

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 April 30, 2015 regarding Detailed Site Plan DSP-14025 for Wood Glen, the Planning Board finds:

1. **Request:** The detailed site plan (DSP) is for 138 single-family attached dwelling units in the Commercial Office (C-O) Zone on an 11.87-acre site.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-O	C-O
Use(s)	Vacant	Residential
Total Acreage	12.62	12.62
DSP Acreage	0	11.87
Outparcel Acreage	0	0.75
Parcels/Outparcels	1	23/1
Lots	1	138
Residential Units	0	138

OTHER DEVELOPMENT DATA

Parking Requirements

Parking Required at 2.04 x 138 dwelling units:	282
Total Parking Provided:	316
Garage Spaces at 2 per unit	276
Parallel On-Street Parking	38
Handicapped On-Street Parking	2

3. **Location:** The subject site is located on the east side of Good Luck Road, approximately 400 feet south of its intersection with Greenbelt Road (MD 193). The site is also located in Council District 3 and in Planning Area 70.

4. **Surrounding Uses:** The subject property is bounded to the south and east by a property zoned Multifamily Medium Density Residential (R-18) and improved with a multifamily apartment complex; to the north is the right-of-way of Greenbelt Road (MD 193) with commercially-developed properties in the Light Industrial (I-1) Zone beyond; to the northwest is a property zoned C-O and developed with the Greenbelt Executive Center, which includes various commercial and institutional uses; to the west is the right-of-way of Good Luck Road with a property zoned One-Family Detached Residential (R-80) developed with Duval High School beyond.
5. **Previous Approvals:** The project is the subject of Preliminary Plan of Subdivision 4-13030, approved by the Planning Board on November 6, 2014, and formalized in the adoption of PGCPB Resolution No. 14-124 on December 4, 2014. The site is also the subject of approved Stormwater Management Concept Plan 8011890-1999-02, approved by the Department of Permitting, Inspections and Enforcement (DPIE) on February 25, 2014.
6. **Design Features:** The subdivision is planned to be accessed from a single point at the middle of the subject site's Good Luck Road frontage via Wood Glen Terrace, a private road. The majority of the proposed 138 townhomes are located in a grid pattern to the north and south of this main entrance road on other private roads and alleys. The layout includes fronts of units oriented to the multifamily development to the south, fronting on a parking lot. Many of the main vehicle access ways are through alleys and will be garage-dominated. Many fronts of units are oriented inward to each other, along green spaces. One private road turns to extend to the northeastern corner of the property, past a proposed above-ground stormwater pond, to provide access to 19 of the units. All of the townhomes, which are grouped in four-to eight unit sticks, are proposed to be 20 feet wide with a two-car rear-loaded garage and standard rear deck. Additional parking is provided in some driveway spaces and some on-street parallel parking spaces.

Stormwater management is proposed to be handled in two large above-ground ponds located in the central and northeastern corner of the subject property. The approved preliminary plan required private on-site recreation facilities in-lieu of mandatory parkland dedication. The submitted DSP provides five separate recreation areas, generally located throughout the central portion of the development. Three of these are passive recreational areas; two are sitting areas with benches, sidewalks, and vinyl pergolas; and one is a picnic area including three picnic tables and one grill station. The last two are more active; one with a fenced pre-school age playground with specialty play surface and benches and the other with a school age play structure with specialty play surface and benches.

The submitted DSP includes full architecture for all of the proposed townhomes. The minimum total base finished area for all of the units is 1,400 square feet, with a maximum total finished area of 1,760 square feet with all options. The submitted architecture provided the following notes regarding the requirements:

“1. General Notes:

- “a. All homes will be three stories with rear-served two-car garages in the ground floor.
- “b. Depending on the builder, additional optional attic living space may be offered with the intention that it would be incorporated into the roof design by use of dormers, gables or other visual enhancements.
- “c. [Left intentionally blank]
- “d. Front horizontal building jogs shall be 2 feet or greater.
- “e. In order that loft space can be provided as an option, maximum building heights shall be as follows:
 - “i. From front stoop ground line to top of ridge: 44.5 feet
 - “ii. From front stoop ground line to mid-point of roof: 37.83 feet

“2. Front Elevations:

- “a. Minimum – brick/stone/other masonry treatment water table. Use of siding may be used if architecturally appropriate with other elevation features, such as fenestration treatments, entry features, etc.
- “b. At least 50 percent of a given building front face (net of windows and entry features) shall be surfaced with brick/stone/other masonry treatment.
- “c. Any siding shall use non-aluminum and non-vinyl material, such as wood, Masonite, or cement-based product (Hardy, for example).
- “d. Windows shall feature architectural enhancement such as shutters and/or features, such as Fypon or other window heads and if appropriate, sills.

“3. End Unit Elevations:

- “a. Standard:
 - “i. Minimum - brick/stone/other masonry treatment water table.
 - “ii. There shall be at least six full-sized windows on each end elevation. Paired, combined, and bay windows shall be credited for use based on the number of windows in such combined feature.

- “iii. Any siding shall use a use non-aluminum and non-vinyl material, such as wood, Masonite, or cement-based product (Hardy for example).
- “b. High Visibility Units:
 - “i. Brick/stone/other masonry treatment shall be used at least up to the top of the ground floor elevation.
 - “ii. There shall be at least six full-sized windows on each end elevation. Paired, combined, and bay windows shall be credited for use based on the number of windows in such combined feature.
 - “iii. Windows shall feature architectural enhancement such as shutters and/or features such as Fypon or other window heads and if appropriate, sills.
 - “iv. Any siding shall use non-aluminum and non-vinyl material, such as wood, Masonite, or cement-based product (Hardy for example).
 - “v. Where appropriate, additional screening landscaping shall be employed to minimize building mass.
- “4. Rear Elevations:
 - “a. All units shall be constructed with a standard full-width deck or combination building projection and residual deck over the driveway and serving the second level.
 - “b. Building rears shall be faced with brick/stone/other masonry treatment up to the first level height and at minimum, a high quality vinyl 8-inch beaded siding above that elevation (not standard 4-inch double dutch lap).
 - “c. Driveways shall be asphalt or as otherwise designated on the site plan.”

The fronts of the buildings present a varied fenestration pattern and provide architectural features and details creating visual interest. The windows are arranged in a rectilinear fashion with shutters, and the front doors have decorative trim work. The primary roof on the front elevations is shown as black dimensional fiberglass shingles, with optional dormers and reverse gables. All of the units feature multiple side elevation features, including partial brick, with horizontal siding as the finish for the remaining area of the side and rear elevations. The rear façades have standard decks with glass sliding doors and multiple windows.

The provided architectural notes are extensive and cover the majority of the features necessary to ensure a quality development. However, the amount of brick/stone on the front façades and considerations for the number of units with roof features in each stick and for all of the high visibility lots were not fully provided. Conditions of approval accomplish these improvements to the architecture.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-O Zone and the site plan design guidelines of the Zoning Ordinance.

The subject DSP is in conformance with Section 27-461, Uses Permitted in Commercial Zones; Section 27-453, C-O Zone (Commercial Office); and Section 27-462, Regulations in Commercial Zones of the Zoning Ordinance. Townhomes are permitted in the C-O Zone pursuant to Footnote 59 of Section 27-461(b) which states:

Provided:

- (A) **The townhouses shall be located on a lot(s) or parcel(s) of less than twelve (12) acres in size;**

The subject DSP proposes townhouses on 11.87 acres of the subject property, and the remaining 0.75 acre proposed as an outparcel, as required by the preliminary plan. Therefore, it conforms to this requirement.

- (B) **The property is located within a Center or a Corridor as designated by the 2002 General Plan;**

The subject property is located within a designated Corridor per the 2002 *Prince George's County Approved General Plan*.

- (C) **The adjacent properties are developed with institutional, commercial office, and multi-family residential uses;**

The adjacent property to the south and east of the subject site is developed with a multifamily residential use, to the northwest is a commercial office development, which also includes a day care center for children and a care home, both of which are institutional uses, and to the west is the public right-of-way of Good Luck Road with a public high school, an institutional use, beyond. Therefore, the DSP conforms to this requirement.

- (D) **A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;**

The subject application has been submitted in conformance with this requirement.

- (E) **Regulations concerning the net lot area, lot coverage and green area, lot/width frontage, yards, building height, distance between unattached townhouses, density, accessory buildings and other requirements of the C-O or R-T Zones shall not apply. All such requirements shall be established and shown on the Detailed Site Plan; and**

The specified regulations are shown in the General Notes on the Coversheet of the DSP as follows:

- Net lot area: 12.62 acres
- Lot size: 1,050 square foot minimum
- Lot coverage: 76.2 percent maximum
- Green area: Not specified
- Lot/width frontage: 20 feet minimum
- Building setback: two-foot minimum
- Building height: 44.5 feet maximum
- Distance between unattached townhouses: Not specified
- Density: 11.6 dwelling units/acre
- Accessory buildings: Not specified

- (F) **The Detailed Site Plan shall include architectural review in order to ensure compatibility with the existing neighborhood.**

The submitted DSP includes three sheets of architectural elevations, which also include notes regarding the architectural design. Discussion of these features is provided in Finding 6 above. Since there are no townhomes within the immediate vicinity of the property there is no standard to judge architectural compatibility. However, the proposed architecture, as discussed in Finding 6, is of an acceptable quality.

8. **Preliminary Plan of Subdivision 4-13030:** Preliminary Plan of Subdivision 4-13030 was approved by the Planning Board on November 6, 2014, which approval was formalized in PGCPB Resolution No. 14-124, containing 26 conditions, adopted by the Planning Board on December 4, 2014. The relevant requirements of that approval are indicated in **boldface** type below, followed by comment.

1. **Prior to signature approval of the preliminary plan of subdivision the plan shall be revised to incorporate the modifications depicted in Exhibit 1 and make the following technical corrections:**

- i. **The following note shall be placed on the PPS and DSP:**

“Prior to approval of the 51st building permit, the applicant, their heirs successors and or assignees shall obtain approval of a final plat for Outparcel A (.75 acres). The outparcel shall be conveyed to the

HOA or the applicant may retain the outparcel. Prior to development of Outparcel A, a new PPS is required. Direct access to Greenbelt Road may not be granted unless authorized by the Planning Board through the review of a PPS.”

This is provided as General Note 47 on the DSP as required.

- 2. Development of this site shall be in conformance with an approval of Stormwater Management Concept Plan No. 8011890-1999-02, and any subsequent revisions.**

This is reflected in General Note 25 of the DSP.

- 3. At the time of final plat, the applicant and the applicant’s heirs, successors, and/or assignees, shall grant a ten-foot-wide public utility easement (PUE) along all public and private streets or an alternative PUE acceptable to all applicable public utility providers, as reflected on the approved DSP.**

A color-coded utility plan has been submitted by the applicant that proposes an alternative to the ten-foot-wide public utility easement (PUE) as required above, but no indication of consent from the effected utility providers has been submitted. Therefore, a condition has been included in this approval that, prior to approval of the final plat, the applicant should provide evidence of approval of, or consent to, the alternative PUE layout from the effected utility providers.

- 4. Prior to the submission of final plats, the applicant and the applicant’s heirs, successors and/or assignees shall submit three (3) original Recreational Facilities Agreements (RFA) to the Development Review Division (DRD) for construction of recreational facilities on-site for approval. Upon approval by the DRD, the RFA shall be recorded among the County Land Records. The DSP shall establish appropriate triggers for construction for the recreation facilities.**

The applicant proffered that Areas 1 and 2 of the on-site private recreational facilities shall be completed prior to issuance of the 92nd building permit. Areas 3 and 4 of the on-site recreational facilities shall be completed prior to issuance of the 120th building permit, and Area 5 shall be completed prior to issuance of the 128th building permit. The Planning Board found this acceptable given the locations of the various recreation areas and uncertainty regarding the phasing of construction of the various townhome areas.

- 5. Prior to the issuance of building permits, the applicant and the applicant’s heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities. The recreational facilities shall be determined at the time of DSP.**

The submitted DSP shows on-site private recreational facilities, which are discussed further in Finding 6 above.

8. Prior to approval of building permits, the applicant and the applicant's heirs, successors and/or assignees shall provide the following, unless modified by DPW&T:

- a. An eight-foot-wide sidepath (or wide sidewalk) along the site's entire frontage of Good Luck Road.**

The submitted detailed site plan reflects this master plan facility along the subject site's entire frontage of Good Luck Road. This preliminary plan condition will be enforced prior to the approval of building permits.

- b. An eight-foot-wide sidepath (or wide sidewalk) along the west side of Good Luck Road from the ingress/egress point to DuVal High School to the existing curb cut and crosswalk at Greenbelt Road (MD 193).**

This requirement of the Preliminary Plan will be addressed prior to approval of building permits. As it pertains to off-site facilities related to Section 24-124.01 of the Subdivision Regulations, it is beyond the scope of the subject DSP application.

- c. One bus shelter at the existing bus stop along the west side of Good Luck Road in front of DuVal High School.**

This requirement of the Preliminary Plan will be addressed prior to approval of building permits. As it pertains to off-site facilities related to Section 24-124.01 of the Subdivision Regulations, it is beyond the scope of the subject DSP application.

9. The Detailed Site Plan (DSP) shall demonstrate standard sidewalks along both sides of all internal roads, excluding the portion of the road abutting the Greenbelt Executive Center Phase Two Condominium.

The submitted detailed site plan is in conformance with this condition. Sidewalks are provided along all road frontages (excluding the exception noted) and walkways are provided along linear greenways between units. The overall result of these sidewalks and walkways is to provide a modified "grid" network for pedestrians, which is ideal for accommodating pedestrian movement within the site and to the master plan trail along Good Luck Road.

10. Total development within the subject property, for townhouse development (11.87 acres) shall be limited to a mix of residential development which generates no more than 97 (20 in; 77 out) AM peak-hour trips, and 110 (72 in; 38 out) PM peak-hour trips. Any development generating a traffic impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

The DSP application is proposing 138 townhomes. The trip generation for these units will not exceed the total trip cap of 97 (20 in; 77 out) AM peak-hour trips, and the total 110 (72 in; 38 out) PM peak-hour trips.

- 14. Prior to approval of the DSP for the townhouse development, an exhibit shall be provided detailing the location limits and design of the off-site sidewalk construction and the off-site bus shelters, as agreed upon with the Department of Public Works and Transportation (DPW&T).**

The required exhibit was provided detailing the off-site work, which is still subject to final approval by DPW&T.

- 15. Prior to approval of the DSP, an approved stormwater site development plan shall be submitted to show how the proposed stormwater entering the site from MD 193 will be treated before entering the existing stream/wetland system. The proposed improvements (best management practices or environmental site design) shall be clearly identified on the plan and correctly reflected on the associated DSP and TCP2.**

The condition above applies to the outparcel, which is not technically part of the DSP, and a DSP is not required for the outparcel. This requirement, alternatively, could be fulfilled prior to issuance of a grading permit for the outparcel, and should be part of the reconsideration of the preliminary plan. The approved concept for the area of the subject application is correctly reflected on the DSP and TCP2. Grading on the outparcel should be revised to only impact the features on this site relating to the stream restoration, in accordance with an approved stormwater site development plan.

- 16. At the time of the DSP, the applicant shall provide a landscape plan detailing the planting specification for the 410 linear feet of stream channel and riparian plantings, and herbaceous wetland vegetation proposed in the bottom of proposed stormwater management ponds "A" and "B" as stated on page four (4) of a letter dated September 20, 2014 from Rifkin Weiner Livingston Levitan & Silver LLC Attorney's at Law, entitled "Variation Request – PMA disturbances Wood Glen 4-13030," to be reviewed by the Alternative Compliance Committee.**

This condition also applies to the outparcel. The information required above was submitted by the applicant, even though the outparcel is not subject to DSP review.

A landscape plan entitled "Wood Glen SWM Landscape Plan" detailing the planting specifications for 410 linear feet of stream channel and riparian plantings for two stream areas, as well as, herbaceous wetland vegetation proposed in the bottom of proposed stormwater management ponds "A" and "B" was submitted with the DSP. Although the condition requires the plan to be reviewed by the Alternative Compliance Committee, the plan should be reviewed by DPIE because the plantings will be within a stormwater management facility and DPIE has final

authority on its design and planting plan. It is recognized that, at the time of final stormwater management review, the applicant will be required to provide a landscape plan. That plan should detail the planting specification for the 410 linear feet of stream channel and riparian plantings and herbaceous wetland vegetation proposed in the bottom of proposed stormwater management ponds "A" and "B."

17. At the time of DSP, full cut-off optic street light fixtures shall be used on this site to reduce light intrusion.

All of the street light fixtures proposed on the DSP show the use of full cut-off optics as required.

21. At the time of detailed site plan, a revised letter of justification shall be submitted for Impact Area #1 as necessary.

This condition also applies to the outparcel. A revised letter of justification dated November 21, 2014 from Rifkin, Weiner, Livingston, Levitan & Silver LLC was submitted with this DSP; no changes in the request were proposed with regard to Impact Area #1. Therefore, the Planning Board did not approve this impact at this time, but the issue could be addressed as part of a future reconsideration of the preliminary plan.

24. Prior to approval of the DSP, a copy of the Erosion and Sediment Control Concept Plan shall be submitted.

A copy of the erosion and sediment control plan was submitted by the applicant. The plan does not conflict with the woodland conservation requirements or approved impacts as shown on the TCP2.

25. At the time of DSP, the applicant shall demonstrate the approved stormwater management concept plan or technical plan has been revised to reflect no proposed development on Outparcel A.

This condition also applies to the outparcel, which is not part of this DSP application and is exempt from DSP review. The applicant has indicated that the Maryland State Highway Administration (SHA) will allow direct access to Greenbelt Road (MD 193). As a result, the removal of the proposed commercial development from the stormwater management concept plan is no longer necessary, as the access restriction from SHA has been removed. It is anticipated that the applicant may submit a reconsideration of the preliminary plan to address direct access to Greenbelt Road, and to eliminate the condition above. In any case, the property is zoned C-O and could be developed in accordance with that zone in the future. In that case, the condition above should not be enforced through the subject DSP review because the outparcel is not part of this application.

The concept plan shows development on Outparcel A, and the DSP and TCP2 show proposed grading for a pad site on Outparcel A. In accordance with this condition, at a minimum, the proposed disturbance to Outparcel A, which is not part of this application, should be removed

from the DSP and TCP2, or clearly hatched and labeled as illustrative only, for purposes of clarifying the hydrological interconnection of these parcels.

9. **2010 Prince George’s County Landscape Manual:** The proposed townhouse development is subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees along Private Streets, of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual).
- a. **Section 4.1, Residential Requirements**—Section 4.1 requires a minimum number of trees be provided per townhouse lots, which can be provided on lots or in common open space. The correct schedule is provided on the DSP showing this requirement being met for the 138 proposed townhouse lots.
- b. **Section 4.6, Buffering Development from Streets**—Section 4.6 requires a buffer between any use and the right-of-way of a special roadway. Good Luck Road is classified as a designated historic roadway adjacent to the subject property. Therefore, a Section 4.6 buffer is required, which includes a minimum 20-foot-wide buffer planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings (within the area formerly designated as the Developing Tier). Section 4.6 requires all plant materials to be located outside of any public utility easements (PUEs) adjacent to the right-of-way. Lot 4 has an existing variable width Washington Suburban Sanitary Commission (WSSC) sanitary sewer easement along its entire frontage on Good Luck Road. Therefore, the applicant filed a request for Alternative Compliance, AC-15002, from Section 4.6-2, Buffering Development from Special Roadways, along Good Luck Road because some of the proposed plant material is located within a utility easement.

REQUIRED: Section 4.6 Buffering Development from Special Roadways, along Good Luck Road

Length of bufferyard:	403 feet
Minimum bufferyard width:	20 feet
Plant Units (80 per 100 linear feet):	323

PROVIDED: Section 4.6 Buffering Development from Special Roadways, along Good Luck Road

Length of bufferyard:	403 feet
Bufferyard width:	20 feet
Plant Units:	327

Justification

The applicant does not meet the strict requirements of Section 4.6, Buffering Development from Special Roadways, along the entire length of Lot 4’s frontage on the historic Good

Luck Road, because some of the plantings are located within a public utility easement adjacent to the right-of-way. Lot 4 has an existing variable width Washington Suburban Sanitary Commission (WSSC) sanitary sewer easement along its entire frontage on Good Luck Road. This means that, while the full width and plant unit requirements are being provided, approximately one-third of the plant units are located within the WSSC easement, including trees and shrubs. The applicant justifies this arrangement because the easement is existing and Good Luck Road is a four-lane fully-improved collector roadway with no historic or scenic features remaining along this length. They also state that they are providing the full quantity of required plant materials and the full width of the bufferyard, and will ensure there are agreements in place requiring the replacement of any plants that may be removed by the utility during repair or maintenance activities. It should be noted that the agreement would obligate the future homeowners association (HOA) to replant the vegetation that was removed by WSSC. The Planning Board found this unacceptable because this burdens the homeowners with additional costs. However, the Planning Board approved the application with certain conditions of approval to mitigate the lack of landscaping along the right-of-way.

The Planning Board found that the purpose of the Section 4.6 buffering of special roadways is to “Provide an attractive view of development from streets and special roadways by buffering those developments with appropriate landscaping”; therefore, the concept of fronting the units along Good Luck Road contributes to the beautification of the roadway through pleasing architecture. It should also be noted that Good Luck Road has a very modern existing condition. There appears to be room to move the houses on Lots 60–68 back, to the east, to allow for more of the proposed plant units, along with the proposed front stoops and stairs, to be located outside of the WSSC easement. Also, it should be noted that it is acceptable that some of the plant materials may need to be located outside of the first 20 feet adjacent to the right-of-way. Given the provision of the required amount of plants and bufferyard width, the Planning Board found the applicant’s proposed alternative compliance measures to be equally effective as normal compliance with Section 4.6 of the Landscape Manual if, prior to certification, the applicant revises the plan to move the stoops, stairs, and trees outside of the WSSC easement, and provides a reconfiguration and adjustments to the quantity of the shrub plantings, as needed, to accomplish the full number of plant units for the Section 4.6 buffer.

The Planning Board found to approve alternative compliance pursuant to Section 4.6 of the 2010 *Prince George’s County Landscape Manual* along Good Luck Road, subject to the following condition, prior to certificate of approval of the plans:

- (1) Along the Good Luck Road frontage, reconfigure the proposed front stoops and stairs to remove them from the Washington Suburban Sanitary Commission (WSSC) easement. Reconfigure the plant units between Lots 64–68 and Good Luck Road to remove the trees from the WSSC easement. Adjust the quantity of the shrub plantings, as needed, to accomplish the full number of plant units for the Section 4.6 buffer.

- c. **Section 4.7, Buffering Incompatible Uses**—Section 4.7 requires a buffer between adjacent incompatible land uses, which occurs along multiple property lines of the subject development. The DSP provides the correct schedules showing the requirements being met along some property lines and not along others. Therefore, the applicant filed a request for Alternative Compliance, AC 15002, from Section 4.7, which is discussed as follows:

- **Boundary “A” – Northwestern Property Line—**

REQUIRED: 4.7 Buffering Incompatible Uses, Boundary “A” along the northwestern property line, adjacent to commercial offices.

Length of bufferyard	289 feet
Minimum building setback	40 feet
Landscape yard	30 feet
Bufferyard occupied by ex. trees	0 percent
Fence or wall	Yes
Plant Units (120 per 100 l. f.)	174

PROVIDED: 4.7 Buffering Incompatible Uses, Boundary “A” along the northwestern property line, adjacent to commercial offices.

Length of bufferyard	289 feet
Minimum building setback	31.8–40 feet
Landscape yard	4–30 feet
Bufferyard occupied by ex. trees	0 percent
Fence or wall	Yes
Plant units	198

Justification

The underlying DSP application proposes to build townhouses on a vacant site, adjacent to a fully developed commercial office condominium complex to the north. The applicant is requesting Alternative Compliance from Section 4.7, Buffering Incompatible Uses, of the Landscape Manual. A Section 4.7, Type C bufferyard, which includes a 40-foot building setback and a 30-foot-wide landscape yard, is required along the northwestern property boundary adjacent to the commercial/professional offices. Along this edge, building encroachment is proposed within approximately 31 feet of the property line. The width of the landscape yard varies from 4 to 30 feet in width; the provided landscape yard is reduced to only four feet wide where a private street is proposed. As an alternative to the normal requirements of Section 4.7, the applicant states that they are providing a six-foot-high sight-tight fence along the property line, along with

24 additional plant units. Also, they are providing some additional plant units on the south side of the private street, just outside of the landscape buffer. The Planning Board found the applicant's proposed alternative compliance measures to be equally effective as normal compliance with Section 4.7 of the Landscape Manual, if the fence is substituted with a fence and brick or stone pier system, and that the fence be constructed of a non-white wood composite, not vinyl or wood. Again, the application proposes approximately one-third of the proposed plants and a portion of the privacy fence within a proposed Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) stormdrain easement. Therefore, the applicant should provide documentation from DPIE of acceptance of the proposed plants and fencing within their easement, prior to approval of the DSP, or adjust the proposed stormdrain and easement to remove it from the provided reduced landscape yard width.

The Planning Board found to approve alternative compliance pursuant to Section 4.7 of the 2010 *Prince George's County Landscape Manual* for Boundary "A" along the northwestern property line, adjacent to commercial offices, subject to the following conditions, prior to certificate of approval of the plans:

- (1) Provide documentation from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) of acceptance of the proposed plants and fencing within their proposed easement(s) or remove the easement and stormdrain from the provided reduced landscape yard width.
- (2) The proposed fence shall be constructed of six-foot-high, non-white, wood composite; no vinyl or wood. Brick or stone piers shall be placed a maximum of 40 feet on center.

• **Boundary "B" – North Central Property Line—**

REQUIRED: 4.7 Buffering Incompatible Uses, Boundary "B" along the north central property line, adjacent to a day care center for children.

Length of bufferyard	501 feet
Minimum building setback	30 feet
Landscape yard	20 feet
Bufferyard occupied by ex. trees	0 percent
Fence or wall	Yes
Plant Units (80 per 100 l. f.)	201

PROVIDED: 4.7 Buffering Incompatible Uses, Boundary “B” along the north central property line, adjacent to a day care center for children.

Length of bufferyard	501 feet
Minimum building setback	10–30* feet
Landscape yard	4–20* feet
Bufferyard occupied by ex. trees	0 percent
Fence or wall	Yes
Plant units	205

*If revised as conditioned, the minimum building setback provided will be 22 feet, and the minimum landscape yard will be 20 feet.

Justification

The applicant is requesting Alternative Compliance from Section 4.7, Buffering Incompatible Uses, of the Landscape Manual. A Section 4.7, Type B bufferyard, which includes a 30-foot building setback and a 20-foot-wide landscape yard, is required along the north central property boundary adjacent to a day care center for children. A proposed private street is set back only four feet from the common property line, and a proposed townhouse on Lot 128 is set back only ten feet from the property line. This reduces the landscape yard to a minimum of four feet and the building setback to a minimum of ten feet. As an alternative to the normal requirements of Section 4.7, the applicant states that they are providing a six-foot-high sight-tight fence along the property line, as well as the full plant unit requirement. The Planning Board found that the proposed fence and retaining wall, along with the large interceding stormwater pond to the south of the street, provide an effective landscape yard where the private street is located. Again, some of the proposed plants and a portion of the privacy fence are located within a proposed DPIE stormdrain easement. Therefore, the applicant should provide documentation from DPIE of acceptance of the proposed plants and fencing within their easement, prior to approval of the DSP, or adjust the proposed stormdrain and easement to remove it from the provided reduced landscape yard width.

The Planning Board found the proposed original location of Lot 128, which reduces the building setback from 30 feet to 10 feet from the property line, unacceptable because of its proximity to the existing outdoor play area for the adjacent day care center. Section 27-464.02, Requirements for a day care center for children in commercial zones, of the Prince George’s County Zoning Ordinance includes a requirement that all outdoor play areas shall be located at least 25 feet from any dwelling on an adjoining lot. The proposed house on Lot 128 originally sat within approximately 11 feet of the existing fenced outdoor play area, which would then make the adjacent day care use nonconforming. It should also be noted that this lot is located closer to the property line than was shown on the previously approved preliminary plan of subdivision. However, at

the Planning Board hearing, the applicant presented an exhibit showing they could move the townhouse lots such that the house on Lot 128 would be located approximately 23 feet from the property line. The Planning Board agreed that this revision would address the possible setback issues and that the plan should be conditioned to be revised per the exhibit. If revised as conditioned, the Planning Board found the applicant's proposed alternative compliance measures to be equally effective as normal compliance with Section 4.7 of the Landscape Manual.

The Planning Board found to approve alternative compliance pursuant to Section 4.7 of the 2010 Prince George's County Landscape Manual for Boundary "B" along the north central property line, adjacent to a day care center for children, subject to the following conditions, prior to certificate of approval of the plans:

- (1) Provide documentation from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) of acceptance of the proposed plants and fencing within their easement or remove the proposed stormdrain and easement from the provided reduced landscape yard width.
- (2) Move the proposed townhouse on Lot 128 to the location shown on Applicant's Exhibit A.

• **Boundary "G" – Southern Property Line—**

REQUIRED: 4.7 Buffering Incompatible Uses, Boundary "G" along the southern property line, adjacent to an existing multifamily residential development.

Length of bufferyard	470 feet
Minimum building setback	20 feet
Landscape yard	10 feet
Bufferyard occupied by ex. trees	0 percent
Fence or wall	Yes*
Plant Units (40 per 100 l. f.)	94*

PROVIDED: 4.7 Buffering Incompatible Uses, Boundary “G” along the southern property line, adjacent to an existing multifamily residential development.

Length of bufferyard	470 feet
Minimum building setback	20 feet
Landscape yard	5–10 feet
Bufferyard occupied by ex. trees	0 percent
Fence or wall	Yes*
Plant units	151

*If revised as conditioned, the fence will no longer allow for a reduction, and the number of plant units required would be 188, instead of 94.

Justification

The applicant is requesting Alternative Compliance from Section 4.7, Buffering Incompatible Uses, of the Landscape Manual. A Section 4.7, Type A bufferyard, which includes a 20-foot building setback and a ten-foot-wide landscape yard, is required along the southern property boundary adjacent to an existing multifamily residential complex. The proposed townhouses on-site meet the setback requirement of 20 feet, but the landscape yard is reduced to five feet where a proposed alley turnaround is provided between Lots 7 and 8. As an alternative to the normal requirements of Section 4.7, the applicant states that they are providing an additional 57 plant units along the property length. The Planning Board found the alternative compliance acceptable in regards to the number of plant units and widths provided; however, they are concerned about the design in regards to the choice of plant and fence materials. Given the odd configuration of the front façades of the townhouses being oriented to the incompatible use and an existing row of large evergreen trees located immediately on the adjacent property, the Planning Board found that the proposed alternative design be revised as follows to allow for more visibility and light penetration:

- (1) All of the evergreen trees, except for the three adjacent to Lot 7, should be replaced with shade-tolerant ornamental trees;
- (2) In the area of Lots 8–24, a fence and pier system shall be provided. Brick or stone piers shall be placed at a maximum of 40 feet on center; and
- (3) The proposed red maple shade trees should be of a columnar variety.

Revised as conditioned, the Planning Board found the applicant’s proposed alternative compliance measures to be equally effective as normal compliance with Section 4.7 of the Landscape Manual.

The Planning Board found to approve alternative compliance pursuant to Section 4.7 of the 2010 *Prince George's County Landscape Manual* for Boundary "G" along the southern property line, adjacent to an existing multifamily residential development, subject to the following conditions, prior to certificate of approval of the plans:

- (1) All of the evergreen trees, except the three adjacent to Lot 7, should be replaced with shade-tolerant ornamental trees.
- (2) The proposed fence should be a six-foot-high, ornamental metal, estate-style fence with brick pier system.
- (3) The proposed red maple shade trees should be of a columnar variety.

d. **Section 4.9, Sustainable Landscaping Requirements**—Section 4.9 requires certain percentages of native plants be provided on-site, along with no invasive plants and no plants being planted on slopes steeper than three-to-one. The submitted landscape plan provides the required schedule and notes showing the requirements of this section being met.

e. **Section 4.10, Street Trees along Private Streets**—Section 4.10 provides specifics for the planting of street trees along private streets, which apply to the subject development. The submitted landscape plan provides the required schedule showing the majority of the requirements of this section not being met. Therefore, the applicant filed a request for Alternative Compliance, AC 15002, from Section 4.10, Street Trees along Private Streets, which is discussed as follows:

REQUIRED: 4.10 Street Trees along Private Streets, throughout the community

Length of Street Frontage	±3,185 feet
Number of Street Trees	91

PROVIDED: 4.10 Street Trees along Private Streets, throughout the community

Length of Street Frontage	±3,185 feet
Number of Street Trees	96 (74 shade, 22 ornamental)

Section 4.10, Street Trees along Private Streets, includes multiple requirements for street trees along private streets, which are proposed to serve the townhomes in the subject application, along with private alleys. These requirements include that shade trees should be planted at an average spacing of 25 to 50 feet on center, in a space not less than five feet wide between the curb and the sidewalk, in a minimum soil surface area of 150 square feet for isolated trees, located a minimum of 35 feet from the point of curvature of an intersection, and located a minimum of ten feet from the point of curvature

of a residential driveway. The subject application proposes to provide on-street parallel parking spaces in front of the majority of the townhouses facing the private streets, as visitor parking spaces within this compact subdivision. The application does not provide for the required continuous five-foot-wide tree strip between the face of curb and sidewalk, as the sidewalk is located adjacent to the curblane with planting area behind it on private lots in most locations. Additionally, the shade trees are spaced less than 25 feet and more than 50 feet apart, and some trees are planted closer than 35 feet to the point of curvature of an intersection of two streets, within 10 feet of the point of curvature of a residential driveway, and within 15 feet of street lights. The applicant is proposing to provide the required number of trees with the minimum soil surface areas required; however, it is in a combination of shade and ornamental trees due to space restrictions, which is also an alternative compliance. The Planning Board found that the applicant has not made sufficient effort to meet the intent of Section 4.10. The subject site is a greenfield, it is not a redevelopment site, and the application was provided special legislation to allow a residential use in a commercial zone, which also allowed for complete flexibility in lot areas, coverages, density, yards, etc. With such flexibility, the applicant should have been able to design a site layout that more fully met all requirements, including those for street trees along private streets. Therefore, the Planning Board found the applicant's proposed alternative compliance measures not to be equally effective as normal compliance with Section 4.10 of the Landscape Manual.

Since the Planning Board denied this alternative compliance request, the applicant filed for a Departure from Design Standards, DDS-630, which was approved by the Planning Board on April 30, 2015, and is companion to this application.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site has a previously approved tree conservation plan. A Type II Tree Conservation Plan, TCPII/063/99-02, was approved with Preliminary Plan 4-01080 and with a subsequent Detailed Site Plan, DSP-06048. Subsequently, a Type 1 Tree Conservation Plan, TCP1 003-14, was approved with Preliminary Plan 4-13030. A Type 2 Tree Conservation Plan, TCP2-063-99-03 was submitted for review with this application. The TCP2 worksheet is phased, reflecting two phases of development for this site.

The site has a woodland conservation threshold of 15 percent, or 1.89 acres. According to the worksheet, the cumulative woodland conservation requirement for both phases of development, based on the total proposed clearing for this project, is 4.54 acres. The TCP2 proposes to meet the entire requirement in an off-site woodland conservation bank.

Several revisions are required. Two separate TCP2 plans were submitted to reflect each phase of the proposed development, instead of only one set of plans as required. Phase 1 is for rough grading of the eastern half of the subject site, while Phase 2 includes rough grading of the western portion of the site, as well as fine grading for the overall site. If the development is proposed in phases, a phased TCP2 should be shown to distinguish between each phase. The TCP2 must be

prepared, submitted, and approved as one plan covering the entire site, and a phasing line should be shown on the plan. Further, the final proposed grading for the overall project associated with this DSP application should be shown.

Remove the slope symbol from the plan and legend. This is not required on a TCP2.

There is overlapping text on the homeowners association stormwater management Parcel B on Sheet 2 of the TCP2 for Phase 2 that is obscuring the underlying text. Move all overlapping text such that all underlying text is clearly visible on the TCP2.

Although the proposed contour elevations are clearly labeled on the TCP2 plan, the majority of existing contour elevations are not labeled. The plans should be revised to add the existing contour elevation labels to all of the existing contours on the plan, and to remove the shading that identifies Phase 1.

Greenbelt Road (MD 193) is not labeled on the vicinity map on the TCP2. Add a label for MD 193 to the vicinity map on the TCP2.

The TCP2 general notes require some revisions. These revisions include:

- a. Revise Note 1 to include the DSP number, "DSP-14025."
- b. Revise Note 3 by replacing "The Department of Public Works and Transportation or the Department of Environmental Resources, as appropriate" with "The Department of Permitting, Inspections and Enforcement (DPIE)."
- c. Replace Note 6 with "The property is within Environmental Strategy Area 2 (ESA 2) and is zoned C-O."
- d. Revise Note 7 to "The site is adjacent to Good Luck Road, which is designated as a historic road."

The TCP2 proposes the use of off-site mitigation; however, the standard TCP2 notes entitled "When the Use of Fee-in-Lieu is Proposed" have been added to the TCP2 instead of the required notes entitled "When Off-Site Woodland Conservation is Proposed." Replace the notes entitled "When the Use of Fee-in-Lieu is Proposed" with the standard required notes entitled "When Off-Site Woodland Conservation is Proposed" on the TCP2.

Within the first paragraph of the section of standard TCP2 notes entitled "When Invasive Plant Species are to be Removed by the Permittee," the applicant has indicated that an invasive plant removal plan is on the plan that is dated June 10, 2014. However, this invasive plant removal plan has not been included on either set of TCP2 plans that were submitted. Add the proposed invasive plant removal plan to the TCP2 as referenced in the notes section.

A revision block is required on all sheets of the TCP2 in order to track any subsequent changes that may be required to be made to the TCP2 in the future. However, no revision block was included on any of the sheets of the TCP2. Add a revision block to all sheets of the TCP2 plan as required.

A TCP2 approval block has been placed on each sheet of the TCP2. However, it is not the standard TCP2 approval block that is currently required to be placed on a TCP2 plan that is associated with a development review case. Add the required TCP2 approval block used for development review cases to all sheets of the TCP2 plan. Complete each block with the TCP2 number, the date and names associated with all previous TCP2 revisions, and the associated development review case.

The limits of disturbance (LOD) are clearly identified on the TCP2. However, it is not identified on the DSP. The LOD is required to be shown on the DSP, and it is required to match that of the TCP2. Identify and label the LOD on the DSP as required. The LOD must be consistent on all plans.

Therefore, prior to signature approval of the DSP, the DSP and TCP2 shall be revised as follows:

- a. Revise the TCP2 such that it only reflects the proposed final grading and development associated with DSP-14025. The TCP2 shall cover the same boundaries as TCP1-003-14.
- b. Remove the slope symbol from the plan and legend.
- c. Remove all overlapping text such that all underlying text is clearly visible on the TCP2.
- d. Add the existing contour elevation labels to all existing contours on the plan.
- e. Remove the shading that identifies Phase 1.
- f. Add a label for Greenbelt Road (MD 193) to the vicinity map on the TCP2.
- g. Revise General Note 1 to include the DSP number, "DSP-14025."
- h. Revise General Note 3 by replacing "The Department of Public Works and Transportation or the Department of Environmental Resources, as appropriate" with "The Department of Permitting, Inspections and Enforcement (DPIE)."
- i. Replace General Note 6 with "The property is within Environmental Strategy Area 2 (ESA 2) and is zoned C-O."
- j. Revise General Note 7 to "The site is adjacent to Good Luck Road, which is designated as a historic road."

- k. Replace the notes entitled “When the Use of Fee-in-Lieu is Proposed” with the standard required notes entitled “When Off-Site Woodland Conservation is Proposed” on the TCP2.
- l. Add the proposed invasive plant removal plan to the TCP2 as referenced in the notes section.
- m. Add a revision block to all sheets of the TCP2 plan as required.
- n. Add the required TCP2 approval block used for development review cases to all sheets of the TCP2 plan. Complete each block with the TCP2 number, the date and names associated with all previous TCP2 revisions, and the associated development review case.
- o. Identify and label the LOD on the DSP as required. The LOD must be consistent on all plans.

Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This requirement was incorporated in the adopted Prince George’s County Code effective on September 1, 2010.

A Subtitle 25 Variance application and a statement of justification in support of a variance for the removal of two specimen trees (1 and 2) were received and evaluated as part of the review of Preliminary Plan 4-13030. The Planning Board approved removal of Specimen Tree 1. However, removal of Specimen Tree 2 was denied because it was located on a proposed outparcel where no development was allowed.

The proposed TCP2 shows grading on the outparcel and the removal of Specimen Tree 2. However, no variance for the removal was submitted and, as it stands, no development can be placed on the outparcel other than necessary stormwater improvements.

Therefore, prior to certification of the DSP, the TCP2 shall be revised to remove the proposed pad site grading from the TCP2 and show Specimen Tree 2 as to be preserved.

The site contains primary management area (PMA) that is required to be preserved to the fullest extent possible per Section 24-130(b)(5) of the Subdivision Regulations. The Zoning Ordinance requires that “...all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible.” The regulated environmental features on the subject property include the delineated PMA.

During the review of Preliminary Plan 4-13030, the Planning Board found that the impacts associated with Impact Area #2 for a pond demonstrated preservation and/or restoration to the fullest extent possible. Impact Area #1 was denied at the time because the impacts could not be fully evaluated based on the information submitted.

A revised letter of justification dated November 21, 2014 was submitted. The letter details the same impact information associated with the grading for proposed Outparcel A for a pad site, as well as for a retail building and parking lot that were required to be removed from the preliminary plan per the resolution, PGCPB No. 14-124. The revised letter of justification also did not address the associated impacts of site improvements to the existing pond and pond outfall located on proposed homeowners association Parcel B as required. Therefore, the Planning Board found that the revised letter of justification is insufficient and that the original findings for impacts still stand. The DSP and TCP2 shall be revised to show the removal of all disturbance associated with Impact Area #1.

Therefore, prior to certification of the DSP, all disturbance associated with Impact Area #1 should be removed, except the grading and improvements associated with the stream restoration.

11. **Prince George's County Tree Canopy Coverage Ordinance:** The site is subject to the Prince George's County Tree Canopy Coverage Ordinance. The Ordinance requires that, based on the zoning of the site, ten percent of the site be in tree canopy. The overall site measures 12.62 acres, requiring 1.26 acres, or 54,973 square feet, of the site be in tree canopy. The site plan provides the appropriate schedule indicating that this requirement is being met on-site with a small amount of existing non-woodland conservation trees and proposed tree plantings. However, the DSP encompasses only 11.87 acres, so the Tree Canopy Coverage schedule should be revised accordingly.

12. **Further Planning Board Findings and Comments from Other Entities:**

- a. **Archeological Review**—A Phase I archeological survey is not recommended on the subject 12.62-acre property. A majority of the subject property has been extensively graded. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites or resources, documented properties, or any known archeological resources.
- b. **Community Planning**—The application is consistent with the *Plan Prince George's 2035 Approved General Plan* (Prince George's 2035 General Plan) policies for established communities and conforms to the land use recommendation for the subject property in the *2010 Approved Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment* (Glenn Dale-Seabrook-Lanham Vicinity Sector Plan SMA).

The applicant is proposing a mixed-use development that includes 138 townhouses. The proposed development is located at the Greenbelt Executive Center, highlighted in the Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan SMA as an Employment Area. Although 4,000 square feet of retail and/or office was proposed on the original submitted plans, it has subsequently been removed from the DSP. It should be noted for the future that the area plan determines that no additional retail is needed. However, the plan also recommends commercial development that concentrates retail, service, office, and housing (p. 196). Additionally, dense residential development abutting existing office and commercial uses will fulfill the plan recommendation to improve residential access to commercial and office uses (p. 198).

The design of the residential façades and landscaping create a pedestrian scale and are an appropriate response to plan recommendations for residential development. (p. 71–74). The proposal includes rear-loaded garages and front façades that are visually differentiated from one unit to the next. The site includes a proposed community green space, as well.

Finally, as there may be an increased concern over pedestrian safety with the influx of new residents just south of the Good Luck Road and the Greenbelt Road intersection, the applicant has agreed to implement pedestrian facility improvements. Some additional improvements to crosswalks, as well as connectivity to neighboring residential development, may be necessary to better insure pedestrian safety; but, overall, this proposal advances the recommendations laid out by the 2010 *Approved Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment*, and no further planning issues can be identified.

- c. **Transportation Planning**—The Planning Board reviewed relative conditions of approval of the preliminary plan of subdivision that have been incorporated into Finding 8 above as appropriate. They also reviewed comments relating to the “T” configuration of the intersection of Wood Glen Terrace and Wood Trail Drive. It was recommended that the portion of Wood Trail Drive between Wood Glen Terrace and Wood Edge Way be realigned, but subsequently in an e-mail dated April 8, 2015, in consultation with the applicant’s representative, it was agreed that the road configuration on the DSP as proposed can remain and is acceptable.
- d. **Subdivision Review**—The subject property is composed of Parcel 4, recorded in Plat Book REP 200-68 on June 11, 2004, and a deed parcel recorded in Liber 34991 at Folio 298 of the County Land Records. This deed parcel was created by a legal division of land, pursuant to Section 24-107(c)(1) of the Subdivision Regulations and Liber 33680 at Folio 407 of the County Land Records. The property is located on Tax Map 35 in Grid F-2, and is approximately 12.62 acres. The site is currently undeveloped. The DSP proposes the creation of 138-townhouse dwelling units.

The site is the subject of Preliminary Plan of Subdivision 4-13030 for Wood Glen. The Prince George's County Planning Board adopted the resolution of approval (PGCPB Resolution No. 14-124), containing 26 conditions, on December 4, 2014. The validity period for the preliminary plan ends on December 4, 2016. The preliminary plan has not been signature approved and should be prior to approval of the DSP. A final plat for the subject property must be accepted by The Maryland-National Capital Park and Planning Commission (M-NCPPC) before the preliminary plan expires or a new preliminary plan is required. Please see Finding 8 for a discussion of the relevant requirements of the preliminary plan approval.

It should also be noted that Lot 128, as shown on the DSP, is not in conformance with the preliminary plan that provided for an appropriate setback from the adjacent existing day care center property. As discussed earlier in regard to the Alternative Compliance application, the proximity of the single-family home to the play area of the day care center is inappropriate and would render the day care center nonconforming in regard to Section 27-464.02 of the Zoning Ordinance because play areas are required to be a minimum of 25 feet from a residential dwelling.

Subdivision conditions are as follows:

- (1) Prior to approval of the DSP, remove General Notes 46 and 47 from the DSP.
- (2) Prior to certification of the DSP, Preliminary Plan of Subdivision 4-13030 should be signature approved.
- (3) Prior to approval of the final plat, the applicant should provide an approval of or consent to the alternative public utility easement (PUE) layout from the effected utility providers.
- (4) Prior to certification of the DSP, a reconsideration for Preliminary Plan of Subdivision 4-14030 (PGCPB Resolution No. 14-124) should be submitted by the applicant and approved by the Planning Board to address direct access to Greenbelt Road (MD 193).

The approval of the DSP is contingent on conformance with the preliminary plan. The Planning Board found the application in general conformance with the conditions of the preliminary plan, recognizing that the development of the outparcel may occur in the future, that the outparcel is independent of the subject DSP, and the development of the outparcel in the future will not require DSP review, but will require either a new preliminary plan or a reconsideration of the previously approved conditions.

- (5) A note shall be added to the DSP that indicates that the outparcel is not part of the subject application, and all grading and impacts should be removed.

Detailed Site Plan DSP-14025 is in substantial conformance with approved Preliminary Plan of Subdivision 4-13030 once the above comments have been addressed. Failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until the plans are corrected.

The DSP has been revised to address some of the subdivision issues. Conditions to address the outstanding issues have been included in this approval.

- e. **Trails**—The Planning Board reviewed the following comments with respect to trails requirements, along with comments regarding conformance to trails-related Preliminary Plan conditions which have been incorporated into Finding 8 above:

The subject application is located south of MD 193 and east of Good Luck Road and includes frontage along both roads. The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment* (Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and SMA). The subject application proposes 138 attached single-family units. Due to the site's location within the Greenbelt Road corridor (per the Adequate Public Facility Review Map of Plan Prince George's 2035), the application is subject to the requirements of County Council Bill CB-2-2012 and the associated Transportation Review Guidelines, Part 2. Compliance with these requirements and the determination of adequate bicycle and pedestrian facilities was made at the time of preliminary plan.

Two master plan trail issues impact the subject property with both Good Luck Road and Greenbelt Road (MD 193) being designated as trail/bikeway corridors. The MPOT includes the following recommendations for each road:

Good Luck Road Shared-Use Side path and Designated Bike Lanes: These facilities will accommodate non-motorized access to Greenbelt National Park, Parkdale High School, Robert Frost Elementary School, Lamont Elementary School, Catherine T. Reed Elementary School, Robert Goddard Middle School, DuVal High School, Turner Recreation Park, and Good Luck Community Center. This is a major east/west connection through northern Prince George's County (MPOT, page 23).

MD 193 Shared-Use Side path and Designated Bike Lanes: Provide continuous pedestrian and bicycle accommodations along MD 193 with either a wide sidewalk or side path for pedestrians and recreational cyclists, and wide curb lanes, bike lanes, or shoulders for on-road bicyclists. MD 193 is a major east/west corridor in northern Prince George's County and provides access to many schools, parks, and commercial areas. Pedestrian safety along the corridor is a concern and the provision of facilities to safely accommodate pedestrians and bicyclists is a priority (MPOT, page 26).

The area master plan further refined the recommendation along MD 193 to reflect a sidepath south of Lanham Severn Road (MD 564) and sidewalks and designated bike lanes between MD 564 and Cipriano Road.

The table of the Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and SMA, Public Facilities Report CR-73-2009, stated the following regarding the facility type recommendation for MD 193 of the subject site:

MD 193 Continuous sidewalks and pedestrian safety features are needed along this segment of road. On-road bicycle lanes should also be provided, if right-of-way allows, from MD 564 to Cipriano Road (area master plan, page 282).

The area master plan also contains the following text and recommendations regarding needed pedestrian improvements at the Good Luck Road and MD 193 intersection. The plan recognized that several intersections in the planning area need further evaluation and possibly modifications or additional improvements such as sidewalks, crosswalks, pedestrian signals, warning signage, and other treatments. The plan includes the following strategy regarding the Good Luck Road and MD 193 intersection:

Goal 4—Improved pedestrian safety throughout the area

Policy 1: Develop a continuous network of safe routes (sidewalks and trails) for pedestrians, especially between neighborhoods and sector plan area destinations.

Strategies:

- **Conduct pedestrian safety studies at key intersections and other areas with known pedestrian safety issues.**

Studies of sidewalk conditions, pedestrian vehicular conflicts, and crosswalks should be conducted at major sector plan area intersections to determine needed pedestrian safety improvements. These may include upgraded or new sidewalks, reduction in turning radii to slow vehicular speed on right turns, pedestrian-activated signals, or crosswalk striping. The intersection of Good Luck Road and Greenbelt Road (MD 193) should be the first study area, given its proximity to local schools and the high number of pedestrians attempting to negotiate this intersection (area master plan, page 165).

The off-site pedestrian improvements required at the time of preliminary plan will address some of the pedestrian access issues in the vicinity of this intersection by completing one of the sidewalk gaps leading to the intersection.

The MPOT also contains a section on Complete Streets which provides guidance on accommodating all modes of transportation as new roads are constructed or frontage improvements are made. It also includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

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

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

In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2010 *Approved Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

- (1) Construct an eight-foot-wide sidepath (or wide sidewalk) along the subject site's entire frontage of Good Luck Road, unless modified by DPW&T.
- (2) Provide standard sidewalks along both sides of all internal roads, excluding the portion of the road abutting the Greenbelt Executive Center Phase Two Condominium, where right-of-way constraints and steep and severe slopes prevent sidewalk construction.

The DSP has been revised to reflect the sidewalk improvements as conditioned.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated January 5, 2015, DPR commented that private recreation facilities were recommended on the Preliminary Plan of Subdivision and they had no comments on the DSP.
- g. **Permit Review**—The Permit Review comments have been addressed by revisions to the plans.
- h. **Environmental Planning**—The Planning Board reviewed a discussion of the DSP's conformance with the Woodland and Wildlife Habitat Conservation Ordinance, as discussed in Finding 11 above, and the following additional comments:
 - (1) An approved Natural Resources Inventory (NRI-137-13) was submitted with the review package, which was approved on January 8, 2014. The NRI verifies that regulated environmental features and woodlands occur on the subject property. No area associated with 100-year floodplains occurs on-site.

The NRI shows two major regulated streams on-site that are within the PMA. One stream is located along the northeastern corner of the site. The other stream is located in the center of the property. The existing streams primarily function as a conveyance for stormwater. The forest stand delineation and NRI indicate the presence of two forest stands totaling 5.95 acres and two specimen trees on-site. No revisions are required for conformance to the NRI.

- (2) DPIE has determined that on-site stormwater management is required. A stormwater management concept approval letter and associated plan (8011890-1999-02) were reviewed with Preliminary Plan 4-13030. The approval letter was issued on February 25, 2014 and is subject to conditions.

As part of the approved findings and conditions associated with PGCPB Resolution No. 14-124, the applicant was required to submit an approved stormwater site development plan showing how the proposed stormwater entering the site from Greenbelt Road (MD 193) will be treated before entering the existing stream/wetland system. The proposed improvements are required to be clearly identified on the plan and correctly reflected on the associated DSP and TCP2. The applicant was also required, at the time of DSP, to demonstrate that the approved stormwater management concept plan or technical plan has been revised to reflect no proposed development on Outparcel A. In response to these conditions, the applicant submitted the same Stormwater Management Concept Plan (8011890-1999-02) from the DPIE Site/Road Plan Review Division for review with the application for DSP-14025. No changes have been implemented as required because the applicant has been authorized by SHA to allow for an access to the site. The applicant has stated intent to file a reconsideration of the preliminary plan to address the conditions of approval, including those associated with a stormwater management plan.

- (3) The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include Issue-Urban land complex (occasionally flooded), Russett-Christiana-Urban land complex (0-5 percent slopes), and Urban land-Issue complex (0-5 percent slopes). According to available information, Marlboro clay is not present on-site; however, Christiana complexes are found on this property.

This information is provided for the applicant's benefit. The County may require a soils report in conformance with Council Bill CB-94-2004 during the building permit process review. No further action is needed as it relates to this DSP review.

- (4) The site lies to the south of Greenbelt Road (MD 193), which is a master-planned arterial road that generates enough traffic to produce noise levels above 65 dBA. The site is proposing 138 attached single-family dwelling units (townhouses). Based on the Environmental Planning Section noise model, the 65 dBA noise contour is located approximately 266 feet from the centerline of MD 193. It appears that this noise contour will not impact any of the proposed features on-site, and no noise attenuation will be required. No additional information regarding noise impacts is required at this time.
- (5) Good Luck Road is designated as a historic road in the 2009 *Approved Countywide Master Plan of Transportation*. Good Luck Road has the functional classification of a collector. Any improvements within the right-of-way of a historic road are subject to approval by the Department of Public Works and Transportation (DPW&T) under the *Design Guidelines and Standards for Scenic and Historic Roads*.

Roadway improvements on Good Luck Road should be required to be carried out in accordance with the *Design Guidelines and Standards for Scenic and Historic Roads*, prepared by DPW&T.

- i. **Fire/EMS Department**—In a memorandum dated January 2, 2015, the Prince George’s County Fire/EMS Department offered information on needed accessibility, private road design, and the location and performance of fire hydrants.
- j. **Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated April 9, 2015, DPIE offered the following comments on the subject application:
 - (1) The property is located on the southeast quadrant of the intersection of Good Luck Road and Greenbelt Road (MD 193). Good Luck Road is a county-maintained urban collector roadway. Existing frontage improvements and right-of-way dedication along Good Luck Road are to be in accordance with the Department of Public Works and Transportation’s (DPW&T) collector roadway standards and the County Master Plan of Highways. MD 193 is a state-maintained roadway. Coordination with the SHA is required.
 - (2) All improvements within the public rights-of-way, as dedicated for public use to the County, are to be in accordance with the County’s Road Ordinance, DPW&T’s specifications and standards, and the Americans with Disabilities Act (ADA).
 - (3) Compliance with DPW&T’s utility policy is required. Proper temporary and final patching and the related mill and overlay, in accordance with the established DPW&T’s policy and specification for utility installation and maintenance permits, are required.

- (4) No master plan roadways lie within the property limits.
- (5) Conformance with DPW&T's street tree and street lighting standards is required along the public rights-of-way.
- (6) The proposed site development plan meets the intent of the approved Stormwater Management Concept Plan, 8011890-1999-02, dated February 25, 2014.
- (7) Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- (8) All storm drainage systems and facilities are to be in accordance with DPW&T's specifications and standards requirements.
- (9) The drainage area to the swale below Greenbelt Road is 48.5 acres. Surface drainage easements may be required at the time of permit.
- (10) This memorandum incorporates the site development plan review pertaining to stormwater management (Section 32-182(b) of the County Code). The following comments are provided pertaining to this approval phase:
 - (a) Final site layout, the exact impervious area locations are shown on plans.
 - (b) The exact acreage of impervious area has been provided.
 - (c) Proposed grading is shown on the plans.
 - (d) Delineated drainage areas at all points of discharge from the site have been provided.
 - (e) Stormwater volume computations have been provided.
 - (f) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth disturbances and impacts to natural resources, and an overlay plan showing the types and location of ESD devices and erosion and sediment control practices are included in the submittal.
 - (g) A narrative in accordance with the County Code has been provided.
 - (h) Provide any missing information (a-g) at the time of final site permit issuance.

The majority of DPIE's comments are required to be addressed prior to issuance of permits, at the time of technical plan approvals. It should be noted that DPIE has stated that the plans meet the intent of the approved stormwater management concept plan. The applicant has explained that the plan as a whole, including the townhouse development and the outparcel (future commercial), are tied together in the stormwater management plan.

k. **Prince George's County Police Department**—In a memorandum dated January 9, 2015, Corporal Richard Kashe from the Prince George's County Police Department provided the following comments on the subject DSP:

- Please allow adequate spacing between the trees and the light fixtures to prevent shadowed and dark areas resulting from tree canopy encroachment upon the light fixtures.

A condition to address this issue has been included in this approval.

l. **Prince George's County Health Department**—In a memorandum dated January 16, 2015, the Division of Environmental Health of the Prince George's County Health Department stated that they had completed a health impact assessment review of the detailed site plan submission, and offered the following findings and recommendation:

- (1) The Prince George's County Health Department permit records indicate there are approximately five existing carry-out/convenience store food facilities within a one-half mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes.

This is understood; however, the subject application does not propose any retail uses.

- (2) There are no market/grocery stores within an one-half mile radius of this location. A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity.

This is understood; however, the subject application does not propose any retail uses.

- (3) There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote the role of public health in improving quality of life. The developer should consider setting aside space for a community garden.

The Planning Board encourages the applicant to consider this. However, given the tight nature of the site layout and grading, there does not appear to be an appropriate location for a community garden.

- (4) Indicate the noise control procedures to be implemented during the construction phase of this project. No construction noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

This requirement will be enforced at the time of permit; however, a note has been provided on the DSP indicating conformance to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

- (5) Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control. During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties.

This requirement will be enforced at the time of permit; however, a note has been provided on the DSP indicating conformance with the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control requirements.

- m. **Maryland State Highway Administration (SHA)**—SHA did not offer comments on the subject application.
 - n. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comments on the subject application.
 - o. **Verizon**—Verizon did not offer comments on the subject application.
 - p. **Baltimore Gas and Electric (BG&E)**—BG&E did not offer comments on the subject application.
13. Based on the foregoing, and as required by Section 27-285(b)(1) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
 14. 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 detailed site plan is as follows:

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 to the fullest extent possible based on the limits of disturbance shown on the TCP2 submitted for review for impacts associated with Impact Area #2.

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 the Type 2 Tree Conservation Plan (TCP2-063-99-03) and APPROVED Alternative Compliance No. AC-15002, and further APPROVED Detailed Site Plan DSP-14025 for the above-described land, subject to the following conditions:

1. Prior to certification, the applicant shall revise the detailed site plan (DSP) as follows or provide the specified documentation:
 - a. The outparcel shall be identified on the plan as "not part of the DSP application," and grading shall be identified as "illustrative only." All of the notes, schedules, and labels shall be revised as necessary to remove the outparcel from the DSP.
 - b. Along the Good Luck Road frontage, reconfigure the proposed front stoops and stairs to remove them from the Washington Suburban Sanitary Commission (WSSC) easement. Reconfigure the plant units between Lots 64-68 and Good Luck Road to remove the trees from the WSSC easement. Adjust the quantity of the shrub plantings, as needed, to accomplish the full number of plant units for the Section 4.6 buffer.
 - c. Provide documentation from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) of acceptance of the proposed plants and fencing within their proposed easement(s), or remove the easement and stormdrain from the provided reduced landscape yard width.
 - d. All of the proposed perimeter fences shall be constructed of six-foot-high, non-white, wood composite; no vinyl or wood.
 - e. Along Boundary "A", a fence and pier system shall be provided. Brick or stone piers shall be placed a maximum of 40 feet on center, except in those areas where the proposed pavement is located within eight feet of the property line.
 - f. Move the proposed townhouse on Lot 128 to the location shown on Applicant's Exhibit A.

- g. Along Boundary “G”, all of the evergreen trees (except the three adjacent to Lot 7) should be replaced with shade-tolerant ornamental trees and the proposed red maple trees shall be of a columnar variety.
 - h. Along Boundary “G” in the area of Lots 8–24, a fence and pier system shall be provided. Brick or stone piers shall be placed at a maximum of 40 feet on center.
 - i. Revise the landscape plans and schedules to reflect the Alternative Compliance (AC-15002) approval, as modified by these conditions of approval.
 - j. Revise the plans to indicate that all shade trees to be a minimum of 15 feet from all street lights.
 - k. The Preliminary Plan of Subdivision (4-13030) should be signature approved.
 - l. Remove or modify General Notes 46 and 47 if necessary, in accordance with a reconsideration of Preliminary Plan of Subdivision 4-14030.
 - m. Revise the parking schedule to correctly reflect the parking spaces shown on the plan.
2. Prior to certification, the applicant shall revise the architecture as follows or provide the specified documentation:
- a. The following number of dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a roof feature containing either a reverse gable or dormer window(s):
 - (1) Four dwelling units in any building group containing seven or eight units; or
 - (2) Three dwelling units in any building group containing six or five units; or
 - (3) Two dwelling units in any building group containing four units.
 - b. The high-visibility lots shall be noted as follows: 1, 7, 8, 25, 33, 34, 42, 51, 52, 60, 68, 69, 84, 91, 92, 99, 106, 113, 119, and 120.
 - c. The endwalls and front façades of units on highly visible lots shall have brick or stone at least up to the top of the ground floor elevation.
 - d. The building sticks fronting along Good Luck Road shall have front façades a minimum of 60 percent brick or stone.
 - e. The standard full-width decks shall have a minimum depth of six feet.
3. Prior to approval of the final plat, the applicant should provide an approval of, or consent to, the public utility easement layout from the effected utility providers.

4. Areas 1 and 2 of the on-site private recreational facilities shall be completed prior to issuance of the 92nd building permit. Areas 3 and 4 of the on-site recreational facilities shall be completed prior to issuance of the 120th building permit, and Area 5 shall be completed prior to issuance of the 128th building permit.
5. Prior to certification, the applicant shall revise the Type 2 tree conservation plan (TCP2) as follows or provide the specified documentation:
 - a. Revise the TCP2 such that it only reflects the proposed final grading and development associated with Detailed Site Plan DSP-14025. The TCP2 shall cover the same boundaries as Type 1 Tree Conservation Plan TCP1-003-14.
 - b. Remove the slope symbol from the plan and legend.
 - c. Remove all overlapping text such that all underlying text is clearly visible on the TCP2.
 - d. Add the existing contour elevation labels to all existing contours on the plan.
 - e. Remove the shading that identifies Phase 1.
 - f. Add a label for Greenbelt Road (MD 193) to the vicinity map on the TCP2.
 - g. Revise General Note 1 to include the DSP number, "DSP-14025."
 - h. Revise General Note 3 by replacing "The Department of Public Works and Transportation or the Department of Environmental Resources, as appropriate" with "The Department of Permitting, Inspections and Enforcement (DPIE)."
 - i. Replace General Note 6 with "The property is within Environmental Strategy Area 2 (ESA 2) and is zoned C-O."
 - j. Revise General Note 7 to "The site is adjacent to Good Luck Road, which is designated as a historic road."
 - k. Replace the notes entitled "When the Use of Fee-in-Lieu is Proposed" with the standard required notes entitled "When Off-Site Woodland Conservation is Proposed" on the TCP2.
 - l. Add the proposed invasive plant removal plan to the TCP2 as referenced in the notes section.
 - m. Add a revision block to all sheets of the TCP2 plan as required.

- n. Add the required TCP2 approval block used for development review cases to all sheets of the TCP2 plan. Complete each block with the TCP2 number, the date and names associated with all previous TCP2 revisions, and the associated development review case.
 - o. Identify and label the limits of disturbance (LOD) on the detailed site plan as required. The LOD must be consistent on all plans.
 - p. Revise the TCP2 to remove the proposed pad site grading and show Specimen Tree 2 as to be preserved.
6. At the time of final stormwater management review, the applicant shall provide a landscape plan detailing the planting specification for the 410 linear feet of stream channel and riparian plantings and herbaceous wetland vegetation proposed in the bottom of proposed stormwater management ponds "A" and "B" as stated on page 4 of a letter dated September 20, 2014 from Rifkin, Weiner, Livingston, Levitan & Silver LLC, entitled "Variation Request – PMA disturbances Wood Glen 4-13030," to be reviewed and approved by DPIE.

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, Bailey, and Shoaff voting in favor of the motion, and with Commissioner Hewlett temporarily absent at its regular meeting held on Thursday, April 30, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of May 2015.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator