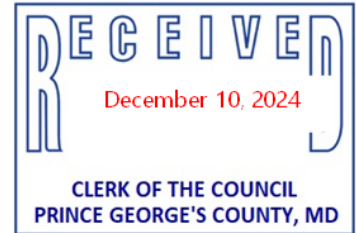




December 10, 2024



Potomac Realty Company
500 N. Washington Street #1043
Rockville, MD 20849

Re: Notification of Planning Board Action on
Detailed Site Plan DET-2024-004
Harmony Garden

Dear Applicant:

This is to advise you that, on **December 5, 2024**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to the Prince George's County Planning Board's Rules of Procedure, the Planning Board's decision will become effective 30 calendar days after the date of this notice (**December 10, 2024**) of the Planning Board's decision, unless:

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

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

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

Sincerely,
Sherri Conner, Acting Chief
Development Review Division



The Maryland-National Capital Park and Planning Commission



PRINCE GEORGE'S COUNTY
Planning Department

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

By: Joshua Mitchum
Reviewer

Attachment: PGCPB Resolution No. **2024-119**

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

PGCPB No. 2024-119

File No. DET-2024-004

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the applicant, Potomac Realty Company, submitted an application for approval of a detailed site plan; and

WHEREAS, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance; and

WHEREAS, in consideration of evidence presented at a public hearing on November 14, 2024, regarding Detailed Site Plan DET-2024-004 for Harmony Garden, the Planning Board finds:

I. EVALUATION CRITERIA

- A. Prince George's County Zoning Ordinance;**
- B. The 2018 Prince George's County Landscape Manual;**
- C. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.** Pursuant to Section 25-119(a)(2)(B) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, applications for a detailed site plan (DET) shall include a Type 2 tree conservation plan (TCP2) or a standard letter of exemption. If a site requires approval of a TCP2, with an associated DET application, the TCP2 will be reviewed simultaneously with the associated plan.
- D. Prince George's County Tree Canopy Coverage Ordinance.** The site is subject to the requirements of the Prince George's County Tree Canopy Coverage Ordinance.

II. BACKGROUND

- A. Request:** The subject DET proposes the development of the site improvements for 67 single-family attached (townhouse) residential dwelling units. As part of the application, the applicant has filed an Alternative Compliance request (ACL-2024-004) from the requirements of Section 4.10, Street Trees Along Private Streets, of the 2018 *Prince George's County Landscape Manual* (Landscape Manual).

B. Development Data Summary:

	EXISTING	EVALUATED
Zone(s)	CGO (Commercial, General and Office)	CGO (Commercial, General and Office)
Use	Vacant	Single-family attached (townhouse) dwelling units
Total Gross Acreage	7.75	7.75
Total Net Acreage	5.22	5.22
Dwelling Units	0	67

C. Location: The subject site is located south of the intersection of Old Baltimore Pike and Ammendale Way, in Planning Area 62, and Council District 1. The subject property is bounded to the northeast by Ammendale Way and a Maryland-National Capital Park and Planning Commission-owned community park in the Residential, Single-Family-95 (RSF-95) Zone beyond; to the southwest by a single-family detached home in the Residential, Rural (RR) Zone; to the southeast by single-family attached homes within the North Creek Subdivision, in the Residential, Single-Family-Attached Zone; and to the west by Old Baltimore Pike, with various industrial uses in the Industrial, Heavy Zone beyond.

D. Proposed Uses: The subject DET is approved for a single use on the property: single-family attached (townhouse) residential dwelling units. This use is permitted in the Commercial, General and Office (CGO) Zone, subject to the applicable standards found in Section 27-4203 of the Prince George's County Zoning Ordinance.

E. Previous Approvals: The property is subject to Preliminary Plan of Subdivision PPS-2022-043, which was approved by the Prince George's County Planning Board on November 30, 2023 (PGCPB Resolution No. 2023-126), for 67 lots and 10 parcels, subject to 10 conditions.

This property is also subject to an approved Certificate of Adequacy, ADQ-2022-099, which was approved on November 22, 2023, subject to four conditions. The ADQ is valid for 12 years from the date of its approval, subject to the additional expiration provisions of Section 24-4503(c)(1)(C) of the Prince George's County Subdivision Regulations.

F. Design Features:

- Architecture**—The DET is approved for one model, the Arcadia, which will be 20 feet wide with rear-loaded garages that can accommodate two vehicles. The Arcadia will have a three-story configuration; however, the applicant notes that a fourth -story loft and roof deck will be available as an option, at time of construction. The application submission includes colored architectural elevations that show a variety of materials comprised of ledgerstone, vinyl, shake, and masonry veneer. Materials are shown in a variety of colors such as gray,

blue, white, and light brown. Enhanced elevations have been provided for units with high visibility at the side and rear façades, however, there is no indication on the plans that denotes which lots will require enhanced elevations. A condition is added herein to add a table that tracks which lots are designated for high-visibility units that will require enhanced elevations.

2. **Parking**—As shown in the plan set submitted with this application, parking requirements are met (138 required, 283 proposed—which includes 15 visitor parking spaces) with garages spaces, driveway spaces, and on-street parking spaces along alleys and streets throughout the development.
3. **Signage**—No signage is approved with this application.
4. **Lighting**—The DET includes a photometric plan, which demonstrates conformance with the applicable standards in Section 27-6700 of the Zoning Ordinance. Lighting is proposed along streets and alleys.
5. **Recreation Facilities**—The DET is approved for recreational facilities in the form of a playground, benches, and open space, which are shown on the north side of Private Street A, in the center of the development.

III. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ZONING ORDINANCE

A. Detailed Site Plan Decision Standards (Section 27-3605(e))

- (1) **The proposed development represents a reasonable alternative for satisfying the applicable standards of this Subtitle without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use;**

The applicable standards of this Subtitle consist of those required in the CGO Zone, the Intensity and Dimensional Standards, in Section 27-4203(d)(2) of the Zoning Ordinance, and applicable Development Standards of Part 27-6 of the Zoning Ordinance.

1. **Standards Applicable in the CGO Zone, Intensity and Dimensional Standards**

The DET is in conformance with the applicable CGO Zone, Intensity and Dimensional Standards, as shown below:

STANDARD	REQUIRED	PROPOSED
Density, max (du/ac of net lot area)	20	8.6
Net lot area, min. (sf)	No requirement	-
Lot width, min. (ft)	20	20
Lot Coverage, max. (% of net lot area)	65	16
Front yard depth, min. (ft)	10	10
Side yard depth, min. (ft)	8	10
Rear yard depth, min. (ft)	15	17.5
Principal structure height, max. (ft)	50	36

2. Applicable Development Standards

The DET is consistent with the applicable standards in Part 27-6. The following analysis is offered:

a. Section 27-6200—Roadway Access, Mobility, and Circulation

The DET is in conformance with the applicable standards in Section 27-6200 of the Zoning Ordinance, as follows:

Section 27-6202. Consistency with Plans: The design and construction of access and circulation systems associated with this DET is consistent with the transportation goals, objectives, and actions in the County’s General Plan, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the applicable area master plan or sector plan, and other County-adopted plans addressing transportation.

Plan 2035

The 2014 *Plan Prince George’s 2035 Approved General Plan* (Plan 2035) includes the following relevant policies and strategies:

Policy 4: Use complete and green street practices to design, operate, maintain, and retrofit the transportation network in order to improve travel conditions for pedestrians, bicyclists, transit riders, and vulnerable populations consistent with the surrounding area’s character (page 156).

TM4.1: Using context sensitive design, rebuild existing roads as complete and green streets when they are scheduled for reconstruction (page 156).

TM4.4: Design new transportation systems to accommodate all modes of transportation. Continuous sidewalks on both sides of the road and on-road (bike lanes) bicycle facilities should be included, to the extent feasible and practical, and based on the type and location of the facility proposed (page 156).

The approved development shows a shared-use path along Old Baltimore Pike, and street improvements to Ammendale Way, which include sidewalks. Connectivity to these frontage improvements is provided from the site's internal network of continuous sidewalks, which provide pedestrian movement throughout the development. Bicycle parking has been provided at the recreation area.

2009 Approved Countywide Master Plan of Transportation
The MPOT recommends the following facilities:

- **Planned Side Path: Old Baltimore Pike**

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, pages 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 site plan includes an 8-foot-wide side path along the site's frontage of Old Baltimore Pike, and a 5-foot-wide sidewalk along the site's frontage of Ammendale Road. The site is served

by an internal network of sidewalks, which provide pedestrian movement throughout the development. Bicycle parking has been provided at the recreation area. The Planning Board finds the applicant's submission meets the bicycle and pedestrian goals and recommendations of the MPOT.

2010 Approved Subregion 1 Master Plan and Sectional Map Amendment

The 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment* (master plan) provides the following recommendations:

Transportation

Roadways

Policy 1: Achieve efficient access to residential, commercial, and employment areas with improvements to existing roadways and new roadways, and minimize dislocation and disruption (page 45).

Strategy:

The following facilities are recommended to be maintained at their current width—either two lanes or four lanes—with frontage, pedestrian, and safety improvements as deemed necessary:

- 6. C-108—Old Baltimore Pike between A-56 and Muirkirk Road (four lanes) (page 49).**

Efficient access to the development is provided from the existing right-of-way (ROW) of Ammendale Road. The site plan includes an 8-foot-wide side path along the site's frontage of Old Baltimore Pike, and a 5-foot-wide sidewalk along the site's frontage of Ammendale Road. The portion of Old Baltimore Pike that fronts the subject property is designated as a four-lane collector roadway with an ultimate ROW of 80 feet. ROW dedication is shown on the DET toward providing the ultimate ROW width. The DET labels the portion of Old Baltimore Pike along the property's frontage with a variable width ROW, and shall be updated prior to certification, to display an 80-foot-wide ROW along the site's frontage of Old Baltimore Pike.

Transit

Policy 2: Transportation adequacy evaluations for new development and redevelopment within the planning area should reflect the need to develop, modify, or expand multimodal transportation systems and facilities that will help both to achieve 2002 General Plan transportation goals and implement the land uses envisioned by this plan (page 57).

Strategy:

Provide an eight-foot-wide side path along Old Baltimore Pike from Muirkirk Road to Odell Road. This trail will provide access to Vansville Community Center, Muirkirk South Community Park, and the programmed elementary school in the Vansville area (page 57).

Bicycle, Pedestrian and Equestrian Facilities

Policy 2: Provide sidewalks and neighborhood trail connections within existing communities to improve pedestrian safety, allow for safe routes to schools, and provide for increased nonmotorized connectivity between neighborhoods (page 58).

Strategy:

Provide an eight-foot-wide side path along Old Baltimore Pike from Muirkirk Road to Odell Road. This trail will provide access to Vansville Community Center, Muirkirk South Community Park, and the programmed elementary school in the Vansville area (page 59).

The approved development shows a shared use path along Old Baltimore Pike and street improvements to Ammendale Way which include sidewalks. Therefore, the DET meets the master plan policies and strategies.

Master Plan Right of Way

This application is subject to the MPOT and the master plan.

The subject property has frontage on Old Baltimore Pike (C-108), along the western bounds of the site. Per the MPOT and master plan, the portion of Old Baltimore Pike that fronts the subject property is designated as a four-lane collector roadway with an ultimate ROW of 80 feet. The DET displays the portion of Old Baltimore Pike, along the property's frontage, with a variable width ROW, which is not consistent with MPOT and master plan recommendations. The Planning Board recommends that the subject DET be updated prior to certification to display an 80-foot-wide ROW along the site's frontage of Old Baltimore Pike, which is included in the Recommendation section below.

In addition, the subject property has frontage along Ammendale Way, along the northern/northeastern bounds of the site. Neither the MPOT nor the master plan contain lane designations or ROW recommendations for Ammendale Way. The DET displays the portion of Ammendale Way, along the property's frontage, with a variable width ROW.

Section 27-6203. Multimodal Transportation System: Access and circulation systems associated with a development shall provide for multiple travel modes per this section. The applicant has submitted a bicycle and pedestrian facilities plan showing all on-site bicycle and pedestrian improvements, including a separated side path along the site's frontage of Old Baltimore Pike, sidewalks along the site's frontage of Ammendale Way, sidewalks throughout the development, a crosswalk at the point of vehicle entry, and bicycle parking at the community gathering area. The Planning Board finds the facilities sufficient based on the development's size, and its relationship to existing and planned transportation systems.

Section 27-6204. Circulation Plan or Site Plan Required: The applicant has submitted a circulation plan with this DET.

Section 27-6206. Vehicular Access and Circulation: The DET is served by a system of vehicle accessways that will accommodate appropriate vehicle turning movements including, but not limited to, firefighting and other emergency vehicles, garbage trucks, delivery vehicles, service vehicles, and passenger motor vehicles within the development.

The approved development's direct driveway access to its

principal origin or destination points will be from Ammendale Way, which is not classified as an arterial or a collector roadway.

Pursuant to Section 27-6206(e)(2)(A) of the Zoning Ordinance, cross-access between adjoining developments is not applicable for this case since the adjoining property contains a residential use.

Section 27-6207. Pedestrian Access and Circulation: The internal pedestrian circulation system is designed to allow pedestrian walkway access to the development's building and recreational and parking areas. Sidewalks are shown on the site plan throughout the site, and along the site's frontages, as well as crosswalks crossing the vehicular access point.

A waiver from the cross-access requirement of Section 27-6207(b)(2) of the Zoning Ordinance is requested. Transportation Planning staff have examined providing cross access to the neighboring townhouse development and do not support the implementation of this requirement for the subject site. The only abutting properties are to the south of the subject site. The location where cross access would conceivably be placed would require the applicant to encroach upon the designated primary management area (PMA), impacting sensitive environmental site design requirements, as well as disturbing natural features which exist along the entire southern boundary of the subject site. As such, Transportation Staff recommended that pedestrian cross access be waived pursuant to Section 27-6207(b)(2).

Section 27-6208. Bicycle Access and Circulation: A side path is approved along the frontage of Old Baltimore Pike, and bicycle parking is approved at the central recreational facility.

A waiver from the cross-access requirement of Section 27-6208(b)(1) of the Zoning Ordinance is requested. Transportation Planning staff have examined providing cross access to the neighboring townhouse development and do not support the implementation of this requirement for the subject site. The only abutting properties are to the south of the subject site. The location where cross access would conceivably be placed would require the applicant to encroach upon the designated PMA, impacting sensitive environmental site design requirements, as well as disturbing natural features which exist along the entire southern boundary of the subject site. As such, Transportation Staff recommended that pedestrian cross access

be waived pursuant to Section 27-6208(b)(2) of the Zoning Ordinance.

b. **Section 27-6300—Off-Street Parking and Loading**

The DET is in conformance with the applicable standards in Section 27-6300 of the Zoning Ordinance, including vehicular and bicycle parking requirements and standards.

Section 27-6304. General Standards for Off-Street Parking and Loading Areas: The approved off-street parking will be on private lots, with visitor parking located along Private Street A. Parking will be surfaced with concrete and/or asphalt, which shall be labeled on the plans. Pervious surfacing was not proposed but is encouraged where feasible. Off-street parking is arranged for convenient access, with no conflicts with public streets or approved sidewalks.

Parking Requirements (Section 27-6305(a))

USE	RATE	REQUIRED	PROVIDED
Single-family attached (67 units)	2.0 spaces per dwelling unit	134	2-Car Garage + 2-Car Driveway: 268
Additional on-site visitor parking	1.0 space per 20 dwelling units	4	15
Total	-	138	283

Bicycle Parking Requirements (Section 27-6309): The bicycle parking requirement is based on the number of visitor parking spaces approved.

RATE	REQUIRED	PROVIDED
2.0 spaces for the first 10 vehicle parking spaces and 1.0 spaces for each 10 vehicle spaces thereafter (provided no more than 20 bicycle spaces are required)	3	8
Total	3	8*

Note: *Four double-rack bicycle racks (for a total capacity of eight bicycles) have been provided, as shown on the DET. These are installed on a paved surface in the central recreational area.

c. **Section 27-6400—Open Space Set-Asides**

Per Sections 27-6403 and 27-6504 of the Zoning Ordinance, because this is a residential development in the CGO Zone, the applicant is required to provide 15 percent (50,638 square feet) open space. Of the open space provided, “[n]o less than fifteen percent (15%) of the total required minimum open space set-aside area [. . .] shall consist of active recreational areas.” The applicant proposes approximately 41 percent (138,685 square feet) of the site in required landscaping and stormwater management (SWM) areas.

With respect to the SWM area, the Planning Board notes that it does not meet the criteria for being counted as open space. Per Section 27-6404 of the Zoning Ordinance, SWM areas treated as site amenities must support passive recreation uses by providing access, gentle slopes, and pedestrian elements such as paths and benches. The SWM area provided is surrounded by a retaining wall, and no paths or pedestrian elements are shown around the area. Therefore, this area should not be counted as part of the total open space provided.

The Planning Board also notes that the site will still meet its open space requirements if these SWM areas are not counted. A condition has been added herein requiring the applicant to remove the SWM areas which do not qualify as part of the count of total open space area, and to provide at least 15 percent of the open space set aside as active recreation area.

An open space set-aside exhibit has been provided with the DET, but the Planning Board notes that it does not fully label areas noted on the exhibit’s legend. A condition has been added herein to revise the exhibit so that areas are sufficiently labeled.

Pursuant to Section 27-6408 of the Zoning Ordinance, open space areas shall be conveyed to and managed by the homeowners association (HOA), as established by the conditions herein.

**Design Standards for Open Space Set-Asides
(Section 27-6406)**

The DET shows a central green space that will serve as the focal point for the development, with the approved townhouse units fronting and oriented towards the green space on three sides. This green space is also located across the street from the approved gravel wetlands and existing pond.

d. **Section 27-6500—Landscaping**

Applicable Landscape Manual schedules have been provided with the submitted landscape plan. The DET is in conformance with the applicable standards in the Landscape Manual, which include Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Special Roadways; and Section 4.7, Buffering Incompatible Uses. The application includes a request for alternative compliance from Section 4.10, Street Trees Along Private Streets, which is further discussed below in Finding III.B.

e. **Section 27-6600—Fences and Walls**

The applicant's statement of justification states that no fences are proposed, however, the Planning Board notes that a steel picket fence detail is provided on the detail sheet of the DET. A condition is added herein to revise the plans to remove the fence detail from the plans.

f. **Section 27-6700—Exterior Lighting**

Section 27-6703. Lighting Plan: The DET includes a photometric plan, which demonstrates conformance with the applicable standards in Section 27-6700.

Section 27-6705. Private Street Lighting: Approved private streetlights include full cut-off fixtures on non-corrosive poles that are served by underground wiring. The approved light fixtures and colors are consistent across the development. The provided lighting details show that the lighting fixtures have three correlated color temperature (CCT) modes: (1) 2700K, (2) 3000K, and (3) 4000K. However, the plans do not specify which mode will be used. Per Section 27-6705(c) of the Zoning Ordinance, CCT of streetlights shall not exceed 3000K. A condition is added herein to revise the lighting details to indicate that modes less than or equal to 3000K will be used.

Section 27-6706. General Standards for Exterior Lighting:

As shown on the photometric plan, all lighting will be full cut-off fixtures that are directed downward. Maximum illumination measured in foot-candles, at ground-level, at the lot lines will not exceed the maximums listed in Section 27-6706(c)(1) of the Zoning Ordinance. The

height for exterior lighting fixtures is within the maximum height limit of 30 feet for nonresidential base zones.

g. **Section 27-6800—Environmental Protection and Noise Controls**

Section 27-6802 of the Zoning Ordinance requires an approved natural resources inventory (NRI) plan with DET applications. The site has an approved NRI-118-2022, which shows the existing conditions of the property consistently with the DET and Type 2 tree conservation plan (TCP2). A total of three specimen trees have been identified on-site.

Per Section 27-6803 of the Zoning Ordinance, this DET complies with the requirements of Subtitle 25, Division 1, General; Subtitle 25, Division 2, Woodland and Wildlife Habitat Conservation Ordinance; and Subtitle 25, Division 3, Tree Canopy Coverage Ordinance, of the Prince George's County Code. See findings IV and V below.

Floodplain is present at the subject property. Per 27-6804 of the Zoning Ordinance, the applicant shall comply with the requirements for floodplain management in accordance with Subtitle 32, Division 4, Floodplain Ordinance, of the Prince George's County Code. The applicant submitted a copy of an approved SWM Concept Plan (8057-2023-01) and associated approval letter with the subject application. As required by Section 27-6806 of the Zoning Ordinance, this approval demonstrates compliance with the requirements for SWM in accordance with Subtitle 32, Division 3, Stormwater Management, of the Prince George's County Code.

Section 27-6805 of the Zoning Ordinance requires an approved Grading, Erosion, and Sediment Control Plan. Development shall comply with the requirements for sedimentation and erosion control in accordance with Subtitle 32, Division 2, Grading, Drainage and Erosion and Sedimentation Control, of the Prince George's County Code.

A condition has been added herein for the applicant to provide a copy of the draft erosion and sediment control technical plan prior to the certification of the TCP2, so that the ultimate limit of disturbance for the development can be verified and shown on the TCP2. An approved copy of the technical plan will be required at the time of permitting.

The applicant submitted a copy of an approved SWM Concept Plan (8057-2023-01) and associated approval letter with the subject application. As required by Section 27-6806, this approval demonstrates compliance with the requirements for SWM in accordance with Subtitle 32, Division 3, Stormwater Management, of the Prince George's County Code.

The subject property is not within the Chesapeake Bay critical area; therefore, Section 27-6807 of the Zoning Ordinance is inapplicable.

Per Section 27-6808 of the Zoning Ordinance, "[a]ll land located outside the CBCAO Zone is subject to the requirements of Section 24-4300, Environmental Standards, of Subtitle 24: Subdivision Regulations." Conformance with Section 24-4300 was demonstrated at the time of PPS approval, with which this DET is consistent. Conformance with the environmental standards of this section is further demonstrated through the findings contained in this resolution, which are associated with the environmental features of the site, SWM, and conformance with the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.

Section 27-6809, Unsafe Lands, of the Zoning Ordinance, states that "all applications shall conform to the requirements pertaining to unsafe land in Section 24-4300, Environmental Standards, of Subtitle 24: Subdivision Regulations." This application will use the current Subdivision Regulations, and Section 24-4101(c)(1) of the Subdivision Regulations states "The Planning Director or Planning Board, as appropriate, shall restrict or prohibit the subdivision of land found to be unsafe for development.

The restriction or prohibition may be due to a) natural conditions, including but not limited to flooding, erosive stream action, high water table, unstable soils, severe slopes or soils that are unstable either because they are highly erodible or prone to significant movement or deformation (Factor of Safety < 1.5), or b) man-made conditions on the land, including but not limited to unstable fills or slopes."

The predominant soils found to occur on-site, according to the United States Department of Agriculture Natural Resource Conservation Service Web Soil Survey, include Christiana-Downer-Urban land complex (5–15 percent slopes), Elkton silt loam (0–2 percent slopes), and Russett-Christian-

Urban land complex (0–5 percent slopes). According to available information, no unsafe soils containing Marlboro clay exist on-site, but Christiana complexes are mapped on this property.

Per Section 27-6809, “[a]ny new structure intended for residential occupancy in the Residential Uses principal use classification” “shall not be located on a lot or parcel adjacent to an existing street classified as arterial or higher unless the applicant demonstrates, through a noise study, that transportation-generated noise is less than, or will be mitigated to be less than, 55 dBA during the hours of 10:00 PM to 7:00 AM and no greater than 65 dBA during the hours of 7:00 AM to 10:00 PM.” No structures intended for residential occupancy (i.e. none of the townhomes) will be on a lot or parcel adjacent to a street classified as arterial or higher.

h. **Section 27-6900—Multifamily, Townhouse, and Three-Family Form and Design Standards**

As shown on the architectural elevations included with this application, the DET is in conformance with the applicable standards in Section 27-6903 of the Zoning Ordinance, for multifamily, townhouse, and three-family form and design standards, including the building orientation, entrances, location of off-street parking, dwelling unit façade materials, and articulation, as shown on the architectural elevations.

Site Access

A secondary point of vehicular access for an emergency access point is approved from an internal street onto Old Baltimore Pike.

No primary vehicular access is approved from a local street serving existing single-family dwellings.

Location of Off-Street Parking

As shown on the DET, resident, guest, and overflow parking are located at the rear of the townhouse buildings. Additional guest parking spaces are provided along Private Street A, adjacent to the recreation space and central to the townhouse dwellings.

The off-street parking does not occupy more than 35 percent of the parcel’s street frontage.

Building Orientation and Configuration

The primary entrances of the approved townhouses have been shown to face private streets and open spaces.

Maximum Building Length

The length of the approved townhouse sticks is below the maximum length of 250 feet in the CGO Zone.

Building Facades

Wall offsets with a minimum depth of 2 feet are approved in the form of recesses in the façade plane and are spaced no more than 50 feet apart. Street-facing facades will include recessed entrances, multiple windows with a minimum 4-inch-wide trim, and bay windows projecting at least 12 inches from the façade plane.

Building Façade Fenestration/Transparency

All first-floor elevations provide at least two (2) windows and a door, which exceeds the 15 percent requirement for windows and doorways.

Materials

As shown on the architectural elevations, the approved primary façade materials extend along any side façade that is visible from a street for a minimum of 20 feet; and material changes occur along a horizontal line, where two forms meet, or where materials occur as accents.

The townhouses must be designed in accordance with Section 27-61203(d) of the Zoning Ordinance. This is addressed in the discussion of Section 27-61200 of the Zoning Ordinance below.

i. Section 27-61200—Neighborhood Compatibility Standards

Section 27-61200 applies because the application is approved for new townhouses adjacent to land in the RR Zone (southwest), which is improved with a single-family detached dwelling. The subject property is also across the street from land in the RSF-95 Zone, but that land is not vacant or improved with single-family detached or two-family dwellings. As shown on the plans included with this application, the DET is in conformance with the applicable regulations set forth in Section 27-61203.

Building Height and Setbacks

The distance from the approved townhomes to the RR-zoned property boundary to the south is greater than 200 feet. Therefore, no height limitation is imposed. The distance towards the southeast single-family attached is less than 50 feet, and the approved building maximum height is 36 feet. Therefore, the proposal is in compliance with the code.

Building Orientation

The approved townhouses are oriented towards the street in which they will derive their street address.

Building Design

The approved townhomes are compatible with the adjacent townhomes to the southeast, as similar architectural features (trim, shutters, cornices) and roof type are used. Approved outdoor activity areas, porches, and balconies are oriented away from the existing townhomes. The applicant shall provide a color palette of the approved materials to be used which is similar to abutting development, prior to signature approval of the DET.

Building Materials

The Planning Board notes that the architecture of the approved townhouses should be revised to demonstrate conformance to the transparency requirements for the façades that face adjacent existing townhomes. A condition has been added herein requiring this revision.

The approved architecture demonstrates that the materials, such as vinyl siding and masonry, are similar to those used on adjacent townhomes, and that vinyl siding does not exceed 25 percent of the facades within 200 feet of the existing townhomes. All side elevations show over 70 percent of masonry veneer.

Multibuilding Placement

The application is approved for multiple buildings, but because all buildings include townhouse uses at the same intensity, the multi-building placement requirements are inapplicable.

Off-Street Parking

No off-street parking is approved within 200 feet of existing single-family detached dwelling units. All off-street parking will be located within or behind the approved townhome units. Guest parking is also located internal to the subdivision.

Other Site Features

Outdoor recreational facilities are located at least 50 feet away from any lot line that is shared with a single-family detached dwelling, townhouse, two-family dwelling, or vacant lands in a single-family residential zone. The existing natural features, such as existing vegetation and wetlands along the south side of the property, are used as a transition to the RR-zoned property.

The property contains an existing gateway sign located at the intersection of Old Baltimore Pike and Ammendale Way, which is not abutting to property lines of adjacent development.

The lighting plan demonstrates conformance to the relevant requirements, as the fixtures have a maximum height of 14 feet, and the illumination does not exceed 0.5-foot candle at the lot line.

j. **Section 27-61300—Agricultural Compatibility Standards**

The subject application is exempt from this section because it is not adjacent to an ongoing agricultural use or activity in the Reserved Open Space, Agriculture and Preservation, or Agricultural-Residential base zones.

k. **Section 27-61400—Urban Agriculture Compatibility Standards**

The subject application is exempt from this section because it is not adjacent to ongoing urban agriculture use.

l. **Section 27-61500—Signage**

The site contains an existing gateway sign at the intersection of Ammendale Way and Old Baltimore Pike, which is proposed to remain. The existing sign features the words “North Creek”; However, the details of the existing sign are not provided on the plans and should be added. In the instance the existing sign does not meet the requirements of Section 27-61506(b) of the Zoning Ordinance, the sign may remain in accordance with Section 27-7500 of the Zoning Ordinance, which shall also be noted on the plans.

An entrance sign column is proposed on the site, along Old Baltimore Pike. The column sign detail is provided on the DET and features brick to match the approved building architecture, with a precast stone cap and initialing to signify the subdivision

name. The column signage is 5-foot, 9 inches tall and 2-foot, 6 inches wide. The signage complies with Section 27-6105 of the Zoning Ordinance. General Standards; no illumination or digital display is shown. However, as required pursuant to Section 27-61506(b), only one residential gateway sign is permitted for the subject site. Given the existing sign, and that additional residential signage in the CGO Zone is not permitted in accordance with Section 27-61505 of the Zoning Ordinance, the proposed column sign is not permitted and shall be removed from the plans.

m. **Section 27-61600—Green Building Standards**

The approved development meets the minimum Green Building score requirement of 4.0 points for new residential development containing 25 or more units, as follows:

Table 27-61603(b): Green Building Point System	Points Earned
Home energy rating system (HERS) index greater than 60 and less than or equal to 75.	0.5
Air conditioner with stated efficiency greater than 14 SEER is included as standard.	0.75
Stated water heater efficiency of 0.82 or more.	1.25
The use of environmental site design including, but not limited to grass buffers and swales, bioretention, to meet stormwater management requirements of the County Code.	1.0
All showerheads and handheld showers are 2.0 GPM or less.	0.5
All lavatory faucets flow rate is 1.5 GPM or less at 60 PSI.	0.5
All toilets are 1.28 GPF or less	0.5
Retain at least 20% of existing pre-development natural vegetation.	0.75
Total Points	5.75

The DET should be revised to add a chart or list of approved Green Building Standards to the plan.

Based on the analysis herein, in addition to the evidence filed in conjunction with this application, the Planning Board finds that DET-2024-004 represents a reasonable alternative for satisfying the applicable standards of this Subtitle, without requiring unreasonable costs and without detracting substantially from the utility of the approved development for the intended uses. Documentation has been provided with the submission of the DET.

- (2) **All conditions of approval in any development approvals and permits previously approved for the property have been considered and imposed as necessary to satisfy the applicable standards of this Subtitle to which the detailed site plan is subject.**

1. **Preliminary Plan of Subdivision PPS-2022-043**

The property is subject to Preliminary Plan of Subdivision PPS-2022-043 (PGCPB Resolution No. 2023-126), approved in November 2023, for 67 lots and 10 parcels to support development of 67 single-family attached dwelling units. The approved development is consistent with the development evaluated with the PPS. Therefore, a new PPS is not required at this time.

Of the 10 conditions approved with the PPS, the following are applicable to this DET:

PPS 2. Development of the site shall be in conformance with Stormwater Management Concept Plan 8057-2023, and any subsequent revisions.

The applicant submitted a copy of the approved SWM Concept Plan (8057-2023-01) and associated approval letter with the subject application. The revised SWM concept plan was approved on February 16, 2024, and expires on August 28, 2026. The SWM plan has been revised. The DET remains in conformance with the plan and its subsequent revision.

PPS 3. The applicant and the applicant's heirs, successors and/or assignees shall provide the following facilities and, prior to acceptance, the detailed site plan shall include the details, location, and extent of the following facilities:

- a. **A side path of a minimum 8 feet wide along the subject property's frontage of Old Baltimore Pike, unless modified by the operating agency with written correspondence.**
- b. **A minimum of 5-foot-wide sidewalk along the subject property's frontage of Ammendale Way.**
- c. **Bicycle parking at any central gathering location.**

The above facilities are all shown on the DET. Bicycle parking is shown centrally located at the approved playground on Parcel E. The Planning Board and Transportation Planning Section staff

have reviewed the above facilities and note that the DET accurately displays the improvements.

PPS 4. Prior to approval, the final plat of subdivision shall include:

- a. Right-of-way dedication, in accordance with the approved preliminary plan of subdivision.**
- b. Dedication of 10-foot-wide public utility easements along all abutting public rights of way and one side of private rights-of-way, as delineated on the approved preliminary plan of subdivision.**

The DET shows ROW dedication to Old Baltimore Pike, 10-foot-wide public utility easements (PUEs) along the public streets Old Baltimore Pike and Ammendale Way, and a 10-foot-wide PUE along Private Street A, consistent with the approved PPS.

PPS 8. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-016-2023). 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 (TCP1-016-2023 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 (M-NCPPC), Prince George’s County Planning Department.”

The applicant submitted TCP2-041-2024 with the subject application. The site remains in conformance with Type 1 Tree Conservation Plan TCP1-016-2023.

PPS10. At the time of detailed site plan submittal, the following shall be addressed:

- a. Widening homeowners association (HOA) Parcels H and J, shifting Lots 1–18 and Alley B (Parcel B) to the east, and reducing the lot depth of Lots 58–67, or other adjustments, so that common sidewalks are within HOA parcels, if feasible. If it is necessary for common sidewalks to be located on private lots, appropriate easements shall be established, prior to approval of final plats, to ensure common access and maintenance.**

The DET does not show any common sidewalks within private lots, therefore the adjustments to lot sizes and positions included within this condition are unnecessary. The common sidewalk previously shown on the TCP1 within Lots 1–18 (abutting Parcels H and J) has been replaced with individual leadwalks from the units to the frontage sidewalk along Old Baltimore Pike. While a portion of each leadwalk will be on HOA-owned land, the applicant has indicated that the leadwalks will be maintained by the individual homeowners.

- b. Conformance with the requirements for pedestrian and bicycle cross access and/or any requested waiver of the requirements.**

The subject property abuts a townhouse development known as Indian Creek to the east. Pedestrian cross access between new townhouse developments and adjoining lots containing townhouse developments is required by Section 27-6207(b)(1) of the Zoning Ordinance, while bicycle cross access between the same is required by Section 27-6208(b)(1).

The DET does not show any pedestrian or bicycle cross access to the adjoining Indian Creek townhouse development. Transportation Planning staff have recommended that the pedestrian cross access to adjoining sites be waived per Section 27-6207(b)(2) and bicycle cross access to adjoining sites be waived per Section 27-6208(b)(2).

2. **Certificate of Adequacy ADQ-2022-099**

The site has an approved Certificate of Adequacy, ADQ-2022-099, associated with PPS-2022-043, which is valid for 12 years from its date of approval (November 22, 2023), subject to the additional expiration provisions of Section 24-4503(c) of the Subdivision Regulations. There are four conditions associated with this certificate. Those that apply to this DET are as follows:

ADQ1. Total development within the subject property shall be limited to uses which generate no more than 47 AM peak-hour trips and 54 PM peak-hour trips.

The development approved with this DET is consistent with that evaluated under the PPS. The Planning Board has also found that the subject DET is consistent with the trip cap established by the PPS.

ADQ2. Prior to approval of the first building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following adequate pedestrian and bikeway facilities, as designated below, in accordance with Section 24-4506 of the Subdivision Regulations ("Required Off-Site Facilities"), have (a) full financial assurances, (b) been permitted for construction through the applicable operating agency's access permit process, and (c) an agreed-upon timetable for construction with the appropriate agency:

- A. **At the intersection of Old Baltimore Pike and Ammendale Way, as detailed in Exhibit B-2 of the applicant's BPIS submission:**
 - i. **Mill and overlay approximately 300 square yards.**
 - ii. **Remove and replace pedestrian ramps such that they are oriented in the direction of the crosswalk.**
 - iii. **Install thermoplastic continental crosswalk along Ammendale Way.**
 - iv. **Install new stop bar.**

B. Along the east side of Ammendale Way at its intersection with Sequoia Lane, as detailed in Exhibit B-3 of the applicant's BPIS submission:

i. Install a thermoplastic continental crosswalk along Ammendale Road

ADQ4. The applicant shall provide a bicycle and pedestrian facilities plan that illustrates the location, limits, specifications, and details of the pedestrian and bicycle adequacy improvements approved with ADQ-2022-099, consistent with Section 24-4506(c)(1)(G) of the Prince George's County Subdivision Regulations as part of the detailed site plan submission.

Condition 2 of ADQ-2022-099 represents the off-site bicycle and pedestrian facilities required, which will be addressed at the time of permitting. Condition 4 above requires details of the pedestrian and bicycle facilities for the project. A bicycle and pedestrian facilities plan is provided on Sheet 8 of the DET, which shows the locations and limits of the on-site pedestrian and bicycle adequacy improvements, as well as a crosswalk across Ammendale Way at its intersection with Old Baltimore Pike. The required off-site facilities are detailed in the applicant's BPIS which was submitted at the time of the PPS approval.

(3) The proposed development demonstrates the preservation and/or restoration of the regulated environmental features in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-4303(D)(5) of Subtitle 24: Subdivision Regulations;

The site contains regulated environmental features (REF) which include a stream and its respective buffer. The primary management area (PMA) inclusive of the REF, as well as 100-year floodplain, and steep slopes are also mapped on-site. The forest stand delineation indicates that there is one forest stand, which has a medium rating for preservation and restoration. The majority of this stand is designated as an existing afforestation area on-site. The site currently has a total of 1.18 acres of woodlands on-site inclusive of the existing afforestation area.

Seven impacts to the PMA were approved through PPS-2022-043 for the installation of stormwater pipes, outfall structures, and rip-rap. No new impacts to the PMA and REF are approved with this application. The Planning Board and Environmental Planning Section staff have reviewed the approved development and found that it demonstrates preservation of the REF to the fullest extent possible in accordance with Section 24-4303(D)(5) of the Subdivision Regulations.

- (4) Proposed development located within a Planned Development (PD) zone shall be in conformance with the PD Basic Plan and PD Conditions of Approval that apply to that development;**

The approved development is not located in a planned development zone. Therefore, this criterion is not applicable to the subject DET.

- (5) The proposed development conforms to an approved Tree Conservation Plan, if applicable;**

The DET has a companion TCP2-041-2024, of which Environmental Planning staff have recommended approval.

- (6) The development proposed in a detailed site plan for infrastructure complies with applicable regulations of PART 27-6: Development Standards, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge; and**

The approved development is not an infrastructure plan. Therefore, this criterion is not applicable to the subject DET.

- (7) Places of worship located on a lot between one (1) and two (2) acres in size shall also meet the following standards:**

- (A) The minimum setback for all buildings shall be twenty- five (25) feet from each lot line;**
- (B) When possible, there should be no parking or loading spaces located in the front yard; and**
- (C) The maximum allowable lot coverage for the zone in which the use is proposed shall not be.**

The approved development does not include a place of worship. Therefore, this criterion is not applicable to the subject DET.

- (8) Notwithstanding any other provision in this Section to the contrary, in determining whether to approve an alteration, extension, or enlargement of a legal conforming building, structure, or use filed in conformance with Section 27-1707(c), the Planning Board shall find that the proposed alteration, extension, or enlargement will benefit the development and will not substantially impair implementation of any applicable area master or sector plan.**

This condition is not applicable to the subject DET as an alternation, extension, or enlargement of a legal conforming building, structure, or use was not proposed.

- B. The 2018 Prince George’s County Landscape Manual:** Applicable Landscape Manual schedules have been provided with the submitted landscape plan. As shown on the landscape plans, the DET is in conformance with the applicable standards in the Landscape Manual, which include Section 4.1, Residential Requirements, Section 4.6, Buffering Development from Special Roadways, and Section 4.7, Buffering Incompatible Uses. The applicant has requested alternative compliance (ACL-2024-004) from Section 4.10, as follows:

REQUIRED: Section 4.10(c) Street Trees (For Private Streets), Private Street A

Length of Street Frontage	768 LF
Width of Landscape Strip	6 feet
Shade Trees (1 per 40 linear feet)	20

PROVIDED: Section 4.10(c) Street Trees (For Private Streets), Private Street A

Length of Street Frontage	768 LF
Width of Landscape Strip	6 feet
Shade Trees	11

The applicant requests alternative compliance from the requirements of Section 4.10, Street Trees (For Private Streets), which requires one shade tree per 40 linear feet on each side of the street, excluding driveway openings. The site contains one private street (Private Street A).

Per Section 4.10(c)(10), street trees shall be located a minimum of 20 feet from the point of curvature of an intersection of two streets. In addition, Section 4.10(c)(11) requires that street trees be located a minimum of 10 feet from the point of curvature of residential driveway entrances. Utility conflicts, alley intersections, and on-street parking limit the number of street tree locations.

As an alternative, the application is approved for additional plantings as part of Section 4.1, Residential Requirements. The requirements of Section 4.1 are exceeded by four shade trees and six evergreen/ornamental trees. Approximately 10 shade trees and three ornamental trees are approved to be as close to the private street as possible, but outside of PUEs. In addition, plant units in common areas exceed the requirements by 1,069 plant units, with shrubs strategically located in proximity to the private street. These additional plantings meet the purposes and objectives of Section 4.10 by enhancing the private streets both visually and environmentally.

Given these additional plantings on the property near the private street, the Planning Director finds the applicant's proposal equally as effective as normal compliance with Section 4.10 of the Landscape Manual.

IV. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE 2010 PRINCE GEORGE'S COUNTY WOODLAND AND WILDLIFE HABITAT CONSERVATION ORDINANCE

TCP2-072-90 was used for rough grading purposes and for the site to install a stormwater conveyance system from Ammendale Way to a stormwater basin in the 1990s; however, this plan was superseded by TCP1-016-2023 associated with PPS-2022-043.

This property is subject to the provisions of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) and 2018 Environmental Technical Manual because the property is greater than 40,000 square feet in size. TCP2-041-2024 was submitted with the DET application.

The 7.75-acre site is within the CGO Zone and a minimum woodland conservation threshold of 15 percent or 0.78-acre is required. The application is approved for 0.62 acre of woodland clearing in the net tract and 0.03 acre of clearing within the floodplain. Based on the approved clearing, the total woodland conservation requirement is 1.43 acres. The TCP2 shows this requirement will be met by providing 0.04 acre of woodland preservation, 0.06 acre of reforestation, and 1.33 acres of off-site woodland conservation credits, which is in conformance with approved TCP1-016-2023. The size of the approved on-site woodland conservation by itself is less than the minimum requirement; however, the conservation is adjacent to the 0.19-acre wooded floodplain which is approved to be retained. Together, these areas meet the minimum size requirement per Section 25-122(b)(1) of the WCO.

V. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE PRINCE GEORGE'S COUNTY TREE CANOPY COVERAGE ORDINANCE

The site is subject to the requirements of the Prince George's County Tree Canopy Coverage Ordinance. Section 25-128 of the Prince George's County Code requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading permit. Properties zoned CGO are required to provide a minimum of 15 percent of the net tract area in TCC. The subject lot has a net tract area of 5.22 acres, or 227,383.20 square feet, which has a TCC requirement of 0.783 acre, or 34,107.48 square feet.

The TCC worksheet included in the submitted landscape plan shows an incorrect calculation, however, the amount of TCC approved to be provided (38,753 square feet) still exceeds the requirement of 34,107.48 square feet, or 0.783 acre. A condition is provided herein to correct the TCC schedule to provide the correct values as calculated above.

VI. REFERRAL COMMENTS

The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference, and major findings are summarized as follows:

- A. **Community Planning**—In a memorandum dated October 8, 2024 (Lutz to Mitchum), it was noted that the DET application is consistent with Plan 2035 (General Plan) policies.
- B. **Subdivision**—In a memorandum dated October 7, 2024 (Diaz-Campbell to Mitchum), it was noted that the DET has been found to be in conformance with the approved PPS. Two conditions of approval were recommended, which are included herein by the Planning Board.
- C. **Transportation Planning**—In a memorandum dated October 7, 2024 (Ryan to Mitchum), a review of compliance with the MPOT, and a review of the applicable Part 27-6 development standards were detailed, which are incorporated into the findings above. In addition, the Transportation Planning Section agreed with the waivers requested by the applicant, as discussed above, in Section III. Lastly, it was noted that the vehicular, pedestrian, and bicycle access and circulation for this plan is acceptable, consistent with the site development standards pursuant to Subtitle 27, and meets the findings for pedestrian and bicycle transportation purposes.
- D. **Environmental Planning**—In a memorandum dated October 7, 2024 (Meoli to Mitchum), it was noted that the application is in conformance with the environmental regulations of Sections 27-3605(e)(3) and (6), 27-6803, 27-6805, 27-6808, and 27-6809 within the Section 27-6800, Environmental Protection and Noise Control section of the Zoning Ordinance, and the Environmental Planning Section recommended approval of the subject DET and TCP2-041-2024.
- E. **Prince George's County Health Department**—In a memorandum dated October 2, 2024 (Adepoju to Mitchum), the Health Department offered no additional comments or recommendations for the application as presented.
- F. **Prince George's County Fire/EMS Department**—At the time of the writing of this resolution, the Fire/EMS Department did not offer comments on the subject application.
- G. **Historic Preservation**—In a memorandum dated September 18, 2024 (Smith, Chisholm and Stabler to Mitchum), it was noted that the subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources.
- H. **Permit Review**—In a memorandum dated October 4, 2024 (Meneely to Mitchum), the Permit Review Section offered no additional comments or recommendations for the application as presented.
- I. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated October 1, 2024 (De Guzman to Mitchum), DPIE indicated they do not have objections to the DET and determined that it is consistent with the Site Development Concept Plan, 8057-2023-01, approved on February 16, 2024.

- J. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this resolution, WSSC did not offer comments on the subject application.
- K. **Community Feedback** – In a letter dated November 17, 2024, a community member submitted testimony regarding comments that were intended to be shared at the November 14, 2024 Planning Board meeting. The letter detailed points of opposition to the approval of the application, citing infrastructure, parking, and trash concerns.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-041-2024 and APPROVED Alternative Compliance ACL 2024 004, and further APPROVED Detailed Site Plan DET-2024-004 for the above-described land, subject to the following conditions:

- 1. Prior to certification of the detailed site plan (DET), the applicant and the applicant's heirs, successors, and/or assignees shall:
 - a. Update the plan to show an 80-foot right-of-way along the site's frontage of Old Baltimore Pike.
 - b. Revise the tree canopy coverage (TCC) schedule and area on the landscape plan to provide the correct area and calculation of TCC.
 - c. Revise the plans to demonstrate the existing monument sign for North Creek will be removed or, in the alternative, revise the plans to remove the sign column/pillar details from the detail sheet and location shown on the plans. Provide the details of the existing or proposed gateway sign with labeling demonstrating conformance with Section 27-61506(b) or Section 27-7500 of the Prince George's County Zoning Ordinance.
 - d. Remove the steel picket fence detail from the plans or provide its proposed location and conformance with Subtitle 27.
 - e. Revise the Open Spaces Set-Aside exhibit on Sheet 8 of the DET, to properly label the open space areas noted on the exhibit's legend, removing stormwater management areas that do not qualify as open space set aside, and demonstrate that the area of active recreation provided is in conformance with Section 27-6404(a)(1) of the Prince George's County Zoning Ordinance.
 - f. Revise the Open Spaces Set Aside exhibit to not include stormwater management areas which are not treated as site amenities as part of the total open space set aside provided.
 - g. Provide a bicycle and pedestrian plan that demonstrates conformance with Conditions 2 and 4 of Certificate of Adequacy ADQ-2022-099, as determined by the Transportation Planning Section of the Prince George's County Planning Department.

- h. Provide a table on the plan that shows which lots are designated for high-visibility units and will require enhanced side and/or rear elevations, which shall be determined in consultation with the Urban Design Section of the Prince George's County Planning Department.
 - i. Revise the architecture to demonstrate conformance to the transparency requirements in Section 27-61203(d)(1) of the Prince George's County Zoning Ordinance, for the facades that face the adjacent existing townhomes.
 - j. Revise plans to demonstrate, when possible, proposed lights are to be located on proposed homeowner associate parcels. When proposed lighting must be on townhouse lots, proposed lights shall be located so as to not interfere with residential driveways. .
 - k. Add a chart or list of the proposed Green Building Standards to the site plan.
 - l. Revise the lighting plan to indicate that the correlated color temperature modes for the proposed lighting fixtures will not exceed 3000K.
 - m. Label the paving material of driveways and roadways, including parking areas, to be concrete and/or asphalt. At time of permitting, the applicant is encouraged to consider pervious materials if feasible.
 - n. Provide a color palette of the proposed architectural materials to be used which is equal or superior in quality to abutting development.
 - o. Provide one dog waste station if there are no existing dog waste stations on the Vansville Local Park property across Ammendale Way.
2. Prior to certification of the Type 2 tree conservation plan (TCP2) for this site, the applicant and the applicant's heirs, successors, and/or assignees shall:
- a. Submit documents for the required woodland conservation easements to the Environmental Planning Section for review by the Office of Law, and submission to the Office of Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber _____ Folio _____. Revisions to this TCP2 may require a revision to the recorded easement.”
 - b. Submit a copy of the draft erosion and sediment control technical plan so that the ultimate limits of disturbance for the project can be verified and shown on the TCP2.
3. Prior to approval of a 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, to ensure that the rights of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Board are included. The Book/page of the declaration of covenants shall be noted on the final plat, prior to recordation.

4. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey land to the homeowners association, as identified on the approved preliminary plan of subdivision and detailed site plan. Land to be conveyed shall be subject to the following:
 - a. A copy of the recorded 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.

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

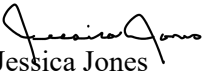
* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on

the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Doerner, and Shapiro voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, November 14, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of December 2024.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:JM:tr

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: November 27, 2024