

October 20, 2020

Atlanta, Georgia 30339
TAC WOODYARD, LLC
2100 Powers Ferry Road



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-20022
Woodyard Station

Dear Applicant:

This is to advise you that, on **October 15, 2020**, 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, Acting Clerk of the County Council, at 301-952-3600.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: 
Reviewer

Attachment: PGCPB Resolution No. **2020-140**

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

R E S O L U T I O N

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 September 24, 2020, regarding Detailed Site Plan DSP-20022 for Woodyard Station, the Planning Board finds:

1. **Request:** This application proposes a detailed site plan (DSP) for infrastructure only for the installation of public roads, stormwater management (SWM) facilities, utilities, and mass grading of the site.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T/M-I-O	M-X-T/M-I-O
Use(s)	Vacant	Infrastructure
Acreage	21.82	21.82

3. **Location:** The subject property is located on the north side of MD 223 (Woodyard Road), approximately 2,100 feet west of its intersection with MD 5 (Branch Avenue), in Planning Area 81A and Council District 09. The property is in the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (Central Branch Avenue Sector Plan), and within the Conical Surface (Left Runway) Area E, of the Military Installation Overlay (M-I-O) Zone.

4. **Surrounding Uses:** The site is bounded to the north by residentially-zoned and developed properties in the One-Family Detached Residential (R-80) Zone, and vacant land in the Mixed Use-Transportation Oriented (M-X-T) Zone; to the east by a developed commercial property in the Commercial Shopping Center (C-S-C) Zone; to the south by developed commercial properties in the C-S-C Zone, and vacant property in the M-X-T Zone; and to the west by a church in the R-80 Zone, and vacant land in the M-X-T Zone.

5. **Previous Approvals:** Prince George’s County Council Resolution CR-13-2018, Minor Amendment Five, reclassified the subject properties from the Commercial Office, One-Family Detached Residential (R-55), C-S-C, and R-80 Zones to the M-X-T Zone.

Conceptual Site Plan CSP-19008 (PGCPB Resolution No. 2020-34) was approved by the Prince George’s County Planning Board on March 12, 2020. The CSP is a mixed-use development consisting of 119 one-family attached (townhouse) dwelling units, 46 multifamily dwelling units, a 112-unit apartment housing for the elderly (senior multifamily), and 2,500 square feet of commercial/retail uses.

On May 14, 2020, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-19040 (PGCPB Resolution No. 2020-83), for the approval of 122 lots and 9 parcels.

6. **Design Features:** This application is for infrastructure only for the mixed-use development proposed at Woodyard Station, and involves the installation of public roadways, sidewalks, and SWM, as well as rough grading for the entire site.

The public road infrastructure with this application includes the extension of Mimosa Avenue and the establishment of Woodyard Station Road. Mimosa Avenue, an existing 60-foot-wide right-of-way to the north of this property, will be extended through the property, curving toward the western boundary line, for future extension. A 10-foot-wide multi-use path is proposed along the northern side of Mimosa Avenue, and a 5-foot-wide sidewalk will be constructed on the southern side. Woodyard Station Road is proposed as a 60-foot-wide right-of-way, extending north from Woodyard Road, between two commercial properties, and terminating at Mimosa Avenue. A 5-foot-wide sidewalk is proposed on both sides of Woodyard Station Road.

Both proposed roads include stubs for future private roads and drive aisles, as well as Americans with Disabilities Act compliant curb cuts and crosswalks. Grading is proposed for the entire property, as well as a SWM pond in the northeast corner and micro-bioretenion facilities adjacent to the roadways. Proposed utilities include water, sewer, and storm drain pipes within the proposed public roadways.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** This DSP has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.

- a. Section 27-548 of the Zoning Ordinance, the M-X-T Zone regulations, establishes additional standards for the development in this zone. This infrastructure DSP's conformance with the applicable provisions is discussed, as follows:

- (c) **Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

This requirement is not applicable since this application is for infrastructure only. Subsequent DSP approvals will provide regulations for development on this property.

- (f) **Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

There are no private structures within the air space above, or in the ground below public rights-of-way as part of this project.

- (g) **Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

The overall development is accessed from a public street; however, the residential and commercial uses will be served by private streets and alleys, as authorized, pursuant to PPS 4-19040.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance). Notwithstanding any other provision of this Code, this regulation shall not apply to property subject to the provisions of Section 27-544(f)(2)(I), above.**

The subject property was placed in the M-X-T Zone through a council resolution adopted in 2013, for which there was no comprehensive land use planning study conducted by technical staff. Therefore, this requirement does not apply.

- b. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:

- (1) **The proposed development is in conformance with the purposes and other provisions of this Division;**

One purpose of the M-X-T Zone is to promote orderly development of land in the vicinity of major intersections, to enhance the economic status of Prince George's County. The proposed development, consisting of residential and commercial/office uses, will provide increased economic activity proximate to the intersection of Branch Avenue and Woodyard Road. It also allows for a

potential reduction of the number and distance of automobile trips by constructing residential and nonresidential uses in close proximity to each other, with convenient access being provided to neighboring commercial/retail uses. This DSP promotes the many purposes of the M-X-T Zone and contributes to the overall vision of the Central Branch Avenue Sector Plan.

- (2) **For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan or General Plan;**

This property was placed in the M-X-T Zone through CR-13-2018, for a minor amendment to the 2013 *Subregion 5 Approved Master Plan and Sectional Map Amendment*. The proposed development is in conformance with the design guidelines intended to implement the general development concept for the area. This requirement will be further reviewed at the time of DSP when more site details are provided.

- (3) **The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The proposed development is occurring on a property that is set behind existing commercial uses fronting on Woodyard Road. This proposal includes a public road extension to integrate the existing residential community to the north and Woodyard Road to the south, as well as a public road to connect to future development west of this site. Development along these proposed public roads will be outwardly oriented. How buildings relate to the street and other urban design considerations will be addressed with future DSP applications.

- (4) **The proposed development is compatible with existing and proposed development in the vicinity;**

The development has been previously evaluated in the CSP and PPS with the illustrative development concepts in the Central Branch Avenue Sector Plan. The plan demonstrates compatibility with the surrounding residential and commercial uses, as conceptualized in the sector plan.

- (5) **The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

As previously found with the CSP, the mix of uses, arrangement of buildings, and other improvements and amenities will complement the surrounding uses to produce a cohesive development capable of sustaining an independent environment of continuing quality and stability.

- (6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

This requirement will be made with future DSPs that propose development.

- (7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

The DSP shows sidewalks along all public roads, as well as connections to the adjacent uses, forming a comprehensive pedestrian network throughout the site.

- (8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

This finding will be addressed with future DSP applications that propose development.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

This application is for a DSP; therefore, this requirement is not applicable.

- (10) **On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).**

No development is proposed with the subject application. However, PPS 4-19040 was approved by the Planning Board on May 14, 2020, at which time a finding of adequacy was made for the development to be served by this infrastructure.

- (11) **On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

This property measures 21.82 acres and does not meet the above acreage requirement. Furthermore, it is not being developed as a mixed-use planned community. Therefore, this requirement is not relevant to the subject project.

- d. Section 27-274(a)(6) of the Zoning Ordinance establishes the required design guidelines for site and streetscape amenities for CSPs and DSPs. The proposed plan generally meets all of the site design guidelines by providing safe, efficient, and convenient vehicular and pedestrian circulation. Adequate lighting and landscaping to enhance the enjoyment of the site will be evaluated with future DSP applications for the uses on the site.
8. **Conceptual Site Plan CSP-19008:** CSP-19008, for 119 townhouses, 46 multifamily dwelling units, 112 unit apartment housing for the elderly, and 2,500 square feet of commercial space, was approved by the Planning Board March 12, 2020 (PGCPB Resolution No. 2020-34), subject to three conditions. Of these conditions, the following are applicable to the review of this DSP:
2. **Prior to approval of the preliminary plan of subdivision, the following information shall be provided or shown on the plans:**
- a. **Provide continuous standard sidewalks along both sides of all internal roads, excluding alleys, unless modified by the Prince George's County Department of Public Works and Transportation and the Prince George's County Department of Permitting, Inspections and Enforcement with written correspondence.**

This application is for the infrastructure of the public roads only. The plans show a continuous standard sidewalk along all public roads. The private internal roads will be evaluated during subsequent phases of this site.

- b. Provide a bike lane along Mimosa Avenue in compliance with the Prince George's County Department of Public Works and Transportation and the Prince George's County Department of Permitting, Inspections and Enforcement standards.**

A bike lane along the northern side of Mimosa Avenue is provided as a 10-foot-wide multimodal path in conformance to the applicable standards.

- 3. Prior to issuance of any building permits within the subject property, unless modified at the time of preliminary plan of subdivision pursuant to Section 27-546(d)(9) of the Prince George's County Zoning Ordinance:**
 - a. The following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians):**

MD 223 at Brandywine Road/Old Branch Avenue:

- (1) On the northbound approach, provide three approach lanes with exclusive through, right-tum, and left-tum lanes.**
- (2) On the westbound approach, provide three approach lanes with exclusive through and left-tum lanes and a shared through/right-tum lane.**
- (3) On the eastbound approach, provide four approach lanes with two through lanes and exclusive right-tum and left-tum lanes.**

If the above-listed improvements are to be provided pursuant to the "Brandywine Road and MD 223 Intersection" project in the current Prince George's County Capital Improvement Program, the applicant shall, in cooperation with the Prince George's County Department of Permitting, Inspections and Enforcement and/or the Prince George's County Department of Public Works and Transportation, demonstrate the construction and/or financial participation. This information shall be supplied to the Transportation Planning Section at the time of preliminary plan of subdivision.

During the course of review of the PPS, it was determined that the intersection of MD 223 and Old Branch Avenue/Brandywine Road could not be deemed critical because it served 15 percent of site-generated traffic and a maximum of 22 peak-hour trips. Consequently, the above condition was not carried forward. This is permissible pursuant to Section 27-546(d)(9) of the Zoning Ordinance, which states that the District Council's finding of adequate transportation facilities during CSP review "shall not prevent the Planning Board from later amending this finding during its review of subdivision plats." Although not required for transportation adequacy, the applicant proffered to contribute approximately \$204,500 toward these improvements on a pro-rata basis at the time of building permit.

9. **Preliminary Plan of Subdivision 4-19040:** The site is subject to PPS 4-19040 (PGCPB Resolution No. 2020-83), approved by the Planning Board on May 14, 2020 for the approval of 122 lots and 9 parcels, subject to 16 conditions. Of these conditions, the following are applicable to the review of this DSP:

7. **In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following facilities, and provide an exhibit depicting these facilities, prior to acceptance of the first detailed site plan:**

- b. **A minimum 10-foot-wide asphalt or concrete trail along Mimosa Avenue, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**

A 10-foot-wide, concrete, multimodal path is provided along the northern side of Mimosa Avenue.

- c. **Pedestrian connections to the shopping centers to the east and south, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**

A pedestrian connection to the shopping center to the south is provided from Woodyard Station Road. No pedestrian connection is provided to the shopping center to the east. This will be required to be provided with a future DSP that proposes development of the eastern side of the site.

9. **Prior to acceptance of the detailed site plan, a revised stormwater management concept plan and approval letter from the Prince George's County Department of Permitting, Inspections and Enforcement, shall be submitted.**

SWM Concept Approval, 23226-2017-01, issued by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on May 27, 2020, was provided with this DSP application.

11. **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.”

This note is provided on the Type 2 tree conservation plan (TCP2).

10. **2010 Prince George’s County Landscape Manual:** This application is not subject to the requirements of the Landscape Manual, since only infrastructure and public roads are proposed. Landscape Manual requirements will be evaluated with future DSPs that propose development of the site.

11. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance because it has previously approved tree conservation plans. A Type 2 Tree Conservation Plan, TCP2-014-2020, was submitted with the DSP application.

There are two preserved woodland areas along the southern and eastern property lines, and wooded area not qualifying as a woodland along the western property line. The plans show clearing 17.29 acres of on-site woodlands and a resulting requirement of 9.36 acres. The woodland conservation requirement is proposed to be met with 0.66 acre of on-site preservation, 0.23 acre of reforestation, and 8.47 acres of off-site woodland conservation credits. No revisions are required to the tree conservation plan.

12. **Prince George’s County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3 of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The subject site is 21.82 acres in size and the required TCC is 2.18 acres; however, a table was not provided on the plans. A condition has been incorporated herein to provide a TCC table demonstrating conformance with the requirements of the Tree Canopy Coverage Ordinance.

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

- a. **Historic Preservation**—The Planning Board adopted, herein by reference, a memorandum dated June 16, 2020 (Stabler to Burke), which indicated that based on a search of historic resources, the probability of archeology sites within the subject property was high. A Phase I archeology survey was completed for this site, and based on

the report, no further archeology is required. Further, the site does not contain, and is not adjacent to any designated Prince George's County historic sites, or resources.

- b. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated July 17, 2020 (Lester to Burke), which indicated that pursuant to Part 3, Division 9, Subdivision 2, of the Zoning Ordinance, master plan conformance is not required for this application.

This application is in Area E, Conical Surface (20:1) – Left Runway of the Military Installation Overlay Zone - Height. Pursuant to Section 27-548.54 of the Zoning Ordinance, the maximum building height on the subject property should not exceed 230 feet, which will be enforced with future DSPs for development.

- c. **Transportation Planning**—The Planning Board adopted, herein by reference, a memorandum dated August 7, 2020 (Masog to Burke), which provided findings regarding development in the M-X-T Zone and an evaluation of previous conditions of approval, and approved the access and circulation, indicating that the proposed infrastructure is generally consistent with the PPS.
- d. **Trails**—The Planning Board adopted, herein by reference, a memorandum dated August 10, 2020 (Smith to Burke), which provided an evaluation of previous conditions of approval and approved the pedestrian and bicycle access and circulation for this plan. The proposal was found to be consistent with the site design guidelines, pursuant to Section 27-283 of the Zoning Ordinance, and meets the findings required by Section 27-285(b) of the Zoning Ordinance, for a DSP for pedestrian and bicycle transportation purposes, and conforms to the prior development approvals and the Central Branch Avenue Sector Plan.

Continental style crosswalks are provided along Woodyard Station Road and Mimosa Avenue for continuous connection for bicyclists and pedestrians. A crosswalk is shown crossing one leg of Mimosa Avenue at each of the future intersections. The Planning Board requires that crosswalks be provided crossing both legs of Mimosa Avenue at these intersections, and requires crosswalks crossing each street that intersects with the 10-foot-wide multimodal pathway. Conditions to provide these crosswalks are included in this resolution.

- e. **Environmental Planning**—The Planning Board adopted, herein by reference, a memorandum dated August 10, 2020 (Schneider to Burke), which provided comments on this application, summarized below and subject to conditions in this resolution.

Natural Resources Inventory Plan/Existing Features

A Natural Resource Inventory, NRI-033-2019, was approved on September 6, 2019, and provided with this application. The site contains no regulated environmental features and 18.20 acres of woodlands. There are eight specimen trees scattered throughout the

property. The TCP2 and the DSP show all the required information correctly in conformance with the NRI.

Specimen Trees

A Subtitle 25 Variance was approved with CSP-19008 to remove six specimen trees (ST 1, ST 2, ST 3, ST 4, ST 6, and ST 7) and PPS 4-19040 to remove one specimen tree (ST 5). There are no changes with this application regarding the status of specimen trees previously approved for removal. One specimen tree (ST 8) will remain as part of this development.

Stormwater Management

A revised SWM Concept Approval Letter 23226-2019-01 and associated plan were submitted on July 30, 2020. The approval was issued on May 27, 2020 by DPIE. The original SWM concept plan that was approved by DPIE received a design layout change during the CSP review process. This change was significant enough to require a new SWM concept plan. The revised and approved plan shows the construction of 55 micro-bioretenion ponds. No SWM fee for on-site attenuation/quality control measures are required.

Erosion and Sediment Control

No information with respect to erosion and sediment control was submitted with the subject application; however, it should be noted that the site is located within a Tier II catchment area (Piscataway Creek), as designated by the Maryland Department of the Environment. Tier II streams are high-quality stream segments that have an existing water quality that is significantly better than the minimum water quality standards. There are no regulated environmental features located on-site of identified, or the adjacent parcels; however, the Soil Conservation District may require additional or redundant erosion and sediment control devices.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—Comments regarding this application were not received from DPR.
- g. **Prince George's County Fire/EMS Department**—Comments regarding this application were not received from the Fire/EMS Department.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopted, herein by reference, a memorandum dated September 8, 2020 (Giles to Burke), in which DPIE provided comments and recommendations regarding road and infrastructure improvements that are to be addressed directly with DPIE at the time of permitting.
- i. **Prince George's County Police Department**—Comments regarding this application were not received from the Police Department.

- j. **Prince George’s County Health Department**—The Planning Board adopted, herein by reference, a memorandum dated July 6, 2020 (Adepoju to Burke), in which the Health Department provided health statistics regarding the proximity of the site to carryout/ convenience stores and two grocery food facilities, and how a lack of healthy food sources can lead to obesity and diabetes, recommending that the applicant consider a tenant for the commercial portion who would provide access to more healthy food choices.

In addition, the Health Department provided guidance with regard to controlling noise and dust during construction on the site.

- k. **Maryland State Highway Administration (SHA)**—Comments regarding this application were not received from SHA.
- l. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board adopted, herein by reference an email dated June 19, 2020 in which WSSC provided water, sewer, and associated easement conditions to be addressed with WSSC at time of permitting.

14. As required by Section 27-285(b)(3) of the Zoning Ordinance and discussed herein, the DSP for infrastructure satisfies the site design guidelines, as contained in Section 27-274, prevents off-site 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.

15. As required by Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

- (4) **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).**

The regulated environmental features on the subject property have been preserved and/or restored in a natural state, to the fullest extent possible, as the subject property does not contain any regulated environmental features, or primary management areas.

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 TCP2-014-2020, and further APPROVED Detailed Site Plan DSP-20022 for the above described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall:
 - a. Provide a tree canopy coverage table demonstrating conformance with the requirements of the Tree Canopy Coverage Ordinance.

- b. Revise the plans to show street furniture, lighting and street tree plantings along Mimosa Avenue and Woodyard Station Road.
- c. Provide continental style crosswalks crossing each leg of Mimosa Avenue at all intersections.
- d. Provide continental style crosswalks crossing roadways that intersect with the 10-foot-wide multimodal pathway.
- e. The required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law and submitted for recordation to the Office of Land Records, and the following note shall be added to the standard Type 2 tree conservation plan notes on the plan:

“Woodlands preserved, planted, or regenerated in fulfillment of on-site woodland conservation requirements 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.”

- 2. Prior to issuance of the first grading permit, copies of the recorded woodland conservation easement documents with the liber and folio shall be provided to the Environmental Planning Section, and the liber and folio of the recorded woodland conservation easement shall be added to the Type 2 tree conservation plan.

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 Bailey, seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo, Doerner and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, September 24, 2020, in Upper Marlboro, Maryland.

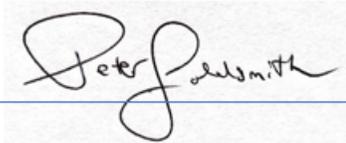
Adopted by the Prince George's County Planning Board this 15th day of October 2020.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:TB:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: September 30, 2020