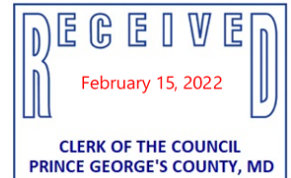


February 15, 2022

Livewell Outdoors
P.O. Box 99
Cheltenham, MD, 20623



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-07057-05
Woodmore Town Center, Lot 14 Block J (Gibbs Pool)

Dear Applicant:

This is to advise you that, on **February 10, 2022**, 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 Section 27-290, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

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

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

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

Sincerely,
James R. Hunt, Chief
Development Review Division

By: *N. Andrew Bishop*
Reviewer

Attachment: PGCPB Resolution No. **2022-15**

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

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on February 10, 2022, regarding Detailed Site Plan DSP-07057-05 for Woodmore Town Center Lot 14 Block J (Gibbs Pool), the Planning Board finds:

1. **Request:** The detailed site plan (DSP) is being filed by the homeowner, to request the construction of a pool and hot tub within the rear yard setback of an existing single-family detached house, on Lot 14 Block J.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use	Residential	Residential
Gross Acreage	0.14	0.14
Dwelling Unit	1	1

	EXISTING
Total parking spaces	4

Floor Area Ratio (FAR) in the M-X-T Zone

FAR Permitted (for entire development):	
Base Density	0.4 FAR
Residential	1.0 FAR

Note: The total permitted FAR is 1.4 under the Optional Method of Development, Section 27-545(b)(4) of the Prince George’s County Zoning Ordinance. This DSP will not have any impact on the previously approved FAR for the overall development.

3. **Location:** The subject site is in Planning Area 73 and Council District 5. The property is within the overall Woodmore Town Center, which is a mixed-use development of 1,079 dwelling units, a 360-room hotel, and 1,750,000 square feet of commercial development. The site included in this application is located on an interior lot known as Lot 14, Block J and is recorded in the Prince

George's County Land Records, Plat Book MMB 239, page 5. The property consists of 0.14 acre and is located on the north side of Sir Michael Place, approximately 200 feet southwest of its intersection with Glenarden Parkway.

4. **Surrounding Uses:** The property is currently improved with an existing single-family dwelling that was constructed in approximately 2015. The site is in a residential area and is bounded to the north, east, and west by single-family detached dwellings in the Mixed Use-Transportation Oriented (M-X-T) Zone, and to the south by the right-of-way of Sir Michael Place, with residential uses beyond. The subject property and the surrounding properties are all within the M-X-T Zone.
5. **Previous Approvals:** On March 14, 1988, the Prince George's County District Council approved Zoning Map Amendment A-9613-C, rezoning the subject property from the Rural Residential Zone to the M-X-T Zone, subject to 11 conditions. The original Conceptual Site Plan, CSP-03006, was approved by the District Council on January 23, 2006, affirming the Prince George's County Planning Board's decision with modified conditions. This CSP application has been amended twice. Once at the Planning Director level with the approval of CSP-03006-01 on December 5, 2013, to amend the uses in Pod A and Pod E, and the second time with CSP-03006-02, whose resolution was adopted by the Planning Board on July 30, 2015 (PGCPB Resolution No. 15-68), to relocate the hotel, conference center, and the multifamily on the site, and add an institutional use. Preliminary Plan of Subdivision (PPS) 4-06016 was approved on October 26, 2006 (PGCPB Resolution No. 06-212(A)), for a mixed-use development containing residential, office, retail, and hotel uses. DSP-07011 for infrastructure was approved on July 19, 2007 and has been amended twice. DSP-07057 has been approved for the residential portion of the property on March 19, 2009 and been amended three times for site plan and minor homeowner improvements. The property is also the subject of Stormwater Management (SWM) Concept Plan No. 20908-2003-02, approved on March 26, 2008. The approval was valid for three years and expired in 2011. The existing SWM facilities were built under the prior approval and the limited scope proposed in this DSP does not alter the approved SWM plans.
6. **Design Features:** The subject application proposes the construction of a pool that is approximately 15 feet by 25 feet, a hot tub, and a patio within the rear yard of an existing single-family detached dwelling, located at 2512 Sir Michael Place. The subject property, known as Lot 14, Block J, of Woodmore Towne Centre, is an interior lot with an existing dwelling, which fronts on Sir Michael Place to the south. The proposed pool is in the rear of the single-family dwelling and will encroach into the rear yard setback by approximately 13 feet.

The Planning Board finds that a survey has not been submitted with this application. The pool's location may impact public utilities that currently exist within the vicinity of the proposed pool and hot tub. The applicant should work with the appropriate utility companies to determine the exact location of the utilities. If the installation is determined to be detrimental to any of the affected utilities, the location should be adjusted accordingly.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the following Zoning Ordinance requirements:
 - a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in mixed-use zones. The proposed pool and hot tub that is located in the rear yard of the residential property, is permitted in the M-X-T Zone.
 - b. Section 27-548 of the Zoning Ordinance, M-X-T Zone establishes additional standards for the development in this zone. The DSP's conformance with all applicable provisions is still valid for the development, but does not affect this application for a homeowner's minor improvement and addition of the pool and hot tub on the property.
 - c. **Section 27-274, Design Guidelines:** Prior findings for conformance with all applicable site design guidelines are still valid and govern this DSP.
8. **Zoning Map Amendment (Basic Plan) A-9613-C:** A-9613-C was approved subject to six conditions. The proposed pool and hot tub in the rear yard setback do not alter the previously made findings of approval of the basic plan.
9. **Conceptual Site Plan CSP-03006:** CSP-03006 was approved by the District Council on January 23, 2006 and affirmed the Planning Board's decision with modified conditions. Two amendments to CSP-03006 have been approved. The first amendment was approved on December 5, 2013, to revise the uses in Pod A and Pod E and was reviewed at the Planning Director level. The second amendment was approved 2015 by the Planning Board on July 30, 2015, to relocate the hotel, conference center, and multifamily, and add an institutional use. The proposed pool and hot tub in the rear yard setback do not alter the previously made findings of approval of the basic plan.
10. **Preliminary Plan of Subdivision 4-06016:** The subject project complies with the requirements of PPS 4-06016, which was approved by the Planning Board, subject to 23 conditions. PPS 4-06016 was reconsidered on July 12, 2012 and approved with 40 amended conditions, as embodied in PGCPB Resolution No. 06-212(A). The relevant conditions of that approval are included in **boldface** type below, followed by comments:
 9. **A Type II tree conservation plan shall be approved at the time of approval of the DSP.**

The subject application is for a pool and hot tub on a private residence and does not impact the previously approved Type II tree conservation plan.
 10. **Development of this site shall be in conformance with Stormwater Management Concept Plan 20908-2003-01, and any subsequent revisions.**

The development proposed by this application is limited to a pool and hot tub on an existing single-family property and does not require a revision to the approved SWM concept plan.

11. **Detailed Site Plan DSP-07057 and its amendments:** DSP-07057 was approved by the District Council on October 18, 2016, subject to 25 conditions and one revised condition. The DSP has subsequently been amended three times at the Planning Director level for minor revisions to the site plan and to complete homeowner improvements. None of the conditions of approval are relevant to this application.
12. **2010 Prince George's County Landscape Manual:** The addition of a pool and hot tub is exempt from the requirements of the 2010 *Prince George's County Landscape Manual*. Previous landscaping-related findings are still valid.
13. **Prince George's County Tree Canopy Coverage Ordinance:** The subject application is exempt from the Tree Canopy Coverage Ordinance because the application proposes less than 5,000 square feet of gross floor area or disturbance.
14. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The subject lot does not contain any woodland conservation. The addition of the pool and hot tub will not alter the previous findings regarding conformance with the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance that were made at the time of approval of the PPS and previous DSPs.
15. **Referral Comments:** The subject application was referred to concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:
 - a. **Community Planning**—The Planning Board has reviewed and adopts a memorandum dated January 10, 2022 (Garnaas-Holmes to Bishop), which noted that master plan conformance is not required for this application.
 - b. **Historic Preservation**—The Planning Board has reviewed and adopts a memorandum dated, January 11, 2022 (Stabler and Smith to Bishop), which noted that the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any Prince George's County historic sites or resources, nor will this application impact any historic sites, resources, or known archeological sites.
 - c. **Transportation Planning**—The Planning Board has reviewed and adopts a memorandum dated January 10, 2022 (Ryan to Bishop), which noted that there are no prior conditions related to vehicular or pedestrian transportation issues, and that given the scope of the DSP, the subject property would have no impact on on-site and off-site transportation facilities or impede site circulation.

- d. **Subdivision**—The Planning Board has reviewed and adopts an email dated January 10, 2022 (Vatandoost to Bishop), which noted that the subject application is the subject of PPS 4-06016, and that given the limited scope with no additional gross floor area, the modifications proposed are within the scope of the entitlements approved under the underlying PPS. The DSP included in this application is in substantial conformance with the PPS.
 - e. **Environmental Planning**—The Planning Board has reviewed and adopts an email dated January 5, 2022 (Rea to Bishop), which noted that this application is in conformance with Type II Tree Conservation Plan TCPII-053-07-02, and no environmental requirements have been identified for this application.
 - f. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this approval, DPIE did not offer comments on the subject application.
 - g. **Prince George’s County Health Department**—The Planning Board has reviewed and adopts a memorandum dated November 30, 2021 (Adepoju to Bishop), in which the Health Department offered recommendations with respect to health-related issues on the property.
16. Based upon the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the Planning Board finds that the subject DSP represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
17. As required by Section 27-285(b)(4) of the Zoning Ordinance, the Planning Board finds that the regulated environmental features on a site have been preserved or restored in a natural state, to the fullest extent possible. Since the lot has been developed in accordance with previously approved plans, this requirement is not applicable.

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 Detailed Site Plan DSP-07057-05 for the above-described land.

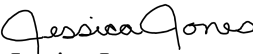
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

* * * * *

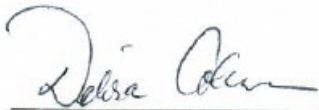
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, February 10, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of February 2022.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:rpg



Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

Dated: 2/1/22