/A	TCPII-068-93	Staff	Approved	8/24/1993	N/A
SDP-9703	TCPII-042-97	Planning Board	Approved	5/16/1997	PGCPB No. 97-132
N/A	NRI-002-07	Staff	Signed	11/7/2007	N/A
ZMA-9987 ZMA-9988	NA	District Council	Approved	6/16/2008	Zoning Ordinance No. 17-2008
ZMA-9989-C	N/A	District Council	Approved	7/11/2009	
N/A	NRI-002-07-01	Planning Director	Signed	8/19/2010	N/A
CDP-0501 CDP-0502	TCP1-151-90-01	Planning Board	Approved	10/7/2010	PGCPB No. 10-111 & 10-110

4-09003	TCP1-151-90-02	Planning Board	Approved	10/28/2010	PGCPB No. 10-117(A)64(A)
SDP-1304	TCP2-068-93-01	Planning Board	Approved	10/23/2014	PGCPB No. 14-116
SDP-1701	TCP2-068-93-02	Planning Board	Approved	9/14/2017	PGCPB No. 17-119
SDP-1701-01	TCP2-068-93-02	Approved	Approved	7/12/2018	PGCPB No. 18-64
SDP-1701-02	TCP2-068-93-02	Planning Director	Pending	Pending	Pending
NA	TCP2-068-93-03	Staff	Approved	4/30/2018	NA
NA	TCP2-068-93-04	Staff	Approved	9/24/2019	NA
SDP-1701-03	TCP2-068-93-05	Planning Board	Approved	6/11/2020	PGCPB No. 2020-102
SDP-1701-04	TCP2-068-93-06	Planning Board	Approved	6/11/2020	PGCPB No. 2020-103
A-9988-01	NA	District Council	Approved	10/26/2020	Zoning Ordinance 5-2020 A-9988-C-01
CDP-0901-01	TCP1-151-90-03	Planning Board	Pending	Pending	Pending

Proposed Activity

This application requests to amend the approved Comprehensive Design Plan for a 72.43- acre site in the L-A-C zone to remove the retail/commercial, office, warehousing and distribution and light manufacturer uses, and change the land use to an Active Adult Community.

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012.

Site Description

The subject property is 72.43- acres in the L-A-C zone located in the southeast quadrant of the intersection of Crain Highway (US 301) and Brandywine (MD 381) Road. This site contains streams, 100-year floodplain and wetlands associated with Timothy Branch in the Mattawoman Creek watershed and the Potomac River basin. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program (DNR NHP) there are no Rare, Threatened, or Endangered (RTE) species found to occur on or in the vicinity of this property. Brandywine Road (MD 381), which borders the site on the north, is a designated historic road. The portion of Brandywine Road west of Mattawoman Drive is classified as an industrial road in the Master Plan of Transportation (2009) (MPOT), as is Short Cut Road, which is also adjacent to this site. Mattawoman Drive which is internal to the site is classified as an arterial which are generally regulated for noise impacts when associated with residential development. The predominant soils found to occur according to the US Department of Agriculture, Natural Resources Conservation Service (USDA NRCS), Web Soil Survey (WSS) are the Aquasco silt loam, Beltsville silt loam, Croom gravelly sandy loam, Croom-Marr, Potobac-Issue, and Urban land Beltsville series. Marlboro clay

does not occur in this area. According to the *Countywide Green Infrastructure Plan* of the *Approved Prince Georges Resources Conservation Plan* (May 2017) the stream valley along the eastern boundary is a Regulated Area and the remainder of the property is an Evaluation Area.

CONFORMANCE WITH CONDITIONS OF PREVIOUS APPROVALS

ZMA-9988-C: The subject property was rezoned to the L-A-C zone by the District Council by Zoning Ordinance No. 17-2008, effective July 11, 2009, subject to conditions and one consideration. The approval conditions which are environmental in nature are shown in **bold** and are addressed below.

- 9. The submission package of the Comprehensive Design Plan shall contain a signed Natural Resources Inventory (NRI). The NRI shall be used by the designers to prepare a site layout that limits impacts to the Regulated Areas and Evaluation Areas of the site to the greatest extent possible.**

An NRI-Equivalency Letter, NRI-002-07-03, was approved for the subject site on December 16, 2019, and is valid for the current application.

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

The most current Type 1 Tree Conservation (TCP1-151-90-02) was approved on October 28, 2010 with PPS 4-09003. A revision to the TCP1 is submitted with the current application. The proposed CDP amendment does not affect the limits of disturbance and expands on-site woodland conservation as will be addressed later in this memorandum.

Conditions of Comprehensive Design Plan (CDP-0901): On March 19, 2015, the Prince George's County Planning Board and Planning Commission approved (PGCPB No. 10-110(A) for Type 1 Tree Conservation Plan, TCP1-151-90-01, and Comprehensive Design Plan CDP-0901 subject to amended conditions. Conditions that were originated by the Environmental Planning Section and have not been fully addressed are indicated in **bold** font below, and EPS comments are provided in regular font.

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

The two conditions of the Basic Plan approval that are environmental in nature have been previously addressed in this memo and will also be addressed with future applications. The amendments proposed to the CDP do not result in additional Primary Management Area (PMA) impacts but will be evaluated with future applications.

- 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.**

The amended CDP application proposes additional residential development which may be affected by noise impacts along Mattawoman Drive. Adherence with this noise condition will be evaluated with future applications as applicable and enforced at time of building permit.

Environmental Review

Existing Conditions/Natural Resource Inventory (NRI)

The application has an approved Natural Resource Inventory – Equivalency Letter, NRI-002-07-03, approved on December 16, 2019. An equivalency letter was issued because the site already had an implemented TCPII, TCPII-068-93-04. The CDP shows the required NRI information in general conformance with the NRI plan (NRI-002-07) for the overall Villages at Timothy Branch, which was approved on August 19, 2010

Preservation of Regulated Environmental Features/Primary Management Area

The overall site contains streams, wetlands, and wetland buffers, and 100-year floodplain within the delineated PMA, which are protected by conservation easements to the fullest extent possible as determined at time of previous PPS and SDP approvals. The application package did not include a statement of justification for additional impacts to the PMA, and the information shown on the CDP confirms this. No additional impacts are approved with this application.

If additional impacts to the PMA are proposed with future applications, statements of justification and exhibits shall be submitted detailing and quantifying the request. If additional impacts are proposed, revisions to the platted conservation easements and/or the recorded woodland and wildlife habitat conservation easements may be indicated.

Woodland Conservation

A Type I Tree Conservation Plan (TCPI-151-90) was originally approved for the overall site application when the pre-1993 woodland conservation threshold standards of a straight 10 percent requirement of the net tract area for industrial zones were in place, with no replacement required for clearing.

The Maryland Forest Conservation Act (FCA) passed by the General Assembly in 1991 established minimum woodland conservation threshold requirements for local authorities that were greater than those previously established by county legislation. As a result, the woodland conservation threshold for industrially zoned properties in the county was raised to 15 percent of the net tract area. The Forest Conservation Act also required “replacement” in the calculation of the woodland conservation requirements for the site; this was intended to provide a disincentive for the clearing of trees excessively in the development process. In 1993, the county regulations were revised to include these provisions.

Brandywine Commerce Center (TCPI-151-90) was grandfathered under the requirements of the pre-1993 ordinance, and as a result, the woodland conservation requirement for the overall property was 31.53 acres, based on a net tract area of 315.31 acres. TCPII-068-93, TCPII-084-93, and TCPII-042-97 were subsequently approved under the pre-1993 requirements, in conformance with the previously approved TCPI.

With the rezoning of the property in 2009, the subject property was changed to the R-M and L-A-C zones, except for Parcel E which remained in the E-I-A and I-3 zones. Because the development pattern proposed was significantly different than the previous approval, and because the subject development required a preliminary plan of subdivision, it was determined that the site was no longer grandfathered under the requirements, and is subject the current requirements of the 2010 Woodland Wildlife Habitat Conservation Ordinance (WCO) . The L-A-C zone has a 15 percent woodland conservation threshold. The R-M zone has a 20 percent woodland conservation threshold. The most current approved TCP1 (TCP1-151-90-02) was approved with a preliminary plan (4-09003).

A revised TCP1 has been submitted with the current application, which shows the overall 334.26-acre site with a net tract area of 282.99 acres. The site has 175.35 acres of existing woodland in the net tract area and 28.69 acres in the floodplain. The woodland conservation threshold is 53.77 acres (19 percent of the site's overall net tract area). The woodland conservation worksheet shows the removal of 137.95 acres of woodland on the net tract area, 1.00 acre in the floodplain, and 0.13 acre off-site, resulting in a woodland conservation requirement of 103.39 acres. This requirement was proposed to be met with 33.84 acres of woodland preservation, 44.72 acres of afforestation, and 23.10 acres in off-site woodland conservation credits.

No technical revisions to the TCP1 have been identified during the current review, but revisions related to other referrals may result in minor revisions prior to certification.

Soils

The predominant soils found to occur according to the United States Department of Agriculture, Natural Resources Conservation Service (USDA NRCS), Web Soil Survey are in the Beltsville, Bibb, Croom, Elkton, Iuka, Leonardtown, and Sassafras series. Neither Marlboro nor Christiana clays occur in this area.

Beltsville soils are highly erodible, have perched water tables and impeded drainage. Bibb soils are highly erodible and hydric. Chillum soils are highly erodible. Croom and Sassafras soils pose few difficulties for development. Elkton and Iuka soils are highly erodible and hydric. Leonardtown soils are highly erodible, have perched water table, poor drainage and typically have wetlands. High groundwater is problematic for both foundations and basements.

This information is provided for the applicant's benefit, and may affect the architectural design of structures, grading requirements, and stormwater management (SWM) elements of the site. The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) may require a soils report in conformance with CB-94-2004 during the permit process review.

Special Roadways

Brandywine Road (MD 381), which borders the site on the north, is a designated historic road. Appropriate buffering for special roadways, consistent with the requirements originally established by CDP-0901 for the L-A-C portion of the site should be maintained on future development applications.

Noise Mitigation

Matapeake Drive is a MPOT designated Arterial which are regulated for noise with respect to proposed residential development. A noise study may be required with future applications to

determine appropriate mitigation for the proposed residential use based on the determination of the Subdivision and Zoning Section at time of preliminary plan application.

Summary of Recommended Findings and Conditions:

The Environmental Planning Section has reviewed amended Comprehensive Design Plan CDP-0901-01 and revised TCPI-151-90-03 and recommends approval of CDP-0901-01 and TCP1-151-90-03 subject to the following finding with no conditions:

FINDING:


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


If you have any questions concerning this review, please contact me by e-mail at kim.finch@ppd.mncppc.org or call 301-952-3650.

December 7, 2020

MEMORANDUM

TO: Adam Bossi, Planner Coordinator, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division 

FROM: Michael Calomese, Senior Planner, Community Planning Division 

SUBJECT: CDP-0901-01 Timothy Branch

FINDINGS

The Community Planning Division finds that, pursuant to Section 27-521(a)(1), this application conforms to the design guidelines or standards intended to implement the development concept recommended by the 2013 Approved Subregion 5 Master Plan.

BACKGROUND

Application Type: Preliminary Plan of Subdivision.

Location: 14200/14201/14211/14300 Mattawoman Drive, Brandywine, MD 20613

Size: 72.4295 acres

Existing Uses: Vacant

Proposal: Amendment to accommodate an active adult community with a range of approximately 180 to 480 dwelling units

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: *Plan Prince George's 2035 Approved General Plan* (Plan 2035) places the subject property in the Established Communities Growth Policy Area. Established Communities are most appropriate for context-sensitive infill and low- to medium-density development. (p. 20. Also refer to Map 1. Prince George's County Growth Policy Map, p. 18.)

Master Plan: The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* designates the future land use for the subject property as Mixed Use, which allows for L-A-C as an applicable zone. (Refer to Table IV-1: Future Land Use Map Designations, Descriptions, and Applicable Zones, p. 31. Also refer to Map IV-5: Brandywine Community Center Core and Edges, p. 50.)

Planning Area: 85A

Community: Brandywine & Vicinity

Aviation/MIOZ: Pursuant to Sec. 27-548.55. b, the western portion of the site is subject to the Military Installation Overlay Zone Requirements for Noise. The application must conform with requirements of the Noise for properties in decibel range 60-74 db. The Interiors of all new residential construction within the Noise Intensity Contours, including additions, must be certified to 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.

SMA/Zoning: The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* retained the L-A-C zoning on the subject property.

MASTER PLAN CONFORMANCE ISSUES:

None

OVERLAY ZONE CONFORMANCE ISSUES

None

c: Long-range Agenda Notebook

c: Scott Rowe, AICP, CNU-A, Supervisor, Long Range Planning, Community Planning Division



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Countywide Planning Division
Transportation Planning Section

301-952-3680

December 16, 2020

MEMORANDUM

TO: Adam Bossi, Urban Design Section, Development Review Division

FROM: *CSH* Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division

Subject: CDP-0901-01: Timothy Branch

Proposal

The applicant is seeking approval to amend certain development standards, expand the active adult community, remove the commercial/retail, and maintain compatibility with existing development within the Timothy Branch subdivision. This amendment also proposes revisions to the recreational amenities proposed within the L-A-C Zoned properties.

Background

Comprehensive Design Plan CDP-0901 was previously approved allowing 131 residences and previously approved retail, commercial, and office uses are no longer proposed for this development. The current revision involves the property in the Local Activity Center Zone and the applicant is requesting a change to a new mixed retirement development and appropriate amenities.

The CDP is required for any development in a comprehensive design zone, and any modifications to an approved plan must be made by means of a revision. The CDP is the second phase of review for a comprehensive design project. Transportation-related findings regarding adequacy are made with this application. More generally, the review includes amounts and locations of land uses, the circulation system, and the portions of development which may be constructed during the same time period.

The site was rezoned under Basic Plan A-9988 which established residential and commercial base densities. While commercial development is no longer proposed, the residential section is proposed to be developed with a maximum of 480 age-restricted residential units consisting of one-family detached and one-family semi-detached.

Analysis

The application is a CDP for a plan that is proposing a residential use rather than the approved commercial use. The trip generation is estimated using trip rates and requirements in the "Transportation Review Guidelines, Part 1" (Guidelines). Pass-by and internal trip capture rates are in accordance with the *Trip Generation Handbook* (Institute of Transportation Engineers). The table below summarizes trip generation in each peak-hour that will be used in reviewing traffic for the site:

Trip Generation Summary: CDP-0901-01: Timothy Branch								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Previously Approved L-A-C Zone								
Semi-Detached/ Townhouse/Two- Family Attached	77	units	12	42	54	41	21	62
Multi-Family	60	units	6	25	31	23	13	36
Retail	100,000	square feet	98	62	160	600	600	1200
Less Internal Trip Capture			-59	-37	-96	-360	-360	-720
Total Retail Trips			39	25	64	240	240	480
General Office	205,000	square feet	369	41	410	72	307	379
Total Trips: Current Basic Plan			426	133	559	376	581	957
Currently Proposed L-A-C Zone								
Senior Adult - Single Family	240	units	19	34	53	39	26	65
Senior Adult - Attached	240	units	12	19	31	24	14	38
Total Trips: Proposed Basic Plan Amendment			31	53	84	63	40	103
Net Change in Trips			395	80	475	313	541	854

The applicant is proposing a less intensive use, even when utilizing the residential high end use scenario. As a result, the proposed traffic generation is significantly less than what was initially proposed. While a new traffic study was not required for this submission, a new traffic study will be required for the preliminary plan of subdivision submission.

Master Plan Site Review

US 301/MD 5 Crain Highway (F-9) is a master plan freeway facility; per the master plan, the right-of-way varies. No additional right-of-way beyond the current right-of-way is currently recommended.

Mattawoman Drive (A-63) is a master plan arterial facility with a minimum right-of-way of 120-feet. Right-of-way along this facility has been previously dedicated along the frontage of the site. No further dedication is required.

Review of Conditions on Prior Applications

The Basic Plan for the site was approved by means of District Council orders approving the zoning application A-9988-C. The status of the transportation-related Basic Plan conditions is as follows:

- 1. At the time of Comprehensive Design Plan, the Transportation Planning Staff shall make Master Plan transportation facility recommendations consistent with the Subregion V Master Plan.**

COMMENT: This condition was previously met during the review of CDP-0901.

- 2. At the time of Comprehensive Design Plan and Preliminary Plan of Subdivision, the Transportation Planning Staff shall review a traffic impact study as a means of making findings of the adequacy of transportation facilities. The traffic study shall, at a minimum, include the following as critical intersections:**
 - a. MD 5 and Brandywine Road (signalized)**
 - b. US 301 and MD 381/Brandywine Road (signalized)**
 - c. MD 381 and Mattawoman Drive (unsignalized)**
 - d. US 301 and Mattawoman Drive (proposed)**
 - e. US 301/MD 5 and proposed A-55 (future)**
 - f. US 301/MD 5 and Matapeake Business Drive/Clymer Drive (signalized)**
 - g. US 301/MD 5 and Cedarville Road/McKendree Road (signalized)**
 - h. Future Mattawoman Drive and proposed A-55 (future)**

COMMENT: Given that the proposal results in a significant decrease in trip generation, the submitted traffic memo to be the equivalent of a required traffic study, particularly given that the Department's COVID-19 policy at the time of scoping specifically waived new traffic study requirements within the Brandywine Road Club area. At the time of preliminary plan of subdivision, a new traffic study covering the above-mentioned intersections will be reviewed.

CDP-0901 (PGCPB Resolution 10-110(A)) included two transportation-related conditions and the status is as follows:

- 4. The total areas within the L-A-C Zone (CDP-0901) and the R-M Zone (CDP-0902) comprise a combined total trip cap of 1,269 trips in the AM and 1,775 trips in the PM. If the densities of the L-A-C Zone or the R-M Zone are modified for any reason, trips may be re-allocated between these two zones (CDP-0901 & CDP-0902) such that the overall trip cap of 1,269 AM and 1,775 PM trips is not exceeded.**

COMMENT: While CDP-0901-01 proposes changes to the use within the L-A-C Zone, this condition shall be carried forward.

8. **Prior to the approval of a specific design plan, the following shall be provided:**
 - e. **Location, details, and specifications of the proposed bus stop shelters and associated amenities, as appropriate, shall be submitted for review and approval.**

COMMENT: This condition shall be carried forward and reviewed with the specific design plan.

The District Council reviewed CDP-0901 and included three transportation-related conditions and the status is as follows:

41. **At the time of preliminary plan approval, the plan shall reflect the following rights-of-way:**
 - a. **A 120-foot right-of-way along A-63, Mattawoman Drive, from north to south through the subject property.**
 - b. **A right-of-way of 40 feet from centerline along C-613, MD 381, along the site's entire frontage.**

COMMENT: This condition has been met and should be carried forward.

42. **The applicant and the applicant's heirs, successors, and/or assignees shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a road club that will include the applicant, the Montgomery Ward's Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area C in the Subregion 5 master plan, as well as any properties along US 301/MD 5 between 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 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 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.). 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 where 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 in the area of US 301 /MD 5 and Cedarville/McKendree Roads.**
- j. Construction of an interchange in the area of MD 5 and A-63 north of 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 Road 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.**

COMMENT: Funds will be paid by the applicant on a pro-rata basis as development proceeds. A revised condition, fully consistent with Council Resolution CR-09-2017, will be recommended during review of the preliminary plan of subdivision, and for that reason it is not recommended that this condition be carried forward. The required funding for off-site transportation improvements shall be constructed sequentially from the items lettered a through m above provided sufficient funds are available.

43. **The applicant and/or the applicant's heirs, successors and/or assignees shall provide the following transportation improvements as proffered in the July 2009 traffic impact study.**
- a. **A third northbound through lane along US 301 through the MD 381 and the Mattawoman Drive intersections, beginning approximately 1,000 feet south of MD 381 and continuing approximately 2,500 feet north of MD 381. The elimination of left turns at the US 301/MD 381 intersection coincident with the construction of a northbound left-turn lane along US 301 at Mattawoman Drive shall be constructed by the applicant if required by 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.**

COMMENT: This condition shall be carried forward.

Conclusion

The Transportation Planning Section concludes that the CDP-0901 application revision is deemed acceptable from the standpoint of transportation.



Countywide Planning Division
Historic Preservation Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

301-952-3680

November 19, 2020

MEMORANDUM

TO: Adam Bossi, Urban Design Section, Development Review Division

VIA: Howard Berger, Historic Preservation Section, Countywide Planning Division **HSB**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JRS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**

SUBJECT: CDP-0901-01 Timothy Branch

The subject property comprises 72.43-acres and is located on both sides of Matapeake Business Drive south of Brandywine Road. The subject application proposes an amendment to accommodate an active adult community with a range of approximately 180 to 480 dwelling units. The subject property is Zoned L-A-C.

The subject property does not contain and is not adjacent to any designated Prince George's County Historic Sites or resources. All archeological investigations have been completed. Historic Preservation Section staff recommend approval of CDP-0901-01 Timothy Branch without conditions.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: December 16, 2020

TO: Adam Bossi, Planner Coordinator
Urban Design Section
Development Review Division

VIA: Paul Sun, Land Acquisition Specialist *PJS*
Park Planning and Development Division
Department of Parks and Recreation

FROM: Edward Holley, Principal Planning Technician *EDH*
Park Planning and Development Review
Department of Parks and Recreation

SUBJECT: **CDP-0901-01 – Timothy Branch**

The staff of the Department of Parks and Recreation (DPR) has reviewed proposed amendments to certain development standards and to the on-site recreational facilities proposed in CDP-0901-01. With regards to the public parks and recreation, DPR staff finds that the proposed amendments will have no effect to the previously approved conditions as described in the Planning Board Resolution PGCPB No. 10-111(A).

December 14, 2020

MEMORANDUM

TO: Adam Bossi, Senior Planner, Urban Design Section

VIA: Sherri Conner, Supervisor, Subdivision and Zoning Section *SC*

FROM: Mridula Gupta, Planner Coordinator, Subdivision and Zoning Section *MG*

SUBJECT: The Villages at Timothy Branch, CDP-0901-01

The subject property considered in the amendment to Comprehensive Design Plan (CDP) 0901-01 is located on Tax Map 145 in Grid B4, and includes Parcels A, B, F, and part of Parcel G of Brandywine Commerce Center. The property area considered in this application is 72.43 acres and is zoned Local Activity Center (L-A-C) with a portion of the site located within the Military Installation Overlay (M-I-O) Zone. The subject property is located within the area of the 2013 Approved Subregion 5 Master Plan and Sectional Map Amendment.

Comprehensive Design Plan CDP-0901 was approved by the Planning Board on March 19, 2015 (PGCPB Resolution No. 10-111(A)) for development of the 72.26-acre, L-A-C-zoned portion of The Villages of Timothy Branch, with a mixed-use development comprised of 100,000 square feet of retail commercial uses, 205,000 square feet of commercial office uses, 20 single-family semidetached, 11 single-family attached, 40 two-family attached, and 60 multifamily residential units.

The property is subject to the Basic Plan for The Villages of Timothy Branch A-9988 which along with Basic Plan A-9987, approved rezoning of 334.26-acre site from the I-3 and E-I-A Zones to the L-A-C and R-M Zones. The L-A-C-zoned portion of the development was proposed as a mixed-use village center with 220,000 – 270,000 square feet of commercial use and 640 – 960 residential dwelling units.

A-9988-C-01

Zoning Map Amendment A-9988-C-01 was approved on November 9, 2020 (Zoning Ordinance No. 5-2020) to amend the Basic Plan (A-9988) to expand the mixed retirement development within the L-A-C portion of the development and remove all non-residential uses from the development. A-9988-C-01 contains one condition which is applicable to this review:

Land Use Types and Quantities

Total area: **72± acres**

Land in the 100-year floodplain:	8 acres
Adjusted gross area:	64 acres
Density permitted under the L-A-C Zone:	10 - 15 du/ac
Permitted dwelling unit range:	640 – 960 du
Floor area ratio:	0.2 – 0.4 FAR
Proposed Land Use Types and Quantities:	Mixed Retirement Development

Though the applicant requested a lower density of 2.8 – 7.5 du/ac and a dwelling unit range of 180 – 480 du in their request to amend A-9988, the District Council’s approval left these Quantities intact.

With this amendment of CDP-0901, the applicant proposes to remove commercial and propose a mixed retirement development consisting of 110 single-family semidetached (duplexes), and 102 single-family detached residential units. The amendment also proposes revisions to the recreational amenities proposed within the L-A-C-Zone properties.

PPS-4-09003

An overall preliminary plan of subdivision (PPS) 4-09003 was approved on 3/19/2015 (PGCPB Resolution No. 10-117(A)) for the development titled ‘The Villages of Timothy Branch’, covering the entire 334.26-acre property. The PPS also approved a Variation from Section 24-121(a)(3) to allow access to an arterial road, and Section 24-121(a)(4) to allow lots adjacent to Mattawoman Drive and MD 5 to be platted with a less than the 150-foot minimum lot depth.

Parcels A, B, F, and part of Parcel G comprise the land area which is the subject of this CDP-0901 amendment which, at the time of PPS 4-09003, were proposed for a mix of uses including retail, office and employment and residential uses. The CDP plan amendment does not involve any other portion of property subject to PPS 4-09003.

Amendment to CDP-0901, if approved, will require a new preliminary plan of subdivision for resubdivision of Parcels A, B, F, and G to establish the newly proposed residential lots/parcels proposed for this development.

Parcels A, B, F and G were platted pursuant to an older preliminary plan of subdivision for the property 4-92048 titled ‘Brandywine Commerce Center’, which has since expired. Parcels A and B are shown on Plat Book VJ 181 page 41, and Parcels F and G are shown on Plat Book VJ 180 page 31. New final plats will be required for these Parcels pursuant to the new PPS when approved.

Plan Comments

1. The subject property is overlaid with the M-I-O Noise Intensity Zone. However, the plans and exhibits submitted with the application neither show this overlay zone, nor address how noise impacts will be addressed. A Phase I noise study was prepared and submitted for the subject property with the application for CDP-0901, to evaluate transportation-related noise impacts to proposed residential areas in the L-A-C Zone along the southeast side of Mattawoman Drive. Since the previously approved commercial use along the northwest side of Mattawoman Drive has been replaced by residential use, the noise impact should be reevaluated for this area. The Phase I noise study for this property shall be updated and submitted with the preliminary plan of subdivision.

2. Pursuant to Section 24-121(a)(4) of the Subdivision Regulations, residential lots adjacent to existing or planned roadways of arterial or higher classification shall be platted with a minimum depth of 150 feet. Mattawoman Drive, a master planned arterial roadway, bisects the subject property. Individual lots nor the 150-foot depth requirement are shown on the CDP, and should be shown on the future PPS. It is recommended that any future lots are provided in accordance with the Subdivision Regulations and appropriate mitigation be provided to protect dwellings from traffic noise and nuisance, which will be further evaluated at the time of preliminary plan of subdivision.

Recommended Conditions

1. Prior to certificate approval of the CDP, the following revisions shall be made to the plan:
 - a. Revise the plans to show, label, and address the M-I-O Noise Intensity Zone.
2. The Phase I noise study for this property shall be updated and submitted with the preliminary plan of subdivision.

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. The proposed amendment to CDP-0901 will require a new preliminary plan of subdivision. All bearings and distances must be clearly shown on the CDP and must be consistent with the record plats or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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Countywide Planning Division
 Transportation Planning Section


301-952-3680

December 9, 2020

MEMORANDUM

TO: Adam Bossi, Urban Design Section, Development Review Division

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division 

FROM: Noelle Smith, Transportation Planning Section, Countywide Planning Division 

SUBJECT: Comprehensive Design Plan Review for Pedestrian and Bicyclist Transportation Master Plan Compliance

The following comprehensive design plan (CDP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation (MPOT)* and the *2013 Approved Subregion 5 Master Plan* to provide the appropriate pedestrian and bicycle transportation recommendations.

Comprehensive Design Plan Number: CDP-0901-01

Development Case Name: Villages at Timothy Branch

Type of Master Plan Bikeway or Trail

Municipal R.O.W.	<input type="checkbox"/>	Public Use Trail Easement	<input type="checkbox"/>
PG Co. R.O.W.	<input type="checkbox"/>	Nature Trails	<input type="checkbox"/>
SHA R.O.W.	<input type="checkbox"/>	M-NCPPC – Parks	<input type="checkbox"/>
HOA	<input type="checkbox"/>	Bicycle Parking	<input type="checkbox"/>
Sidewalks	<input type="checkbox"/>	Trail Access	<input type="checkbox"/>
Additional Signage	<input type="checkbox"/>	Bicycle Signage	<input type="checkbox"/>

Development Case Background	
Building Square Footage (non-residential)	n/a
Number of Units (residential)	n/a
Abutting Roadways	Brandywine Road, A-63
Abutting or Nearby Master Plan Roadways	Brandywine Road, A-63
Abutting or Nearby Master Plan Trails	Bike lane along Brandywine Rd (planned), Side Path along A-63 (planned), Timothy Branch Trail (planned)
Proposed Use(s)	Mixed Uses
Zoning	R-M, L-A-C

Centers and/or Corridors	n/a
Prior Approvals on Subject Site	A-9987, CDP-0902, 4-09003, SDP-1304, SDP-1701-01, -02, -03, -04
Subject to 24-124.01:	No
Bicycle and Pedestrian Impact Statement Scope Meeting Date	n/a

Development Proposal

The subject application proposes modifications to the land uses and timing of construction. No additional infrastructure is included with this application.

Prior Approvals

The subject site has several prior approvals that include conditions related to pedestrian, bicycle, and transit transportation. However, no modifications are proposed that impact the approved multimodal facilities.

Review of Proposed On-Site Improvements

The approved development includes sidewalk along both sides of all internal roadways, wide sidewalk along planned Mattwoman Drive and bicycle parking provided throughout the site.

Review of Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to residential and industrial areas with no current pedestrian or bicycle connections. The facilities included in this development will create future connections to the surrounding area.

Review of Master Plan of Transportation (MPOT) Compliance

Three master plan trail facilities impact the subject site, including a planned side path along A-63, a planned bicycle lane along Brandywine Road and a portion of the planned Timothy Branch Trail. The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, p. 9-10):

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

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

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Comment: The planned development includes multimodal facilities that fulfill the intent of the recommendations and the policies above. No modifications are proposed that impact the approved multimodal facilities.

Review of Area Master Plan Compliance

The 2013 *Approved Subregion 5 Master Plan* recommends a dual route along Brandywine Road. The area master plan also includes the following policies related to pedestrian and bicycle transportation.

1. Promote pedestrian and bicycle opportunities as part of a multi-modal transportation network.
2. Promote and encourage cycling and walking for commuting purposes as an alternative to driving a car.

Comment: The planned development includes multimodal facilities that fulfill the intent of the policies above. No modifications are proposed that impact the approved multimodal facilities.

Recommended Conditions of Approval:

The subject application does not alter or modify the recommended and previously approved pedestrian and bicycle facilities. There are no additional recommendations at this time.

Additional Back-up

For

CDP-0901-01

The Villages Of Timothy Branch

**Timothy Branch
(f/k/a The Villages at Timothy Branch)
CDP-0901-01**

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

* * * * *

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

* * * * *

[TSR at p. 14-15]

This CDP amendment significantly modifies the scope of the proposed development that was previously approved, including removing all commercial and retail uses, expansion of the mixed retirement development use, and update of the residential architecture design parameters, and associated private, on-site recreational facilities package. Staff finds the updated development program and private on-site recreation facilities package to be acceptable. The amended Architecture Design Parameters are provided for in the amended CDP Text that is also being approved with this CDP amendment. The updated recreation facilities package and phasing proposed with the CDP amendment is as follows:

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

* * * * *

[TSR at p. 21-22]

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

RESIDENTIAL USES – L-A-C Zone ¹		
MIXED RETIREMENT DEVELOPMENT		
	One Family Detached	Single Family Semidetached ^{3,4}
Minimum Net Lot Area	5,200 sq. ft.	3, 000 sq. ft.
Minimum Frontage at Street R.O.W.	40 feet	30 feet
Minimum Frontage at Front B.R.L.	50 feet	30 feet
Minimum Frontage- Corner Lot	60 feet	30 feet
Maximum Lot Coverage (percent)	60 percent	60 75 percent
Minimum Building Setback from Mattawoman Drive ⁵	50 feet	50 feet
Minimum Front Setback ²	20 feet	20 feet
Minimum Side Setback ²	5 feet	5 feet
Minimum Distance Between Buildings	10 feet	10 feet
Minimum Rear Setback ²	20 feet	20 feet
Minimum Side Setback to Street ²	15 feet	5 feet
Maximum Residential Building Height ⁶	40 feet	45 feet
Maximum Percentage of Total Units	N/A	N/A
Minimum Frontage on Cul-de-sac	30 feet	N/A

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

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

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

⁴ Fences in the front yard shall not be more than 3 feet high.

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

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

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

* * * * *

[TSR at p. 23-24]

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

* * * * *

b. **Transportation Planning**—In a memorandum dated December 16, 2020 (Hancock to Bossi), the Transportation Planning Section noted the peak trip generation estimates for the mixed retirement development are less intensive and will result in less traffic generation than the previously approved mixed-use development. An updated traffic study will be required for review with a new PPS for the L-A-C-zoned portion of Timothy Branch. Mattawoman Drive (A-63) is a master plan arterial facility with a minimum right-of-way of 120-feet. Right-of-way along this facility has been previously dedicated along the frontage of the site. No further dedication is required.

[Section 27-521\(a\)\(7\) requires the Planning Board find the staging of development will not be an unreasonable burden on available public facilities. Pursuant to CR-9-2017, the subject property is located within Planning Area 85A and has identified impacts in the Brandywine area making it eligible for the Brandywine Road Club. However, the formula for calculating fees set forth in CR-9-2017 do not apply to a project with a valid transportation adequacy test in a preliminary plan of subdivision approved prior to March 28, 2017.](#)

[The subject property has an approved preliminary plan of subdivision dated October 28, 2010. If this application is approved, the applicant intends to bring forward a new preliminary plan of subdivision for the subject property at which time a new traffic study will be required and the Planning Board will make findings of transportation adequacy as required under the Subdivision Regulations. Given the subject property’s eligibility for the Brandywine Road Club and the proposal to bring forward a new preliminary plan of subdivision, Staff recommends the staging of development will not be an unreasonable burden on available public facilities.](#)

* * * * *

RECOMMENDATION

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

- 1. Prior to certificate approval of this comprehensive design plan (CDP), the applicant shall revise the CDP, as follows:

* * * * *

- e. Include the following phasing for the on-site private recreational facilities within the CDP text and on the plan:

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

* * * * *

5. Prior to the approval of a specific design plan (SDP), the following shall be provided:

* * * * *

c. No rear elevations of residential buildings shall be oriented toward Mattawoman Drive. Any side elevations of residential buildings oriented toward Mattawoman

Drive, and determined to be highly visible By the Planning Director or its designee, shall be designed ~~with the same attention to detail as the front elevation~~ to include at least 3 architectural elements.

* * * * *

- f. A site development plan for stormwater management (SWM) that details how the new SWM requirements will be met, regarding the provision of environmental site design techniques, to the fullest extent practicable, unless other SWM design approvals and/or waivers are granted by the Prince George’s County Department of ~~Public Works and Transportation~~ Permitting, Inspections and Enforcement.

* * * * *

~~h. — A variance for the removal of Specimen Tree No. 3 shall be applied for and approved with the appropriate SDP application and associated Type 2 tree conservation plan.~~

* * * * *

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

RESIDENTIAL USES – L-A-C Zone ¹		
MIXED RETIREMENT DEVELOPMENT		
	One Family Detached	Single Family Semidetached ^{3,4}
Minimum Net Lot Area	5,200 sq. ft.	3, 000 sq. ft.
Minimum Frontage at Street R.O.W.	40 feet	30 feet
Minimum Frontage at Front B.R.L.	50 feet	30 feet
Minimum Frontage-Corner Lot	60 feet	30 feet

Maximum Lot Coverage (percent)	60 percent	60 75 percent
Minimum Building Setback from Mattawoman Drive ⁵	50 feet	50 feet
Minimum Front Setback ²	20 feet	20 feet
Minimum Side Setback ²	5 feet	5 feet
Minimum Distance Between Buildings	10 feet	10 feet
Minimum Rear Setback ²	20 feet	20 feet
Minimum Side Setback to Street ²	15 feet	5 feet
Maximum Residential Building Height ⁶	40 feet	45 feet
Maximum Percentage of Total Units	N/A	N/A
Minimum Frontage on Cul-de-sac	30 feet	N/A

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

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

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

⁴ Fences in the front yard shall not be more than 3 feet high.

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

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

* * * * *

18. At the time of specific design plan, the plans shall identify the location of median refuge islands along Mattawoman Drive, ~~per~~ consistent with Prince George's County Department of Public Works and Transportation standards, unless modified by the Department of Permitting, Inspections and Enforcement with written correspondence ~~standards and with American Association of State Highway and Transportation Officials guidance.~~

19. Provide [a minimum](#) 4-foot-wide sidewalks along both sides of all internal residential roads (excluding alleys), [unless modified at the time of SDP](#).

* * * * *

22. Provide a master plan hiker/biker/equestrian trail (the Timothy Branch trail), along the subject site's entire segment of ~~the Timothy Branch stream valley~~ [Mattawoman Drive](#), unless the Prince George's County District Council amends the basic plan condition requiring the same.

* * * * *

24. Provide details of the way finding and trail signage, in accordance with American Association of State Highway and Transportation Officials guidance, at the time of specific design plan review, including the location of signage. This signage can be tailored to the development and provide way finding to nearby commercial areas or destinations. At a minimum, way finding signage should indicate the direction of the Southern Area Aquatics and Recreation Complex to the north of the subject site and the Rose Creek Connector trail to the south of the site. [The location of any signage within a public right-of-way shall be subject to the Department of Permitting, Inspections and Enforcement](#).

25. Show bicycle parking spaces on the specific design plan at the recreational facilities. These spaces should be located near the front entrances to the [community](#) buildings and have access to bikeway and trail facilities.

* * * * *

28. At the time of preliminary plan of subdivision submittal, an updated Phase I noise study shall be included, ~~and the plan shall reflect the following rights of way:~~

~~a. — A 120-foot right of way along A-63, Mattawoman Drive, from north to south through the subject property.~~

~~b. — A right of way of 40 feet from centerline along C-613, MD 381, along the site's entire frontage.~~

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

~~participation is deemed necessary by the Prince George's County Planning Board. For development on the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be payment of the following:~~

~~For commercial buildings, a fee calculated as $\$1.41 \times$ (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 $\$1,187 \times$ (Engineering News-Record Highway Construction Cost Index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).~~

~~For each multifamily unit, a fee calculated as $\$886 \times$ (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 the Maryland-National Capital Park and Planning Commission that the required payment has been made.~~

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

- ~~a. — Widen US 301/MD 5 from a 4-lane road to a 6-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at Timothy Branch). Construction shall be in accordance with presently approved Maryland State Highway Administration plans.~~
- ~~b. — Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by the Prince George's County Department of Public Works and Transportation.~~
- ~~c. — Make minor widening/stripping improvements to the US 301/MD 5 interchange ramps.~~
- ~~d. — Widen US 301 from a 4-lane road to a 6-lane road beginning at the Timothy Branch interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.~~

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

- d. The extension of Mattawoman Drive, south of the subject property to connect to Matapeake Business Drive.

* * * * *

KEY:

Underline indicates language added to findings/conditions;

~~Strikethrough~~ indicates language deleted from findings/conditions;

Asterisks *** indicate intervening existing findings/conditions that remain unchanged.

[Brackets] indicate page references from TSR





Timothy Branch







BRANDYWINE-NORTH KEYS CIVIC ASSOCIATION, INC.

Post Office Box 321
Brandywine, Maryland 20613

Earl Mitchell, President
Alexander Faison, Vice President
Diane Johnson, Secretary
Jean E. Mitchell, Treasurer

June 7, 2020

The Honorable Elizabeth Hewlett, Chairwoman
The Maryland National Capital Park & Planning Commission
Development Review Division
14741 Governor Oden Bowie Drive
County Administration Building, 4th Floor
Upper Marlboro, Maryland 20772

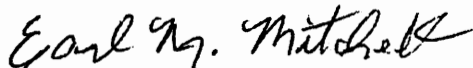
RE: A-9988-01

Dear Chairwoman Hewlett:

This correspondence is to reaffirm that the Brandywine North Keys Civic Association continues to support the Timothy Branch development, including Modification of the Basic Plan, CDP/Preliminary Plan to replace the planned commercial areas with a planned Active Adult Community, A-9988. In a previous monthly meeting of the Brandywine North Keys Civic Association, Mr. Gardiner presented his proposed plan to develop an Active Adult Community to replace the initial planned commercial area. Mr. Gardiner discussed his reasoning for the proposed change and asked for comments from members of the Brandywine North Keys Civic Association. Mr. Gardiner has consistently maintained communications with the Association on the status of the project and on proposed planned changes to the basic development plan for Timothy Branch. He constantly assures the Association that he is fully committed to constructing the alternate Spine Road connecting the community to the Brandywine Crossing Center as desired by citizens of the community.

Therefore, the Brandywine North Keys Civic Association is requesting that the records of the Maryland National Capital Park and Planning Commission reflect the Association's continuing support of Timothy Branch development as it relates to Active Adult Community, A-9988-01 application.

Respectively,


Mr. Earl M. Mitchell, President
Brandywine North Keys Civic Association