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Detailed Site Plan Type 2 Tree Conservation Plan Swann Crossing

DSP-23019
TCP2-036-2024

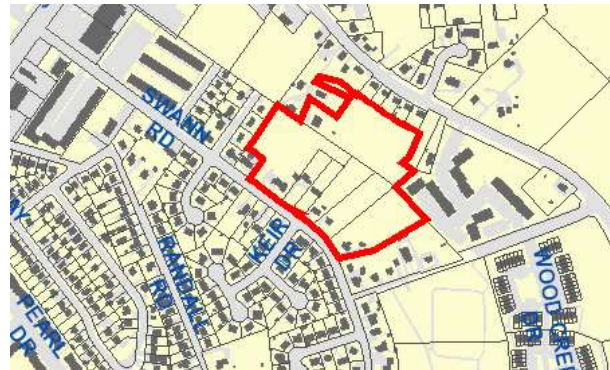
REQUEST	STAFF RECOMMENDATION
<p>This case was continued from the Planning Board hearing date of October 31, 2024 to November 21, 2024</p> <p>Development of 57 single-family detached dwelling units.</p>	<p>With the conditions recommended herein:</p> <ul style="list-style-type: none">• APPROVAL of Detailed Site Plan DSP-23019• APPROVAL of Type 2 Tree Conservation Plan TCP2-036-2024• APPROVAL of variance from Section 25-122(b)(1)(G)

Location: On the north side of Swann Road, approximately 1,400 feet east of its intersection with Silver Hill Road.

Gross Acreage:	12.74
Zone:	RSF-65
Prior Zone:	R-55/D-D-O
Reviewed per prior Zoning Ordinance:	Section 27-1903(b)
Dwelling Units:	57
Gross Floor Area:	N/A
Planning Area:	75A
Council District:	07
Municipality:	None

Applicant/Address:
Swann Road Investors, LLC
4800 Hampden Lane, Suite 200
Bethesda, MD 20814

Staff Reviewer: Todd Price
Phone Number: 301-952-3994
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Planning Board Date:	11/21/2024
Planning Board Action Limit:	12/25/2024
Staff Report Date:	11/07/2024
Date Accepted:	08/02/2024
Informational Mailing:	08/30/2023
Acceptance Mailing:	07/18/2024
Sign Posting Deadline:	10/01/2024

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

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-23019
Type 2 Tree Conservation Plan TCP2-036-2024
Swann Crossing

The Urban Design Section has reviewed the detailed site plan for the subject property and recommends APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

EVALUATION CRITERIA

The subject property is in the Residential, Single-Family-65 (RSF-65) Zone. It was previously located within the One-Family Detached Residential (R-55) and Development District Overlay (D-D-O) Zones. Pursuant to Section 27-1900 *et seq.* of the Prince George's County Zoning Ordinance, certain proposals or permit applications may utilize the prior Prince George's County Zoning Ordinance for development. The applicant has elected to have this application reviewed under the requirements of the prior Zoning Ordinance. Accordingly, staff have reviewed the subject application under the property's former R-55 and D-D-O zoning, and the standards and procedures of the prior Zoning Ordinance. This application was reviewed and evaluated under the following:

- a. The requirements of the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment*.
- b. The requirements of the prior Prince George's County Zoning Ordinance for the One-Family Detached Residential (R-55) and Development District Overlay (D-D-O) Zones;
- c. The requirements of Preliminary Plan of Subdivision (PPS) 4-22048 and Certificate of Adequacy ADQ-2022-038;
- d. The requirements of the 2010 *Prince George's County Landscape Manual*;
- e. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- f. The requirements of the Prince George's County Tree Canopy Coverage Ordinance;
- g. Referral comments; and
- h. Community feedback.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommend the following findings:

1. **Request:** The development of 57 single-family detached dwellings.
2. **Development Data Summary:**

	EXISTING	EVALUATED
Zone(s)	RSF-65	R-55/D-D-O
Use(s)	Residential/Vacant	Residential
Gross Tract Acreage	12.74	12.74
Lots	7	57
Parcels	0	6
Dwelling Units	1	57

Other Development Data

Parking Requirements

Section 27-568(a) of the Prince George's County Zoning Ordinance requires that a minimum of two parking spaces be provided for one-family detached dwellings. The proposed development includes two-car attached garages for each dwelling unit satisfying the requirement.

Bicycle Spaces

Three bike racks are shown at the recreation area. However, these racks are not labeled, and no detail is provided. A condition is recommended to label the bike racks and provide a detail for inverted-U shaped racks.

3. **Location:** The subject property is located on the north side of Swann Road, approximately 1,400 feet east of its intersection with Silver Hill Road. The site consists of 12.74 acres and is located on Tax Map 80 in Grids E4 and F4, and Tax Map 88 in Grid F1. The property is comprised of the following lots recorded by deed in the Prince George's County Land Records: Lot 15 and Part 1 of Lot 16, recorded in Book 40920 at page 517; Part of Lot 16, recorded in Book 42069 at page 163; Part of Lot 16, recorded in Book 21862 at page 465; Part of Lot 19, recorded in Book 25779 at page 623; Lot 67 and Part of Lot 68, recorded in Book 35168 at page 68; and, Lot 69, recorded in Book 23861 at page 551, respectively. The subject property is in Planning Area 75A and Council District 7. The site is also located in the Development District Overlay (D-D-O) Zone of the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* (sector plan).
4. **Surrounding Uses:** The properties abutting the subject site to the north consist of single-family detached dwellings within the Residential, Single-Family-65 (RSF-65) and Legacy Mixed-Use Town Center (LMUTC) Zones. To the east are single-family detached dwellings in the RSF-65 Zone and multifamily dwelling units in the Residential,

Multifamily-20 (RMF-20) Zone. The properties to the south, beyond Swann Road, and to the west consist of single-family detached dwellings within the RSF-65 Zone.

5. **Previous Approvals:** Preliminary Plan of Subdivision (PPS) 4-22048 was approved by the Prince George's County Planning Board on September 7, 2023 (PGCPB Resolution No. 2023-90), for 57 lots and 6 parcels for the development of 57 single-family detached dwelling units.

Certificate of Adequacy, ADQ-2022-038, was approved by the Prince George's County Planning Director on July 5, 2023. This ADQ is valid for 12 years from the date of approval, subject to the expiration provisions of Section 24-4503(c) of the Subdivision Regulations.

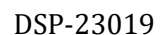
6. **Design Features:** This application seeks to construct 56 new single-family detached homes on 57 lots. An existing single-family detached home will remain on Lot 57. The development will have one access road, proposed as Keir Drive, from Swann Road, that will bisect the development. Off of Keir Drive to the west, a single proposed road named Cygnus Terrace ends in a cul-de-sac. At the end of Keir Drive, another proposed road (Swanns Nest Court) heads east, and also ends in a cul-de-sac. A recreation area will be located along Swanns Nest Court. Sidewalks are provided along all street frontages, and crosswalks are shown to facilitate safe pedestrian circulation throughout the development.

The northern portion of the property which contains woodlands, steep slopes, and a stream will remain undeveloped.



Figure 1: Site Plan

The Marigold will offer various elevations. Homebuyers can choose horizontal siding veneer on the first floor, with vertical board and batten veneer on the second floor, and a gable roof façade, a covered porch, shuttered windows, and a double-wide garage door. The other options include replacing the vertical veneer on the second floor and gable roof façade with shake siding veneer, non-shuttered windows, and a gable pediment.



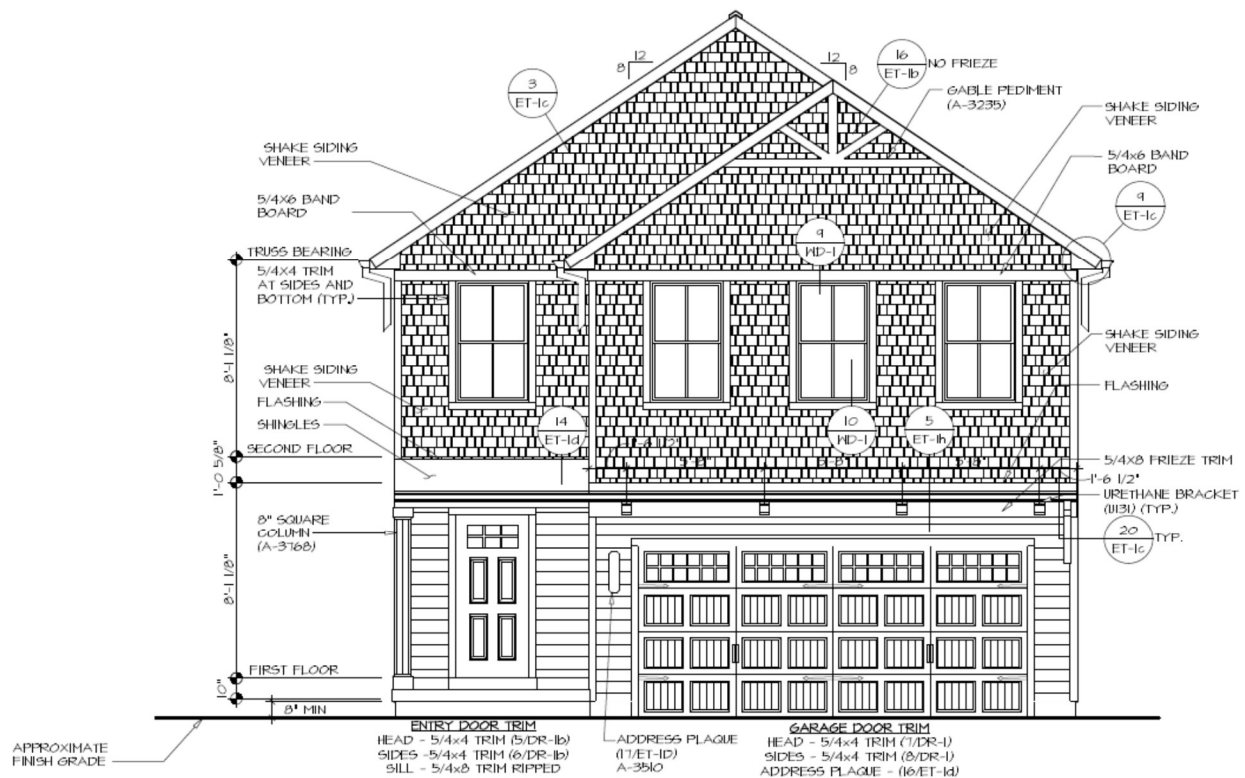


Figure 2: Marigold Model Examples

The Iris will offer various elevations. Homebuyers can choose from horizontal siding veneer on the first and second floors with vertical board and batten veneer on the gable roof façade, a gable pediment, a gable covered porch, non-shuttered windows, and a double-wide garage door. The other options will replace the gable roof façade with shake siding veneer and no gable pediment, shuttered windows, and a traditional covered porch.

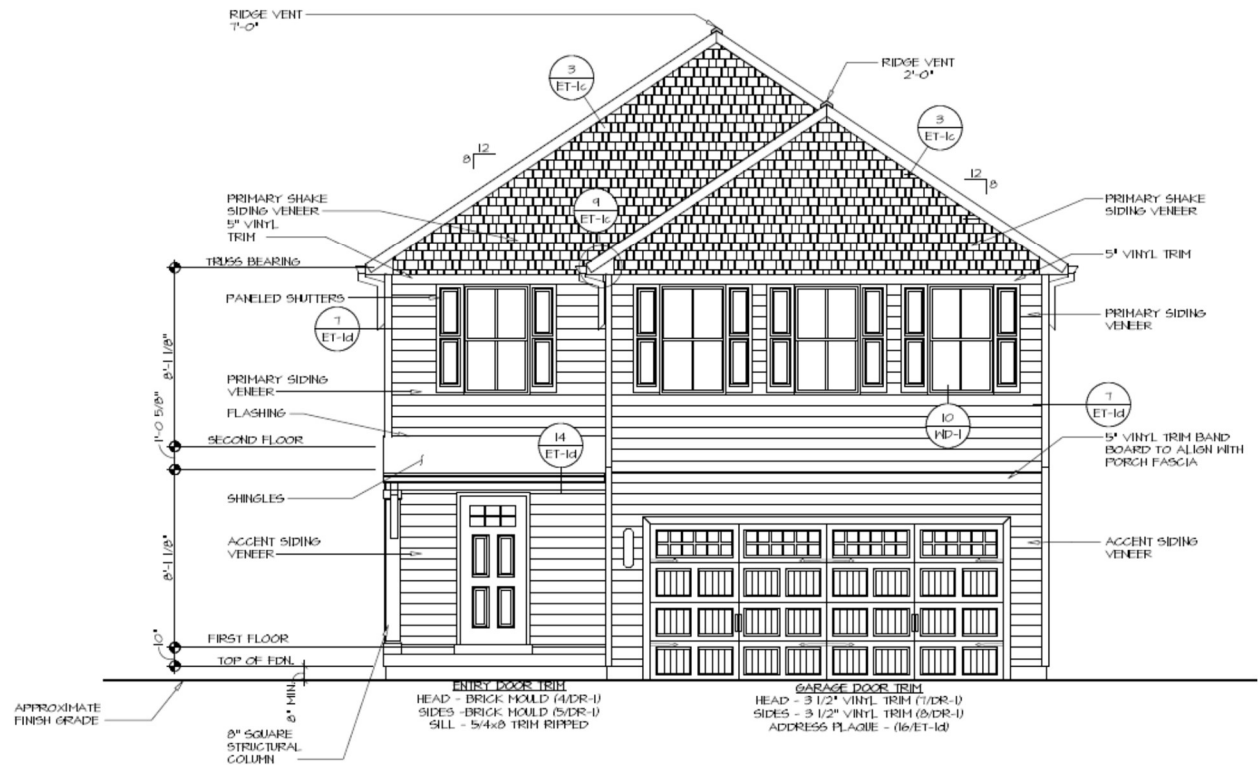
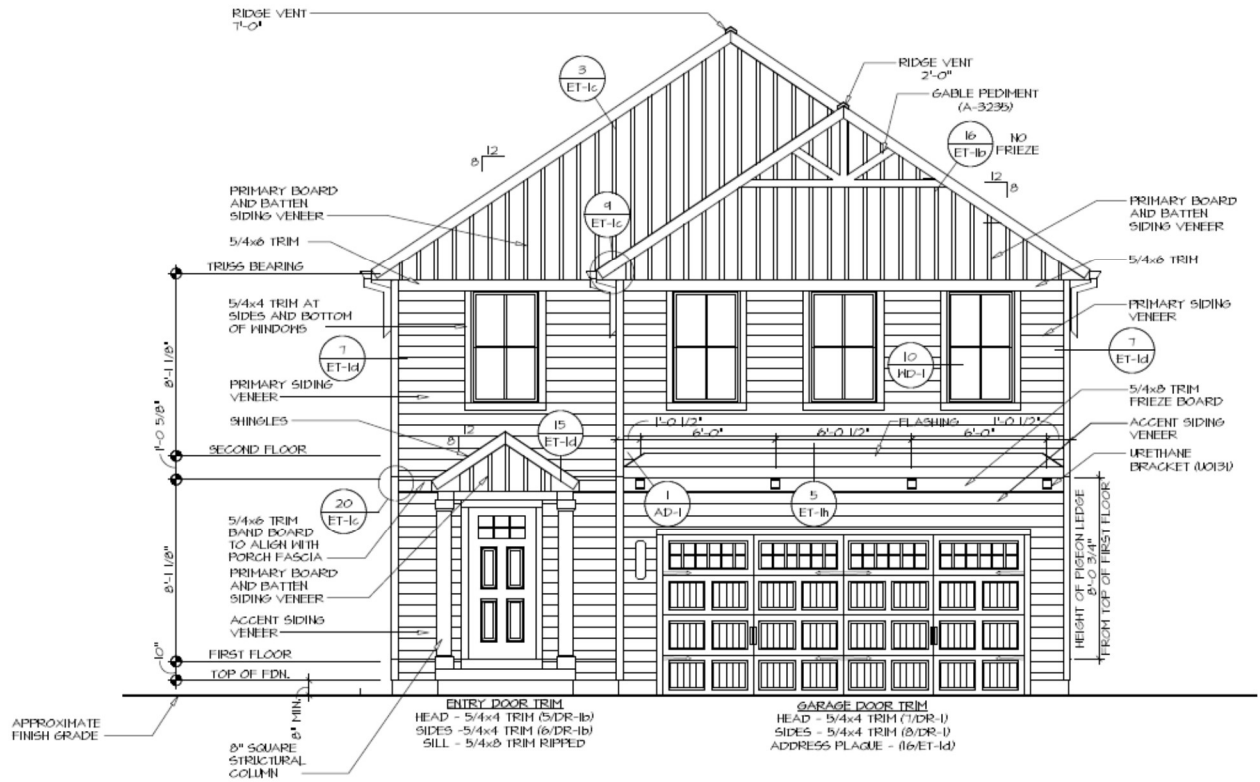
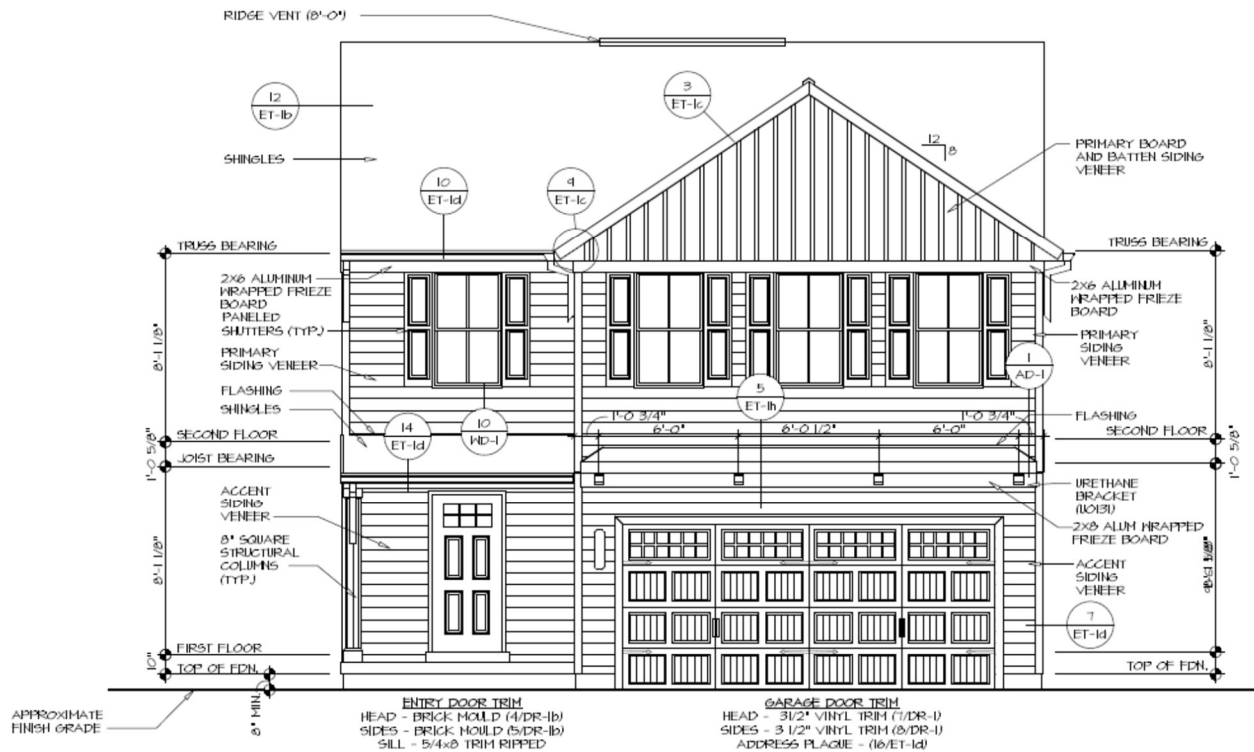


Figure 3: Iris Model Examples

The Lily will offer various elevations. Homebuyers can choose horizontal siding veneer on the first and second floors, with vertical board and batten siding on the gable roof façade, a covered porch, shuttered windows, and a double-wide garage door. The other options will replace the gable roof façade with shake siding veneer with a gable pediment, non-shuttered windows, and a gable covered porch.



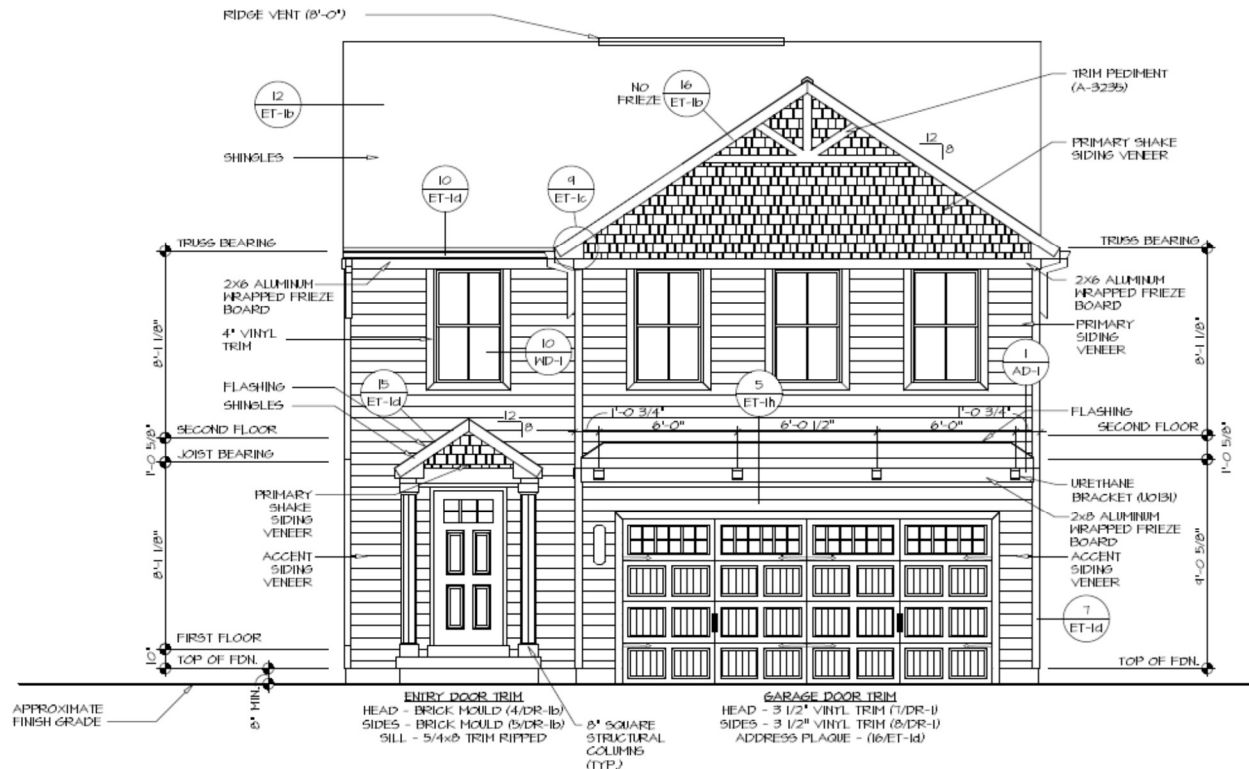


Figure 4: Lily Model Examples

Recreational Facilities: The plans contain a recreational area that is surrounded by a 6-foot-high wooden fence. The play area contains Earthscape brand play equipment, which includes: the Songbird, a 6-foot-high playground centerpiece; the Magnacus problem solving equipment; the Leaf wobble board; and the Bog Stilt maneuver play piece. The recreation area also contains three log bench seats, a small lawn area, and three bicycle racks. A condition has been recommended herein to add at least one more inclusive play product to the recreation area. The plans also show one pair of benches and one trash receptacle along Cygnus Terrace. However no other benches or trash receptacles are shown anywhere else in the development. A condition has been recommended to provide at least one bench and one trash receptacle along Swanns Nest Court. The plans also contain a dog waste station detail, but no location is shown on the plans. A condition has been recommended to provide at least two stations throughout the development.

Signage: Two entrance, monument signs, are shown on the plans. The 5-foot-high by 2-foot, 6-inch square entrance features will have stone veneer and a precast concrete cap, with an 18-inch-wide by 16-inch-high sign plate. A condition has been recommended to dimension the distance of the monument signs from the right-of-way (ROW).

Lighting: Streetlights will be provided within the public ROWs and will be in accordance with standard regulations for public ROWs, as required by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) per county standards.

Loading and Trash Facilities: Trash receptacles will be provided within the development, as previously discussed. No loading spaces are proposed with this development.

COMPLIANCE WITH EVALUATION CRITERIA

7. 2014 Approved Southern Green Line Station Area Sector Plan and Sectional Map

Amendment: The subject site is located within the D-D-O Zone of this sector plan. Detailed site plan (DSP) review is required for all projects proposed within the D-D-O Zone. However, the applicability of the D-D-O Zone development standards is limited to areas within proximity to metro stations. The subject site is located near, but outside of, the Suitland Metro Station area for which specific development standards would apply. Therefore, no D-D-O Zone development standards are applicable to this DSP.

8. Prince George's County Prior Zoning Ordinance: The DSP application has been reviewed for compliance with the requirements of the One-Family Detached Residential (R-55) and D-D-O Zones.

- a. In accordance with Section 27-441(b) of the Zoning Ordinance, the Table of Uses for Residential Zones, the proposed single-family detached residential development (in general) is a permitted use in the R-55 Zone.
- b. The DSP conforms with Section 27-442 of the Zoning Ordinance, Regulations for Development in Residential Zones, for the R-55 Zone, as follows:

	Required*	Evaluated
(b) Net Lot Area (minimum in sq. ft.)	4,000 sq. ft.	4,000 sq. ft.
(c) Lot Coverage (maximum percent of net lot area)	50 percent	50 percent
(d) Lot/Width Frontage (minimum in feet)		
At front building line	40 ft.	40 ft.
At front street line	25 ft.	25 ft.
(e) Yards (minimum depth/width in feet)		
Front	20 ft.	20 ft.
Side (total of both yards/minimum of either yard)	9 ft. / 4 ft.	9 ft. / 4 ft.
Rear	20 ft.	20 ft.
(f) Building height (maximum in ft.)	35 ft.	35 ft.

***Note:** Requirement based on lots located within the Southern Green Line Station D-D-O Zone, in accordance with Section 27-442 of the prior Zoning Ordinance.

- c. Section 27-548.25(b) of the prior Zoning Ordinance requires that the Planning Board find that the site plan meets the applicable D-D-O standards to approve a DSP. As discussed in Finding 7, there are no specific D-D-O standards that apply to this DSP.
- d. Per Section 27-283(a) of the prior Zoning Ordinance, a DSP shall be designed in accordance with the design guidelines in Section 27-274. The applicable design guidelines are described as follows:

Section 27-274(a)(2)

(2) Parking, loading, and circulation.

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site...**

This is not applicable to this DSP because it does not include a surface parking lot.

- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians...**

This is not applicable to this DSP because it does not include loading areas.

- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers...**

Vehicular and pedestrian circulation will be safe, efficient, and convenient for both pedestrians and drivers.

(3) Lighting.

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character...**

Any street lighting within the ROWs will be in accordance with standard regulations for public ROWs as required by DPIE.

(4) Views.

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

The northern portion of the development consists of woodlands, steep slopes, and a stream that will remain undisturbed except for

necessary impacts. The woodlands will be viewable from the proposed roads and by the majority of the lots, in order to emphasize the scenic views.

(5) Green Area.

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use...**

This DSP includes green spaces throughout the development, which are also used in stormwater management (SWM) or active recreation space. The northern portion of the development includes preserved environmental area to allow for additional green area.

(6) Site and streetscape amenities.

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site...**

Internal sidewalks are provided for pedestrian circulation around the proposed development and outdoor recreation area. A centralized mailbox is located on the north side of Cygnus Terrace, near its intersection with Keir Drive. Benches and a single trash receptacle will be provided for the convenience of the residents, which serves the secondary function of an impromptu meeting space. These improvements will be compatible with the architecture of the proposed homes.

(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts...**

Grading on-site has been designed to not disturb the existing regulated environmental features (REF) as much as possible.

(8) Service Areas.

- (A) Service areas should be accessible, but unobtrusive.**

No service areas are proposed with this DSP.

(9) Public Spaces.

- (A) **A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.**

This application does not propose a large-scale commercial, mixed-use, or multifamily development. However, community spaces are provided as previously discussed.

(10) Architecture.

- (A) **When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.**
- (B) **The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**
- (C) **These guidelines may be modified in accordance with Section 27-277.**

A detailed discussion regarding architecture has been addressed in Finding 6 above.

(11) Townhouses and Three-Story Dwellings.

This requirement is not applicable to this DSP because no townhouse or three-story units are included.

- 9. **Preliminary Plan of Subdivision 4-22048:** PPS 4-22048 was approved by the Planning Board on September 7, 2023 (PGCPB Resolution No. 2023-90), subject to 17 conditions. The conditions relevant to the review of this DSP are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one, in plain text:

- 2. **Development of the site shall be in conformance with Stormwater Management Concept Plan 40416-2022-0, and any subsequent revisions.**

With the subject application, the applicant submitted copies of the approved SWM Concept Plan 40416-2022-0 and its associated approval letter, which covers the area subject to 4-22048. The approval was issued by DPIE on May 17, 2024, and expires on May 17, 2027. The proposed development is in conformance with the approved SWM Concept Plan.

- 3. **Prior to approval, the final plat of subdivision shall include:**

- a. **Right-of-way dedication of a minimum of 30 feet from the centerline of Swann Road, and dedication of the new proposed public rights-of-way**

within the subdivision, in accordance with the approved preliminary plan of subdivision.

The site data tabulation on the cover sheet of the DSP reflects 0.02 acre of public ROW dedication along Swann Road and 2.18 acres of new public ROWs within the subdivision, in conformance with the approved PPS. However, the area of dedication and the new property line following the road dedication is not shown on the site plan. The new property line should be clearly shown with the bearings and distances. Also, the existing and proposed ROW width for Swann Road should be labeled. The ROW widths of the new public roads (Cygnus Terrace, Keir Drive, and Swann Nest Court) and the curve data for all culs-de-sac and roundabouts should also be labeled. Conditions have been added herein to address these issues.

b. Dedication of 10-foot-wide public utility easements, along both sides of all proposed rights-of-way, as delineated on the approved preliminary plan of subdivision.

The submitted DSP shows public utility easements (PUEs) along all existing and proposed public ROWs, consistent with the approved PPS.

4. In accordance with Section 24-135(b) of the prior Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate on-site recreational facilities.

The DSP proposes private on-site recreational facilities, which include a playground lot, benches, a concrete path, landscaping, and a lawn area.

6. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the *Park and Recreation Facilities Guidelines*, with the review of the detailed site plan (DSP). Timing for construction shall also be determined, at the time of DSP review.

The DSP proposes private on-site recreational facilities, which include a playground, benches, a concrete path, landscaping, and a lawn area. The applicant submitted a landscape and recreation plan which provides details for these facilities. Sheet 1 of the DSP includes a table providing the values for these facilities, and timing for their construction. The timing for construction of the recreational facilities is proposed prior to the 30th occupancy permit. However, the timing should be revised to be prior to approval of the 30th building permit.

8. Prior to approval of the detailed site plan, and prior to their demolition, the house and outbuildings at 3328 Swann Road shall be thoroughly documented on a Maryland Inventory of Historic Properties form by a 36CFR61-certified consultant. The form shall be submitted, in draft, to Historic Preservation staff for review and approval, and the final form shall be submitted to the Maryland Historical Trust.

The applicant submitted the Maryland Inventory of Historic Properties form to the Historic Preservation staff for review and approval; therefore, this condition has been met.

10. **Certificate of Adequacy ADQ-2022-038:** ADQ-2022-038 was approved by the Planning Director on July 5, 2023, subject to one condition that is relevant to the review of this DSP. The condition is listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows, in plain text:

1. **Total development within the proposed Preliminary Plan of Subdivision shall be limited to uses which generate no more than 43 AM peak-hour trips and 51 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities.**

The trip-cap established under ADQ-2023-038 was approved for 57 single-family dwelling units. Staff find that the subject DSP is within the trip-cap established with ADQ-2022-038.

11. **2010 Prince George's County Landscape Manual:** The proposed development is subject to the requirements of Sections 4.1, 4.7, and 4.9 of the Landscape Manual. The submitted plans are in conformance with the requirements of Sections 4.1, 4.7, and 4.9, with the exception of technical revisions that are needed and have been conditioned herein.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the application is for a new DSP and has a PPS which was accepted for review prior to July 1, 2024. Type 2 Tree Conservation Plan TCP2-036-2024 was submitted with the subject application and requires minor revisions to be found in conformance with the WCO.

The woodland conservation threshold (WCT) for this 12.74-acre property is 20 percent of the net tract area, or 2.45 acres. The total woodland conservation requirement, based on the amount of clearing proposed, is 3.88 acres. The woodland conservation requirement is proposed to be satisfied with 1.51 acres of on-site woodland preservation, 0.42 acre of landscape credits, 0.03 acre of reforestation, and 1.92 acres of off-site credit. The landscape credits are proposed around stormwater embankments as well as on the corners of the site. Landscape Area 1, located on the eastern corner of the site, is not connected or adjacent to any woodland areas, which results in fragmentation of this proposed woodlands.

Technical revisions to the TCP2 are required and included in the Recommendation section of this staff report.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Prince George's County Council Bill CB-21-2024 for the Tree Canopy Coverage Ordinance became effective July 1, 2024. Subsequently, Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requiring a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 2,500 square feet of disturbance. Properties that are zoned RSF-65 are required to provide a minimum of 20 percent of the net tract area in TCC. The net tract area of the subject site is 12.27 acres, and the required TCC is

approximately 2.45 acres or 106,896.2 square feet. The schedule provided on the plans shows a TCC requirement of 15 percent and is based on gross tract area. However, the total TCC provided is 116,906 square feet or 2.68 acres, thus meeting the requirements imposed with CB-21-2024. A condition is included herein to revise the TCC schedule to accurately demonstrate compliance.

- 14. Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and incorporated herein by reference:
- a. **Historic Preservation and Archeological Review**—In a memorandum dated October 3, 2024 (Stabler, Smith and Chisholm to Price), the Historic Preservation Section noted the subject property does not contain, and is not adjacent to, any designated Prince George’s County historic sites or resources. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is high. An 1878 Hopkins Atlas map indicates the location of at least one structure identified as belonging to S.T. Suit. Tax records suggest that 3328 Swann Road was constructed circa 1900, and 3324 Swann Road in 1948. A Phase I archeology survey was completed in January 2023, and no further work was recommended. Based on the information contained in the Phase I archeology survey, the house and outbuildings at 3328 Swann Road should be photographed and recorded on a Maryland Inventory of Historic Properties form. The Maryland Inventory of Historic Properties form was submitted with this application.
 - b. **Community Planning**—In a memorandum dated September 24, 2024 (Sams to Price), the Community Planning Division provided an analysis of the subject DSP’s conformance with the recommendations of the 2014 *Plan Prince George’s 2035 Approved General Plan* and the sector plan and found the proposed development consistent with the recommended land use. The sector plan makes no policy statements or policy recommendations regarding the subject property because it is located outside the 0.5-mile walk circle from the Suitland Metro Station.
 - c. **Transportation Planning**—In a memorandum dated October 4, 2024 (Ryan to Price), the Transportation Planning Section offered an analysis of the application and found the plan to be acceptable and consistent with the site design guidelines pursuant to the prior Zoning Ordinance and meets the findings for pedestrian and bicycle transportation purposes. Three conditions were proposed and are included in the recommendation section of the staff report.
 - d. **Subdivision**—In a memorandum dated September 30, 2024 (Vatandoost to Price), the Subdivision Section provided an analysis of the subject DSP’s conformance with the prior approvals, as included in Findings 9 and 10 above.
 - e. **Environmental Planning**—In a memorandum dated October 1, 2024 (Kirchhof to Price), the Environmental Planning Section offered an analysis of the proposed development including prior approvals, Natural Resources Inventory (NRI), woodland conservation, specimen trees, SWM, soils, and erosion and sediment control.

Natural Resource Inventory

A signed Natural Resources Inventory (NRI-085-2022) was submitted with the application. The site contains floodplain, streams, and associated buffers that comprise the primary management area (PMA). The NRI indicates the presence of two forest stands, labeled as Stand A and Stand B, with 26 specimen trees identified on-site. Within the submitted specimen tree variance Finding F, the applicant states that manmade debris exists in the PMA. The NRI does not show any debris piles in this area and no additional comments were made regarding debris piles on any other environmental documents. The TCP1 and the PPS show all required information correctly in conformance with the NRI; however, if DPIE finds that the debris piles are significant enough to require removal, then the NRI shall be revised to show the debris piles prior to certification of the TCP1.

Woodland Conservation

This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the application is for a new DSP and has a PPS which was accepted for review prior to July 1, 2024. Type 2 Tree Conservation Plan TCP2-036-2024 was submitted with the subject application and requires minor revisions to be found in conformance with the WCO.

The woodland conservation threshold (WCT) for this 12.74-acre property is 20 percent of the net tract area, or 2.45 acres. The total woodland conservation requirement, based on the amount of clearing proposed, is 3.88 acres. The woodland conservation requirement is proposed to be satisfied with 1.51 acres of on-site woodland preservation, 0.42 acre of landscape credits, 0.03 acre of reforestation, and 1.92 acres of off-site credit. The landscape credits are proposed around stormwater embankments as well as on the corners of the site. Landscape Area 1, located on the eastern corner of the site, is not connected or adjacent to any woodland areas, which results in fragmentation of the proposed woodlands.

Technical revisions to the TCP1 are required and included in the conditions in the Recommendation section of this staff report.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the [Environmental] Technical Manual." The code, however, is not inflexible.

The authorizing legislation of Prince George's County's WCO is the Maryland Forest Conservation Act, which is codified under Title 5, Subtitle 16 of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria in Prince George's County's WCO are set forth in Section 25-119(d). Section 25-119(d)(4) clarifies that variances granted under Subtitle 25 are not considered zoning variances.

The approved NRI-085-2022 identifies a total of 26 specimen trees on-site. A Subtitle 25 variance was submitted for review with PPS 4-22048. The letter of justification (LOJ) requested the removal of six specimen trees identified as Specimen Trees ST-1 through ST-4, ST-7, and ST-19. The condition of trees proposed for removal ranges from poor to good. The request for the removal of specimen trees was for development of the site and associated infrastructure. The Planning Board approved the requested variance for the removal of six specimen trees, ST-1 through ST-4, ST-7, and ST-19 for the construction of residential development.

With DSP-23019 a Subtitle 25 variance was submitted, to request the removal of one additional Specimen Tree, ST-5. The variance also identifies critical root zone impacts to Specimen Trees ST-6, ST-8, ST-9, ST-10, ST-18, and ST-25. These specimen trees shall be included in a specimen tree maintenance plan on the TCP2.

Specimen Tree Variance SOJ Table						
Specimen Tree No.	DBH	Common Name	Location	Rating	Impact	Construction Tolerance
5	32	White Oak	Within proposed landscape area 2	Poor	Sediment Control	Medium-Good

Evaluation

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

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

In relation to other properties in the area, special conditions peculiar to the subject property would not cause an unwarranted hardship if the applicant were required to retain Specimen Tree ST-5. Those special conditions relate to the specimen trees themselves, such as their size, condition, species, and on-site location. Specimen Tree ST-5 is located near the PMA, in the central northwest corner of the site bounded to the north by ST-6 (off-site) and to the south by ST-4 and ST-7 (approved for removal with PPS 4-22048). This location has been selected by the applicant to provide a portion of the stormwater controls for the site, and due to the topography, has been determined to be the best place to provide a sediment control feature by the Prince Georges Soil Conservation District.

The property is 12.74 acres, and the NRI shows approximately 2.04 acres of PMA comprised of streams, floodplain, wetlands, and associated buffers. This area represents approximately 16 percent of the overall site area. The applicant is proposing one impact to the site's PMA, which shall be fully minimized to the extent practicable, and is proposing woodland conservation to further protect the PMA.

The specimen tree proposed for removal is located near the PMA in an area which should be protected; however, due to the necessary grading and the proposed location of stormwater, this tree is requested for removal. The applicant is proposing to provide a landscape area surrounding the stormwater features once they are completed.

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

Enforcement of the requirement that all specimen trees be preserved, along with an appropriate percentage of their critical route zone (CRZ), would not deprive the applicant of rights commonly enjoyed by others in similar areas. All variance applications for the removal of specimen trees are evaluated in accordance with the requirements of Subtitle 25 and the Environmental Technical Manual for site-specific conditions. Specimen trees grow to such a large size because they have been left undisturbed on a site for sufficient time to grow; however, the species, size, construction tolerance, and location on a site are all somewhat unique for each site.

Based on the location and species of the specimen tree proposed for removal, retaining the tree and avoiding disturbance to the CRZ would have a minor impact on the development potential of the property. If similar trees were encountered on other sites, they would be evaluated under the same criteria.

The proposed residential development is a use that aligns with the uses permitted in the R-55 Zones. Specimen Tree ST-5 is located outside of the developable parts of the site near the PMA. Aside from the PMA area proposed to be impacted, the only preservation of existing woodland on-site is within, and in proximity to, the PMA. Of the existing 4.81 acres of net tract area woodland, only 1.51 acres (31 percent) are proposed to be retained. The WCT for this development is calculated as 20 percent, or 2.45 acres. The request for removal is partly due to locating necessary infrastructure at the fringe of the development and within the PMA to maximize the use of the developable area. The location of this specimen tree does not significantly inhibit the developable area; however, utilities have been co-located to reduce additional PMA and specimen tree impacts, and stormwater facilities are located for the safe conveyance of stormwater from the site.

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

Not granting the variance request for Specimen Tree ST-5 would not prevent the project from being developed in a functional and efficient manner; however, based on the proposed SWM facility, the approval of this variance would not be a special privilege that would be denied to other applicants. If other similar developments featured REF and specimen trees in similar conditions and locations, they would be given the same considerations during the review of the required variance application.

This site is noted in the sector plan as being one of the few locations for proposed residential development. The applicant states that smaller, compact lots are preferable at this location given the proximity to Suitland Metro Station. The density and lot type are not specifically mentioned in the sector plan; however, the sector plan does state that conserving and protecting trees, existing woodlands, and regulated environmental features is a priority as provided in Chapter 2 of the sector plan. With this application, the PMA has been mostly preserved, which aligns with the goals of the sector plan.

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

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant. The removal of one specimen tree would be the result of the infrastructure and grading required for the development as proposed by the applicant. The request to remove the tree is solely based on the tree's location on the site, the species, and the poor condition.

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

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

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

Granting this variance request will not violate state water quality standards nor cause measurable degradation in water quality. Requirements regarding SWM will be reviewed and approved by DPIE. Erosion and sediment control requirements are reviewed and approved by the Soil Conservation District. Both SWM and sediment and erosion control requirements are to be met, in conformance with state and local laws, to ensure that the quality of water leaving the site meets the state's standards. State standards are set to ensure that no degradation occurs.

Conclusion

The required findings of Section 25-119(d) have been adequately addressed for the removal of one specimen tree identified as Specimen Tree ST-5. Staff recommend that the Planning Board approve the requested variance for the removal of one specimen tree, ST-5, for the construction of a sediment control feature.

Regulated Environmental Features

This site contains REF that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the prior Subdivision

Regulations. The on-site REF includes streams, stream buffers, 100-year floodplain, and steep slopes. A LOJ for impacts to the PMA was submitted with PPS 4-22048 for one impact. With the acceptance of this DSP application, a statement of justification (SOJ) for revisions to Impact 1 was submitted. A revised LOJ, dated September 20, 2024, was submitted addressing comments presented at SDRC.

Impact 1

With PPS 4-22048, the requested Impact 1 is for 2,857 square feet (0.07 acre) of PMA impacts and 20 linear feet of stream impacts for an outfall, from the proposed submerged gravel wetland. This impact was expanded with DSP-23019 to 4,598 square feet (0.11 acre) of PMA impacts, and 30 linear feet of stream impacts. Impact 1 has expanded as the correct stormwater easement was not shown around the outfall previously. The revised Impact 1 is reflective of the approved stormwater plan and is supported as proposed for the conveyance of stormwater off-site.

Conclusion

This application proposes one impact to the PMA for a total of 4,598 square feet (0.11 acre) and 30 linear feet of stream impacts for a stormwater outfall. Staff support this request for PMA impact, as proposed.

Stormwater Management

An approved SWM Concept Plan 40416-2022-00 was submitted with the initial submission material showing the use of nine micro-bioretenion devices and dry wells, to meet environmental site design (ESD) to the maximum extent practical. In order to further reduce potential PMA impacts, the applicant has agreed to relocate the proposed recreation area from the rear of the site to a more centralized location. This relocation directly impacts a proposed micro-bioretenion facility, identified as MBF-8, on proposed Parcel E. The applicant has proposed to redesign the stormwater facility to a concrete-lined micro-bioretenion facility, which will share Parcel E with the recreation area. The approved revised SWM concept plan shall be submitted prior to signature approval of the TCP2.

Soils

The predominant soils found to occur, according to the United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey, are Beltsville-Urban land complex, Chillum-Urban land complex, Croom-Marr complex, Croom-Marr-Urban complex, and the Croom-Urban land complex. Soils containing Marlboro clays or Christiana complexes do not occur on-site. This information is provided for the applicant's benefit and may affect the architectural design of structures, grading requirements, and SWM elements of the site. DPIE may require a soils report, in conformance with CB-94-2004, during the permit process review.

Erosion and Sediment Control

The County requires the approval of an erosion and sediment control plan. The TCP2 must reflect the ultimate limits of disturbance (LOD), not only for the installation of permanent site infrastructure but also for the installation of all temporary infrastructure, including erosion and sediment control measures. A copy of the erosion and sediment control technical plan must be submitted with the TCP2, so that the ultimate LOD for the project can be verified and shown on the TCP2.

EPS recommends approval of DSP-23019 and TCP2-036-2024 with conditions that are included in the Recommendation section of this staff report.

- f. **Permit Review Section**—In a memorandum dated August 29, 2024 (Meneely to Price), the Permit Review Section offered no comments on this application.
 - g. **Prince George's County Department of Parks and Recreation (DPR)**—In an email dated August 8, 2024 (Thompson to Price), DPR evaluated the application for conformance with prior approvals and offered no additional comments.
 - h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated August 5, 2024 (Branch to Price), DPIE provided comments pertaining to water and sewer lines that abut and traverse the subject property.
 - i. **Prince George's County Fire/EMS Department**—As of the writing of this technical staff report, the Fire/EMS Department offered no comments on this application.
15. **Community Feedback**—As of the writing of this report, staff did not receive any community feedback regarding the subject DSP from the community.
16. As required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
17. Section 27-285(b)(2) of the prior Zoning Ordinance is inapplicable because the subject property is not subject to a conceptual site plan.
18. Section 27-285(b)(3) of the prior Zoning Ordinance is inapplicable because this is not an infrastructure-only DSP.
19. Per Section 27-285(b)(4) of the prior Zoning Ordinance, "the Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5)."

Staff have reviewed this application and find that the REF have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5). See Finding 14.e above.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommend that the Prince George's County Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-23019, Type 2 Tree Conservation Plan TCP2-036-2024, and variance to Section 25-122(b)(1)(G), for Swann Crossing, subject to the following conditions:

1. Prior to certification, the applicant and the applicant's heirs, successors and/or assignees shall revise the detailed design plan (DSP) as follows:
 - a. Label the three bike racks and provide a detail for an inverted U-style or similar model that provides two points of contact for a parked bicycle.
 - b. Provide at least one bench and one trash receptacle along Swanns Nest Court.
 - c. Provide at least two dog waste stations throughout the development.
 - d. Label the 6-foot-high wood fence on the plan.
 - e. Provide at least one additional inclusive piece of equipment in the recreation area.
 - f. Dimension the distance of the monument signs from the right-of-way.
 - g. On sheet DSP-5, delete the "Open Space / Outdoor Recreation Facilities" note in the Woodland Preservation area.
 - h. Show a minimum dedication of 30 feet from the centerline of Swann Road. Label the area of public right-of-way dedication along Swann Road and show the new property line following the right-of-way dedication with its bearings and distances labeled.
 - i. Label the existing and proposed right-of-way widths for Swann Road.
 - j. Label the right-of-way widths of the new public roads (Cygnus Terrace, Keir Drive, and Swanns Nest Court).
 - k. Provide the curve data for all culs-de-sac and roundabouts for the right-of-way lines of the new public roads.
 - l. Revise the Tree Canopy Coverage Schedule to meet current requirements.
 - m. Revise Schedule 4.1-1 to show the total number of trees required, per lot, as two shade trees and two ornamental or evergreen trees.
 - n. Add a stop sign along southbound Keir Drive, at its intersection with Swann Road, adjacent to the homeowners association Parcel A, unless modified by the operating agency with written correspondence.
 - o. Revise the timing for construction of recreational facilities shown on the coversheet to be prior to approval of the 30th building permit.
2. Prior to signature approval of the detailed site plan, the Type 2 tree conservation plan (TCP2) shall be revised as follows:
 - a. Within the Environmental Planning Section approval block, move the Development Review Division (DRD) case number down to the 00 line of the DRD column.

- b. Identify the total acreage of landscaping which is requested for credit. The correct landscaping credits total shall be shown on the TCP2, within the woodland conservation worksheet, and within the woodland conservation summary table.
 - c. Revise the following TCP2 general notes:
 - (1) Do not assign the section headings as a separate number.
 - (2) Review the general notes to remove grammatical errors and extra numbers.
 - (3) General Note 9 shall reference CB-27-2010, Section 25-119(G).
 - d. Add the following note to the plan under the specimen tree table:

“NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE): The removal of one specimen trees (Section 25-122(b)(1)(G)), specifically specimen tree ST-5.”
 - e. Revise the woodland conservation worksheet to accurately reflect the total woodland clearing proposed for removal. The current worksheet identifies a deficit of 0.01 acre.
 - f. Provide the permanent tree protection fence detail graphic and detail on the plan.
 - g. Provide the Forest Conservation Act reporting table on the plan.
 - h. Provide a specimen tree maintenance plan for all specimen trees which have impacts to their critical root zones on the plans.
- 3. Prior to issuance of any permits, which impact 100-year floodplain, wetlands, wetland buffers, streams, or waters of the United States, the applicant shall submit copies of all applicable federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
 - 4. Prior to issuance of the first permit:
 - a. Submit the final erosion and sediment control plan. The limits of disturbance shall be consistent with the Type 2 tree conservation plan.
 - b. The final technical stormwater approval shall conform to the limits of disturbance shown on the approved Type 2 tree conservation plan.

SWANN CROSSING

Detailed Site Plan

TCP2-036-2024

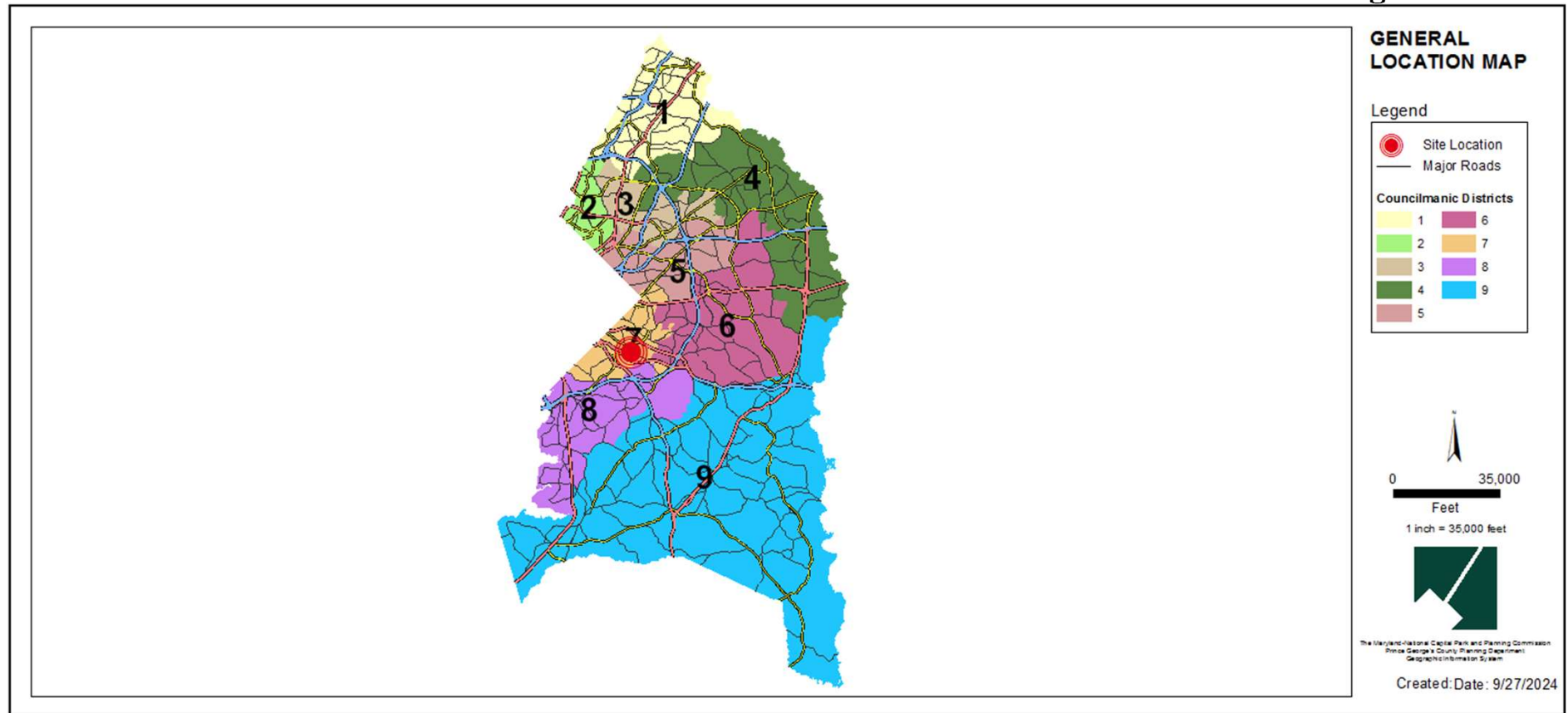
Staff Recommendation: APPROVAL with conditions



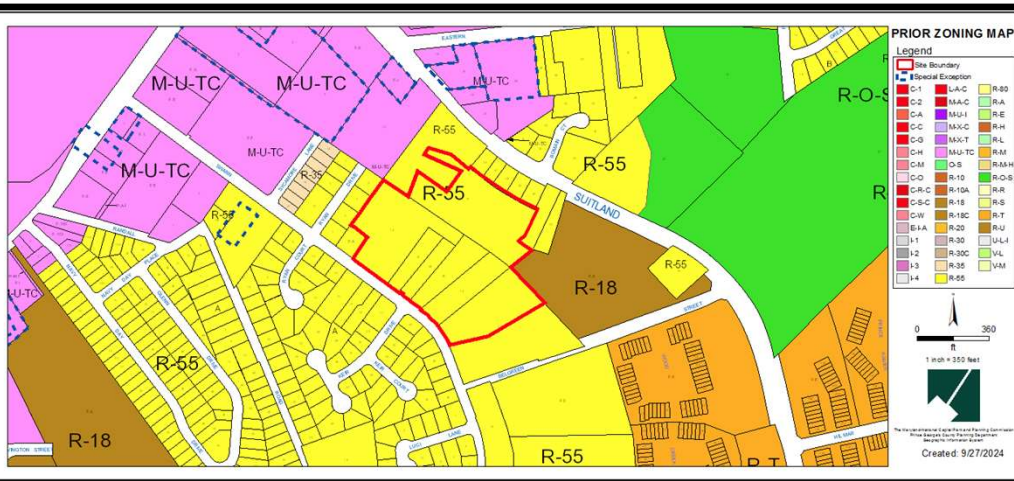
GENERAL LOCATION MAP

Council District: 07

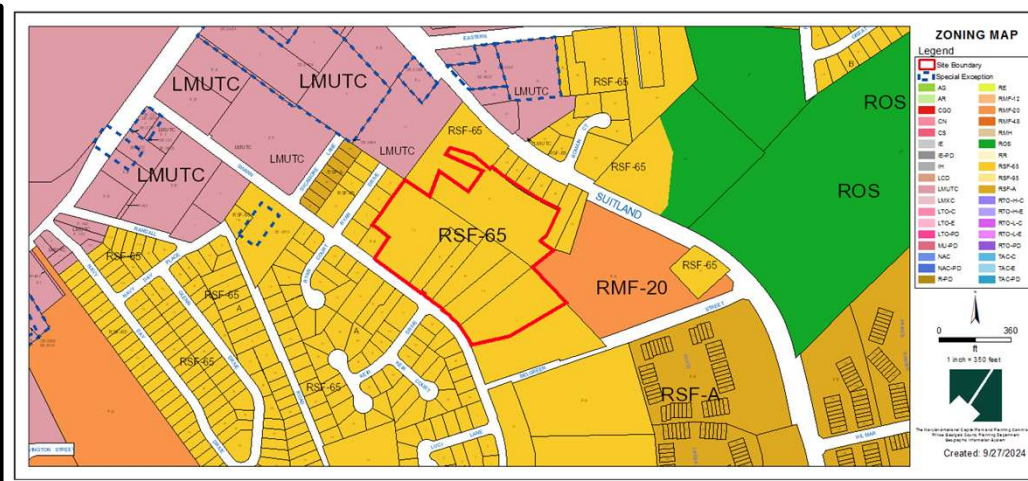
Planning Area: 75A



Prior Zoning Map

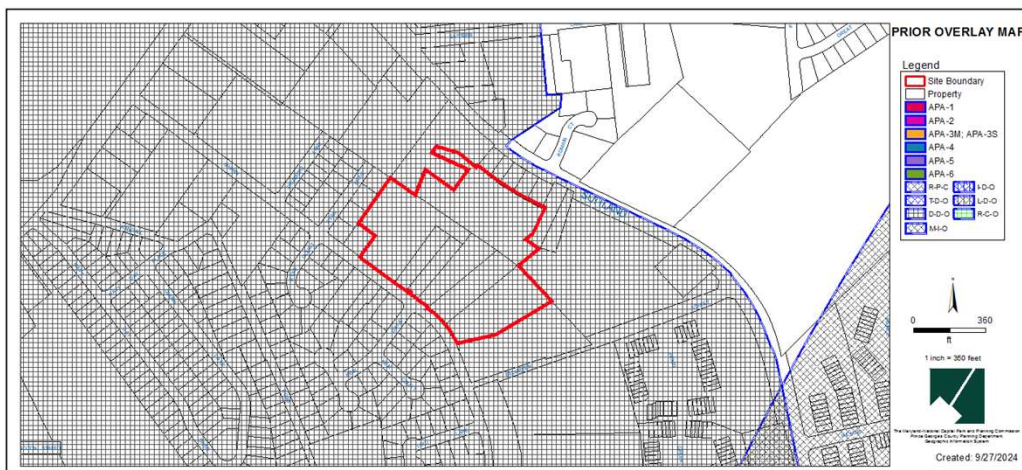


Current Zoning Map

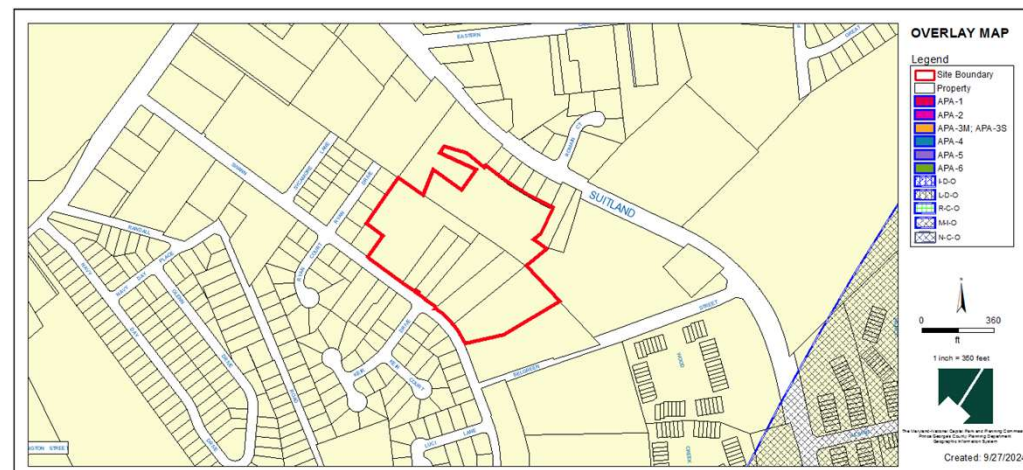


OVERLAY MAP (PRIOR AND CURRENT)

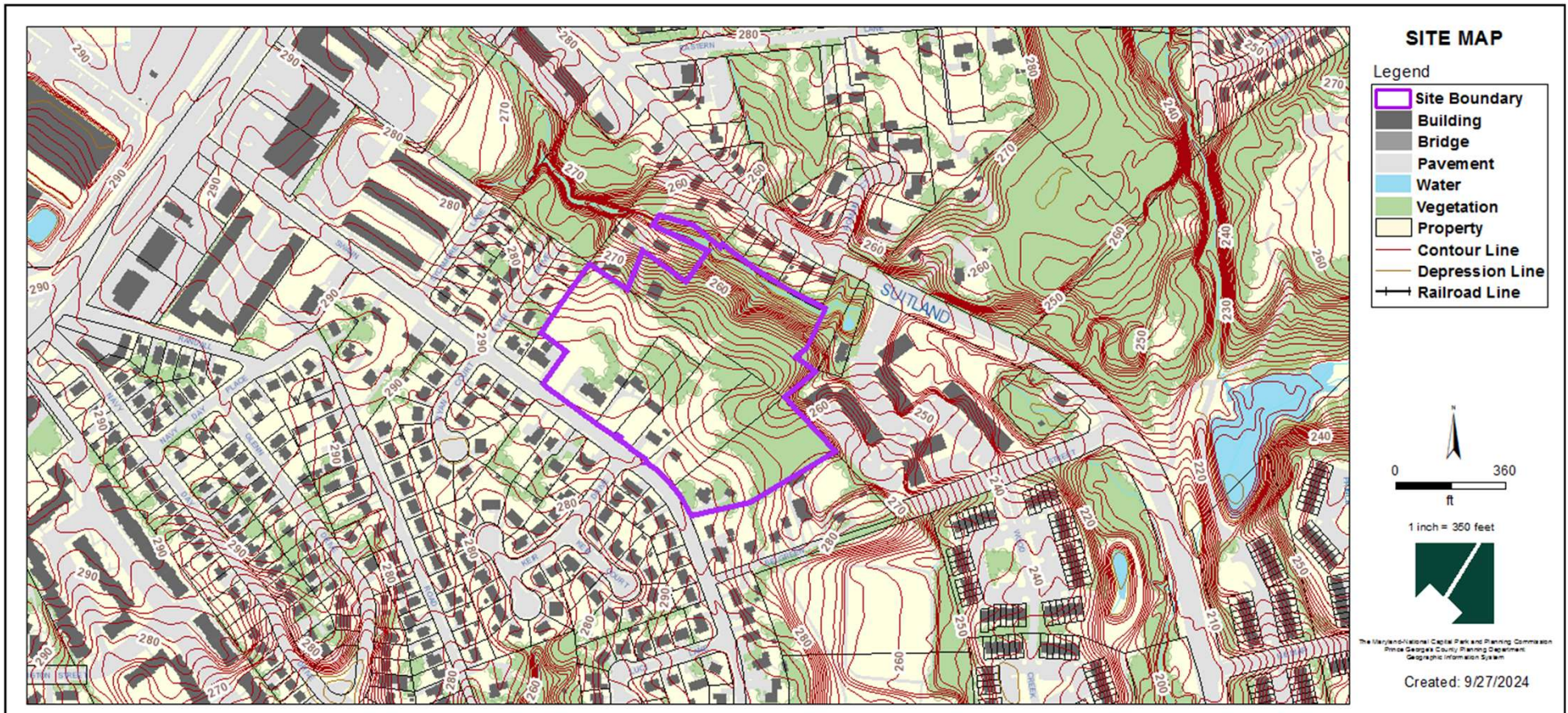
Prior Overlay Map D-D-O



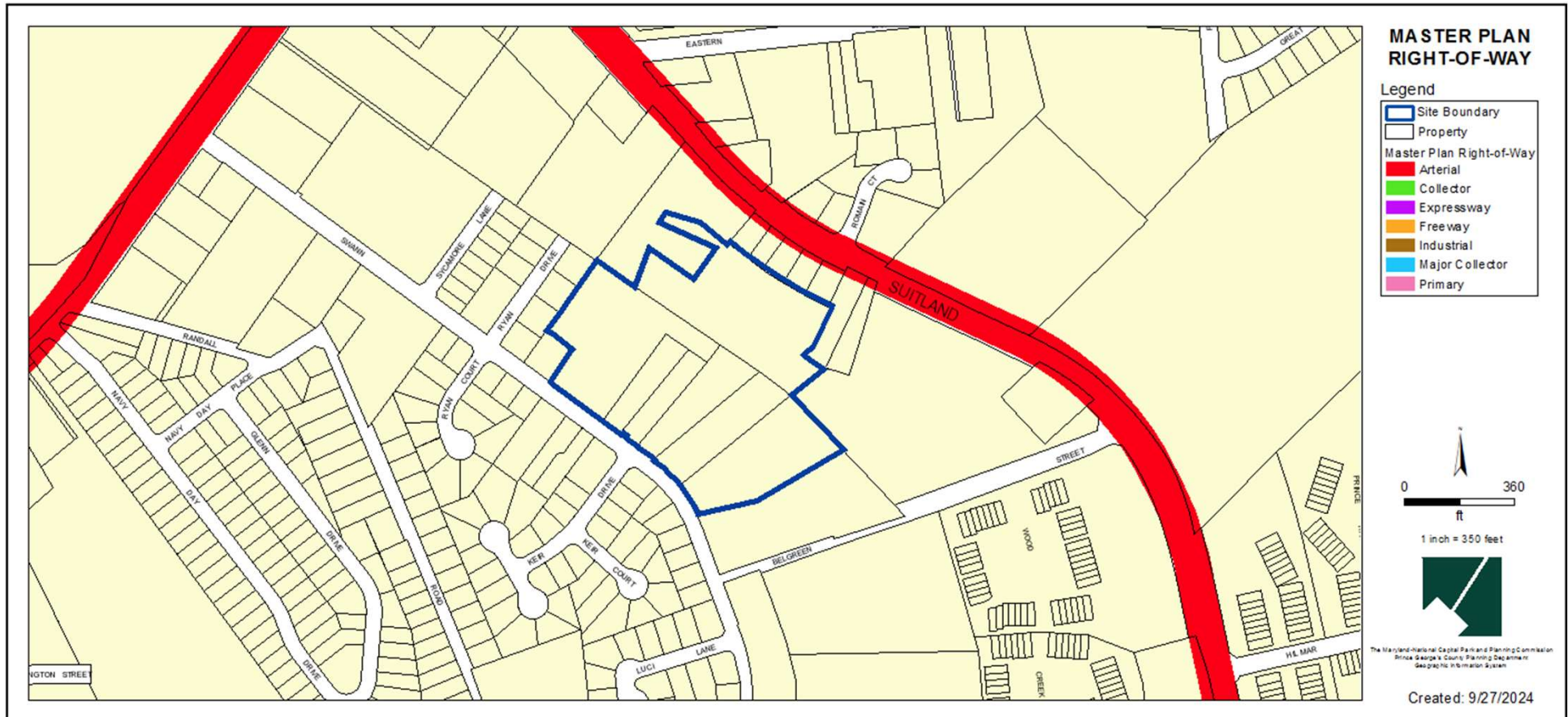
Current Overlay Map



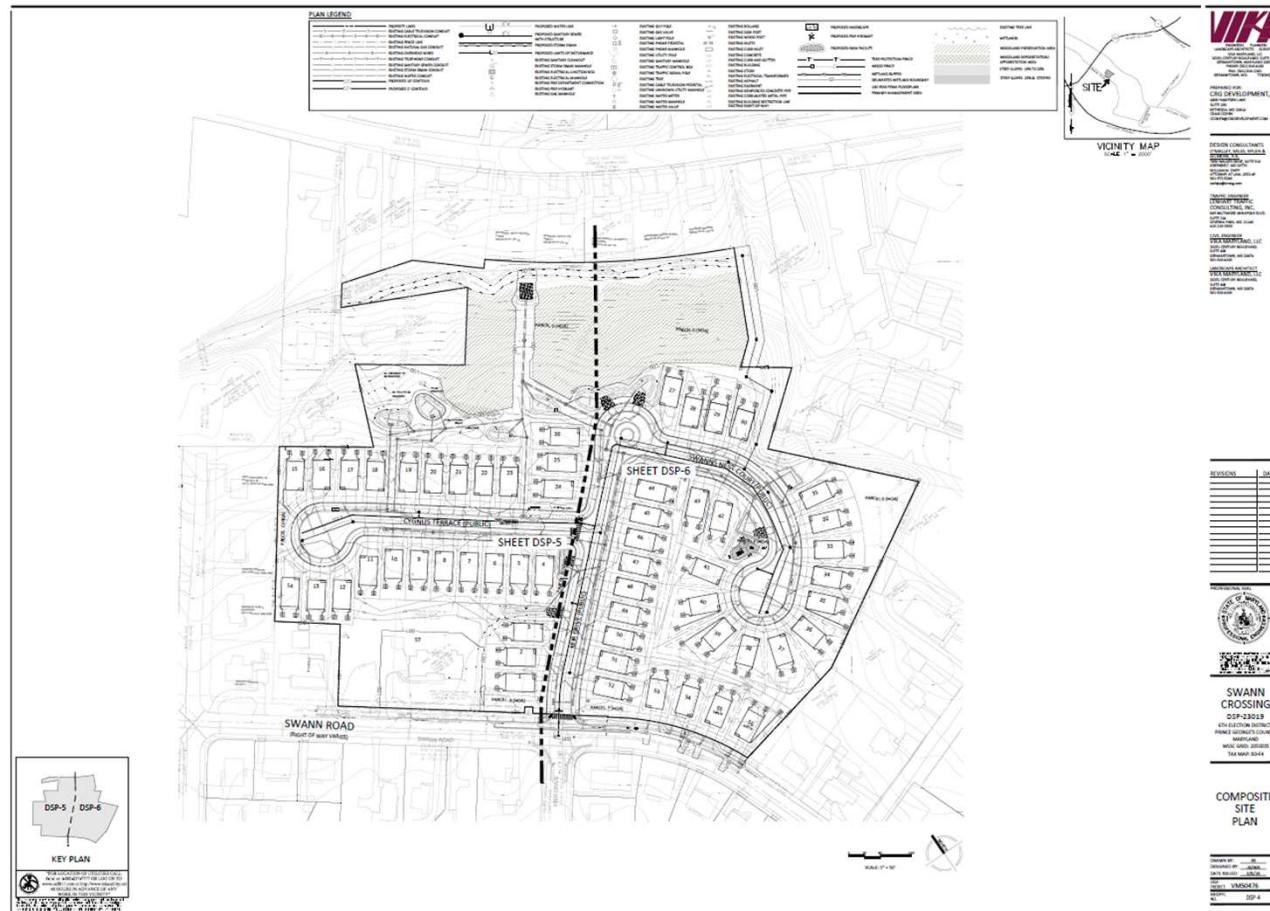
SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



SITE PLAN





ELEVATIONS (MARIGOLD)



ELEVATIONS (IRIS)



ELEVATIONS (LILY)



STAFF RECOMMENDATION

APPROVAL with conditions

- DSP-23019
- TCP2-036-2024

Issues:

- None

Applicant Required Mailings:

- Informational Mailing: 08/30/2023
- Acceptance Mailing: 07/18/2024

IN RE: DETAILED SITE PLAN (DSP-23019)

APPLICANT: CRG Development, LLCS

**AGENT/
CORRESPONDENT:** William Shipp, Esq.
Nathaniel Forman, Esq.
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STATEMENT OF JUSTIFICATION

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I. REQUEST

The Applicant hereby requests approval of a Detailed Site Plan (“DSP”) to construct fifty-six (56) single-family detached dwelling units with front-loading garages on the east side of Swann Road, across from Keir Drive, and is 12.74 acres (“Subject Property”), which was subdivided into fifty-seven (57) lots and six (6) parcels pursuant to Preliminary Plan of Subdivision No. 4-22048 (“PPS”)¹. The property is within the Residential, Single-Family-65 (RSF-65) Zone; however, this application is being submitted in accordance with the Prior Prince George’s County Zoning Ordinance (“Zoning Ordinance”) pursuant to § 27-1900 of the Current Prince George’s County Zoning Ordinance. Under the Prior Zoning Ordinance, the subject property was in the One-Family Detached Residential (R-55) and Development District Overlay (D-D-O) Zones within the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment*. The properties abutting the subject site to the north consist of single-family detached dwellings within the RSF-65 and Legacy Mixed-Use Town Center (LMUTC) Zones. The properties abutting the subject site to the east consist of single-family detached dwellings and multifamily dwelling units within the RSF-65 and Residential, Multifamily-20 (RMF-20) Zones. The properties to the south, beyond Swann Road, and to the west consist of single-family detached dwellings within the RSF-

¹An existing dwelling unit (Lot 57) was included within the PPS, but it has been excluded from this application because no development is proposed thereon.

65 Zone. Because the Subject Property is located within a Development District, detailed site plan approval is required pursuant to § 27-548.25 of the Prior Zoning Ordinance.

II. REQUEST TO UTILIZE THE PRIOR ZONING ORDINANCE

Pursuant to § 27-1700 et seq. of the Current Zoning Ordinance, which took effect on April 1, 2022, an applicant is afforded the option to choose between the Current and Prior Zoning Ordinance until April 1, 2024 for review and approval. Although the applicant's choice cannot be denied, if the applicant requests review and approval under the Current Zoning Ordinance, the applicant must provide the basis for the decision.

The Applicant hereby elects to proceed under the Prior Zoning Ordinance because this development is the subject of an approved preliminary plan of subdivision (4-22048) that had been approved under the Prior Zoning Ordinance and Subdivision Regulations. Pursuant to § 27-1704(b) of the Current Zoning Ordinance, this development may proceed to the next steps in the approval process and continue to be reviewed and decided under the Prior Zoning Ordinance.

III. CONFORMANCE WITH PREVIOUS CONDITIONS OF APPROVAL

On September 7, 2023, the Planning Board approved Preliminary Plan of Subdivision No. 4-22048 through adoption of PGCPB Resolution No.: 2023-90 for the Subject Property. The Preliminary Plan was approved with the following conditions of approval applicable at time of detailed site plan. These conditions, and conformance thereto, are described in greater detail below:

1. Development of the site shall be in conformance with Stormwater Management Concept Plan 40416-2022-0, and any subsequent revisions.

The subject application is in conformance.

6. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Park and Recreation Facilities Guidelines, with the review of the detailed site plan (DSP). Timing for construction shall also be determined, at the time of DSP review.

The proposed on-site recreational facilities are included with the subject application for review.

8. Prior to approval of the detailed site plan, and prior to their demolition, the house and outbuildings at 3328 Swann Road shall be thoroughly documented on a Maryland Inventory of Historic Properties form by a 36CFR61-certified consultant. The form shall

be submitted, in draft, to Historic Preservation staff for review and approval, and the final form shall be submitted to the Maryland Historical Trust.

The Inventory of Historic Properties form shall be provided prior to approval of the detailed site plan.

IV. **CONFORMANCE WITH ZONING ORDINANCE REQUIREMENTS**

a. Conformance with § 27-548.25 of the Zoning Ordinance

Pursuant to § 27-548.25(b) of the Zoning Ordinance, the Planning Board shall find that the site plan meets the applicable Development District Standards. Within the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* (“Sector Plan”), the Subject Property is shown within the Suitland Metro Station area, and there are no Development District Standards promulgated for this area by the Sector Plan or CR-10-2014, which revised the Sector Plan. Therefore, the subject application is in conformance.

b. Conformance with § 27-283 of the Zoning Ordinance

Despite the permissive inclusion of the word “should” instead of “shall,” the proposed development, nevertheless, conforms to the site design guidelines under § 27-274, described in more detail below:

(2) Parking, Loading, and Circulation

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:
 - (i) Parking lots should generally be provided to the rear or sides of structure;
 - (ii) Parking spaces should be located as near as possible to the uses they serve;
 - (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;
 - (iv) Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and
 - (v) Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.

The subject application has been designed in accordance with these guidelines. Each single-family detached unit will consist of a front-loaded, 2-car garage and driveway space for parking.

- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:
- (i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;
 - (ii) Entrance drives should provide adequate space for queuing;
 - (iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;
 - (iv) Parking areas should be designed to discourage their use as through-access drives;
 - (v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;
 - (vi) Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;
 - (vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;
 - (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;
 - (ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;
 - (x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and
 - (xi) Barrier-free pathways to accommodate the handicapped should be provided.

Not loading areas are proposed.

(3) Lighting

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:
- (i) If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and

- minimize vehicular/pedestrian conflicts;
- (ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;
- (iii) The pattern of light pooling should be directed on-site;
- (iv) Light fixtures fulfilling similar functions should provide a consistent quality of light;
- (v) Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and
- (vi) If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.

Sufficient lighting is provided for this site and will be in accordance with standard regulations for public rights-of-way as required by DPIE.

(4) Views

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.

The northern portion of the Subject Property consisting of woodlands, steep slopes and a stream will remain undisturbed except for necessary impacts. The woodlands will be viewable from the cul-de-sac at the intersection of Road "A" and Road "B," thereby affording a viewshed. Moreover, outdoor amenity features about the natural area and serves as a transition between the natural area and most of the proposed homes.

(5) Green Area

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed
 - (i) Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;
 - (ii) Green area should link major site destinations such as buildings and parking areas;
 - (iii) Green area should be well-defined and appropriately scaled to meet its intended use;
 - (iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;

- (v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;
- (vi) Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and
- (vii) Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.

The Applicant is proposing green spaces throughout the development site, which are also used to assist in stormwater management or active recreation space. The active recreation space, north of Lot 26, abuts the preserved environmental area to allow for additional green area.

(6) Site and streetscape amenities

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:
 - (i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;
 - (ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;
 - (iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;
 - (iv) Amenities should be functional and should be constructed of durable, low maintenance materials;
 - (v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;
 - (vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and
 - (vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.

Internal sidewalks are provided for pedestrian circulation around the proposed development and outdoor recreation area. To foster community, a centralized mailbox is located on the north side of Road "B" near its intersection with Road "A." Two benches and a single trash receptacle will be provided for the convenience of the residents, which serves the secondary

function of an impromptu meeting space. These improvements will be compatible with the architecture of the proposed homes.

(7) Grading

(B) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:

- (i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;
- (ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;
- (iii) Grading and other methods should be considered to buffer incompatible land uses from each other;
- (iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and
- (v) Drainage devices should be located and designed so as to minimize the view from public areas.

Grading on site is dictated by the unique topography. The development has been designed to disturb the existing regulated environmental features as little as possible but still in accordance with natural hydrology.

(8) Service Areas

(A) Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:

- (i) Service areas should be located away from primary roads, when possible;
- (ii) Service areas should be located conveniently to all buildings served;
- (iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and
- (iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.

No service areas are proposed.

(9) Public Spaces

- (A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observe:
- (i) Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;
 - (ii) The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;
 - (iii) Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;
 - (iv) Public spaces should be readily accessible to potential users; and
 - (v) Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.

An active recreation space is proposed as community space for the entire development. Two (2) pathways will connect to the green space from the streets to allow for multiple accessways, and use by the residents.

(10) Architecture

- (A) When architectural considerations are references for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.
- (C) These guidelines may be modified in accordance with section 27-277.

The proposed architecture is reflective of high-quality twentieth century housing that exists throughout Prince George's County.

c. Conformance with § 27-430 of the Zoning Ordinance.

The proposed development conforms to the purposes of the R-55 Zone, set forth in § 27-430 of the Zoning Ordinance, as described below:

(a) Purposes.

(1) The purposes of the R-55 Zone are:


- (A) To provide for and encourage variation in the size, shape, and width of one-family detached residential subdivision lots, in order to better utilize the natural terrain;
- (B) To facilitate the planning of higher density one-family residential developments with small lots and dwellings of various sizes and styles;
- (C) To encourage the preservation of trees and open spaces;
- (D) To prevent soil erosion and stream valley flooding.


The subject application conforms with the purposes of the R-55 Zone. The residential lots facilitate higher density one-family residential developments within walking distance of the Suitland Metro Station.

V. CONCLUSION

For all of the above-stated reasons, the Applicant respectfully requests approval of the proposed Preliminary Plan of Subdivision in conformance with the requirements of Subtitle 27 of the Prince George's County Code for the proposed fifty-six (56) single-family detached dwelling units.

Respectfully submitted,
O'MALLEY, MILES, NYLEN & GILMORE, P.A


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By: _____
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Attorneys for the Applicant



Countywide Planning Division
Environmental Planning Section

301-952-3650

October 1, 2024

MEMORANDUM

TO: Todd Price, Planner II, Subdivision Section, DRD

VIA: Tom Burke, Planning Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Alexander Kirchhof, Planner I, Environmental Planning Section, CWPD *ANK*

SUBJECT: **Swann Crossing; DSP-23019 and TCP2-036-2024**

The Environmental Planning Section (EPS) has reviewed detailed site plan DSP-23019, and Type 2 Tree Conservation Plan TCP2-036-2024, submitted for Swann Crossing and accepted for review on August 2, 2024. Comments were provided in a Subdivision and Development Review Committee (SDRC) meeting on August 30, 2024. Revised information was received on September 23, 2024. The EPS recommends approval of DSP-23019 and TCP2-036-2024, subject to the conditions at the end of this memorandum.

BACKGROUND

The EPS previously reviewed the following applications and associated plans for the subject site:

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-085-2022	N/A	Staff	Approved	6/23/2022	N/A
4-22048	TCP1-008-2023	Planning Board	Approved	7/27/2023	PGCPB No. 2023-90
DSP-23019	TCP2-036-2024	Planning Board	Pending	Pending	Pending

PROPOSED ACTIVITY

This application is a PPS for the development of single-family detached homes and six parcels.

The current zoning for the site is Residential, Single-Family - 65 (RSF-65); however, this application was submitted utilizing the zoning that was in effect prior to April 1, 2022, for the One-Family Detached Residential (R-55) Zone.

GRANDFATHERING

The project is subject to the environmental regulations contained in the Woodland and Wildlife Habitat Conservation Ordinance and prior Subtitles 24 and 27, because the application had a prior PPS.

SITE DESCRIPTION

The subject property is a 12.74-acre site in the prior One-Family Detached Residential (R-55) Zone, located on the north side of Swann Road directly across the intersection of Kier Drive. This site contains 100-year floodplain, wetlands, and streams within the Henson Creek Watershed of 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. The site does not have any frontage on any roadways with a scenic or historic designation. Suitland Road, which is classified as an arterial road, is in close proximity to the northern property edge of the site. According to the 2017 *Countywide Green Infrastructure Plan* (GI Plan) of the *Approved Prince George's Resources Conservation Plan*, the site contains Evaluation Areas.

PRIOR APPROVALS

Preliminary Plan of Subdivision 4-22048

This site is subject to a preliminary plan of subdivision 4-22048 which was approved by the Planning Board on July 27, 2023, subject to 17 conditions. Of these 17 conditions, eight are environmental in nature. Each condition is included in **BOLD** below with the response following in plaintext.

2. **Development of the site shall be in conformance with Stormwater Management Concept Plan 40416-2022-0, and any subsequent revisions.**

Condition 2 is relevant to this application and shall be brought forward.

11. **Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:**
 - a. **Remove the proposed landscape credits from Lot 57 and revise the worksheet to account for the reduction of 0.17 acre of landscape credits. Provide an alternative method of meeting the remaining requirements, such as off-site credits.**
 - b. **Correct the approval block to provide TCP1-008-2023 as the tree conservation plan number within the Environmental Planning Section approval block.**
 - c. **Identify the Development Review Division case number as 4-22048 along the - 00 line of the Environmental Planning Section approval block.**
 - d. **Revise the labeling for specimen trees to be more legible, using the same larger font for each tree.**

- e. Add the following note to the plan under the specimen tree table:

"NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE): The removal of six specimen trees (Section 25-122(b)(1)(G)), specifically specimen trees ST-1, ST-2, ST-3, ST-4, ST-7, and ST-19."

- f. Revise the woodland conservation worksheet to accurately reflect that the total wooded floodplain proposed for removal, based on the location of the stormwater outfall, is 0.01 acre.

Condition 11, 11a through 11f were addressed with the signature approval of the TCP1.

12. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-008-2023). The following note shall be placed on the final plat of subdivision:

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan TCP1-008-2023, or most recent revision, or as modified by the Type 2 tree conservation plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."
n provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

13. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

"This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 tree conservation plan, when approved."

14. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat.

The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

Conditions 12, 13, and 14 are relevant to the final plat and will be evaluated with final plat application.

- 15. Prior to issuance of any permits which impact 100-year floodplain, wetlands, wetland buffers, streams, or waters of the United States, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**
- 16. Prior to issuance of the first permit, the final erosion and sediment control plan shall be submitted. The limits of disturbance shall be consistent between the plans.**
- 17. Prior to issuance of the first permit, the final location of stormwater management (SWM) features on the Type 2 tree conservation plan shall be reflective of the approved SWM concept plan. The limits of disturbance shall be consistent between the plans.**

Conditions 15, 16, and 17 are all relevant to the first permit for the site. Condition 17 is similar to Condition 2, in that the development shall be consistent on the approved stormwater concept and TCP2.

ENVIRONMENTAL REVIEW

Natural Resource Inventory

A signed Natural Resource Inventory (NRI-085-2022) was submitted with the application. The site contains floodplain, streams, and associated buffers that comprise the Primary Management Area (PMA). The NRI indicates the presence of two forest stands, labeled as Stand A and Stand B, with 26 specimen trees identified on-site. Within the submitted specimen tree variance Finding F, the applicant states that manmade debris exists in the PMA. The NRI does not show any debris piles in this area and no additional comments were made regarding debris piles on any other environmental documents. The TCP1 and the PPS show all required information correctly in conformance with the NRI; however, if the Department of Permitting, Inspections and Enforcement (DPIE) finds that the debris piles are significant enough to require removal, then the NRI shall be revised to show the debris piles prior to certification of the TCP1.

Woodland Conservation

This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the application is for a new DSP and has a PPS which was accepted for review prior to July 1, 2024. Type 2 Tree Conservation Plan TCP2-036-2024 was submitted with the subject application and requires minor revisions to be found in conformance with the WCO.

The Woodland Conservation Threshold (WCT) for this 12.74-acre property is 20 percent of the net tract area, or 2.45 acres. The total woodland conservation requirement, based on the amount of clearing proposed, is 3.88 acres. The woodland conservation requirement is proposed to be satisfied with 1.51 acres of on-site woodland preservation, 0.42 acre of landscape credits, 0.03 acre of reforestation, and 1.92 acres of off-site credit. The landscape credits are proposed around stormwater embankments as well as on the corners of the site. Landscape Area 1 located on the eastern corner of the site is not connected or adjacent to any woodland areas, which results in fragmentation of this proposed woodlands.

Technical revisions to the TCP1 are required and included in the conditions listed at the end of this memorandum.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the [Environmental] Technical Manual." The code, however, is not inflexible.

The authorizing legislation of Prince George's County's WCO is the Maryland Forest Conservation Act, which is codified under Title 5, subtitle 16 of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria in Prince George's County's WCO are set forth in Section 25-119(d). Section 25-119(d)(4) clarifies that variances granted under Subtitle 25 are not considered zoning variances.

The approved NRI-085-2022 identifies a total of 26 specimen trees on-site. A Subtitle 25 variance was submitted for review with 4-22048. The letter of justification (LOJ) requested the removal of six specimen trees identified as ST-1 through ST-4, ST-7, and ST-19. The condition of trees proposed for removal ranges from poor to good. With the request for removal of specimen trees for the development of the site and associated infrastructure. The Planning Board approved the requested variance for the removal of six specimen trees ST-1 through ST-4, ST-7, and ST-19 for the construction of residential development.

With DSP-23019 a Subtitle 25 variance was submitted to request the removal of one additional specimen tree ST-5. The variance also identifies critical rootzone impacts to specimen trees ST-6, ST-8, ST-9, ST-10, ST-18, and ST-25. These specimen trees shall be included in a specimen tree maintenance plan on the TCP2.

Specimen Tree Variance SOJ Table						
ST-#	DBH	Common Name	Location	Rating	Impact	Construction Tolerance
5	32	White oak	Within Proposed Landscape Area 2	Poor	Sediment Control	Medium-Good

Evaluation

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

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

In relation to other properties in the area, special conditions peculiar to the subject property would not cause an unwarranted hardship if the applicant were required to retain specimen tree ST-5. Those “special conditions” relate to the specimen trees themselves, such as their size, condition, species, and on-site location. Specimen tree ST-5 is located near the PMA, in the central northwest corner of the site bounded to the north by ST-6 (off-site) and to the south by ST-4 and ST-7 (approved for removal with 4-22048). This location has been selected by the applicant to provide a portion of the stormwater controls for the site, and due to the topography, has been determined to be the best place to provide a sediment control feature by the Prince Georges Soil Conservation District (PGSCD).

The property is 12.74 acres, and the NRI shows approximately 2.04 acres of PMA comprised of streams, floodplain, wetlands, and associated buffers. This area represents approximately 16 percent of the overall site area. The applicant is proposing one impact to the site’s PMA which shall be fully minimized to the extent practicable and is proposing woodland conservation to further protect the PMA.

The specimen tree proposed for removal is located near to the PMA in an area which should be protected; however, due to the necessary grading and the proposed location of stormwater this tree is requested for removal. The applicant is proposing to provide a landscape area surrounding the stormwater features once they are completed.

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

Enforcement of the requirement that all specimen trees be preserved, along with an appropriate percentage of their critical route zone (CRZ), would not deprive the applicant of rights commonly enjoyed by others in similar areas. All variance applications for the removal of specimen trees are evaluated in accordance with the requirements of Subtitle 25 and the ETM for site-specific conditions. Specimen trees grow to such a large size because they have been left undisturbed on a site for sufficient time to grow; however, the species, size, construction tolerance, and location on a site are all somewhat unique for each site.

Based on the location and species of the specimen tree proposed for removal, retaining the tree and avoiding disturbance to the CRZ would have a minor impact on the development potential of the property. If similar trees were encountered on other sites, they would be evaluated under the same criteria.

The proposed residential development is a use that aligns with the uses permitted in the R-55 Zones. Specimen tree ST-5 is located outside of the developable parts of the site near the PMA. Aside from the PMA area proposed to be impacted, the only preservation of existing woodland on-site is within and in proximity to the PMA. Of the existing 4.81 acres of net tract area woodland, only 1.51 acres (31 percent) are proposed to be retained. The woodland conservation threshold for this development is calculated as 20 percent, or 2.45 acres. The request for removal is partly due to locating necessary infrastructure at the fringe of the development and within the PMA to maximize the use of the developable area. The location of this specimen tree does not significantly inhibit the developable area; however, utilities have been co-located to reduce additional PMA and specimen tree impacts, and stormwater facilities are located for the safe conveyance of stormwater from the site.

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

Not granting the variance request for ST- 5 would not prevent the project from being developed in a functional and efficient manner; however, based on the proposed stormwater management facility, the approval of this variance would not be a special privilege that would be denied to other applicants. If other similar developments featured Regulated Environmental Features (REF) and specimen trees in similar conditions and locations, they would be given the same considerations during the review of the required variance application.

This site is noted in the Southern Green Line Sector Plan as being one of the few locations for proposed residential development. The applicant states that smaller, compact lots are preferable at this location given the proximity to Suitland Metro Station. The density and lot type are not specifically mentioned in the Sector Plan; however, the Sector Plan does state that conserving and protecting trees, existing woodlands, and regulated environmental features is a priority as provided in Chapter 2 of the Sector Plan. With this application, the PMA has been mostly preserved, which does align with the Sector Plans goals.

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

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant. The removal of one specimen tree would be the result of the infrastructure and grading required for the development as proposed by the applicant. The request to remove the trees is solely based on the tree's location on the site, the species, and the poor condition.

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

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

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

Granting this variance request will not violate state water quality standards nor cause measurable degradation in water quality. Requirements regarding stormwater management (SWM) will be reviewed and approved by the Department of Permitting, Inspections and Enforcement (DPIE). Erosion and sediment control requirements are reviewed and approved by the Soil Conservation District (SCD). Both SWM and sediment and erosion control requirements are to be met in conformance with state and local laws to ensure that the quality of water leaving the site meets the state's standards. State standards are set to ensure that no degradation occurs.

Conclusion

The required findings of Section 25-119(d) have been adequately addressed for the removal of one specimen trees identified as ST-5. Staff recommends that the Planning Board approve the requested variance for the removal of one specimen tree ST-5 for the construction of a sediment control feature.

Regulated Environmental Features

This site contains regulated environmental features (REF) that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Ordinance. The on-site REF includes streams, stream buffers, 100-year floodplain, and steep slopes. A letter of justification (LOJ) for impacts to the PMA was submitted with 4-22048 for one impact. With the acceptance of this DSP application, a statement of justification (SOJ) for revisions to Impact 1 was submitted. A revised LOJ, dated September 20, 2024, was submitted addressing comments presented at SDRC.

Impact 1

With 4-22048 Impact 1 requested is for 2,857 square feet (0.07 acre) of PMA impacts and 20 linear feet of stream impacts for an outfall from the proposed submerged gravel wetland. This impact was expanded with DSP-23019 to 4,598 square feet (0.11 acre) of PMA impacts, and 30 linear feet of stream impacts. Impact 1 has expanded as the correct stormwater easement was not shown around the outfall previously. The revised Impact 1 is reflective of the approved stormwater plan and is supported as proposed for the conveyance of stormwater off-site.

Conclusion

This application proposes one impact to the PMA for a total of 4,598 square feet (0.11 acre) and 30 linear feet of stream impacts for a stormwater outfall. Staff supports this request for PMA impact, as proposed.

Stormwater Management

An approved Stormwater Management Concept Plan (40416-2022-00) was submitted with the initial submission material showing the use of nine micro-bioretenion devices and dry wells to meet environmental site design (ESD) to the maximum extent practical (MEP). In order to further reduce potential PMA impacts, the applicant has agreed to relocate the proposed recreation area from the rear of the site to a more centralized location. This relocation directly impacts a proposed micro-bioretenion facility, identifies as MBF-8, on proposed Parcel E. The applicant has proposed to redesign the stormwater facility to a concrete-lined micro-bioretenion facility which will share Parcel E with the recreation area. The approved revised stormwater management concept plan shall be submitted prior to signature approval of the TCP2.

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-Urban land complex, Chillum-Urban land complex, Croom-Marr complex, Croom-Marr-Urban complex, and the Croom-Urban land complex. Soils containing Marlboro clays or Christiana complexes do not occur on-site. This information is provided for the applicant's benefit and may affect the architectural design of structures, grading requirements, and SWM elements of the site. The DPIE may require a soils report in conformance with CB-94-2004 during the permit process review.

Erosion and Sediment Control

The County requires the approval of an Erosion and Sediment Control Plan. The TCP2 must reflect the ultimate limits of disturbance (LOD), not only for the installation of permanent site infrastructure but also for the installation of all temporary infrastructure, including erosion and sediment control measures. A copy of the Erosion and Sediment Control Technical Plan must be submitted with the TCP2 so that the ultimate LOD for the project can be verified and shown on the TCP2.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS

The EPS completed the review of DSP-23019 and TCP2-036-2024, and recommends approval, subject to the following findings and conditions:

Recommended Findings

1. The required findings of Section 25-119(d) have been adequately addressed for the removal of one specimen tree identified on the plan as ST-5.
2. This application proposes one impact to the primary management area (PMA) identified as Impact 1. This impact is for the stormwater outfall. Based on the level of design information currently available, the limits of disturbance shown on the TCP2, and the impact exhibit provided, the regulated environmental features (REF) on the subject property have been preserved and/or restored to the fullest extent possible for Impact 1. Staff therefore supports Impact 1, as proposed.

Recommended Conditions:

1. Prior to signature approval of the detailed site plan, the TCP2 shall be revised as follows:
 - a. Within the Environmental Planning Section approval block, move the DRD case number down to the 00 line of the DRD column.
 - b. Identify the total acreage of landscaping which is requested for credit. The correct landscaping credits total shall be shown on the TCP2, within the woodland conservation worksheet, and within the woodland conservation summary table.
 - c. Revise the following TCP2 general notes:
 - i. Do not assign the section headings as a separate number.
 - ii. Review the general notes to remove grammatical errors and extra numbers.
 - iii. General note 9 shall reference CB-27-2010, Section 25-119(G).
 - d. Add the following note to the plan under the specimen tree table:

“NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE): The removal of one specimen trees (Section 25-122(b)(1)(G)), specifically specimen trees ST-5.”
 - f. Revise the woodland conservation worksheet to accurately reflect the total woodland clearing proposed for removal. The current worksheet identifies a deficit of 0.01 acre.
 - g. Provide the permanent tree protection fence detail graphic and detail on the TCP2.
 - h. Provide the Forest Conservation Act reporting table on the TCP2.
2. Prior to the issuance of any permits, which impact 100-year floodplain, wetlands, wetland buffers, streams, or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
3. Prior to the issuance of the first permit, the Final Erosion and Sediment Control Plan shall be submitted. The limits of disturbance shall be consistent between the plans.
4. Prior to issuance of the first permit, the final location of stormwater management (SWM) features on the TCP2 shall be reflective of the approved SWM concept plan. The limits of disturbance shall be consistent between the plans.

5. Provide a specimen tree maintenance plan for all specimen trees which have impacts to their critical root zones on the TCP2.



September 30, 2024

MEMORANDUM

TO: Todd Price, Planner II, Zoning Section

VIA: Mridula Gupta, Planner IV, Subdivision Division *MG*

FROM: Mahsa Vatandoost, Planner II, Subdivision Section

SUBJECT: DSP-23019; Swann Crossing

The property subject to this detailed site plan (DSP) consists of 12.74 acres and is located on Tax Map 80 in Grids E4 and F4, and Tax Map 88 in Grid F1. The property is comprised of the following lots recorded by deed in the Prince George's County Land Records: Lot 15 and Part 1 of Lot 16, recorded in Book 40920 at Page 517; Part of Lot 16, recorded in Book 42069 at Page 163; Part of Lot 16, recorded in Book 21862 at Page 465; Part of Lot 19, recorded in Book 25779 at Page 623; Lot 67 and Part of Lot 68, recorded in Book 35168 at Page 68; and, Lot 69, recorded in Book 23861 at Page 551, respectively. The property is within the Residential, Single-Family-65 (RSF-65) Zone; however, this DSP has been submitted for review in accordance with the prior Prince George's County Zoning Ordinance and prior Subdivision Regulations. Under the prior Zoning Ordinance, the subject property was in the One-Family Detached Residential (R-55) and Development District Overlay (D-D-O) zones. This application was accepted on August 2, 2024. Subdivision comments were provided at the SDRC meeting on August 30, 2024. This referral is based on revised plans received on September 27, 2024.

The property is subject to Preliminary Plan of Subdivision (PPS) 4-22048, titled "Swann Crossing" which was approved on July 27, 2023 (PGCPB Resolution No. 2023-90). This PPS approved 57 lots and 6 parcels for the development of 57 single family detached dwelling units. This DSP proposes to construct 56 single family detached dwelling units on 57 lots and 6 parcels. The development proposed with this DSP is, therefore, within that evaluated with 4-22048.

4-22048 was approved with 17 conditions, and the following conditions are relevant to the review of this DSP application:

2. Development of the site shall be in conformance with Stormwater Management Concept Plan 40416-2022-0, and any subsequent revisions.

With the application, the applicant submitted copies of the approved Stormwater Management (SWM) Concept Plan 40416-2022-0 and its associated approval letter, which covers the area subject to 4-22048. The approval was issued by the Department of Permitting, Inspections, and Enforcement (DPIE) on May 17, 2024, and expires on May 17, 2027. Conformance with this condition should be evaluated by the Environmental Planning

Section.

3. Prior to approval, the final plat of subdivision shall include:

- a. Right-of-way dedication of a minimum of 30 feet from the centerline of Swann Road, and dedication of the new proposed public rights-of-way within the subdivision, in accordance with the approved preliminary plan of subdivision.**

The site data tabulation on the cover sheet of the DSP reflects 0.02 acres of public right-of-way dedication along Swann Road and 2.18-acre of new public rights-of-way within the subdivision, in conformance with the approved PPS. However, the area of dedication and the new property line following the road dedication is not shown on the site plan. The new property line should be clearly shown with the bearings and distances. Also, the existing and proposed right-of-way width for Swann Road should be labeled. The right-of-way widths of the new public roads (Cygnus Terrace, Keir Drive, and Swann Nest Court) and the curve data for all culs-de-sac and roundabout should also be labeled.

- b. Dedication of 10-foot-wide public utility easements, along both sides of all proposed rights-of-way, as delineated on the approved preliminary plan of subdivision.**

The submitted DSP shows PUEs along all existing and proposed public ROWs, consistent with the approved PPS.

4. In accordance with Section 24-135(b) of the prior Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate on-site recreational facilities.

6. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the *Parks and Recreation Facilities Guidelines*, with the review of the detailed site plan (DSP). Timing for construction shall also be determined, at the time of DSP review.

The DSP proposes private on-site recreational facilities, which include a tot lot, benches, concrete path, landscaping, and lawn area. The applicant submitted a Landscape and Recreation Plan which provides details for these facilities. Sheet 1 of the DSP includes a table providing the values for these facilities, and triggers for their construction. Also, the trigger for construction of the recreational facilities is set prior to the 30th occupancy permit. The Urban Design Section should review the proposed private on-site recreational facilities for adequacy and proper siting in accordance with the *Park and Recreation Facilities Guidelines*; and ensure that appropriate triggers for their construction are established, in conformance with conditions 4 and 6.

8. Prior to approval of the detailed site plan, and prior to their demolition, the house and outbuildings at 3328 Swann Road shall be thoroughly documented on a Maryland Inventory of Historic Properties form by a 36CFR61-certified consultant. The form shall be submitted, in draft, to Historic Preservation staff for review and approval, and the final form shall be submitted to the Maryland Historical Trust.

A completed Maryland Inventory of Historic Properties form, as required by this condition, was not included in the submittal package. The Historic Preservation Section should evaluate the conformance of this DSP with this condition.

- 12. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-008-2023). The following note shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan TCP1-008-2023, or most recent revision, or as modified by the Type 2 tree conservation plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

A Type 2 Tree Conservation Plan (TCP2-036-2024) was submitted with the DSP. The Environmental Planning Section should determine whether the TCP2 conforms to the approved TCP1-008-2023.

The property is the subject of Certificate of Adequacy ADQ-2022-038, which was approved by the Planning Director on July 5, 2023. This ADQ is valid for 12 years from the date of approval, subject to the expiration provisions of Section 24-4503(c). ADQ-2022-038 was approved subject to one condition, which is relevant to the review of this DSP:

- 1. Total development within the subject property shall be limited to uses that would generate no more than 43 AM and 51 PM peak-hour vehicle trips.**

The development proposed with this DSP is within the development evaluated with 4-22048, so this condition should be met. However, conformance should be further evaluated by the Transportation Planning Section.

Additional Comments:

1. Final plats will be required for the proposed lots and parcels following approval of this DSP. PPS 4-22078 includes conditions that must be met prior to approval of the final plats.

Recommended Conditions:

1. Prior to signature approval of the detailed site plan, the plans shall be revised as follows:
 - a. Label the area of public right-of-way dedication along Swann Road. Show the new property line following the right-of-way dedication and label its bearings and

distances.

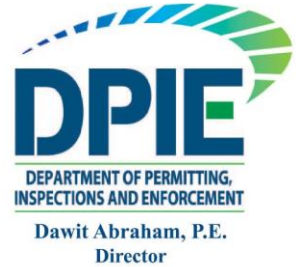
- b. Label the existing and proposed right-of-way widths for Swann Road.
- c. Label the right-of-way widths of the new public roads (Cygnus Terrace, Keir Drive, and Swann Nest Court).
- d. Provide the curve data for all culs-de-sac and roundabout for the right-of-way lines of the new public roads.

This referral is provided for the purpose of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. The DSP has been found to be in conformance with the approved preliminary plan of subdivision. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plats, once approved, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Office of the Director



MEMORANDUM

August 5, 2024

TO: Todd Price, Subdivision Review Section
Maryland-National Capital Park & Planning Commission

FROM: Shirley Anthony Branch, Water and Sewer Plan Coordinator, Asha Royal on behalf of *SAB*
Site/Road Plan Review Division, DPIE

RE: SDRC Comments – Swann Crossing – DSP-23019

Below are my comments on a Detailed Site Plan that is scheduled for review at the **August 16, 2024 SDRC** meeting. This is a first response for this plan, although the same comments were provided for #4-22048 in May 2023. Should you have any questions regarding the attached information, please feel free to call me at 301.636.2060.

DSP-23019 Swann Crossing
Tax IDs: Multiple
Tax map: 80 F-4 & 88 F-1 (p/o Lots 15, 16 & 19; Lots 67, 68, 69)
Acres: 12.74 (combined); Current Zone: RSF65
WSSC Grid: 205SE05
DPIE South District

1. The 2018 Water and Sewer Plan designates part of Lots 15, 16 & 19, and Lots 67, 68 & 69 in Water and Sewer Category 3, inside the Sewer Envelope, in the Growth Tier, and within Tier 1 under the Sustainable Growth Act, approved for public water and sewer service. Currently, developed Lot 67 reflects on sewer maps as using a septic system.
2. Water and sewer lines in Swann Road abut the designated lots on Swann Road, and water and sewer lines traverse the northern portion of part of Lot 15. Water and sewer line extensions are required to service the proposed subdivision, and must be approved by the Washington Suburban Sanitary Commission before recordation of a final plat.

*The Department of Permitting, Inspections and Enforcement (DPIE) determines the validity in category designations of the Prince George's County Water and Sewer Category Maps. Information reflects the category designated by the 2018 Water and Sewer Plan and its amendments deemed accurate as of **July 31, 2024**. Any dispute of the designated category or comments herein may be addressed to the Site/Road Plan Review Division, Water and Sewer Plan Coordinator, at 301.636.2060.*

cc: Rey S. DeGuzman, P.E., Acting Associate Director, S/RPRD, DPIE
Nanji W. Formukong, South District, S/RPRD, DPIE

From: [Holley, Edward](#)
To: [Price, Todd](#)
Cc: [Thompson, Ivy](#); [Bartell, Bradley](#); [Quattrocchi, Dominic](#)
Subject: DSP-23019 (Swann Crossing); PP&ES 1st Review
Date: Thursday, August 8, 2024 4:02:26 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Good afternoon Todd,

DPR staff has reviewed and evaluated DSP-23019 for conformance with the requirements considered in our recommendations of 4-22048; as they pertain to public parks and recreation. This DSP applications covers approximately 12.74-acres. The property is zoned RSF-65 (Residential, Single-Family -65); however, this application is being processed under the previous R-55 (One-Family Detached Residential) Zone and is subject to the Approved 2014 Southern Green Line Station Area Sector Plan & Sectional Map Amendment Development District Overlay (D-D-O) Zone. The property is located approximately 1,400 feet southeast of the Silver Hill Road and Swann Road Intersection. This application is for the development of 56 single-family detached dwelling units with front-loading garages . Preliminary Plan of Subdivision (4-22048) was approved by the Prince George's County Planning Board on September 7, 2023. Conditions 4-7 of PGCPB Resolution No. 2023-090 requires onsite private recreational facilities to be reviewed by the Urban Design Section of the Development Review Division (DRD). DPR has no additional comments.

Have a great evening.

Edward Holley

Planner I

Park Planning and Environmental Stewardship Division

M-NCPPC, Department of Parks and Recreation, Prince George's County

6600 Kenilworth Avenue, Suite 301

Riverdale, MD 20737

Edward.Holley@pgparks.com

DIRECT: 301-699-2518 MAIN: 301-699-2525 FAX: 301-277-9041

Stay connected:





Countywide Planning Division
Historic Preservation Section

301-952-3680

October 3, 2024

MEMORANDUM

TO: Todd Price, Urban Design Section, Development Review Division

VIA: Thomas Gross, Planning Supervisor, Historic Preservation Section, Countywide Planning Division **twg**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division **Age**

SUBJECT: DSP-23019 Swann Crossing

The subject property comprises 12.74 acres and is located on the north side of Swann Road, 1,400 feet southeast of the intersection of Swann Road and Silver Hill Road. The subject property is zoned Residential, Single-Family-65 (RSF-65), and located within the 2014 *Approved Southern Green Line Station Area Sector Plan* area. The subject application proposed a subdivision of 58 single-family detached lots.

The 2014 *Approved Southern Green Line Station Area Sector Plan* contains minimal goals and policies related to Historic Preservation, and these are not specific to the subject site or applicable to the proposed development.

The subject property does not contain and is not adjacent to, any designated Prince George's County Historic Sites or resources. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is high. An 1878 Hopkins Atlas map indicates the location of at least one structure identified as belonging to S.T. Suit. Tax records suggest that 3328 Swann Road was constructed circa 1900, and 3324 Swann Road in 1948. A Phase I archeology survey was completed in January 2023, and no further work was recommended. Based on the information contained in the Phase I archeology survey, the house and outbuildings at 3328 Swann Road should be photographed and recorded on a Maryland Inventory of Historic Properties form.

There is one outstanding condition from the Preliminary Plan 4-22048 (PGCPB Resolution No. 2023-90):

8. *Prior to approval of the detailed site plan, and prior to their demolition, the house and outbuildings at 3328 Swann Road shall be thoroughly documented on a Maryland Inventory of Historic Properties form by a 36CFR61-certified consultant. The form shall be submitted, in draft, to Historic Preservation staff for review and approval, and the final form shall be submitted to the Maryland Historical Trust.*

This condition will remain in effect until satisfied.

Historic Preservation Section staff recommends approval of DSP-23019, Swann Crossing, with no additional conditions.



September 24, 2024

MEMORANDUM

TO: Todd Price, Planner II, Zoning Section, Development Review Division

VIA: N. Andrew Bishop, Acting Planner IV, Long Range Planning Section, Community Planning Division *NAB*

VIA: Frederick C. Stachura, J.D., Supervisor, Neighborhood Revitalization Section, Community Planning Division *JS*

FROM: Daniel Sams, Planner IV, Neighborhood Revitalization Section, Community Planning Division *D. E. F. Sams*

RE: **DSP-23019 Swann Crossing**

FINDINGS

Community Planning Division staff finds that, pursuant to Section 27-548.25(b) of the prior Zoning Ordinance, this detailed site plan application meets the applicable standards of the Southern Green Line Station Area Development District Overlay Zone.

BACKGROUND

Application Type: Detailed Site Plan

Planning Area: 75A

Community: Suitland-District Heights & Vicinity

Location: East side of Swann Road, across from Keir Drive (54 Swann Road, Suitland, MD 20746 *et al*)

Size: 12.74 acres

Existing Uses: Single-family dwellings

Future Land Use: Residential-Medium

Zoning Ordinance: Prior

Prior Zoning: R-55/DDO

Zoning: RSF-65

Proposal: Construct fifty-six (56) single-family detached dwelling units with front-loading garages.

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is located in the Established Communities. Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. "Established communities are most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met," (p. 20).

Analysis: The detailed site plan is consistent with Plan 2035's Established Communities Growth Policy designation because the proposed single-family dwellings provide medium-density development that is context-sensitive because the proposed development is surrounded by existing single-family dwellings.

Master Plan: The property is located within the boundary of the 2014 *Approved Southern Green Line Station Area Sector Plan* (Sector Plan), which recommends **Residential-Medium land** uses on the subject property (Figure 16, Future Land Use Plan, p. 43). "The plan retains Residential-Low and Residential-Medium categories for single-family subdivisions from previous plans, since these uses are stable and are not anticipated to change in the foreseeable future," (p. 46). "Residential-Medium consists of small-lot single-family detached and attached dwellings between 3.5 and 8 DU/A," (p. 42). The subject application proposes approximately 4.6 dwelling units per acre and is within the range envisioned by the Sector Plan. The property is located within the Southern Green Line Station Area Development District Overlay Zone, and there are no development district standards promulgated for the R-55 Zone by the sector plan or CR-10-2014, which revised the sector plan. Further, it is noted that the property is located outside the half mile walk circle from the Suitland Metro Station (Figure 45, p. 97). See also Figure 55, p. 114. The sector plan makes no Policy Statements or Policy Recommendations regarding the subject property because it is located outside the half mile walk circle from the Suitland Metro Station.

Analysis: The detailed site plan is consistent with the 2014 *Approved Southern Green Line Station Area Sector Plan* because the proposed single-family dwellings are consistent with the recommended land use for medium-density development. The application has been designed in accordance with the design guidelines of the Sector plan and includes high quality architecture, attractive streetscape elements, and green space to provide active and passive recreational uses.

c: Long-range Agenda Notebook

Frederick Stachura, J.D., Supervisor, Neighborhood Revitalization, Community Planning Division



The Maryland-National Capital Park and Planning Commission



1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

August 29, 2024

MEMORANDUM

TO: Todd Price, Urban Design Section

FROM: Michelle Meneely, Permit Review Section *MM*

SUBJECT: DSP-23019, Swann Crossing, DRD, MEM

1. The Permit Review Section offers no further comments for this development application.




October 4, 2024

MEMORANDUM

TO: Todd Price, Development Review Division

FROM: Benjamin Ryan, Transportation Planning Section, Countywide Planning Division

VIA:  Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division

Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-23019 – Swann Crossing

Proposal

The subject Detailed Site Plan (DSP) application proposes the construction of 57 single-family dwelling units in the Residential, Single-Family - 65 (RSF-65) zone. The subject site is located along the north side of Swann Road, approximately 0.25 miles southeast of its intersection with Silver Hill Road. The Transportation Planning Section's (TPS) review of this DSP application was evaluated using the standards of Section 27 of the prior Zoning Ordinance.

Prior Conditions of Approval

The site is subject to Certificate of Adequacy (ADQ)-2022-038 and Preliminary Plan of Subdivision (PPS) 4-22048. The relevant transportation conditions of approval related to the subject application are listed below:

ADQ-2022-038

1. Total development within the proposed Preliminary Plan of Subdivision shall be limited to uses which generate no more than 43 AM peak-hour trips and 51 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities.

Comment: The trip cap established under ADQ-2023-002 was approved for 59 single-family dwelling units. Staff finds that the subject DSP is within the trip cap established with ADQ-2022-038.

4-22048

3. Prior to approval, the final plat of subdivision shall include:
 - a. Right-of-way dedication of a minimum of 30 feet from the centerline of Swann Road, and dedication of the new proposed public rights-of-way within the subdivision, in accordance with the approved preliminary plan of subdivision.

Comment: The applicant's submission does not display any right-of-way dedication along the site's frontage of Swann Road. The above condition remains and will be addressed prior to final plat. As such, staff recommend the applicant update plans to show a minimum dedication of 30 feet from the centerline of Swann Road, as required by condition 3-a.

Master Plan Compliance

This application is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2014 *Approved Southern Green Line Station Area Sector Plan*.

Master Plan Roads

The subject property has frontage on Swann Road along the southern bounds of the site. Neither the MPOT nor the 2014 *Approved Southern Green Line Station Area Sector Plan* contains right-of-way recommendations for this portion of Swann Road. The submitted plans display Swann Road as a two-lane variable width right-of-way. As discussed above in relation to condition 3-a of 4-22048, staff request the applicant update plans to show a minimum dedication of 30 feet from the centerline of Swann Road.

Master Plan Pedestrian and Bike Facilities

The MPOT does not contain any bicycle or pedestrian recommendations for this portion of Swann Road.

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 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*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The 2014 *Approved Southern Green Line Station Area Sector Plan* provides recommendations for pedestrian and bicycle facility projects (p.126) which recommends sidewalks along Swann Road from Silver Hill Road to Meadowview Drive. Staff would note that sidewalks and a bicycle lane have been constructed along the site's frontage of Swann Road.

Transportation Planning Review

Zoning Ordinance Compliance

Section 27-283 of the Prince George's County Zoning Ordinance (Ordinance) provides guidance for detailed site plans. The section references the following design guidelines described in Section 27-274(a):

(2) Parking, loading, and circulation

(I) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

(ix) Pedestrian and vehicular routes should generally be separate and clearly marked.

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques

(xi) Barrier-free pathways to accommodate the handicapped should be provided

(6) Site and streetscape amenities

(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:

(i) The design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture should be coordinated to enhance the visual unity of the site.

Comment: The subject property has one point of vehicle entry along Swann Road. Staff would note that the point of access lines up with Keir Drive, which is an existing road running north-south, located along the south side of Swann Road. The portion of Keir Drive which is currently constructed has a stop sign at its intersection with Swann Road. The point of vehicle access for the subject site creates a new four-way intersection, however, signalization at this intersection is not anticipated. To ensure the safety of motorists departing the subject site, staff recommend that a stop sign is installed along southbound Keir Drive, at its intersection with Swann Road, adjacent to HOA Parcel A, unless modified by the operating agency with written correspondence.

Access throughout the site is provided along Keir Drive, Cygnus Terrace, and Swann's Nest Court. Site circulation is confined to the site, thereby ensuring that no cut through traffic will take place from any neighboring developments. Sidewalks are shown along both sides of all new roads, accommodating pedestrian movement throughout the site. Crosswalks are shown at the point of vehicle entry points as well as at the intersection of Keir Drive and Cygnus Terrace. Staff requested the applicant update plans to show a minimum of three bicycle racks (Inverted-U style or a similar model that provides two points of contact for a parked bicycle) at HOA Parcel E, between lots 42 and 41.

The applicant has provided a parking tabulation, indicating the 57 dwellings require 2.0 parking spaces per unit or a total of 114, and has been met. No visitor parking is provided. Based on 27-568(a) staff find on-site parking to be sufficient for the subject application.

Conclusion:

Based on the findings presented above, staff conclude that the vehicular, pedestrian, and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines pursuant to Section 27, and meets the findings for pedestrian and bicycle transportation purposes, if the following conditions are met:

1. Prior to the certification of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assigns shall:
 - a. Update plans to show a minimum dedication of 30 feet from the centerline of Swann Road.
 - b. Update plans to show a stop sign along southbound Keir Drive, at its intersection with Swann Road, adjacent to HOA Parcel A, unless modified by the operating agency with written correspondence.
 - c. Update plans to show three bicycle racks (Inverted-U style or a similar model that provides two points of contact for a parked bicycle) at HOA Parcel E, between lots 42 and 41.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

September 12, 2023

Swann Road Investors LLC
4800 Hampden Lane, Suite 200
Bethesda, MD 20814

Re: Notification of Planning Board Action on
Preliminary Plan of Subdivision 4-22048
Swann Crossing

Dear Applicant:

This is to advise you that, on **September 7, 2023**, the above-referenced Preliminary Plan of Subdivision was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 23-401 of the Land Use Article of the Maryland Code, a petition for judicial review of the Planning Board's action must be filed with the Circuit Court for Prince George's County, Maryland within 30 calendar days after the date of this final notice (**September 12, 2023**). Please direct questions regarding this matter to Ms. Mahasin El Amin, Clerk of the Circuit Court, at 301-952-3318.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: *Antoine Keath*
Reviewer

Attachment: PGCPB Resolution No. **2023-90**

cc: Persons of Record

R E S O L U T I O N

WHEREAS, Swann Road Investors LLC, is the owner of a 12.74-acre parcel of land known as Lot 15; Parts of Lot 16; Part of Lot 19; Lot 67; Part of Lot 68; and Lot 69, said property being in the 6th Election District of Prince George's County, Maryland, and being zoned Residential, Single-Family -65 (RSF-65); and

WHEREAS, on May 15, 2023, Swann Road Investors LLC filed an application for approval of a Preliminary Plan of Subdivision for 57 lots and 6 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-22048 for Swann Crossing was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on July 27, 2023; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 24-1900 of the Subdivision Regulations, subdivision applications submitted before April 1, 2024, may be reviewed and decided in accordance with the prior Subdivision Regulations; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on July 27, 2023, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-008-2023, and APPROVED a Variance to Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-22048, for 57 lots and 6 parcels with the following conditions:

1. Prior to signature approval, the preliminary plan of subdivision shall be revised, as follows:
 - a. Other than for the existing dwelling on proposed Lot 57, label all existing structures on the subject site to be removed.

- b. Remove the approval block in the bottom right corner of the plans.
 - c. Remove the Recreational Facilities Calculation table.
 - d. Remove notes on fences and walls, corner lot obstructions, frontage, extension and projections, off-street parking, and signs.
 - e. Update General Note 21 to provide the stormwater management concept number.
 - f. Update General Note 27 to provide the Type 1 tree conservation plan number.
2. Development of the site shall be in conformance with Stormwater Management Concept Plan 40416-2022-0, and any subsequent revisions.
3. Prior to approval, the final plat of subdivision shall include:
- a. Right-of-way dedication of a minimum of 30 feet from the centerline of Swann Road, and dedication of the new proposed public rights-of-way within the subdivision, in accordance with the approved preliminary plan of subdivision.
 - b. Dedication of 10-foot-wide public utility easements, along both sides of all proposed rights-of-way, as delineated on the approved preliminary plan of subdivision.
4. In accordance with Section 24-135(b) of the prior Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate on-site recreational facilities.
5. Prior to submission of the final plat of subdivision for any residential lot/parcel, the applicant and the applicant's heirs, successors, and/or assignees shall submit three executed original private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of on-site recreational facilities, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the book and page of the RFA shall be noted on the final plat, prior to plat recordation.
6. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the *Parks and Recreation Facilities Guidelines*, with the review of the detailed site plan (DSP). Timing for construction shall also be determined, at the time of DSP review.

7. Prior to approval of building permits for residential development, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee to the Development Review Division, for construction of the recreational facilities.
8. Prior to approval of the detailed site plan, and prior to their demolition, the house and outbuildings at 3328 Swann Road shall be thoroughly documented on a Maryland Inventory of Historic Properties form by a 36CFR61-certified consultant. The form shall be submitted, in draft, to Historic Preservation staff for review and approval, and the final form shall be submitted to the Maryland Historical Trust.
9. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established for the subdivision. The draft covenants shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department for approval, and to ensure that the rights of the Maryland-National Capital Park and Planning Commission are included. The Liber/folio of the declaration of covenants shall be noted on the final plat, prior to recordation.
10. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association land, as identified on the approved preliminary plan of subdivision. Land to be conveyed shall be subject to the following:
 - a. A copy of the deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department.
 - b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation, upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operations that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
 - d. Any disturbance of land to be conveyed to the association shall be in accordance with an approved site plan and tree conservation plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division of the Prince George's County Planning Department.

- f. The Prince George's County Planning Board, or its designee, shall be satisfied that there are adequate provisions to ensure retention and future maintenance of the property to be conveyed.
- 11. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - a. Remove the proposed landscape credits from Lot 57 and revise the worksheet to account for the reduction of 0.17 acre of landscape credits. Provide an alternative method of meeting the remaining requirements, such as off-site credits.
 - b. Correct the approval block to provide TCP1-008-2023 as the tree conservation plan number within the Environmental Planning Section approval block.
 - c. Identify the Development Review Division case number as 4-22048 along the -00 line of the Environmental Planning Section approval block.
 - d. Revise the labeling for specimen trees to be more legible, using the same larger font for each tree.
 - e. Add the following note to the plan under the specimen tree table:

“NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE): The removal of six specimen trees (Section 25-122(b)(1)(G)), specifically specimen trees ST-1, ST-2, ST-3, ST-4, ST-7, and ST-19.”
 - f. Revise the woodland conservation worksheet to accurately reflect that the total wooded floodplain proposed for removal, based on the location of the stormwater outfall, is 0.01 acre.
- 12. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-008-2023). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan TCP1-008-2023, or most recent revision, or as modified by the Type 2 tree conservation plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”

13. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 tree conservation plan, when approved.”

14. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

15. Prior to issuance of any permits which impact 100-year floodplain, wetlands, wetland buffers, streams, or waters of the United States, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
16. Prior to issuance of the first permit, the final erosion and sediment control plan shall be submitted. The limits of disturbance shall be consistent between the plans.
17. Prior to issuance of the first permit, the final location of stormwater management (SWM) features on the Type 2 tree conservation plan shall be reflective of the approved SWM concept plan. The limits of disturbance shall be consistent between the plans.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George’s County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George’s County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on the east side of Swann Road, across from Keir Drive, and is 12.74 acres. The property is comprised of nine lots, recorded by deed in the Prince George’s County Land Records. These lots are known as: Lot 15 and Part 1 of Lot 16, recorded in Liber 40920 at folio 517; Part of Lot 16, recorded in Liber 42069 at folio 163; Part of Lot 16, recorded in Liber 21862 at folio 465; Part of Lot 19, recorded in Liber 25779 at folio 623; Lot 67 and Part of Lot 68, recorded in Liber 35168 at folio 68; and, Lot 69, recorded in Liber 23861 at folio 551, respectively. The property is within the Residential, Single-Family-65 (RSF-65) Zone; however, this preliminary plan of subdivision (PPS) was reviewed, in accordance with the prior

Prince George's County Zoning Ordinance and prior Prince George's County Subdivision Regulations, pursuant to Section 24-1900 of the Subdivision Regulations. Under the prior Zoning Ordinance, the subject property was in the One-Family Detached Residential (R-55) and Development District Overlay (D-D-O) Zones. In accordance with Section 24-1904(c) of the Subdivision Regulations, this PPS is supported by, and subject to, approved Certificate of Adequacy ADQ-2022-038. The site is subject to the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* (sector plan), Subtitles 24 and 27 of the prior Prince George's County Code, and other applicable plans, as outlined herein. The subject site currently has six single-family dwellings, of which five will be razed and one will remain. The PPS includes 57 lots and 6 parcels for development of 57 single-family detached dwellings, one of which is existing. Vehicular access is from Swann Road.

The PPS also includes a variance request to Section 25-122(b)(1)(G) of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), in order to allow the removal of six specimen trees. This request is discussed further in the Environmental finding of this resolution.

3. **Setting**—The subject property is located on Tax Map 80 in Grids E4 and F4, and Tax Map 88 in Grid F1, and is within Planning Area 75A. The properties abutting the subject site to the north consist of single-family detached dwellings within the RSF-65 and Legacy Mixed-Use Town Center (LMUTC) Zones. The properties abutting the subject site to the east consist of single-family detached dwellings and multifamily dwelling units within the RSF-65 and Residential, Multifamily-20 (RMF-20) Zones. The properties to the south, beyond Swann Road, and to the west consist of single-family detached dwellings within the RSF-65 Zone.
4. **Development Data Summary**—The following information relates to the subject PPS and the development evaluated.

	EXISTING	EVALUATED
Zone	RSF-65	R-55/D-D-O
Use(s)	Residential	Residential
Acreage	12.74	12.74
Lots	9	57
Parcels	0	6
Outlots	0	0
Dwelling Units	6	57

PPS 4-22048 was accepted for review on May 15, 2023. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on May 26, 2023. Revised plans were received on June 23, 2023, which were used for the analysis contained herein.

5. **Previous Approvals**—No prior approvals are associated with this site.

6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the sector plan are evaluated, as follows:

Plan 2035

Plan 2035 places this property in the Established Communities Growth Policy Area. Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the regional transit districts and local centers, as Established Communities, which are most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met (page 20).

Sector Plan Conformance

According to Plan 2035, all planning documents which were duly adopted and approved, prior to the date of adoption of Plan 2035, remain in full force and effect, except for the designation of tiers, corridors, and centers, until those plans are revised or superseded. Pursuant to Section 24-121(a)(5) of the prior Subdivision Regulations, a PPS must conform to the area master plan, unless events have occurred to render the relevant recommendations no longer appropriate, or the District Council has not imposed the recommended zoning. The sector plan is silent on the future land use of the subject property. The subject property is zoned R-55, which is included in the sector plan D-D-O Zone. Per Prince George's County Council Resolution CR-10-2014, the uses allowed on a property shall be the same as those allowed in the underlying zone in which the property is classified. The proposed use for the subject property for single-family detached dwellings is allowed, per the prior Zoning Ordinance and D-D-O Zone.

Pursuant to Section 24-121(a)(5), this PPS conforms to the land use recommendation of the sector plan.

7. **Stormwater Management**—An application for a major subdivision must include an approved stormwater management (SWM) concept plan, or an indication that an application for such approval has been filed with the appropriate agency or the municipality having approval authority. An unapproved SWM Concept Plan (40416-2022-0) was submitted with this PPS. The SWM concept plan shows the use of seven micro-bioretenion facilities and drywells to treat and detain stormwater before it leaves the site. An approved SWM concept plan will be required as part of the application, at the time of detailed site plan (DSP). No further information was required regarding SWM with this PPS.

Development of the site, in conformance with the SWM concept plan and any subsequent revisions, to ensure that no on-site or downstream flooding occurs, satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of Plan 2035, the 2017 *Land Preservation, Parks and Recreation Plan for Prince George's County*, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation*

and Open Space, the sector plan, and the prior Subdivision Regulations, as they pertain to public parks and recreation and facilities.

This PPS conforms to the sector plan, per Section 24-121(a)(5). The proposed development has no impact on sector plan park and open space recommendations.

Park and recreation amenities serving the subject property include Suitland Park, which is within 0.20 mile of the site and improved with a basketball court, a picnic area, a playground, a softball diamond, and trails. The William Beanes Community Center is within 0.34 mile of the site development and is improved with a community center, a gymnasium, a youth soccer field, a softball diamond, and an outdoor tennis court.

Separate from the evaluation of adequacy, mandatory dedication of parkland requirements is applicable. This PPS was reviewed, per the provisions of Sections 24-134 and 24-135 of the prior Subdivision Regulations, which pertain to mandatory dedication of parkland and provides for the dedication of land, payment of a fee-in-lieu, or recreational facilities, to meet the requirement. Based on the proposed density of development, 7.5 percent of the net residential lot area is required to be dedicated to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for public parks, which equates to 0.32 acre. The subject property is not adjacent to, or contiguous with, any property currently owned by M-NCPPC. Therefore, 0.32 acre of dedicated land would not be sufficient to provide for the types of active recreational activities that are needed.

The *Parks and Recreation Facilities Guidelines* also set standards based on population. The projected population for the development is 164 new residents. The applicant is proposing to meet the minimum requirement with the provision of a tot lot, benches, a hard surface path, landscaping, and turf. On-site recreational facilities, to meet mandatory dedication of parkland for the proposed development, shall be provided.

The applicant's proposal, to provide on-site recreational facilities, will meet the requirements of Section 24-135(a).

9. **Transportation (pedestrian, bicycle, and vehicular)**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the sector plan, to provide the appropriate transportation facilities.

Master Plan Roads

The subject site is located along Swann Road, which does not have a master plan right-of-way (ROW) designation established in the MPOT. The existing ROW of Swann Road is dedicated 30 feet from the roadway centerline, along the majority of the subject property's frontage. The applicant is proposing 687 square feet of ROW dedication, along the eastern portion of the site's roadway frontage, to provide a consistent ROW width for Swann Road.

Master Plan Pedestrian and Bike Facilities

The MPOT does not include planned pedestrian and bicycle facilities along the Swann Road frontage.

The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element recommends how to accommodate infrastructure for people that walk and utilize bicycles.

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers. (page 9)

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. (page 10)

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*. (page 10)

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles. (page 10)

The sector plan does not have any planned pedestrian or bicycle facilities along the frontage of Swann Road, but makes the following recommendations regarding the accommodation of pedestrian and bicycle facilities:

Goal 1: Provide safe, convenient, and accessible transportation system that meets the basic need for travel via motorized and non-motorized modes.

Goal 3: Promote pedestrian access to the station via a connected street grid and seek locations to implement the county's Complete Streets policies, by providing sidewalks and marked bicycle lanes in the station areas.

Goal 7: Decrease the production of greenhouse gases by minimizing vehicular trips and promoting greater pedestrian and bicycle mobility.

The PPS shows a network of sidewalks along both sides of all new roads and the property's frontage of Swann Road. The proposed configuration is acceptable. The pedestrian and bicycle facilities will be further evaluated during the DSP application.

Access and Circulation

The PPS indicates that the site will be served by one full-access connection, at the northeast side of the intersection of Swann Road and Kier Drive. The existing unsignalized T-intersection is proposed to be reconstructed as a four-leg unsignalized intersection, with the site access and Kier

Drive controlled by stop signs. The PPS provides a conceptual location of the access connections. The proposed plan and circulation layout are acceptable.

Based on the preceding findings, the transportation facilities will be in conformance with the MPOT, the sector plan, and the Subdivision Regulations.

10. **Public Facilities**—This PPS was reviewed for conformance to the sector plan, in accordance with Section 24-121(a)(5). The sector plan contains discussion of public facilities in the project area (page 17) and establishes goals for public facilities and parks in the transit-oriented development area (page 36). The primary goal for public facilities is:

Seek opportunities for new public facilities that will serve as amenities to support the Green Line stations as neighborhoods of choice for current and new residents and businesses.

The proposed development will not impede achievement of any of the above-referenced goals. There are no police, fire and emergency medical service facilities, public schools, parks, or libraries proposed on the subject property. This PPS is further supported by an approved Certificate of Adequacy (ADQ-2022-038), which ensures adequate public facilities to support the proposed land use. The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities; however, none of the recommendations affect the subject site.

11. **Public Utility Easement**—Section 24-122(a) of the prior Subdivision Regulations requires that, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The standard requirement for public utility easements (PUEs) is 10 feet wide, along both sides of all public ROWs. The subject site has frontage along the existing public ROW of Swann Road, and includes new public ROWs throughout the site. The required 10-foot-wide PUEs are depicted on both sides of all the proposed public ROWs, and along the entire frontage of Swann Road.

12. **Historic**—The sector plan contains minimal goals and policies related to historic preservation. However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites, indicates that the probability of archeological sites within the subject property is high. An 1878 Hopkins Atlas map indicates the location of at least one structure, identified as S.T. Suit. Tax records suggest that 3328 Swann Road was constructed circa 1900, and 3324 Swann Road in 1948. A Phase I archeology survey was completed in January 2023, and no further work was required. Based on the information contained in the Phase I archeology survey, the house and outbuildings at 3328 Swann Road shall be

photographed and recorded on a Maryland Inventory of Historic Properties form, prior to its demolition.

13. **Environmental**—The following applications and associated plans have been reviewed for the subject site:

Review Case	Associated Tree Conservation Plan	Authority	Status	Action Date	Resolution Number
NRI-085-2022	N/A	Staff	Approved	6/23/2022	N/A
4-22048	TCP1-008-2023	Planning Board	Approved	7/27/2023	2023-90

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 of the County Code because this is a new PPS.

Site Description

This site contains 100-year floodplain, wetlands, and streams associated with the Potomac River basin. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on, or in the vicinity of, this property. The site does not have frontage on any roadways with a scenic or historic designation. According to the 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George's Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan), the site contains evaluation areas.

Plan 2035

The site is located within Environmental Strategy Area 1 (formerly the Developed Tier) of Growth Policy Area, as designated by Plan 2035.

Sector Plan Conformance

The sector plan provides recommendations on environmental quality and sustainability. The text in **BOLD** is from the sector plan and the plain text provides findings on plan conformance. The recommendations are as follows:

Environmental Quality and Sustainability (page 51)

- **Conserving and protecting trees, woodlands, and wildlife habitat by requiring site planning techniques and construction practices that prevent adverse effects on these sensitive environmental features.**

This site features woodland, floodplain, and streams. The primary management area (PMA) is located along the northeastern property edge. The existing woodland is split into two stands, as identified on Natural Resources Inventory NRI-085-2022 as Stand A and Stand B. Stand A is located in conjunction with the PMA. Stand B abuts Stand A, encompassing a portion of the developable

area. Stand A is noted for having high priority for preservation and reforestation, while Stand B has a low priority. A total of 5.00 acres of woodland is located on-site, with 0.47 acre of the site being in the floodplain, 0.19 acre of woodland in the floodplain, and 4.81 acres of woodland in the net tract. This PPS will retain 1.55 acres of the total 5.00 acres of woodland as preservation, and clear 2.96 acres of woodland within the net tract and 0.19 acre of woodland in the floodplain. The woodland preservation proposed on-site is located within, and in close proximity to, the PMA. The PMA contains regulated environmental features (REF), which are required to be preserved with minimal allowable impacts. The clearing of woodlands is anticipated on sites proposed for development; however, the expectation put forth by both the sector plan and the Green Infrastructure Plan is that the development proposals are to be designed, in such a way, to minimize impact to REF. The layout proposed with this development maximizes the use of the developable area by clearing the existing woodland within Stand B, outside of the PMA. The development includes minimal impacts to the PMA, which is limited to an outfall for SWM. The majority of the high-priority woodland in Stand A is retained.

- **Improving water quality using a variety of approaches appropriate to an urban setting. These should include but should not be limited to comprehensive streetscape plans using extensive tree planting, linear urban parks, and median planting; green rooftops; and using site designs that reduce surface runoff and maximize infiltration in all new and redeveloped sites.**

An unapproved SWM Concept Plan (40416-2022-0) was submitted with this PPS, which shows the use of seven micro-bioretenion devices and drywells, to meet environmental site design. Stormwater is reviewed by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). It should be noted that, if DPIE approved a stormwater design that shows impacts to specimen trees and PMA, it is not sufficient justification to approve those impacts to REF.

- **Protecting, preserving and enhancing the green infrastructure network and enhancing environmental corridors by focusing development outside the network.**

The majority of the site outside of the green infrastructure network is proposed to be developed. The portion of the green infrastructure network on-site includes the stream buffer, PMA, and existing woodland. This area is the only woodland preservation on-site. The PMA and stream buffer are in large part preserved, with the exception of a 0.7-acre impact to the 2.04-acre PMA for a stormwater outfall necessary for the conveyance of stormwater off-site. As such, impacts have been limited, to the greatest extent possible. A focus on preserving, protecting, and enhancing the environmental features on-site was considered with this PPS.

Green Infrastructure Plan Conformance

According to the Green Infrastructure Plan, the site contains an evaluation area. The following policies and strategies are applicable to the subject PPS. The text in **BOLD** is the text from the Green Infrastructure Plan and the plain text provides findings on plan conformance:

Policy 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.

- 1.1 Ensure that areas of connectivity and ecological functions are maintained, restored, and/or established by:**
 - a. Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
 - b. Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**
 - c. Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
 - d. Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these.**
- 1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.**
 - a. Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**

The property is within the Potomac River watershed and is not within a Tier II catchment area. The site contains a stream system, which is within the evaluation area of the green infrastructure network. The plan proposes to retain the majority of the stream system and to provide woodland preservation within the stream buffer and PMA. Stream crossings are not proposed with this PPS; however, impacts to the PMA are proposed, which are discussed later in this finding.

Policy 2: Support implementation of the 2017 GI Plan throughout the planning process.

- 2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping and/or street trees.**
- 2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**
- 2.6 Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.**

The PPS indicates that the regulated system on-site will be impacted by a stormwater outfall, with the majority of the stream buffer to be protected by preservation. A Type 1 tree conservation plan (TCP1) was provided with this PPS, which shows that the woodland conservation requirement will be met with woodland preservation, landscape credits, reforestation, and off-site credits.

Policy 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

- 3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**
 - a. Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced, or new roads are constructed.**

No fragmentation of REF by transportation systems is proposed with this PPS; however, the environmentally sensitive areas on-site are being impacted for a necessary stormwater outfall, resulting in minor fragmentation of the PMA.

- b. Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible.**

Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.

No trail systems are proposed with this PPS.

Policy 4: Provide the necessary tools for implementation of the Green Infrastructure Plan.

- 4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

On-site woodland conservation shall be placed in Woodland and Wildlife Habitat Conservation Easements, prior to certification of the DSP and associated Type 2 tree conservation plan (TCP2).

Policy 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

- 5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**
- 5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

The proposal has not received stormwater concept approval. The unapproved draft concept plan, submitted with this PPS, shows the use of seven micro-bioretenment devices and a series of drywells to meet the current requirements of environmental site design, to the maximum extent practicable. The TCP1 submitted shows one impact to the PMA for a stormwater outfall. The stormwater concept shall be updated to match the TCP1 and current layout. No stormwater features, aside from stormwater outfalls, shall be placed within the PMA.

Policy 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage.

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**

- 7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**
- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

Woodland exists on-site along the stream systems and throughout the site. The TCP1 meets the woodland conservation requirements with on-site preservation, on-site reforestation, landscape credits, and off-site credits. Retention of existing woodlands and planting of native species on-site is required by both the Environmental Technical Manual (ETM) and the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Fifty-four percent of the development's requirement is being met on-site. The woodland conservation threshold is calculated as 20 percent, or 2.45 acres. The TCP1 provides a total of 1.99 acres of woodland conservation on-site through preservation, reforestation, and landscape credits, which addresses 81 percent of the woodland conservation threshold requirement. Tree canopy coverage requirements will be evaluated at the time of the DSP review.

Forest Canopy Strategies

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**
- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**
- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management.**

Clearing of woodland is proposed with the subject PPS. Woodland conservation is to be designed to minimize fragmentation and reinforce new forest edges. This site does not contain potential forest interior dwelling species. Green space is encouraged to serve multiple eco-services.

Policy 12: Provide adequate protection and screening from noise and vibration.

- 12.2 Ensure new development is designed so that dwellings or other places where people sleep are located outside designated noise corridors. Alternatively, mitigation in the form of earthen berms, plant materials, fencing, or building construction methods and materials may be used.**

The project does not abut, but is in the vicinity of Suitland Road, which is classified as a master-planned arterial roadway. A substantial buffer has been established between Suitland Road and the residential lots.

ENVIRONMENTAL REVIEW

Natural Resources Inventory

A signed Natural Resources Inventory (NRI-085-2022) was submitted with the PPS. The site contains floodplain, streams, and associated buffers that comprise the PMA. The NRI indicates the presence of two forest stands, labeled as Stand A and Stand B, with 26 specimen trees identified on-site. Within the specimen tree variance, Finding F, the applicant stated that manmade debris exists in the PMA area. The NRI does not show any debris piles in this area and no additional comments were made regarding debris piles on any other environmental documents. The TCP1 and the PPS show all required information correctly, in conformance with the NRI; however, if DPIE finds that the debris piles are significant enough to require removal, the NRI shall be revised to show the debris piles, prior to certification of the TCP1.

Woodland Conservation

This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) because this is a new PPS and is subject to the ETM. Type 1 Tree Conservation Plan TCP1-008-2023 was submitted with the PPS and requires minor revisions, to be found in conformance with the WCO.

The woodland conservation threshold for this 12.74-acre property is 20 percent of the net tract area, or 2.45 acres. The total woodland conservation requirement, based on the amount of clearing proposed, is 3.84 acres. The woodland conservation requirement is to be satisfied with 1.55 acres of on-site woodland preservation, 0.21 acre of landscape credits, 0.23 acre of reforestation, and 1.85 acres of off-site credit. Following the June 23, 2023 submittal, the applicant further clarified that the clearing of 0.19 acre, shown on the TCP1, is incorrect and should be 0.01 acre of wooded floodplain clearing. This value shall be corrected, prior to signature approval of the TCP1. The woodland conservation worksheet shall be revised to accurately reflect the wooded floodplain clearing.

Technical revisions to the TCP1 are required and included in the conditions of this resolution.

Specimen, Champion, or Historic Trees

Section 25-122(b)(1)(G) of the Prince George’s County Code requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.” The code, however, is not inflexible.

The authorizing legislation of Prince George’s County’s WCO is the Maryland Forest Conservation Act, which is codified under Title 5, Subtitle 16 of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria in WCO are set forth in Section 25-119(d). Section 25-119(d)(4) clarifies that variances granted under Subtitle 25 are not considered zoning variances.

A revised Subtitle 25 variance, dated June 22, 2023, was submitted for review with this PPS. Approved NRI-085-2022 identifies a total of 26 specimen trees on-site. The following analysis is a review of the request to remove six specimen trees.

The letter of justification (LOJ) requests the removal of six specimen trees identified as ST-1, ST-2, ST-3, ST-4, ST-7, and ST-19. The condition of trees proposed for removal ranges from poor to good. The TCP1 shows the location of the trees proposed for removal, for the development of the site and associated infrastructure.

Specimen Tree Variance SOJ Table						
ST	DBH	Common Name	Location	Rating	Impact	Construction Tolerance
1	43	Silver Maple	Outside any forest stand, north of dwelling to remain	Fair	Grading for lots	Poor
2	38	White Mulberry	Outside any forest stand, north of dwelling to remain	Poor	Grading for lots	Good
3	33	American Basswood	Outside any forest stand, north of dwelling to remain	Fair	Grading for lots	Medium
4	30	Red Maple	Outside any forest stand, west of ST-8 and ST-9	Poor	Stormwater and utilities	Good
7	45	White Oak	Outside any forest stand, west of ST-8 and ST-9	Fair	Stormwater and utilities	Medium/Good
19	38	Sweetgum	Within Forest Stand A	Good	Stormwater and utilities	Good

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

Section 25-119(d) Variances

- (1) An applicant may request a variance from this Division as part of the review of a TCP where owing to special features of the site or other circumstances, implementation of this subtitle would result in unwarranted hardship to an applicant. To approve a variance, the approving authority shall find that:**

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

In relation to other properties in the area, special conditions peculiar to the subject property would cause an unwarranted hardship, if the applicant were required to retain six specimen trees identified as ST-1, ST-2, ST-3, ST-4, ST-7, and ST-19. Those “special conditions” relate to the specimen trees themselves, such as their size, condition, species, and on-site location.

The property is 12.74 acres, and the NRI shows approximately 2.04 acres of PMA comprised of streams, floodplain, wetlands, and associated buffers. This represents approximately 16 percent of the overall site area. The applicant is proposing one impact to the site’s PMA which shall be fully minimized, to the extent practicable, and is proposing woodland conservation to further protect the PMA.

The specimen trees are located in two key areas of the site. Three trees are located towards Swann Road and the existing dwelling, with the remaining trees either near or within the PMA. The specimen trees proposed for removal are located in the upland areas of the site, in the steep slopes to the north, and within the PMA. This site contains steep slopes, wetlands, streams, and floodplains, with the PMA located to the north of the site, running east to west. A summary of each removal request is, as follows:

Grading for Lots						
ST	DBH	Common Name	Location	Rating	Impact	Construction Tolerance
1	43	Silver Maple	Outside any forest stand, north of dwelling to remain	Fair	Grading for lots	Poor
2	38	White Mulberry	Outside any forest stand, north of dwelling to remain	Poor	Grading for lots	Good
3	33	American Basswood	Outside any forest stand, north of dwelling to remain	Fair	Grading for lots	Medium

The table above indicates the specimen trees requested for removal, due to the grading required for lots. The species in this area are maple, basswood, and mulberry. These trees have poor to good construction tolerances. All trees in this category are in poor to fair condition. The largest tree in this set is a 43-inch diameter, at breast height, silver maple. Retention of these trees would not allow for the grading required to establish the proposed lots and to install drainage swales to protect the existing lot, which is to remain. The three trees are located in close proximity to Swann Road, well outside of the PMA and REF. Given the current condition of these trees, additional stressors could result in unsafe and potentially hazardous conditions for future residents. Not grading this area could result in standing water or the flooding of adjacent properties. The removal of these trees maintains safe standard engineering practices, and is approved.

Grading for Stormwater and Utilities						
ST	DBH	Common Name	Location	Rating	Impact	Construction Tolerance
4	30	Red Maple	Outside any forest stand, west of ST-8 and ST-9	Poor	Stormwater and utilities	Good
7	45	White Oak	Outside any forest stand, west of ST-8 and ST-9	Fair	Stormwater and utilities	Medium/Good
19	38	Sweetgum	Within Forest Stand A	Good	Stormwater and utilities	Good

The table above indicates the specimen trees requested for removal, due to the grading required to establish SWM and utilities. The species in this area are maple, sweetgum, and oak. These trees have good to medium

construction tolerance. The trees in this category range from poor to good condition. The largest tree in this set is a 45-inch diameter, at breast height, white oak. Retention of these trees would not allow for the grading required to implement SWM facilities and necessary utility connections. Retaining these trees, and not accounting for their condition, could result in unsafe and potentially hazardous conditions for future residents, due to potential stormwater flooding. While none of these trees are within the PMA, both ST-7 and ST-19 are within close proximity to the PMA. The PMA area of this site features steep slopes, which require grading to meet the requirements for lotting and stormwater facilities. The removal of ST-19 allows for the retention of on-site PMA and avoids impacts for the proposed sewer utility. The removal of ST-4, ST-7, and ST-19 is approved.

The applicant submitted an LOJ to request the removal of six specimen trees identified as ST-1, ST-2, ST-3, ST-4, ST-7, and ST-19. The condition of trees proposed for removal ranges from poor to good. The TCP1 shows the location of the trees proposed for removal, for the development of the site and associated infrastructure.

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

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

Based on the location and species of the specimen trees proposed for removal, retaining the trees and avoiding disturbance to the CRZ would have only a minor impact on the development potential of the property. If similar trees were encountered on other sites, they would be evaluated under the same criteria.

The proposed residential development is a use that aligns with the uses permitted in the R-55 Zone. ST-1, ST-2, and ST-3 are located within the developable parts of the site, with the remaining specimen trees near or within the PMA. Aside from the PMA area proposed to be impacted, the only preservation of existing woodland on-site is within, and in proximity to, the PMA area. Of the existing 4.81 acres of net tract area

woodland, only 1.55 acres (32 percent) are proposed to be retained. The woodland conservation threshold for this development is calculated as 20 percent, or 2.45 acres. Not all of the specimen trees proposed for removal are centrally located at the site, three are in close proximity to the PMA, and the request for removal is partly due to locating necessary infrastructure at the fringe of the development and within the PMA to maximize the use of the developable area. The locations of these specimen trees do not significantly inhibit the developable area; however, utilities have been co-located to reduce additional PMA and specimen tree impacts, and stormwater features were located in order to provide for the safe conveyance of stormwater from the site.

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

Not granting the variance request for ST-1, ST-2, ST-3, ST-4, ST-7, and ST-19 would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. If other similar developments featured REF and specimen trees in similar conditions and locations, they would be given the same considerations during the review of the required variance application.

This site is noted in the Southern Green Line Sector Plan as being one of the few locations for proposed residential development. The applicant states that smaller compact lots are preferable at this location, given the proximity to the Suitland Metro Station. The density and lot type are not specifically mentioned in the sector plan; however, the sector plan does state that conserving and protecting trees, existing woodlands, and REF is a priority, as provided in Chapter 2. With this PPS, the PMA has been mostly preserved, which does align with the sector plan's goals.

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

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant. The removal of all six specimen trees would be the result of the infrastructure and grading required for the development, as proposed by the applicant. The request to remove the trees is solely based on the trees' locations on the site, their species, and condition.

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

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

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

Granting this variance request will not violate state water quality standards, nor cause measurable degradation in water quality. Requirements regarding SWM are reviewed and approved by DPIE. Erosion and sediment control requirements are reviewed and approved by the Prince George's County Soil Conservation District. Both SWM and sediment and erosion control requirements are to be met, in conformance with state and local laws, to ensure that the quality of water leaving the site meets the state standards set to ensure that no degradation occurs.

The required findings of Section 25-119(d) have been adequately addressed for the removal of six specimen trees identified as ST-1, ST-2, ST-3, ST-4, ST-7, and ST-19. The variance for the removal of six specimen trees identified as ST-1, ST-2, ST-3, ST-4, ST-7, and ST-19, for construction of residential development, is approved.

Soils

The predominant soils found to occur, according to the United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey, are in the Beltsville-Urban land complex, Chillum-Urban land complex, Croom-Marr complex, Croom-Marr-Urban complex, and the Croom-Urban land complex. Soils containing Marlboro clays or Christiana complexes do not occur on-site. This information is provided for the applicant's benefit and may affect the architectural design of structures, grading requirements, and SWM elements of the site. DPIE may require a soils report, in conformance with Prince George's County Council Bill CB-94-2004, during the permit process review.

Erosion and Sediment Control

The County requires approval of an erosion and sediment control plan. The TCP2 must reflect the ultimate limits of disturbance (LOD), not only for installation of permanent site infrastructure, but also for installation of all temporary infrastructure, including erosion and sediment control measures. A copy of the erosion and sediment control technical plan must be submitted with the TCP2, so that the ultimate LOD for the project can be verified and shown on the TCP2.

Regulated Environmental Features

This site contains REF that is required to be preserved and/or restored, to the fullest extent possible, under Section 24-130(b)(5) of the prior Subdivision Regulations. The on-site REF

includes streams, stream buffers, 100-year floodplain, and steep slopes. An LOJ for impacts to the PMA was submitted with the acceptance of this PPS. A revised LOJ, dated June 5, 2023, was submitted addressing comments presented at SDRC. The revised LOJ showed an increase in the total square footage of requested impacts of 87 square feet (0.002 acre), bringing the total request up to 11,144 square feet (0.26 acre) and 20 linear feet of stream impacts for installation of the stormwater outfall. Subsequently, the applicant submitted a redesign of the layout showing a reduction to the PMA impacts on the site. A revised LOJ was submitted, dated June 22, 2023, which removed three previously proposed impacts and proposed one impact for a stormwater outfall. This reduced the total proposed PMA impacts from 11,144 square feet (0.26 acre) to 3,049.02 square feet (0.07 acre) and 20 linear feet of stream impact.

Impact 1

This request is for 2,857 square feet (0.07 acre) of PMA impacts and 20 linear feet of stream impacts, for an outfall from the proposed submerged gravel wetland. This impact is reflective of the unapproved stormwater plan and is approved, for conveyance of stormwater off-site.

14. **Urban Design**—The PPS was reviewed for conformance with the requirements of the prior Zoning Ordinance, the Prince George’s County Tree Canopy Coverage Ordinance, and the Landscape Manual.

Conformance with the Zoning Ordinance

The use evaluated for this property in the R-55 Zone is permitted, subject to approval of a DSP, per Section 27-548.25(a) of the prior Zoning Ordinance.

Conformance with the prior Zoning Ordinance is required for the proposed development, at the time of DSP review, including, but not limited to the following:

- **Section 27-430 requirements for the R-55 Zone, as applicable;**
- **Section 27-441(b) regarding uses permitted in the R-55 Zone;**
- **Section 27-442 regarding regulations in the R-55 Zone;**
- **Part 11 Off-Street Parking and Loading; and**
- **Part 12.**

Conformance with the 2010 Prince George’s County Landscape Manual

The development proposal for a community consisting of 57 single-family detached dwellings is subject to the Landscape Manual because this PPS is for new construction. Specifically, the following sections of the Landscape Manual are applicable to this property:

- **Section 4.1 – Residential Requirements;**
- **Section 4.7 – Buffering Incompatible Uses; and**
- **Section 4.9 – Sustainable Landscaping Requirements.**

Conformance with the applicable landscaping requirements will be determined, at the time of DSP.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area, or disturbance, and requires a grading permit. The subject site, in the RSF-65 Zone, is required to provide a minimum of 15 percent of the gross tract area to be covered by tree canopy. Compliance with this requirement will be evaluated, at the time of future DSP review.

15. **Community Feedback**—A citizen letter of opposition, dated July 25, 2023, was received. The letter expressed concern over the public’s access to information, regarding studies for impacts such as transportation, environmental, and public safety. With regard to transportation impacts, these were evaluated with approved Certificate of Adequacy ADQ-2022-038, which was published on the M-NCPPC website for public viewing. The traffic analysis found that all roads impacted by this PPS will operate adequately. A review of public safety impacts is also included in the ADQ, which found that police and fire and rescue response times are adequate.

The letter of opposition also discusses concerns on environmental impacts, such as the removal of trees and displacement of wildlife during construction. Environmental impacts, and their review, is included in the Environmental finding of this resolution. The Planning Board hearing for this PPS, originally scheduled for July 13, 2023, was continued to July 27, 2023, in part, to give the applicant additional time to reduce the proposed environmental impacts.

In regard to displacement of wildlife during construction, the applicant is required to submit and obtain approval of a sediment and erosion control plan. This plan ensures the stabilization of land, and requires silt fences around construction sites to contain dust and debris.


BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner, Geraldo, and Shapiro voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, July 27, 2023, in Upper Marlboro, Maryland.

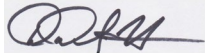
Adopted by the Prince George's County Planning Board this 7th day of September 2023.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:AH:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: August 22, 2023

CASE NO: 4-22048
CASE NAME: SWANN ROAD
PARTY OF RECORD: 16
PB DATE: 9-7-2023



VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD SUITE 400
GERMANTOWN MD 20874
(CASE NUMBER: 4-22048)

MICHAEL LENHART
LENHART TRAFFIC CONSULTING, INC.
645 B&A BOULEVARD SUITE 214
SEVERNA PARK MD 21146
(CASE NUMBER: 4-22048)

JOSHUA SLOAN
VIKA MD, LLC
20251 CENTURY BOULEVARD SUITE 400
GERMANTOWN MD 20874
(CASE NUMBER: 4-22048)

ALMETA HOUSEY
4909 KEIR COURT/S
SUITLAND MD 20746
(CASE NUMBER: 4-22048)

MRS.ELSIE REYNOLDS
3102 ROMAIN COURT/S
SUITLAND MD 20746
(CASE NUMBER: 4-22048)

MR.DARRELL E HOUSEY JR.
4101 NORTH APPLGATE COURT/S
SUITLAND MD 20746
(CASE NUMBER: 4-22048)

WILLIAM AND DIANE CAREY
3202 RYAN DRIVE
SUITLAND MD 20746
(CASE NUMBER: 4-22048)

NATHANIEL FORMAN
O'MALLEY, MILES, NYLEN AND GILMORE
7850 WALKER DRIVE SUITE 310
GREENBELT MD 20770
(CASE NUMBER: 4-22048)

JESSICA MCMAHON
NVR, INC.
5265 WESTVIEW DRIVE SUITE 210
FREDERICK MD 21703
(CASE NUMBER: 4-22048)

MR.EDWARD STOBIEFSKI
3300 RYAN DRIVE
SUITLAND MD 20746
(CASE NUMBER: 4-22048)

MR.LEONARD GORE JR.
3705 DEMING DRIVE
SUITLAND MD 20746
(CASE NUMBER: 4-22048)

CRG DEVELOPMENT
4800 HAMPDEN LANE SUITE 200
BETHESDA MD 20814
(CASE NUMBER: 4-22048)

CRAIG COHEN
CRG DEVELOPMENT
4800 HAMPDEN LANE SUITE 200
BETHESDA MD 20814
(CASE NUMBER: 4-22048)

MR.WILSON STAGGERS
4847 EASTERN LANE LANE
SUITLAND MD 20746
(CASE NUMBER: 4-22048)

JUSTIN VALDEZ
NVR
4700 CORRIDOR PLACE
BELTSVILLE MD 20705
(CASE NUMBER: 4-22048)

MS.KAREN TOLES
6 BLADEN STREET ROOM 203
ANNAPOLIS MD 21401
(CASE NUMBER: 4-22048)

Additional Back-up

For

**DSP-23019
Swann Crossing**

Applicant's Proposed Revised Findings and Conditions DSP-23019

FINDINGS

...

14. Referral Comments

...

Stormwater Management

An approved SWM Concept Plan 40416-2022-00 was submitted with the initial submission material showing the use of nine micro-bioretenion devices and dry wells, to meet environmental site design (ESD) to the maximum extent practical. In order to further reduce potential PMA impacts, the applicant has agreed to relocate the proposed recreation area from the rear of the site to a more centralized location. This relocation directly impacts a proposed micro-bioretenion facility, identified as MBF-8, on proposed Parcel E. The applicant has proposed to redesign the stormwater facility to a concrete-lined micro-bioretenion facility, which will share Parcel E with the recreation area. Staff are supportive of the redesign, if evidence can be provided at time of DSP certification that DPIE is not requiring a revised stormwater concept, indicating that this revision can be captured with the final technical stormwater approval. At time of certification provide correspondence from DPIE to demonstrate the proposed revision is in conformance to the approved stormwater management concept plan. At time of permit, the technical stormwater plan shall match the TCP2. ~~The approved revised SWM concept plan shall be submitted prior to signature approval of the TCP2.~~

...

RECOMMENDATION

...

1. Prior to certification, the applicant and the applicant's heirs, successors and/or assignees shall revise the detailed ~~design~~ site plan (DSP) as follows:

...

- b. Provide at least one bench and one trash receptacle along Swann's Nest Court: on Parcel E outside of fenced recreation area. If there is insufficient space on Parcel E outside of the fenced recreation area, then applicant shall provide at least one bench and one trash receptacle along Swann's Nest Court between Lots 30 and 31.

...

- e. Provide at least one ~~additional~~ inclusive piece of equipment in the recreation area: or provide documentation that one of the proposed recreational pieces of equipment is ADA compliant.

...

5. Prior to certification, applicant will provide correspondence from DPIE that the relocation

of the proposed recreation facility to Parcel E will not result in a revision to the approved stormwater concept plan. At the time of permit, the technical stormwater plan shall match the TCP2.